

August 19, 2024

The Common Council of the City of La Porte met in regular session Monday, August 19, 2024, at 6:00 p.m. in Council Chambers.

Pledge of Allegiance

Councilwoman Huffman led the Pledge of Allegiance.

Roll Call:

Present: Franke, Huffman, Feikes, Galloway, Konieczny, Buchanan, West

Absent: None

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 Councilwoman Huffman and unanimously carried.

Petitions and Comments of Citizens

None

Standing Committee Reports

Redevelopment Commission:

Councilman Franke reported Redevelopment Commission will meet Wednesday, August 28, 2024, at 5:15 P.M. in Council Chambers.

Sustainability Commission:

Councilwoman Huffman reported the Sustainability Commission will meet Tuesday, August 27, 2024, at 4:00 P.M. in Council Chambers.

Traffic Commission:

Councilwoman Feikes reported due to the Labor Day holiday, the next Traffic Commission meeting has been moved to Tuesday, September 10, 2024, at 5:00 P.M. at the Police Station.

Park Board:

Councilwoman Feikes reported the next Park Board meeting will be held on August 21, 2024, at 4:00 P.M. at the Park Office.

Mayors Veterans Committee:

Councilman Galloway reported the Mayors Veterans Committee met on August 10, 2024. Discussion was held on the annual Veterans Day Ceremony. They plan to host a spaghetti lunch for the Veterans and their spouses along with donuts in the morning prior to the ceremony.

#### Police Merit Commission:

Councilman Galloway reported the Police Merit Commission met on August 13, 2024, at 2:00 P.M. at the Police Station.

#### Business Improvement District:

Councilwoman West reported the BID Board met on August 12, 2024. They approved the 2025 budget, which had only minor changes from previous years. Repairs to critical areas of the sidewalks were approved and work should start soon. Discussion for removal or replacement of damaged planters will occur after insurance evaluations are received. Engineering Coordinator, Jamie Novak, will be taking over as staff liaison for BID in October, taking over for City Planner Craig Phillips. Councilwoman West reported the next Business Improvement District meeting will be held on September 9, 2024, at 5:00 P.M. in Council Chambers.

#### Plan Commission:

Councilman Buchanan reported the Plan Commission met on Tuesday August 13, 2024. A petition for a Zone Map Change was presented regarding parcels of property at 3700 State Rd. 39. The petition was heard by the Plan Commission and received a favorable recommendation without condition.

#### Historic Preservation:

Councilman Buchanan reported the Historic Preservation Commission will meet tomorrow August 20, 2024, at 5:30 P.M. in Council Chambers.

#### Fire Merit Commission:

Councilwoman West reported the next Fire Merit Commission meeting will be held September 4, 2024, at 6:30 p.m. at Fire Station #1.

#### Urban Enterprise Association

Councilwoman West reported a few updates regarding the City's Dumpster Program. Code Enforcement Director Jeff Batchelor stated there is \$22,000 of the \$85,000 left in the budget for dumpsters this year. He suggested reducing the number of dumpsters to be able to continue the program through September. A special grant request in the amount of \$85,225 was granted to complete the parking lot expansion at the administrative offices

at 1000 Harrison Street. The parking lot expansion is part of the conversion of a portion of the building being turned into a career and tech center for the school district. The project is expected to be completed during the fall of 2024. Hoosier Mama's is now open at 614 Monroe Street on Saturday and Sundays from 11:00 A.M. until 3:00 P.M. The owner of the business applied for a UEA grant and was able to open her business a few weeks ago. Councilwoman West reported the next Urban Enterprise Association meeting will be held Wednesday, August 21, 2024, at 4:00 p.m. in Council Chambers.

