

July 5, 2022

The Common Council of the City of La Porte met in regular session Tuesday, July 5, 2022, at 6:00 P.M. in Council Chambers.

Pledge

Councilwoman Cutler led the Pledge of Allegiance.

Present Feikes, West, Galloway, Cutler, Franke, Vincent, Konieczny

Absent None

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 West and unanimously carried.

Mayor Dermody asked for a moment of silence for the victims and families affected by the shootings in Highland Park, Illinois and Philadelphia, Pennsylvania on July 4, 2022.

Petitions and Comments of Citizens

Heather Oake, 3306 N. 50 E., La Porte, Indiana, requested to showcase a Christian Flag and a Jewish Flag at City Hall since the LGBTQ Flag was on display for the month of June. Mayor Dermody notified Ms. Oake of the next meeting for the Diversity and Inclusion Commission and added Councilman Franke is the Council liaison for the commission. The Diversity and Inclusion Commission will meet on July 28, 2022, at 5:00 P.M. at City Hall. Ms. Oake asked who the voting members of the Diversity and Inclusion Commission were. Attorney Otis notified Ms. Oake they are posted on the City's website.

Donna Johnson, 1037 Indiana Avenue, La Porte, Indiana, wrote a letter to Council noting she is speaking on the same subject matter as Ms. Oake, but she has a different opinion. Ms. Johnson thanked the current Administration for keeping the peace in La Porte. She read three paragraphs from her letter discussing government being impartial to not cause more division. Ms. Johnson stated she would be educating herself on the Diversity and Inclusion Commission and thinks City Government should not have an opinion on hot topics that will create division.

Larry Pinkerton, 1612 L Street, La Porte, Indiana, stated if there is a flag that represents all people, that is what should be displayed at City Hall. Mr. Pinkerton also noted he wanted to speak on Agenda Item No. 7 after it is

introduced and discussed. Mayor Dermody thanked Mr. Pinkerton for his service.

Spencer England, 516 E. Street, La Porte, Indiana, stated he wanted to summarize what everyone has been saying at Public Comment and that is that we are all united under the American Flag. Mr. England stated he thinks people want to be represented as an equal. He noted he was also in the armed forces and fought just as Mr. Pinkerton and Councilman Galloway have. He noted the City should stay neutral and represent all of its citizens and not show bias toward one group or another.

Mayor Dermody noted the Veterans were showcased in the display and the City will continue to showcase other organizations so that people know La Porte is a welcoming community and we support everyone that wants to make a great life for themselves and their family.

Recognition of Scott Harris

Mayor Dermody recognized Scott Harris for his dedication to the City of La Porte through his dedication for the past twenty-two years to Patton Cemetery. Mayor Dermody noted the City does not own the cemetery, though we have many Veterans and family members of our community buried at Patton Cemetery and it is important to honor them by taking care of the grounds. Scott Harris, according to Mayor Dermody, has been taking care of that property for twenty-two years without taking a penny. Mayor Dermody wanted to publicly thank Scott Harris for his hard work and dedication over the years and asked him to share a brief history of how he became involved with Patton Cemetery. Scott Harris shared that Patton Cemetery was thrown in his lap twenty-two years ago as he is in the burial vault business. As cremations became more popular and full burials slowed dramatically, the cemetery has had its hardships. Mr. Harris is asking for help. He noted it is not the City's problem but ultimately, it may end up in the City's lap. Mayor Dermody asked how long it takes each week to maintain the grounds. Scott Harris replied that it is forty to forty-five hours on a zero-turn lawn mower, and it is one hundred hours to weed eat in the cemetery. The work, according to Mr. Harris, is endless. The funds, however, are not. The cemetery has \$1700 which will get them through the next couple of weeks. There are a few grave sales coming up, but when the funds run low, Mr. Harris has been donating his own resources for the upkeep. Mr. Harris stated \$22,000-\$25,000 per year would maintain the cemetery. Councilwoman Cutler asked about the Jewish portion of the cemetery. Mr. Harris noted Mr. Jacobi heads that portion and it is not actually part of Patton Cemetery. It used to be run by Mr. Maury Levine and he was the reason the blacktop roads were put throughout the cemetery. Mayor Dermody noted he, Roger Galloway, Scott Harris and other Patton Cemetery

Board members would meet soon to discuss a long-term plan to ensure the sustainability of Patton Cemetery and again, thanked Scott Harris for twenty-two years of dedication.

