

June 5, 2023

The Common Council of the City of La Porte met in regular session Monday, June 5, 2023, at 6:00 P.M. in Council Chambers.

Pledge of Allegiance

Councilman Franke led the Pledge of Allegiance.

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

Absent: Cutler

Approval of 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 Councilman Vincent and unanimously carried.

Honor Thomas Vasilarakos

Mayor Dermody stated with much sadness we are recognizing one of La Porte's finest restaurants, Louie's Café. I'm sure everyone in this room at some point in their life has visited Louie's Café and has a story to tell. Mr. Thomas Vasilarakos has done so much for this community. While we are saddened for the restaurant to close we are excited for Mr. Vasilarakos to enjoy retirement. Mayor Dermody invited Mr. Vasilarakos to the podium and share some of the history of Louie's Café. Mr. Vasilarakos stated his family moved to La Porte when he was just fifteen years old in 1977. Mr. Vasilarakos stated his father was very passionate about helping kids in need and started his Louie's Angels. This program was something he felt very passionate about. Next week we will be presenting the final check for \$1500. We hope within the next year to have Louie's cookbook available for home use. Mayor Dermody noted there are not enough ways to say Thank You for the countless donations the family has given to the School Corporation and the public and presented Mr. Vasilarakos and his family with a Key to The City of La Porte.

Petitions and Comments of Citizens

Chris Pinkerton, PO BOX 1811, addressed the Council regarding the 39N annexation. Ms. Pinkerton stated she attended the 39N Board meeting last Friday and the Fiscal Plan was not handed out. Ms. Pinkerton noted the Board would like assurance from the State Board of Accounts and DLGF that the City can give the individual property owners water credits. Ms. Pinkerton noted Mayor Dermody was working the phones for signatures on June 1, 2023. Ms. Pinkerton discussed the City of La Porte debt ratio.

Mayor Dermody noted Ms. Pinkerton attended the three public meetings that were held at the Civic Auditorium where the fiscal plan was introduced. This evening we will be also discussing the Fiscal Plan. Mayor Dermody asked Clerk-Treasurer Parthun to speak to the City's debt. Clerk-Treasurer Parthun stated the only bond that is tax based is the G.O. Bond of 2012 and that was a refinance that saved the taxpayers approximately \$250,000.

Jody Slabaugh, 2402 North State Road 39, addressed the Council regarding the 39N annexation. Mr. Slabaugh stated for the last year residents have heard the City say they were unsafe. Mr. Slagaugh discussed the Fiscal Plan that was presented at the public meetings. He outlined items that were presented at the public meetings such as streetlights and police cars.

City Attorney Nick Otis stated a lot of misinformation was presented by the two public commenters. The City of La Porte is following State Statute regarding the public outreach program. Fiscal information is required to be presented but a fiscal plan is not required to be provided. The Fiscal Plan will be presented tonight and then mailed out to every property owner. The Fiscal Plan must be approved by September 6, 2023. State Statute only requires a detailed summary be provided to the property owners, but we will be mailing the entire fiscal plan to every property owner. The City is not hiding anything. We are offering a solution to the problem 39N has.

Tim Werner, City of La Porte Water Department Superintendent addressed the Council. Mr. Werner addressed the discussion of the two water towers. Mr. Werner stated the first water tower would be placed at the entrance of toll road for fire suppression storage. The other storage tank is at the booster station. It is not for fire suppression, it is to separate the two systems. This is to help in a situation where more water is drawn than the pumps can handle. Mr. Werner discussed the concerns of opening two hydrants, including boil orders. Mr. Werner stated the VS Engineering Study done on behalf of the 39N Board and our study with NEIS Engineering are very similar. The major difference is they (VS Engineering) are ok with the minimum water flow and we as a City are not.

Mayor Dermody noted the 39N Board has been very responsive to discussing what is best for the residents.

Sierra Sue Jesh, Jefferson Ave addressed the Council regarding some issues she sees in the downtown area. She discussed the fence Bare Bones has in front of their restaurant, it takes up a majority of the sidewalk along with the bicycle rack and the light post. Ms. Jesh would also like to see some of the

trees in the downtown area trimmed and some more seating for those who need to stop and take a break from walking.

Mike Rosenbaum, 1515 Indiana Ave came before the Council to say thank the City for the quick response from Building Inspector Floyd Mrozinke. He came out the next day to take care of the inspection we needed, and it was much appreciated. Mr. Rosenbaum also thanked the street department for quickly removing the branches he had cut down. Mr. Rosenbaum noted they cleaned up the branches from his property and a neighbor. A job well done.

Standing Committee Reports

Sustainability Committee: Councilman Franke reported the Sustainability Committee met on May 22, 2023, 4:00 P.M. in Council Chambers.

Redevelopment Commission: Councilman Franke reported the Redevelopment Commission met on Wednesday May 31, 2023, at 5:15 P.M. in the Council Chambers. Topics for discussion were the new fire truck and training facility for the Fire Department. Another item up for discussion was a parcel for sale in New Port Landing.