#### Airport Authority:

Councilwoman Konieczny reported the Airport Authority will be hosting three more lunch on the fly meetings. The next lunch on the fly will be held on Friday, August 23, 2024, from 11:00 A.M. until 1:00 P.M. The cost to attend is \$5 per person. Air Fair 2024 is quickly approaching. This year's Air Fair is scheduled for September 6th – 8th. The Arizona Commemorative Air Force B-25 and B-17 will be in attendance. Come explore all the La Porte Municipal has to offer, including Historic Flights, Tours Discovery Flights, Food Trucks, Vendors and the ever-popular Pancake Breakfast which will be held on Sunday September 8, 2024, from 7:00 A.M. until 12:00 P.M. Councilwoman Konieczny reported the next Airport Authority meeting will be held on Wednesday, September 11, 2024, at 5:15 P.M. at the airport.

#### Second and final reading of an Ordinance Authorizing Purchasing Agents of the City of La Porte to Make Advance Payments on Contracts for Public Works Projects, Goods and Services

Councilwoman West moved to read an Ordinance for the second and final time by title only; motion seconded by Councilwoman Konieczny and unanimously carried. Councilwoman West read an Ordinance Authorizing Purchasing Agents of the City of La Porte to Make Advance Payments on Contracts for Public Works Projects, Goods and Services by title only.

Clerk-Treasurer Parthun stated it is not common business practice for the City of La Porte to do pre-payments as it was not allowed before Senate Enrolled Act 317. In specific instances, when necessary, this ordinance will allow the Clerk-Treasurer's office to make prepayments for items listed in section 3D of this Ordinance.

#### Motion/Vote Ordinance:

Councilwoman Konieczny moved to approve an Ordinance Authorizing Purchasing Agents of the City of La Porte to Make Advance Payments on

Contracts for Public Works Projects, Goods and Services; motion seconded by Councilman Galloway and unanimously carried.

ORDINANCE NO. 11-2024  
ORDINANCE AUTHORIZING PURCHASING AGENTS OF THE CITY OF LA  
PORTE TO MAKE ADVANCE PAYMENTS ON CONTRACTS FOR PUBLIC  
WORKS PROJECTS, GOODS AND SERVICES

Second and final reading of an Ordinance Vacating Ordinance No. 9-2007, and 11-2007 Regulating Post-Construction Activity and Stormwater Management, Illicit Discharges and Connections to Stormwater Drainage Systems, and Construction Activity, Erosion and Sediment Control and Creating a New Ordinance Addressing Stormwater Management

Councilman Galloway moved to read an Ordinance for the final time by title only; motion seconded by Councilman Franke and unanimously carried. Councilman Galloway read an Ordinance Vacating Ordinance No. 9-2007, and 11-2007 Regulating Post-Construction Activity and Stormwater Management, Illicit Discharges and Connections to Stormwater Drainage Systems, and Construction Activity, Erosion and Sediment Control and Creating a New Ordinance Addressing Stormwater Management by title only.

City Attorney Nick Otis stated this was a request from Wastewater and Stormwater, in response to a mandate from IDEM and we're simply complying with those mandates.

Motion/Vote Ordinance:

Councilwoman Konieczny moved to approve an Ordinance Vacating Ordinance No. 9-2007, and 11-2007 Regulating Post-Construction Activity and Stormwater Management, Illicit Discharges and Connections to Stormwater Drainage Systems, and Construction Activity, Erosion and Sediment Control and Creating a New Ordinance Addressing Stormwater Management; motion was seconded by Councilwoman Feikes and unanimously carried.

ORDINANCE NO. 12-2024  
ORDINANCE VACATING ORDINANCE NO. 9-2007, AND 11-2007  
REGULATING POST-CONSTRUCTION ACTIVITY AND STORMWATER  
MANAGEMENT, ILLICIT DISCHARGES AND CONNECTIONS TO  
STORMWATER DRAINAGE SYSTEMS, AND CONSTRUCTION ACTIVITY,  
EROSION AND SEDIMENT CONTROL AND CREATING A NEW  
ORDINANCE ADDRESSING STORMWATER MANAGEMENT

Development Agreement Noah's Arcade LLC D/B/A Full Tilt

Councilman Buchanan made a motion to read a Development Agreement for the first and only time by title only; motion was seconded by Councilman Galloway and unanimously carried. Councilman Buchanan read a Development Agreement between the City of La Porte Redevelopment Commission, The City of La Porte, and Noah's Arcade LLC D/B/A Full Tilt by title only.