Standing Committee Reports

Diversity and Inclusion Commission: Councilman Franke reported the Diversity and Inclusion Commission met Thursday, June 23, 2022, at 5:00 P.M. in Council Chambers. Discussion was held on their budget and planning on events they'd like to participate in took place.

Park Board: Councilwoman Feikes reported Park Board will meet on Wednesday, July 20, 2022 at the Park Office.

Traffic Commission: Councilwoman Feikes reported Traffic Commission will be meeting on Tuesday, July 12, 2022 at 5:00 P.M. at the Police Station

Police Merit Commission: Councilman Galloway reported Police Merit Commission will meet Tuesday, July 11, 2022, at 2:00 P.M. at the Police Station.

Business Improvement District Board: Councilwoman Cutler reported the next Business Improvement District meeting will be Monday, July 11, 2022 at 5:00 P.M. at City Hall.

Urban Enterprise Association: Councilwoman Cutler reported there will be no meeting in July. The next meeting is scheduled for Wednesday, August 17, 2022 at 4:00 P.M. at the LEAP office.

Planning Commission: Councilwoman West reported Planning Commission will meet July 12, 2022 immediately following the Board of Zoning Appeals meeting in Council Chambers.

Fire Merit Commission: Councilwoman West reported Fire Merit Commission will meet July 6, 2022 at 6:30 P.M. at Fire Station No. 1.

Historic Preservation Commission: Councilwoman Konieczny reported the Historic Preservation Commission last met on June 21, 2022 at 5:30 P.M. in Council Chambers. Topics of discussion reported by Councilwoman Konieczny were the production and distribution of the La Porte Historical Coloring Book. Councilwoman Konieczny reported there are currently copies for sale at the La Porte County Museum. Also reported, the members are also focusing on an upcoming walking tour in conjunction with the La Porte County Library as well as a hands-on workshop pertaining to windows

sponsored by Indiana Landmarks. Councilwoman Konieczny reported the next Historic Preservation Commission meeting will be held on July 19, 2022 at City Hall at 5:30 P.M.

Airport Authority: Councilwoman Konieczny reported the Airport Authority continues to engage their masterplan and runway reorientation documents are currently in review. Councilwoman Konieczny reported the Airport Authority is seeking City Annexation pertaining to the recently acquired land purchase. It was reported the Airport had a strong presence at the Fourth of July Parade with a fun float. The Air Fair will return on August 6-7, 2022. Councilwoman Konieczny reported fuel sales remain strong even with the rising prices. The Airport Authority will meet Wednesday, July 13, 2022 at 5:15 P.M. at the Airport.

Mayor Dermody reported the City has been meeting with residents that live in the 39N Conservancy District. He noted despite the misinformation on social media, it was great to discuss and work through what the real issues are. The next meeting with the board of 39N is on July 20, 2022. Five residents from each side will be invited to discuss the facts without attorneys present.

Petition for Voluntary Annexation into and the Re-Zoning of the Annexed Land in the City of La Porte, Indiana

Councilwoman Konieczny moved to Introduce a Petition for Voluntary Annexation by title only; motion seconded by Councilwoman Feikes and unanimously carried. Councilwoman Konieczny read a Petition for Voluntary Annexation into and the Re-Zoning of the Annexed Land in the City of La Porte, Indiana by title only.

City Attorney Nick Otis noted this whole process takes some time, but tonight is the formal filing of the Petition for Annexation by the La Porte Municipal Airport and invited Airport Attorney Bill Nelson to explain the annexation.

Bill Nelson of Braje, Nelson and Janes in Michigan City, introduced himself as legal counsel to the La Porte Municipal Airport and the Airport Authority since 2013. Three or four years ago, Mr. Nelson reported that he came before the Council with two parcels purchased by the Airport and Mr. Volk asked Mr. Nelson to immediately start the annexation process. At that time, Mr. Janes' paralegal discovered eight other parcels that hadn't been annexed so Mr. Nelson reported he asked City Council for approval on ten parcels into the City. March 22, 2022, Mr. Nelson reported the Airport acquired 49.6 acres of highlighted on the surveys Mr. Nelson provided. This land was purchased for existing and future airspace protection, for future use and possible development. The petition looks to voluntarily annex this property into the

city and rezone it. It is currently zoned as M1, light industrial, according to Mr. Nelson. When it comes into the City, the Airport is asking that it be AP which is the abbreviation for Airport Purposes. The petition is formally filed today, August 1, 2022 will be a Public Hearing, August 15, 2022 will be a second reading and a Resolution with a Fiscal Plan to determine how this affects the City with regards to taxes and September 6, 2022 with a final vote on the Ordinance.

