

TOWN COUNCIL MEETING  
June 22, 2020  
7:00 p.m.

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

President S. Darnell called the meeting to order at 7:00 p.m.

II. ROLL CALL

Roll was called by Clerk-Treasurer C. Udvard; present were Council Member J. Ton, Council Member L. Kittredge, Council Member S. Darnell, and Council Member J. Fisher.

III. APPROVAL OF MINUTES

Council Member L. Kittredge made the motion to approve the minutes of the June 8, 2020 meeting; motion seconded by Council Member J. Fisher. Council President S. Darnell requested input from the council. Motion approved by unanimous voice vote.

IV. CONSIDERATION OF CLAIMS

Council Member J. Ton made the motion to approve the claims as presented, motion seconded by Council Member J. Fisher. Council President S. Darnell requested input from the council. Motion approved by unanimous voice vote.

V. PETITIONS AND COMMENTS FROM THE FLOOR

**Greg Babcock**—Attorney Greg Babcock of 111 S. Calumet Rd. stated that he represents PSR, LLC which has a pending Annexation Petition in front of the Town Council from 2018. The parcel is approximately 58 acres located on the county Road 1100 North just South of Dogwood Park and adjacent to the Stone Meadows Subdivision. The Fiscal Plan was approved as Resolution 2018-11, on December 10, 2018. The Town Council tabled the request for Annexation and Babcock asked to place this back on the Agenda for discussion. In 2019, no annexation was allowed because it was a year before a Federal Census. PSR, LLC has held meetings with homeowners who had attended prior public meetings and had expressed concern about the development. Originally the project was designed to have 17 single family homes, 9 duplexes, 9 triplexes, and 2 commercial buildings. Now, the preliminary drawing shows 42 single family homes and the same 2 commercial buildings. There has not been an agreement yet with homeowners regarding the 2 commercial buildings. Council Member J. Ton suggested that the Council take this under advisement and suggested it to be on the agenda at the next meeting with a formal presentation so that neighbors would have an opportunity to see the presentation

and voice their opinions. Town Attorney C. Nolan said that no motion is required. Council Member J. Fisher said that residents should be notified and heard.

## VI. REPORTS FROM OFFICIALS & DEPARTMENT HEADS

**A. Police**—Police Chief D. Cincoski said the Juneteenth march went well. He thanked the Chesterton Police Department, Fire Department, Street Department, and the Portage, Porter, Burns Harbor, and Ogden Dunes Police Departments for their assistance in making the event safe. Chief Cincoski also mentioned fireworks are not legal to be discharged until June 29, 2020. Fireworks can be legally discharged from June 29 through July 3<sup>rd</sup> from 5pm until 2 minutes after sunset. Fireworks are legal to be discharged from 10am to 12 midnight on the 4<sup>th</sup> of July. Chief Cincoski said debris needs to be kept off the roadway and to make sure debris is cooled down before disposing of them. Chief Cincoski stated that they will typically only be responding to fireworks complaints only when they involve illegal fireworks, fireworks that are being shot at houses or cars, or a nuisance other than the general discharge of the fireworks. Chief Cincoski also mentioned that he has applied for a bullet proof vest grant from the Department of Justice for \$3,000. This will be awarded in October or November. Lastly, Chief Cincoski discussed the Town's joint radio dispatch with the Town of Porter. Last year they had issues with clarity and sound and the remedy was to change from analogue to digital. Chief Cincoski asked the council for approval of a manual check for \$15,577 to pay for the Town's portion of these costs. The funds were approved in November from CEDIT but were never paid out. Council Member J. Ton made the motion to approve the manual check, motion seconded by Council Member L. Kittredge. Motion approved by unanimous voice vote. An invoice will be provided for the next claims packet.

### **B. Fire – NO REPORT**

**C. Clerk Treasurer**—Clerk Treasurer C. Udvare said the Democratic Caucus will be held at Town Hall Monday June 29 at 5:30 to fill the Town Council Seat vacancy. Any interested applicants can contact the Porter County Democratic Chairman.

**D. Streets, Sanitation, & Central Service**—Sidewalk Project—Street Commissioner J. Schnadenberg said he would like to add a block of sidewalk to our list this year. Commissioner Schnadenberg recommended that the sidewalks be replaced on Chesterton Boulevard; the east side from Broadway to Indiana Avenue. Funding is available.

**E. Engineering**—Town Engineer M. O'Dell mentioned Springdale's secondary plat received approval so within the next month houses may be going up. Regarding Duneland Prairie, Engineer O'Dell has had a meeting with the developer and their engineering firm and is working with them on their project.

**F. Building**-No report.

**G. Park**- Park Superintendent S. Griffin reported that last week the skate park was taken down. Additionally, Superintendent Griffin discussed a couple CEDIT requests: one for a new zero turn lawnmower to replace a 9 year old model and another for a new brush mower. Superintendent

Griffin got quotes for the brush mower from Hopkins Ace Hardware. Hopkins quote came out about \$800 less for a new brush mower at \$2,770. They quoted the new zero turn mower at \$11,839. Council Member J. Fisher made the motion to approve the purchase of both the zero turn mower and the brush mower, motion seconded by Council Member J. Ton. Motion approved by unanimous voice vote.