Bert Cook, Executive Director of La Porte Economic Advancement Partnership, stated the majority of the agreement is between the Redevelopment Commission as the property belongs to them. The property is adjacent to the Dunes Event Center. Full Tilt will be investing approximately \$10.6 in the Fun Center, which will be 33,700 square feet in size. The fun center will ultimately have twelve bowling lanes, a laser tag course, 18-hole outdoor miniature golf course, 9-hole indoor miniature golf course, virtual darts, sports simulators, Ninja Warrior course, along with arcade and pinball machines. They also plan to have a restaurant/bar area serving fast casual food.

Councilman Galloway moved to approve the Development Agreement as presented; motion seconded by Councilwoman Feikes and unanimously carried.

Introduction of an Ordinance to Amend the Zoning Ordinance of the City of

La Porte, Indiana as Enacted August 12, 2017, which is a Part of Chapter 82 of the Municipal Code of the City of La Porte by Amending the Official Zone Map that are a Part of the Zoning Ordinance in Order to Re-Zone Four Parcels of Real Estate in the City of La Porte

Councilwoman Konieczny moved to read an Ordinance for the first time in its entirety; motion was seconded by Councilman Franke and unanimously carried. Councilwoman Konieczny read an Ordinance to Amend the Zoning Ordinance of the City of La Porte, Indiana as Enacted August 12, 2017, which

is a Part of Chapter 82 of the Municipal Code of the City of La Porte by Amending the Official Zone Map that are a Part of the Zoning Ordinance in Order to Re-Zone Four Parcels of Real Estate in the City of La Porte in its entirety.

Bert Cook, Executive Director of the La Porte Advancement Partnership noted the Ordinance should state the property will be M1 light industrial. Councilwoman Konieczny made a motion to amend the ordinance as stated by Mr. Cook; motion was seconded by Councilman Franke and unanimously carried.

Mayor Dermody stated the second and final reading will take place at the September 3, 2024, meeting.

Introduction of a Resolution of the Common Council of the City of La Porte, Indiana, Approving a Lease Between the City of La Porte Redevelopment Authority and the City of La Porte Redevelopment Commission, and Addressing Other Matters Related Thereto

Councilman Franke moved to read a Resolution for the first and only time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Franke read a Resolution of the Common Council of the City of La Porte, Indiana, Approving a Lease Between the City of La Porte Redevelopment Authority and the City of La Porte Redevelopment Commission, and Addressing Other Matters Related Thereto in its entirety.

Andy Mouser, Baker Tilly Municipal Financial Advisor, stated this is a lease financing mechanism. It is a very popular mechanism that many communities around the State of Indiana utilize. Rather than leasing the projects themselves, what is being done here is the leasing of existing roads and streets. The roads will remain under City control. The City is not giving away the roads, simply leasing them as an asset to the Redevelopment Commission. The advantage here is it will allow the Redevelopment Commission to start making payments immediately instead of at completion of the projects. This will allow for huge savings in interest and financing charges. If rates were to drop it is possible to do a refinance just as you would with a mortgage. Mayor Dermody noted this is not property tax related, this is TIF related.

Motion/Vote Resolution:

Councilwoman Konieczny moved to approve a Resolution of the Common Council of the City of La Porte, Indiana, Approving a Lease Between the City of La Porte Redevelopment Authority and the City of La Porte

Redevelopment Commission, and Addressing Other Matters Related Thereto; motion was seconded by Councilwoman Feikes and unanimously carried.