Mayor Dermody noted that this gets us closer to a solution for a problem that many business owners have had in La Porte which is the short runway. It is difficult for corporate jets to land. Mr. Nelson responded part of the process of acquiring land is not just to protect current airspace, but future airspace. Mr. Nelson noted the Airport Authority are progressive and forward thinking. They are not reactors. They are, according to Mr. Nelson, folks who plan and take active steps to continue to improve that airport. They are taking the steps to work on a plan with the FAA to reorient the runway to a more Northwest/ Southeast orientation. In doing so, they are planning to lengthen the runway to allow jets to be able to land. Mr. Nelson noted with a small runway, planes and jets will pass you by and they will land in other communities. When jets land, they fuel up. Jet fuel sales are very important to an airport.

Nick Otis, City Attorney, read a question from a resident on Facebook Live regarding the impact or changes to SR39. Bill Nelson noted there would not be changes to SR39.

Introduction of an Ordinance Amending Ordinance No. 24-2021, Ordinance No. 1-2022, Ordinance No. 4-2022, Ordinance No. 5-2022 and Ordinance No. 8-2022 to Amend Salaries in the Transporte Department, Urban Tree Canopy Grant and Police Department

Councilwoman Feikes moved to introduce an Ordinance for the first time in its entirety; motion seconded by Councilwoman Cutler and unanimously carried. Councilwoman Feikes read an Ordinance Amending Ordinance No. 24-2021, Ordinance No. 1-2022, Ordinance No. 4-2022, Ordinance No. 5-2022 and Ordinance No. 8-2022 to Amend Salaries in the Transporte Department, Urban Tree Canopy Grant and Police Department

Chief Brettin reported though he thought the Police Department needed a full-time Administrative Assistant, it isn't necessary with a well-trained employee and the salary will again be split with Street.

Mayor Dermody reported with Transporte, the dispatcher can take on more Assistant Director responsibilities, the Manager will move to a Director position and Mayor Dermody invited Mike Frazee to discuss the Tree Crew.

Mike Frazee reported that four part-time positions will be moved to two full-time positions and the salaries will be paid from the Tree Canopy Grant.

Mayor Dermody reported the Ordinance will be read for a second time on July 18, 2022.

Public Hearing and Introduction of a Resolution for an Additional Appropriation for Community Development Block Grant

Councilman Galloway made a motion to introduce a Resolution for the first time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Galloway read a Resolution for an Additional Appropriation for Community Development Block Grant in its entirety.

Mayor Dermody invited Mary Ann Richards, City of La Porte Community Development Block Grant Program Manager, to discuss the Additional Appropriation. Mary Ann Richards reported this is funding received by the City of La Porte from the US Department of Housing and Urban Development for the Community Development Block Grant. Ms. Richards noted these projects, due to COVID, were not done in 2021, so in essence they are rolling over into 2022 to allow these activities to occur including the Homeowner Repair Program and Sidewalk Improvements which will be added to the funds from 2022 budget. The sidewalk improvements will be in Census Tract 421 – the central part of downtown. Ms. Richards noted that Census Tract goes from Rose Street to Monroe Street up to Osborn Street to Second Street and Lincolnway to the railroad tracks. This is a low-moderate income area.

Mayor Dermody opened the Public Hearing for an Additional Appropriation for Community Development Block Grant and invited the public to comment.

City Attorney Nick Otis noted the Affidavit of Publication stating the Public Hearing was advertised on June 24, 2022, in the LA Porte Herald Dispatch.

There being no public comment, Mayor Dermody closed the Public Hearing.

Motion/Vote to Adopt

Councilman Vincent made a motion to approve a Resolution for an Additional Appropriation for Community Development Block Grant; motion seconded by Councilwoman West and carried unanimously.

RESOLUTION NO. R-10-2022
RESOLUTION FOR AN ADDITIONAL APPROPRIATION FOR COMMUNITY
DEVELOPMENT BLOCK GRANT

Introduction of a Resolution to Transfer Funds within the 2022 Budget

Councilwoman West moved to introduce a Resolution for the first and only time in its entirety; motion seconded by Councilwoman Cutler and unanimously carried. Councilwoman West read a Resolution to Transfer Funds within the 2022 Budget in its entirety.