Park Board: Councilwoman Feikes reported the Park Board met on May 17, 2023. A policy was unanimously passed prohibiting solicitation of any kind on Park property. The update to the 2023-2027 Master Plan was presented. The Action Plan for final approval is tentatively set for the June meeting. SHE presented a concept for the new Stone Lake Lodge that will be located on the southern shore of Stone Lake. It will be 6800 sq. ft. with a 250-person capacity. Ed and Karen Bowers attended the meeting as they are the lead donors for the project as well as gifting an endowment for future lodge needs. The future renovation and expansion of the Kesling Park ball diamonds was discussed. The hope is to construct two new fields there replacing the two at Lions Field, building an indoor batting cage and installing new lighting over the next three years. Portions of the Civics' balcony seating will be available for sale through an online auction beginning Friday, June 9th with bidding ending at noon on Friday, June 16th. There will be a link on the Civics' Facebook page as well as at LaPortecivicauditorium.com

Traffic Commission: Councilman Vincent reported Traffic Commission will meet June 6, 2023, at 5:00 P.M. at the Police Station.

Mayors Veterans Committee:

Councilman Galloway reported the Mayors Veterans Committee had their annual brick ceremony on Memorial Day weekend. The ceremony went very well. Mr. Galloway noted the bricks are \$25 and it's a great way to memorialize those that have fought for our freedoms. Mr. Galloway thanked Mayor Dermody for speaking at the event.

Police Merit Commission: Councilman Galloway reported the Police Merit Commission will meet on Tuesday, June 13, 2023, at 2:00 P.M. at the Police Station. They will be discussing the possibility of a new shooting range.

Fire Merit Commission: Councilwoman West reported the next Fire Merit Commission will meet Wednesday, June 7, 2023, at 6:30 P.M. at Fire Station No. 1.

Airport Authority: Councilwoman Konieczny reported the Airport Authority will meet on Wednesday, June 14, at 5:15 P.M. at the airport.

Historic Preservation Commission: Councilwoman Konieczny reported the Historic Preservation Commission will meet on June 21, 2023, in Council Chambers.

Introduction Of An Ordinance Establishing a Stop Sign at Miller Court:

Councilwoman Feikes made a motion to read an Ordinance for the first time in its entirety; motion was seconded by Councilman Vincent and unanimously carried. Councilwoman Feikes read An Ordinance Establishing a Stop Sign at Miller Court in its entirety. Councilwoman Feikes noted there is no yield sign or stop sign currently and it presents a dangerous situation. City Attorney Nick Otis noted there is more traffic in the area currently due to construction, so he suggested the rules be suspended and the Council approve the Ordinance with one reading. Councilwoman Feikes made a motion to suspend the rules; motion was seconded by Councilman Vincent and unanimously carried. Councilwoman Feikes made a motion to read An Ordinance for the second time by title only; motion was seconded by Councilman Vincent and unanimously carried. Councilwoman Feikes read An Ordinance Establishing a Stop Sign at Miller Court by title only.

Motion/Vote – Adopt Ordinance 17-2023

Councilwoman Konieczny made a motion to adopt An Ordinance Establishing a Stop Sign at Miller Court; motion was seconded by Councilman Galloway and unanimously carried.

**ORDINANCE NO. 17-2023
AN ORDINANCE ESTABLISHING A STOP SIGN AT MILLER COURT**

An Ordinance Establishing a Thirty (30) Minute Restricted Parking Space on Clay Street

Councilman Vincent made a motion to deny An Ordinance Establishing a Thirty (30) Minute Restricted Parking Space on Clay street; motion was seconded by Councilman Franke and unanimously carried. Councilwoman Feikes reported the owners of Freckle Farms contacted Councilwoman West and wanted to withdraw their request.

Introduction of An Ordinance Establishing a Three-Way Stop at Newporte Blvd. and North Madison

Councilwoman West made a motion to read an Ordinance for the first time in its entirety; motion was seconded by Councilman Vincent and unanimously carried. Councilwoman West read an Ordinance Establishing a Three-Way Stop at Newporte Blvd. and North Madison in its entirety. The second reading will take place at the June 20, 2023, meeting.

Introduction of An Ordinance Establishing a Fifteen (15) Minute Parking Space at Lincolnway and Monroe Street

Councilman Galloway made a motion to read an Ordinance for the first time in its entirety; motion was seconded by Councilwoman Feikes and unanimously carried. Councilwoman Feikes reported the owner of Asian Fusion asked for a parking spot for pick up orders. The traffic commission did not want to give a spot only to Asian Fusion, so they are designating a spot for anyone on the block for fifteen-minute parking. The second reading will take place at the June 20, 2023, meeting.

Petition for Voluntary Annexation into the City of La Porte, Indiana – 39 North Property Owners

Councilwoman Konieczny made a motion to introduce a petition; motion was seconded by Councilwoman Feikes and unanimously carried. Councilwoman Konieczny read a Petition for Voluntary Annexation into the City of La Porte, Indiana – 39 North Property Owners. City Attorney Nick Otis stated we are asking the Council to make a motion to accept the petition. State Statue requires it to be filed with the City and by accepting the petition tonight it is being filed. Mr. Otis noted the City must obtain signatures from

51% of the taxable parcels, the City has obtained over 51% of the 39N property owners signatruues.