RESOLUTION R-22-2024  
RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LA PORTE,  
INDIANA, APPROVING A LEASE BETWEEN THE CITY OF LA PORTE  
REDEVELOPMENT AUTHORITY AND THE CITY OF LA PORTE  
REDEVELOPMENT COMMISSION, AND ADDRESSING OTHER MATTERS  
RELATED THERTO

Introduction of a Resolution Providing for the Elimination of a Grade Crossing; Repealing all Prior Actions in Conflict Herewith; and for Other Purposes

Councilwoman Feikes moved to Introduce a Resolution read for the first and only time in its entirety; motion was seconded by Councilman Buchanan and unanimously carried. Councilwoman Feikes read a Resolution Providing for the Elimination of a Grade Crossing; Repealing all Prior Actions in Conflict Herewith in its entirety.

Mayor Dermody stated this is a safety concern and has been with our Emergency Personnel. When trains are stopped, and tracks are blocked, response time is slower. Councilman Franke stated the Crossings will not be closed until the overpass is constructed.

Motion/Vote Resolution:

Councilwoman Feikes moved to approve a Resolution Providing for the Elimination of a Grade Crossing; Repealing all prior Actions in Conflict Herewith; and for Other Purposes; motion seconded by Councilwoman West and unanimously carried.

RESOLUTION R-23-2024  
RESOLUTION PROVIDING FOR THE ELIMINATION OF A GRADE  
CROSSING; REPEALING ALL PRIOR ACTIONS IN CONFLICT HEREWITH;  
AND FOR OTHER PURPOSES

Introduction of a Resolution of the City of La Porte Concerning the Transfer of Real Estate from the City of La Porte to the La Porte Community School Corporation

Councilwoman Huffman moved to Introduce a Resolution read for the first and only time in its entirety; motion was seconded by Councilman Franke and unanimously carried. Councilwoman Huffman read a Resolution of the City of La Porte Concerning the Transfer of Real Estate from the City of La Porte to the La Porte Community School Corporation in its entirety.

Mayor Dermody stated at this property, 1108 Clay Street there was a fire. The parcel was open and cleaned up. We continue to focus on housing and what a great opportunity to let Building Trades of La Porte High School build a home on this property. City Attorney Nick Otis stated this will go before the School Board at their next meeting and pending approval from the School Board the property will be transferred to the La Porte Community School Corporation.

Motion/Vote Resolution:

Councilwoman Konieczny moved to approve a Resolution of the City of La Porte Concerning the Transfer of Real Estate from the City of La Porte to the La Porte Community School Corporation; motion was seconded by Councilwoman Feikes and unanimously carried.

RESOLUTION R-24-2024  
RESOLUTION OF THE CITY OF LA PORTE CONCERNING THE TRANSFER  
OF REAL ESTATE FROM THE CITY OF LA PORTE TO THE LA PORTE  
COMMUNITY SCHOOL CORPORATION

Introduction of a Resolution to Transfer Funds within the 2024 Budgets  
Councilwoman Galloway moved to Introduce a Resolution read for the first and only time in its entirety; motion was seconded by Councilman Franke and unanimously carried.

Motion/Vote Resolution:

Councilman Buchanan moved to approve a Resolution to Transfer Funds within the 2024 Budgets; motion seconded by Councilman Franke and unanimously carried.

RESOLUTION R-25-2024  
RESOLUTION TO TRANSFER FUNDS WITHIN THE 2024 BUDGETS



Other Business

Mayor Dermody thanked our Police Department for the quick apprehension of a suspect earlier today. Councilman Galloway stated he had received a phone call from a resident regarding two RVs plugged in on B Street and two flats sitting on a pickup truck for the last few months on Indiana Avenue. Mayor Dermody stated Code Enforcement would address those issues tomorrow.

Adjourn

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

Approved:

\_\_\_\_\_  
Thomas P. Dermody, Mayor

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

Courtney Parthun, Clerk-Treasurer

Approved: September 3, 2024