Mayor Dermody invited Mary Ann Richards to explain the transfers to Council. Mary Ann Richards, Community Development Block Grant Program Manager explained the funds transfer is necessary to move funds from demolitions to Sidewalk Program.

Motion/Vote to Adopt

Councilwoman West made a motion to approve a Resolution to transfer Funds within the 2022 Budget; motion seconded by Councilwoman Cutler and unanimously carried.

RESOLUTION NO. R-11-2022
RESOLUTION TO TRANSFER FUNDS WITHIN THE 2022 BUDGET

Introduction of a Resolution Identifying the City of La Porte’s Plan to Use American Rescue Plan Funds

Councilwoman Cutler moved to Introduce a Resolution for the first and only time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilwoman Cutler read a Resolution Identifying the City of La Porte’s Plan to Use American Rescue Plan Funds in its entirety.

Mayor Dermody reported the transformational projects were adopted last fall after making a presentation at a Council Meeting. State Board of Accounts requires a Resolution be passed and any changes to the plan are amended and adopted as amended Resolutions, so tonight’s Resolution adoption is procedural. Mayor Dermody did highlight some of the transformational projects discussing 701 Maple which has had no Fire/Police calls since being completely renovated and changing ownership. Mayor Dermody noted it is a start in going after the generational poverty and the City must adjust and work with families to change their lives because the three blocks in the Qualified Census Tract, which is the City’s focus, can’t be ignored.

Motion/Vote to Adopt

Councilwoman Feikes made a motion to approve a Resolution Identifying the City of La Porte’s Plan to Use American Rescue Plan Funds; motion seconded by Councilwoman Cutler and unanimously carried.

Donna Johnson, 1037 Indiana Avenue La Porte, Indiana, asked if these were Federal funds and asked about the requirements of spending.

Mayor Dermody told her the American Rescue Plan document can be found online, but highlighted some of the approved areas for expenditures, such as Tourism, Affordable Housing, Water and Sewage Infrastructure, etc.

RESOLUTION NO. R-12-2022
RESOLUTION IDENTIFYING THE CITY OF LA PORTE'S PLAN TO USE
AMERICAN RESCUE PLAN FUNDS

City Attorney Nick Otis fielded questions from Facebook Live. Mr. Miller asked to explain why the benefits of City Council added up to \$1.2 Million when the salaries combined are only \$68,000.

Clerk-Treasurer Parthun reported insurance benefits and retirement benefits are grouped into one area, Council and Board of Works on the Form 1's for Budgets. Health Insurance and Retirement for 200+ employees is a large expenditure and Clerk-Treasurer Parthun invites anyone with questions to call, come in or email her with additional questions.

Mayor Dermody congratulated Laura Cutler on being named one of Fine Art Connoisseur's "Five Female Artists to Watch" with her painting being featured on the cover of the July Edition of Fine Art Connoisseur. It is an incredible honor in the art world and Mayor Dermody noted we are delighted to call her one of our own here in the City of La Porte. Mayor Dermody invited Nick Otis to speak. Nick Otis told a story of a Bison painting displayed at her downtown Gallery a few years ago. Mr. Otis liked it and inquired about it, didn't buy it, and felt he missed his chance. It went to the State House and sold quickly once displayed there. Mr. Otis told Councilwoman Cutler he wanted to buy the next one if she painted another. She did paint another and Nick Otis did purchase it and it is the Bison that is featured on the cover of Fine Art Connoisseur. Mr. Otis announced Laura Cutler is one of Fine Art Connoisseur's Five Female Artists to Watch. Councilwoman Cutler stated it is an absolute honor. Councilwoman Cutler noted her focus is on draft horses and bison and some of the larger beasts of burden. Councilwoman Cutler stated there is a great source of inspiration in La Porte. The bicentennial is actually what got her interested in bison because they used to roam in Indiana. Councilwoman Cutler noted she is fascinated with Indiana animals.

Mayor Dermody announced Taco Fest is this Friday at La Stitch.

Adjourn

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

Approve: _____
Thomas P. Dermody, Mayor

Attest: _____
Courtney Parthun, Clerk-Treasurer

Approved: August 1, 2022