

October 7, 2024

The Common Council of the City of La Porte met in regular session Monday, October 7, 2024, at 6:00 P.M. in Council Chambers.

Pledge of Allegiance

George Callas 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 West and unanimously carried.

Petitions and Comments of Citizens

Tim Stabosz, 1501 Michigan Avenue, stated the new speed bumps on Weller Avenue are both offensive and annoying and asked for them to not be permanent fixtures.

George Callas, Tornado Drive, stated he recently visited Unity Park and it was in pristine condition and complimented the Park Department.

Jordan Hanks, Mustang Drive, stated she would like to appeal the change of section 16.08B of the Zoning Code citing possible amendments to the zoning code and asked to meet with Council and Code Enforcement.

Charity Hlavsa, 403 Willow Bend, announced Downtown Spooktacular and Trick or Treat is October 12, 2024, from 3:00 P.M. to 5:00 P.M. which will include a Hay Maze, Trick or Treat and live music.

Standing Committee Reports

Redevelopment Commission:

Councilman Franke reported Redevelopment Commission met September 25, 2024 which included the approval of a Pay App for Truesdell Clear Lake Loop for Rieth-Riley, an amendment to the real estate agreement for Noah's Arcade, LLC was approved and Councilman Franke announced the \$2.5 million dollar Economic Development Administration Grant for the Thomas Rose Infrastructure Project and Craig Phillips, Director of Community Development and Planning was granted approval to sign all grant documents form the Redevelopment Commission.

#### Park Board:

Councilwoman Feikes reported the next Park Board meeting will be held on October 16, 2024, at 4:00 P.M. at the Park Office.

#### Traffic Commission:

Councilwoman Feikes reported next Traffic Commission meeting will be held November 12, 2024, at 5:00 P.M. at the Police Station. Councilwoman Feikes reported the meeting is being held week later than normally scheduled due to Election Day on November 5, 2024.

#### Police Merit Commission:

Councilman Galloway reported Police Merit Commission will meet October 8, 2024, at 2:00 P.M. at the Police Department.

#### Mayors Veterans Committee:

Councilman Galloway reported the Mayors Veterans Committee will meet October 14, 2024, at 5:00 at the Park Department

#### Urban Enterprise Association:

Councilwoman West reported that thanks to an Urban Enterprise Association Grant and the partnership with the Lubeznik Center, the City of La Porte will enjoy another mural on the side of the Mucho Mas building by talented Alex Allen. The mural should be complete the week of October 7, 2024. Alex Allen also completed the mural on the side of the Public Exchange Building for La Porte County Public Library through a generous grant from the Health Foundation of La Porte. Councilwoman West reported UEA has possession of the parking lot on the corner of State and Monroe Street. Lastly, Councilwoman West reported a community enhancement grant was approved through the UEA to help cover expenses associated with downtown Christmas activities. The next regularly scheduled Urban Enterprise Association meeting will be held Wednesday, October 16, 2024 at 4:00 P.M. in Council Chambers.

Business Improvement District:

Councilwoman West reported the next Business Improvement District Meeting will be held October 15, 2024, at 5:00 P.M. in Council Chambers.

Fire Merit Commission:

Councilwoman West reported on behalf of the Fire Merit Commission, e performance ratings and advisory forms have been distributed. Councilwoman West noted proposed edits and changes will be put into writing and sent back to City Attorney regarding rules and procedures and lateral transfers. Councilwoman West reported the next Fire Merit Commission meeting will be held November 6, 2024, at 6:00 P.M at Fire Station 1.

Public Hearing and Second and Final Reading of an Ordinance of the Common Council of the City of La Porte, Indiana, Appropriating the Proceeds of Bonds of the City of La Porte Redevelopment Authority, Including Investment Earnings Thereon, and Related Matters

Councilwoman Konieczny made a motion to read an Ordinance for the second and final time by title only; motion seconded by Councilwoman Feikes and unanimously carried. Councilwoman Konieczny read an Ordinance of the Common Council of the City of La Porte, Indiana, Appropriating the Proceeds of Bonds of the City of La Porte Redevelopment Authority, Including Investment Earnings Thereon, and Related Matters in by title only.