Mayor Dermody invited the public to speak on this specific petition. Dawn Blackman, 707 West 200 N. asked when the fiscal plan would be presented and if the annexation affects the corridor. City Attorney Nick Otis stated that the Fiscal plan is the next item on the agenda. Mr. Otis noted this annexation has no effect on what INDOT does with the corridor. Mr. Otis stated the petition for annexation and the Ordinance will be introduced tonight and a public hearing will take place on August 7, 2023. Ms. Blackman again asked about the corridor. Mayor Dermody stated we are not looking to bring corridor down 39. City Engineer Nick Minich is working extremely hard to find the best route to detour truck traffic. The goal is to reclaim our downtown.

Introduction of an Ordinance of the Common Council of the City of La Porte, Indiana Annexing to and Bringing Within the City Limits of La Porte, Indiana and Amending the Zoning Ordinance for Property Located in Center Township, Contiguous Herewith:

Name of Petition: 39 North Annexation Part 1

Councilman Franke made a motion to read an Ordinance for the first time in its entirety; motion was seconded by Councilwoman Feikes and unanimously carried. Councilman Franke read an Ordinance of the Common Council of the City of La Porte, Indiana Annexing to and Bringing Within the City Limits of La Porte, Indiana and Amending the Zoning Ordinance for Property Located in Center Township, Contiguous Herewith:

Name of Petition: 39 North Annexation Part 1 in its entirety.

City Attorney Nick Otis stated the notice of public hearing will be published in the newspaper and the notice will also be mailed to each property owner in the 39N annexed territory along with the entire fiscal plan. The annexation ordinance cannot be voted on earlier than thirty days and not later than sixty days after the public hearing. The second reading is set to take place on September 6, 2023. Mr. Otis noted at the public hearing anyone from the public may speak about the ordinance and the annexation process.

Mayor Dermody invited Dean Rodgers, partner with Baker Tilly to speak to the annexation and Fiscal Plan. Mr. Rodgers stated he has been doing annexation work around the state of Indiana for nineteen years. He came before the Council to summarize the Fiscal Plan. Mr. Rodgers reported the estimated net assessed value for land and improvements in the Annexation Area is \$30,631,075. This represents the assessed value as of January 1, 2022, for taxes payable in 2023. The City will provide all non-capital services to the Annexation Area within one year after the effective date of the annexation. Those services include police protection, fire protection, street maintenance

storm and water drainage, trash collection, parks, street lighting, and governmental administrative services. The City will provide capital services to the Annexation Area no later than three years after the effective date of the annexation. Capital Improvements include water service, wastewater service, storm water and drainage, street construction, and sidewalks. Mr. Rodgers discussed additional costs due to the annexation. It is currently assumed that the annexation will be effective as soon as practically possible, but no later than December 31, 2023. A full copy of the Fiscal Plan is available by request in The Clerk-Treasurers Office. Paul Skiatt, 39N resident approached the Council with concerns about the annexation and the Briar Leaf HOA. City Attorney Nick Otis stated they will be working with the HOA.

Introduction of a Resolution for an Additional Appropriation for the Community Development Block:

Councilman Vincent made a motion to read a Resolution in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Vincent read a Resolution for an Additional Appropriation for the Community Development Block in its entirety. Mary Ann Richards, Community Development Grant Program Manager stated there was money appropriated for the sidewalks, but it just wasn't enough. After opening the bids, we are short. After looking through the budget there was \$277,089 that was not allocated in the HUD budget or the City's budget so Ms. Richards would like to use that money for sidewalks.

Public Hearing: Mayor Dermody opened the Public Hearing. City Attorney Nick Otis stated the proof of publication was published in the La Porte County Herald Dispatch on May 25, 2023. There being no comments from the public, the public hearing was closed.

Vote/Adopt: R-14-2023: Councilman Franke made a motion to approve A Resolution for an Additional Appropriation for the Community Development Block Grant; motion was seconded by Councilman Vincent and unanimously carried.

R-14-2023

**A RESOLUTION FOR AN ADDITIONAL APPROPRIATION FOR THE
COMMUNITY DEVELOPEMNT BLOCK GRANT**

Other Business:

Mayor Dermody noted the Notre Dame Charette was a great success. They offered great information about moving truck traffic out of our downtown. Mayor Dermody thanked everyone for their patience as we look forward to the Truesdell Avenue completion. Mayor Dermody reported a small number of people have been taking advantage of the dumpster program and dumping items outside of the dumpsters. Due to the actions of a few the program will be limited to daytime hours. Councilwoman West reported the new Farmed and Forged Market has been a great success so far.

Adjourn

Councilman Galloway moved to adjourn; motion seconded by Councilwoman West and unanimously carried.

Approved: _____
Thomas P. Dermody, Mayor

Attest: _____
Courtney Parthun, Clerk-Treasurer

Approved: June 5, 2023