**H. Attorney**—No report.

**I. Utilities**—Not Present.

**J. Town Manager**—Town Manager B. Doyle reported that he was approached by the new manager of Namaste restaurant and that they want to apply for a riverfront district license. Namaste meets the basic qualifications. Town Manager B. Doyle consulted with Town Engineer M. O'Dell and Fire Chief Jarka and did not find any issues at the current time.

## VII. PUBLIC HEARINGS, BID OPENINGS, & REMONSTRANCES

**Continuation of Public Hearing for Ordinance 2020-08 Vacation of Public Way (Reduction of Drainage Easement) Topor**—Topor—3525 Drivers Way. President S. Darnell re-opened the hearing. The Topors stated they were looking for vacation of 3 ½ of a 7 ½ utility drainage easement. Engineer O'Dell mentioned that there were not any issues granting this and that they would additionally need a BZA variance. There is still room to work with the reduction in easement. Hearing was closed.

## VIII. ORDINANCES AND/OR RESOLUTIONS

**Ordinance 2020-08**—Vacating a Portion of a Utility Drainage Easement- Topor- Council Member J. Fisher made the motion to approve the ordinance on first reading, motion seconded by Council Member J. Ton. Motion approved by unanimous voice vote. Council Member J. Ton made the motion to suspend the rules, motion seconded by Council Member L. Kittredge. Motion approved by unanimous voice vote. Council Member J. Fisher made the motion to approve the ordinance on 2<sup>nd</sup> reading, motion seconded by Council Member L. Kittredge. Motion approved by unanimous voice vote.

**Ordinance 2020-09-** Amending Town Code Sewer Use—From Utility Service Board. Town Attorney Nolan explained that the ordinance concerns the sewer use ordinance and in particular the limitations for discharges of silver and zinc. This ordinance came about because of a Local Limits Study performed by the Utility Department upon a request by Urschel Laboratories. By way of background, Urschel has been cited by IDEM on numerous occasions for violating our local limits on the discharge of both silver and zinc. As it turns out, the Utility Department was able to determine that the Town's existing standards were more stringent than the state limits, especially considering that the Utility can efficiently treat these wastes while not violating the Utility's NPDES Permit. As a result, the local limits on both silver and zinc may be increased

with no risk to violate the Permit which will, in turn, decrease the number of violations by Urschel. This change to the local discharge limitations has been recommended by the Utility Service Board and approved by IDEM. Council Member J. Ton made a motion to approve the ordinance on 1<sup>st</sup> reading, motion seconded by council Member J. Fisher. Motion approved by unanimous voice vote. Council Member J. Ton made the motion to suspend the rules, motion seconded by Council Member L. Kittredge. Motion approved by unanimous voice vote. Council Member J. Fisher made the motion to approve the ordinance on 2<sup>nd</sup> reading, motion seconded by Council Member J. Ton. Motion approved by unanimous voice vote.

**Resolution 2020-06**-Amending Resolution 2020-04 Public Gatherings Under Covid-19 Restrictions- Town Attorney Nolan explained that this ordinance extends the deadline of prior the prior resolution. Anyone having a gathering of 25 or more people on Town property has to submit a plan to Police Chief D. Cincoski for approval. Council Member J. Fisher made the motion to approve the resolution, motion seconded by Council Member L. Kittredge. Motion approved by unanimous voice vote.

**Resolution 2020-07**- Resolution of the Town of Chesterton Regarding Dormant Funds- Clerk Treasurer C. Udvard explained that this resolution authorizes \$23,523.62 to be transferred from 043 2005 Park Bond Proceeds to 156 2015 Park GO Bond; additionally, \$21.89 from 049 2002 GO Bond Payments to 025 General Fund; lastly, \$13,795.92 from 066 15<sup>th</sup> Street Bond to 068 2010 GO Bond. The following funds were resolved to be closed and made dormant funds: 043, 049, 051, 052, 058, 061, 066, 069, 153, 154, and 155. Council Member J. Ton made the motion to approve the resolution, motion seconded by Council Member L. Kittredge. Motion approved by unanimous voice vote.

## IX. COMMUNICATIONS

NONE

## X. OLD BUSINESS

**Quiet Zone** - Town Manager B. Doyle reported that they are chugging along.

## XI. NEW BUSINESS AND/OR UPDATES

**Plan Commission Appointment**- One application was received from Dane Lafata. The applicant must have been either an independent or Democratic Party affiliate. Appointment is a presidential citizen appointment. With the agreement of the board, Council President S. Darnell moved to appoint Mr. Lafata to the open position.

## XII. COMMENTS FROM THE BOARD

Council Member S. Darnell:

Council Member S. Darnell mentioned that Chesterton was #2 for reporting in the census. 75.3% of our people turned in their information.

Way to go Chesterton.

Council Member J. Fisher: No Comment

Council Member L. Kittredge: No Comment

Council Member J. Ton: Council Member J. Ton said the goal of the March on June 19<sup>th</sup> in Chesterton was to protest institutional racism and unjust treatment of black citizens in America. The goal of law enforcement was to provide for the free exercise of this and right to do so in a safe environment. Chesterton should be proud. Council Member Ton thanked Chief Cincoski for the planning involved in this.

XIII. ADJOURNMENT

Council Member J. Fisher made the motion to adjourn; motion seconded by Council Member L. Kittredge; motion approved by unanimous voice vote.

ATTEST:

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COUNCIL PRESIDENT

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CLERK TREASURER C. UDVARE