**January 3, 2022**

The Common Council of the City of La Porte met in regular session in the Council Chambers on Monday, January 3, 2022 at 6:00 P.M.

**Pledge**

Councilwoman Cutler led the Pledge of Allegiance

**Present** Konieczny - via Zoom, Feikes - via Zoom, West - via Zoom, Galloway - in-person, Cutler - via Zoom, Franke - in-person

**Absent** Vincent

**Minutes**

Mayor Dermody stated each member received an advance copy of the minutes from the previous meeting and asked if there were any corrections or additions. Councilwoman Feikes moved to approve the minutes as presented; motion seconded by Councilwoman Cutler and passed by the following role call vote:

Ayes: Cutler, West, Feikes, Konieczny, Franke, Galloway

Nays: None

**Petitions and Comments of Citizens**

Dean White - 3066 N. US Hwy 35 stated that he has two issues to address. First, Mr. White recently opened an Airbnb above Four Seasons Asian Fusion on Lincolnway. Mr. White stated that there is much encouragement from the City to add second floor residential living space downtown, but there is a problem that will need to be addressed with parking. There are no City lot parking spaces available to rent. Mr. White addressed Traffic Commission and they found that the Ordinance requires each individual automobile to be registered under a parking permit. Mr. White is requesting a new Ordinance for businesses and have one permit per month. Secondly, Mr. White reported an urgent public safety issue in need of repair immediately. There is a hole on the pedestrian sidewalk on Monroe Street near 701 Monroe Street with the dimensions of 27 inches x 4 inches and 3.5 inches deep which happened when a post was removed and replaced with a much smaller post to string lights over Monroe Street. Mr. White stated that this is a fall and injury hazard. He reported that an inspection was done by Jeff Batchelor, Director of Code Enforcement and was reported to the Engineering Department who slated the project for Spring. Mr. White then put the City of La Porte on notice to exempt the property owners of any liability or personal injury arising from what Mr. White states is the City of La Porte’s failure to repair the hole. Pictures were distributed to the Mayor and Councilmembers.

Councilman Galloway asked if the Business Improvement District had been notified. Councilwoman Cutler stated that she was not aware of this issue and has not seen Mr. White address the Business Improvement District Board, but that David Heinold did a walk-through of brick repairs that needed to be addressed.

**Standing Committee Reports**

**Redevelopment Commission:** Councilman Franke reported that the Redevelopment Commission met on December 29, 2021. An update was given on the Don George building which is fully demolished. He reported the Clear Lake Loop Trail reconstruction Project is moving along and expected to begin early Spring. Two public bids were opened for real estate on Boyd Boulevard and are being reviewed by legal. The next Redevelopment meeting is January 26, 2022 at 5:15 PM at Council Chambers.

**School Board:** Councilman Franke reported the School Board will meet Monday, January 10, 2022 at 6:00 PM at Educational Service Center.

**Diversity and Inclusion Commission:** Councilman Franke reported the Diversity and Inclusion Commission will meet January 27, 2022 at 5:00 PM in Council Chambers.

**Police Merit Commission:** Councilman Galloway reported that the Police Merit Commission will meet January 11, 2022 at 2:00 PM at the Police Station.

**Business Improvement District Board:** Councilwoman Cutler reported the BID Board will meet January 10, 2022 at 5:00 PM at City Hall.

**Urban Enterprise Association:** Councilwoman Cutler reported the UEA Board will meet January 19, 2022 at 4:00 PM at City Hall

**Fire Merit Commission:** Councilwoman West reported the Fire Merit Commission will meet on Wednesday, January 5, 2022 at 6:00 PM at Fire Station 1.

**Airport Authority:** Councilwoman Konieczny reported the Airport Authority will meet Monday, January 10th at 5:15 P.M. which is not consistent with their normally scheduled meeting dates. Councilwoman Konieczny reported this meeting will be held via Zoom.

**Historic Preservation Commission:** Councilwoman Konieczny reported the Historic Preservation Commission will meet tomorrow, January 12, 2022 in Council Chambers at 5:30 P.M.

**Traffic Commission:** Councilwoman Feikes reported Traffic Commission will meet January 4, 2022 at the Police Station at 6:00 PM.

Mayor Dermody shared with the Council that the City of La Porte has twenty million dollars’ worth of sidewalk issues and thirty million dollars’ worth of street issues. The City has fifty to one-hundred thousand dollars per year to spend on sidewalks, so the team is attempting to rethink how we provide safe, clean sidewalks and roads for residents and is an on-going issue.

**President Pro-Tem Appointment**

Councilwoman Konieczny moved to re-appoint Councilman Franke, as presented; motion seconded by Councilwoman West and passed by the following role call vote:

Ayes: Cutler, West, Feikes, Konieczny, Franke, Galloway

Nays: None

**Introduction of an Ordinance Amending Ordinance No. 24-2021 Fixing Salaries of Appointed Officers and Employees of the City of LaPorte, Indiana, for the Year 2022**

Councilwoman Feikes made a motion to read an Ordinance by title and amended items only for the first time; motion was seconded by Councilwoman Feikes and passed by the following role call vote:

Ayes: Cutler, West, Feikes, Konieczny, Franke, Galloway

Nays: None

Councilwoman Cutler read an Ordinance Amending Ordinance No. 24-2021 Fixing Salaries of Appointed Officers and Employees of the City of LaPorte, Indiana, for the Year 2022 by title and amended items.