As this Ordinance requires a public hearing, Mayor Dermody opened the public hearing and asked if there was anyone present who wished to address the Council regarding this matter. Clerk-Treasurer Parthun presented proper proof of publication noting it was advertised on September 18, 2024 in the Herald Dispatch. As there was no public comment, Mayor Dermody closed the public hearing.

Bert Cook, Executive Director of La Porte Economic Advancement Partnership discussed the bond process and noted there are three projects being funded out of this bond process including 39N water and infrastructure improvements, Boyd Boulevard Sewer Separation Project and Thomas Rose Industrial Infrastructure. This ordinance appropriates the proceeds of the bonds for these specific projects. Mr. Cook explained the bond process and that this bond is in the middle of the approvals which require approvals from both the Redevelopment Commission and Common Council and is being paid by utilizing Tax Increment from the TIF areas.

Motion/Vote: Councilman Franke made a motion to approve an Ordinance of the Common Council of the City of La Porte, Indiana, Appropriating the Proceeds of Bonds of the City of La Porte Redevelopment Authority, Including Investment Earnings Thereon, and Related Matters; motion seconded by Councilwoman Konieczny and unanimously carried.

ORDINANCE NO. 18-2024

ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LA PORTE, INDIANA, APPROPRIATING THE PROCEEDS OF BONDS OF THE CITY OF LA PORTE REDEVELOPMENT AUTHORITY, INCLUDING INVESTMENT EARNINGS THEREON, AND RELATED MATTERS

Second and Final Reading of an Ordinance for Appropriations and Tax Rates for 2025 Civil City Budget

Councilwoman West made a motion 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 Introduction of an Ordinance for Appropriations and Tax Rates for 2025 Civil City Budget in its entirety.

Clerk-Treasurer Parthun explained there are seven funds in the 2025 Budget that do have tax rates associated with them. The tax rate and levy is split amongst these funds based on other miscellaneous revenue generated or based on the need. Clerk-Treasurer Parthun noted we have moved the Civic Auditorium to fully fund itself and it is no longer funded with tax dollars from Parks & Recreation so we can move the levy to the funds that need it the most, like Parks & Recreation that doesn't generate as much revenue.

Motion/Vote: Councilwoman West made a motion to approve an Ordinance for Appropriations and Tax Rates for 2025 Civil City Budget; motion seconded by Councilwoman Konieczny and unanimously carried.

ORDINANCE NO. 19-2024

ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR 2025 CIVIL CITY BUDGET

Second and Final Reading of an Ordinance for Appropriations and Tax Rates for 2025 Redevelopment Commission Budget

Councilman Franke made a motion to read an Ordinance for second time by title only; motion seconded by Councilwoman Konieczny and unanimously carried. Councilman Franke read an Introduction of an Ordinance for Appropriations and Tax Rates for 2025 Redevelopment Commission Budget by title only.

Clerk-Treasurer Parthun explained there is only one fund within the Redevelopment Commission Budgets that has a tax rate associated with it and that is for the 2017 G.O. Bond, paid for by the City. The other funds with adopted budgets are funded by tax increment generated by growth within each of the TIF Districts, but do not have specific tax rates associated with them. The budgets for the Redevelopment Commission are slightly different as they must go through several governing bodies for approvals, beginning with the Redevelopment Commission developing and approving their own budgets and spending plan for 2025 and then moving to the Common Council for final approval. The Redevelopment Commission adopted their 2025 Budget and Spending Plan at their August 2024 meeting, and this is the next step in getting their 2025 Budgets approved and adopted.

Motion/Vote: Councilman Franke made a motion to approve an Ordinance for Appropriations and Tax Rates for 2025 Redevelopment Commission Budget; motion seconded by Councilwoman Feikes and unanimously carried.