**Introduction of an Ordinance Designating 1403 Indiana Avenue; George Wood Allen House as a Single Site Historic Preservation District Within the City of La Porte**

Councilwoman Konieczny made a motion to read an Ordinance for the first in its entirety; motion seconded by Councilwoman Cutler and passed by the following role call vote:

Ayes: Cutler, West, Feikes, Konieczny, Franke, Galloway

Nays: None

Councilwoman Konieczny read an Ordinance Designating 1403 Indiana Avenue; George Wood Allen House as a Single Site Historic Preservation District Within the City of La Porte in its entirety.

Mayor Dermody invited Dottie Rosenbaum, President of People Engaged in Preservation, and current owner of 1403 Indiana Avenue through People Engaged in Preservation to speak to the Council. Ms. Rosenbaum stated that it is the People Engaged in Preservation Organization seeking the historic designation for 1403 Indiana Avenue. Mrs. Rosenbaum requested the Council suspend the rules for a second reading because she stated there is a buyer for this home. The buyer has been made aware of the conservation easement that has been donated to Indiana Landmarks and the pending designation in front of Council tonight. Both are part of the listing on Realtor.com.

Councilwoman Cutler stated she received information the Thursday before Council meeting and has not had adequate time to thoroughly research to make an appropriate decision and stated she is not comfortable making a motion to adopt tonight. Councilwoman Cutler stated that the home appears to be a non-functioning shell and is questioning why after fourteen years of being owned by Tim Stabosz and now just before the sale of the home a designation needs to be made instead of waiting for the new owner to be part of the decision for designation.

Ms. Rosenbaum stated that the mission of People Engaged in Preservation is to promote local designation of historic homes. She stated in that capacity, PEP felt it important to protect George Wood Allen’s home which is why People Engaged in Preservation is seeking to designate before closing and has donated easement to Indiana Landmarks.

Councilwoman West asked Ms. Rosenbaum why this is so sudden.

Ms. Rosenbaum stated that People Engaged in Preservation purchased the property from Mr. Stabosz in March 2021. Ms. Rosenbaum has been working the entire summer on the history of the home and the designation paperwork. She stated that she can’t answer as to why Mr. Stabosz didn’t previously want the home designated.

Councilman Franke asked Ms. Rosenbaum if she suspected the buyer would not file to designate this property historic after the sale and asked if that was why there was an urgency in this matter.

Ms. Rosenbaum stated she has no way of telling what the buyer would or wouldn’t do, but that it is PEP’s mission to seek local designation. PEP would be seeking designation whether there was a buyer. She stated it just so happens a buyer was found more quickly than anticipated.

City Attorney Nick Otis asked who was behind the LLC on the Purchase Agreement and asked if they would work to make the home habitable as it has been ten to twelve years since anyone has lived in the home. He asked what the buyer’s intentions are for the home.

Ms. Rosenbaum answered that to the best of her knowledge, the buyer intends on this property being a single-family, owner-occupied dwelling and is stated as such in the purchase agreement. She stated that after a google search of the LLC, this was a young physical therapist out of Valparaiso, Indiana, but that is all she knows.

Councilwoman Cutler stated that she is not comfortable suspending the rules at this time. She believes that this home is one hundred fifty years old and that for a fifty-year period, it was owned by a prominent architect. She noted that currently, as the house sits, it is an empty shell and the façade that is currently on the house is not an original façade – it is based on an interpretation of photos that were found. Local designation at this point would limit the new buyer from taking the house back to its original look. A positive note, Cutler stated, is that this home has been a rental for a very long time and as a third ward representative, Councilwoman Cutler was made aware of the numerous code violations on the property. Councilwoman Cutler wants more time to research this situation and does not wish to suspend rules at this meeting.

City Attorney Nick Otis stated that the City has an absolute obligation that the buyer is aware of the designation and asked Ms. Rosenbaum for proof of that before the next meeting.

**Introduction of a Resolution to Transfer Funds Within the 2022 Budget**

Councilwoman West made a motion to read a Resolution one time in its entirety; motion was seconded by Councilwoman Cutler and passed by the following role call vote:

Ayes: Cutler, West, Feikes, Konieczny, Franke, Galloway

Nays: None

Councilwoman West read a Resolution to Transfer Funds within the 2022 Budget in its entirety.

Mayor Dermody stated these funds are for the salary for the Director of Community Development and Planning which is the only salary that changed from the amendments in the Salary Ordinance.

**Motion/Vote – Adopt Resolution No. R-1-2022**

Councilwoman West made a motion to adopt a resolution to Transfer Funds within the 2022 Budget as presented; motion seconded by Councilwoman Cutler and passed by the following role call vote:

Ayes: Cutler, West, Feikes, Konieczny, Franke, Galloway

Nays: None

**RESOLUTION NO. R- 1-2022**

**resolution to TRANSFER funds within the 2022 budget**

**Other Business**

Mayor Dermody stated that US Marines NIBC La Porte Invitational will be January 6, 7, 8. The nation’s top ten basketball teams will be playing at the Civic Auditorium, including our very own La Lumiere. COVID precautions/ restrictions will be in place.

Mayor Dermody stated COVID testing has been extended for two more weeks at the Train Depot and is open daily from 8-4.

**Adjourn**

There being no further business, Councilman Galloway moved to adjourn; motion seconded by Councilman Franke and unanimously carried.

**Approve: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Thomas P. Dermody, Mayor**

**Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **Courtney Parthun, Clerk-Treasurer**

**Approved: January 18, 2022**