ORDINANCE NO. 20-2024  
ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR 2025  
REDEVELOPMENT COMMISSION BUDGET

Second and Final Reading of an Ordinance for Appropriations and Tax Rates for 2025 Airport Budget

Councilwoman Konieczny made a motion to read an Ordinance for the second and final time by title only; motion seconded by Councilwoman West and unanimously carried. Councilwoman Konieczny read an

Introduction of an Ordinance for Appropriations and Tax Rates for 2025 Airport Budget by title only.

Jim Shearin, from the Airport, explained the budget is flat compared to 2024, noting they do operate by making sure expenses don't outpace receipts.

Motion/Vote: Councilwoman Feikes made a motion to approve an Ordinance for Appropriations and Tax Rates for 2025 Airport Budget; motion seconded by Councilwoman Huffman and unanimously carried.

ORDINANCE NO. 22-2024  
ORDINANCE FOR APPROPRIATIONS AND TAX RATES FOR 2025  
AIRPPORT BUDGET

Public Hearing and Introduction of an Ordinance Establishing Bulk Water Rates in the City of LaPorte

Councilman Buchanan made a motion to read an Ordinance for the for the first time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Buchanan read an Ordinance Establishing Bulk Water Rates in the City of LaPorte in its entirety.

City Attorney Nick Otis stated there are no changes to this ordinance that will impact residential rates or commercial rates, this is simply changing the bulk water rates which are used by those who come to the water department to purchase bulk water from the City, such as pool filling companies. Attorney Otis noted this new Bulk water "ATM" will help with our State mandated water loss audit.

As this Ordinance requires a public hearing, Mayor Dermody opened the public hearing and asked if there was anyone present who wished to address the Council regarding this matter. Clerk-Treasurer Parthun presented proper proof of publication noting it was advertised on September 11, 2024, in the Herald Dispatch. As there was no public comment, Mayor Dermody closed the public hearing.

Mayor Dermody stated this Ordinance will move to October 21, 2024, City of La Porte Common Council Meeting.

Public Hearing and Introduction of an Ordinance Establishing Rates for Parcel Owners in the Thirty-Nine North Conservancy District that were not Annexed in 2024 and Thereby Amending Ordinance 16-2023 Regarding a Schedule of Service Charges for Municipal Refuse and Garbage Collection, and Amending Ordinance 28-2020 Regarding User Charges and Rates and Capital Cost Charges and System Development Charges for Sewage Service, and Amending Ordinance 26-2020 Establishing an Initial Rate for City Sewer Services for the Purpose of Stormwater Management, and Amending Ordinance 27-2020 Establishing Water Rates and System Development Charges

Councilman Franke made a motion to read an Ordinance for the first time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Frank read an Ordinance Establishing Rates for Parcel Owners in the Thirty-Nine North Conservancy District that were not Annexed in 2024 and Thereby Amending Ordinance 16-2023 Regarding a Schedule of Service Charges for Municipal Refuse and Garbage Collection, and Amending Ordinance 28-2020 Regarding User Charges and Rates and Capital Cost Charges and System Development Charges for Sewage Service, and Amending Ordinance 26-2020 Establishing an Initial Rate for City Sewer Services for the Purpose of Stormwater Management, and Amending Ordinance 27-2020 Establishing Water Rates and System Development Charges in its entirety.

City Attorney Nick Otis stated the City purchased Thirty-Nine North Conservancy District assets as of September 27, 2024. Additionally, the City of La Porte annexed a large portion of Thirty-Nine North, but not all of it. In order to keep billing uniform per the credit system created by Thirty-Nine North and for utility billing, we are asking that all Thirty-Nine North residents be treated as “inside city customers” as it relates to our ordinances and their rate table reflect as such. Those outside the city currently, but still inside Thirty-Nine North, are part of the second phase of annexation process.

As this Ordinance requires a public hearing, Mayor Dermody opened the public hearing and asked if there was anyone present who wished to address the Council regarding this matter. Clerk-Treasurer Parthun presented proper proof of publication noting it was advertised on September 27, 2024, in the Herald Dispatch. Mayor Dermody invited the

public to comment if they wished. Paul Skwiat, Briar Leaf Ct. asked if the Thirty-Nine North Board would still exist and have any taxing authority moving forward and asked if he, as the liaison for his area, could see an example of the bills before billing on October 28 for service dates between September 15 and October 15. City Attorney Nick Otis stated the Thirty-Nine North Board would stay in place but would have no taxing authority. Additionally, the Utility Billing Office will work with Mr. Skwiat on a reference bill before billing on October 28<sup>th</sup>. There being no other public comment, Mayor Dermody closed the public hearing.

Mayor Dermody moved this Ordinance to the October 21, 2024, City of La Porte Common Council meeting.

Introduction of a Resolution Amending Resolution No. R-18-2022 and R-12-2022 Identifying the City of La Porte's Plan to Use American Rescue Plan Funds

Councilwoman Huffman made a motion to read a Resolution for the first and only time in its entirety; motion seconded by Councilman Buchanan and carried. Councilwoman Feikes abstained from the vote. Councilwoman Huffman read a Resolution Amending Resolution No. R-18-2022 and R-12-2022 Identifying the City of La Porte's Plan to Use American Rescue Plan Funds in its entirety.

Councilman Galloway noted these funds had specific spending requirements per the Federal Government. Mayor Dermody noted we did not "pad" our budgets with these funds. They were meant to be used for transformational projects within the City of La Porte. Clerk-Treasurer Parthun stated this is the third amendment to the "spending plan requirement" to update project completion cost and shift funds into other line items.

Mayor Dermody discussed some of the active projects that are part of this resolution.

*Motion/Vote:* Councilman Franke made a motion to approve a Resolution Amending Resolution No. R-18-2022 and R-12-2022 Identifying the City of La Porte's Plan to Use American Rescue Plan Funds; motion seconded by Councilman Buchanan and carried. Councilwoman Feikes abstained from the vote.



RESOLUTION NO. R-32-2024  
RESOLUTION AMENDING RESOLUTION NO. R-18-2022 AND R-12-2022  
IDENTIFYING THE CITY OF LA PORTE'S PLAN TO USE AMERICAN  
RESCUE PLAN FUNDS

Public Hearing and Introduction of an Ordinance for an Additional Appropriation for ARP Coronavirus Local Fiscal Recovery Fund – Fund No. 2401

Councilman Galloway made a motion to read an Ordinance for the first and time in its entirety; motion seconded by Councilwoman Feikes and carried. Councilwoman Feikes abstained from the vote. Councilman Galloway read an Ordinance for an Additional Appropriation for ARP Coronavirus Local Fiscal Recovery Fund – Fund No. 2401 in its entirety.

As this Ordinance requires a public hearing, Mayor Dermody opened the public hearing and asked if there was anyone present who wished to address the Council regarding this matter. Clerk-Treasurer Parthun presented proper proof of publication noting it was advertised on September 20, 2024, in the Herald Dispatch. Mayor Dermody invited the public to comment if they wished. Brian Kajer asked if the City would be repairing the streets around the streets that would be closed due to the Local Trax Project that are currently in disrepair as that is the only route beside the new overpass. There being no other public comment, Mayor Dermody closed the public hearing.

Mayor Dermody moved this Ordinance to the October 21, 2024, City of La Porte Common Council meeting.

Introduction of an Ordinance of the Common Council of the City of La Porte, Indiana, Appropriating the Proceeds of Bonds of the City of La Porte Redevelopment Authority, Including Investment Earnings Thereon, and Related Matters (Fire Training Facility)

Councilwoman West made a motion to read an Ordinance for the first and time in its entirety; motion seconded by Councilwoman Konieczny and unanimously carried. Councilwoman West read an Ordinance of the Common Council of the City of La Porte, Indiana, Appropriating the Proceeds of Bonds of the City of La Porte Redevelopment Authority, Including Investment Earnings Thereon, and Related Matters (Fire Training Facility) in its entirety.

Clerk-Treasurer Parthun noted this is the next step in the bond process, appropriating bond proceeds. In 2023, the Common Council approved the financing of a new tower truck for the Fire Department and a Fire Training Facility. The current issuance is being done under 2023 approvals, bonds are being issued by the La Porte Redevelopment Authority and are payable from a pledge of Public Safety Local Income Tax. The training tower was delayed as Mayor Dermody asked the Fire Department to find half of the funding for the tower. The Fire Department was awarded \$500,000 from Health Foundation of La Porte and we are proceeding with financing the remainder of the balance necessary.

Mayor Dermody moved this Ordinance to the October 21, 2024, City of La Porte Common Council meeting.

Introduction of an Ordinance Fixing Salaries of Appointed Officers and Employees of the City of La Porte, Indiana, for the Year of 2025

Councilman Galloway made a motion to read an Ordinance for the first and time in its entirety; motion seconded by Councilwoman Feikes and carried. Councilwoman Feikes abstained from the vote. Councilman Galloway read an Ordinance for an Additional Appropriation for ARP Coronavirus Local Fiscal Recovery Fund – Fund No. 2401 in its entirety.

Introduction of an Ordinance Establishing Salaries of Elected Officials of the City of La Porte from the General Fund for the Year 2025

Councilwoman Feikes made a motion to read an Ordinance for the first and time in its entirety; motion seconded by Councilman Franke and unanimously carried. Councilwoman Feikes read an Ordinance Establishing Salaries of Elected Officials of the City of La Porte from the General Fund for the Year 2025 in its entirety.

Mayor Dermody stated City of La Porte has a great team and we are fortunate noting we are trying to bring rates up while still be responsible with taxpayer dollars.

Clerk-Treasurer Parthun stated Andrea Smith, Human Resource Director, worked incredibly hard this year with all department heads analyzing categories and Job Classification and Compensation as it relates to each job description in conjunction with Waggoner, Irwin, Scheele and Associates.

Mayor Dermody stressed that pay increases will be based on performance and not longevity.

Clerk-Treasurer Parthun noted Police and Fire are bound to the three-year collective bargaining agreement. 2025 is the second year of the three-year contract.

Mayor Dermody moved this Ordinance to the October 21, 2024, City of La Porte Common Council meeting.

Introduction of an Ordinance Establishing Salaries of Elected Officials of the City of La Porte from the General Fund for the Year 2025

Councilman Buchanan moved to introduce an Ordinance for the first time in its entirety; motion seconded by Councilwoman Konieczny and unanimously carried. Councilman Buchanan read an Ordinance Establishing Salaries of Elected Officials of the City of La Porte, Indiana, for the Year of 2025.

Second and final reading will take place at the October 21, 2024, Council meeting.

Introduction of a Resolution Approving Use of a Tax Abatement on Real and Personal Property Taxes Created by the Construction of New Industrial Space and the Equipping of this Space

Councilman Franke moved to introduce a Resolution; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Franke read a Resolution Approving Use of a Tax Abatement on Real and Personal Property Taxes Created by the Construction of New Industrial Space and the Equipping of this Space (B&B Manufacturing, Inc.) in its entirety.

Erik Nelson with the La Porte Economic Development Corporation addressed the Council regarding this proposed tax abatement for B&B Manufacturing. The plan to expand their current building with a 50,440 square foot expansion with an approximate cost of \$3,250,000.00, and the purchase of new manufacturing equipment in the amount of \$3,560,000.00 to equip the new space. These investments will result in the hiring of approximately 13 employees at full production who will make on average \$20.00 per hour plus benefits. The tax abatement for both real and personal property is for five (5) years.

Motion/Vote – Approve Tax Abatement on Real and Personal Property Taxes for B&B Manufacturing, Inc.

Councilman Buchanan moved to approve the tax abatement for B&B Manufacturing, Inc. as presented; motion seconded by Councilwoman Feikes and unanimously carried.

R-33-2024

RESOLUTION APPROVING USE OF A TAX ABATEMENT ON REAL AND  
PERSONAL PROPERTY TAXES CREATED BY THE CONSTRUCTION OF  
NEW INDUSTRIAL SPACE AND THE EQUIPPING OF THIS SPACE  
(B&B MANUFACTURING, Inc.)

Tax Abatement Compliance Forms – Patrick Industries, Inc.

Craig Phillips, Director of Community Development and Planning, presented for Council approval a Tax Abatement Compliance Form for Patrick Industries, Inc. He advised the form was turned in after the due date and the County has entered it into their system, but it needs to be approved by the Council. Mr. Phillips reported Patrick Industries has made substantial progress toward goals for employment creation, salary and investment goal estimates based on their original Statement of Benefits (SB-1) Form and recommends Council approval. Discussion was held regarding this matter.

Motion/Vote – Approve Tax Abatement Compliance Form – Patrick Industries, Inc.

Councilman Buchanan moved to approve the Tax Abatement Compliance Form for Patrick Industries as presented; motion seconded by Councilwoman Feikes.

Public Hearing and Introduction of a Resolution for an Additional Appropriation for the DEA Asset Forfeiture Fund -Fund No. 2445, ATF Asset Forfeiture Fund - Fund No. 2446; FBI Asset Forfeiture Fund - Fund No. 2447 and La Porte Strategic Planning Fund; Fund No. 2505

Councilman Galloway moved to introduce a Resolution; motion seconded by Councilwoman Konieczny and unanimously carried. Councilman Galloway read a Resolution for an Additional Appropriation for the DEA Asset Forfeiture Fund -Fund No. 2445, ATF Asset Forfeiture Fund - Fund No. 2446; FBI Asset Forfeiture Fund - Fund No. 2447 and La Porte Strategic Planning Fund; Fund No. 2505 in its entirety.

Police Chief Buell and Director of Community Development and Planning, Craig Phillips, addressed the Council regarding their prospective additional appropriations and answered questions from the Council.

As this Resolution requires a public hearing, the Mayor declared the public hearing open and asked if there was anyone present who wished to address the Council regarding this matter. Clerk-Treasurer Parthun noted the public hearing was advertised in the Herald-Dispatch on September 20, 2024. As no one came forward, the Mayor declared the public hearing closed.

Motion/Vote:

Councilwoman Konieczny moved to approve the Resolution as presented; motion seconded by Councilwoman Huffman and unanimously carried.

R-34-2024

RESOLUTION FOR AN ADDITIONAL APPROPRIATION FOR THE DEA ASSET FORFEITURE FUND – FUND NO. 2445; ATF ASSET FORFEITURE FUND – FUND NO. 2446; FBI ASSET FORFEITURE FUND – FUND NO. 2447 AND LA PORTE STRATEGIC PLANNING FUND – FUND NO. 2505

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

Motion/Vote:

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

R-35-2024

A RESOLUTION TO TRANSFER FUNDS WITHIN THE 2024 BUDGETS

Other Business

Mayor Dermody reported the City received a call today from WM (Waste Management) and this week is fall clean-up for the residents of the City of La Porte. The Mayor advised a truck broke down earlier this morning on the east side of the City and those residents will be picked up tomorrow. Mayor encouraged everyone to come down this weekend and support our local

businesses in the downtown area for trick-or-treat. He stated they do a fantastic job and need the community's support.

Adjourn

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

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

Attest: \_\_\_\_\_  
Courtney Parthun, Clerk-Treasurer

Approved: October 21, 2024