

TOWN COUNCIL MEETING

April 11, 2016

7:00 p.m.

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

President E. Delaney called the meeting to order at 7:00 p.m.

II. ROLL CALL

Roll was called by Clerk-Treasurer S. Kuziela; present were Council Member J. Ton, Council Member L. Kittredge, Council Member D. Lafata, Council Member N. Cobbs, and Council Member E. Delaney.

III. APPROVAL OF MINUTES

Council Member D. Lafata made the motion approve the minutes of the March 28, 2016 Council Meeting, motion seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

IV. CONSIDERATION OF CLAIMS

Council Member J. Ton made the motion to approve claims as submitted, motion seconded by Council Member L. Kittredge, motion approved by unanimous voice vote.

V. PETITIONS AND COMMENTS FROM THE FLOOR

Paul Lukatch 702 Wabash commented that he recently read in the TIMES that Portage had a ground breaking for the Athletic Complex and Resort that had been attempting to locate in Chesterton and he was disappointed that the Town allowed this opportunity to slip away and hoped that the Town would work better in the future to draw and keep projects of this type in Town.

Katie Whalen 209 Laurel Creek Dr (Tamarack Subdivision) complained about the lack of sidewalks connecting their neighborhood to Town businesses, the High School, and the bike trail. She stated that she contacted the Town Manager who informed her there was not reason she could not drive to the walking, biking, running trails and she did not agree with this statement. She stated that since the development is in Town there should be access to the residents who want to walk or ride bikes to Town businesses. Council Member J. Ton advised that the Westchester Liberty Trail is in Phase II and NIRPC has already contributed almost a million dollars in Federal funds to the project. He stated that since they are Federal funds the project might not move at the pace she preferred, but the funds are used once they are made available to the Town. He also advised that there is an extension plan for the area, he agreed with her request, and that it was not unreasonable, there is no argument except how soon it can be completed. Engineer M. O'Dell advised that the Federal funds would be for 2017 and it would extend the Trail to 5th St. from Dogwood Park and the area of Rose Hill Subdivision. He stated that Phase III funds could not be received before Phase II is completed, funds would not be available until 2019-2021, but it is unknown when the money would be available through

NIRPC since they are doing the allocations. Mrs. Whalen asked about a sidewalk along 100 E connecting to the S. Calumet District since that would not be part of the Westchester Liberty Trail and Engineer M. O'Dell stated that would be part of the Duneland Kankakee Trail but the area she was asking about was the County's part of the Trail since that portion of 100 E is not within Town limits. Council Member J. Ton asked if the Town has enough right-of-way on the west side of 100 E south of 1100 N to access Tamarack Subdivision and Engineer M. O'Dell advised that 100 E south of 1100 N is not in Town limits and any sidewalk along this roadway would have to involve Porter County. Council Member J. Ton advised he was willing to work with the Town Attorney and investigate a way to address this problem of connecting Tamarack to the S. Calumet District.

Jennifer Gregoline 1581 Hogan Ave complained that she has lived at this address for 23 years and to her knowledge Hogan Ave has only received a base coat and has never been given a top coat of asphalt. Council Member E. Delaney advised that Hogan Ave was on the 3-year paving list beginning in 2016 and of the 52 roads, Hogan was listed as number 50. Council Member N. Cobbs, Street Department Liaison, stated that since Commissioner Schnadenberg was not present tonight he would follow up this issue with him after the meeting.

VI. REPORTS FROM OFFICIALS AND DEPARTMENT HEADS

A. POLICE - Chief Cincoski advised the Police Commission meeting was later this week and at that, he was presenting them information about possible front yard parking Ordinances and he has sample Ordinances for them to review. He also requested authorization to hire a replacement officer for a vacancy in 2014 because of retirement and, or resignation. He stated that because of budgetary issues they have not been permitted to fill vacancies in staffing. Council Member L. Kittredge made the motion to authorize the Chief to proceed, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Chief Cincoski also reported that because of the weather, there have been roof leaks at Town Hall and he has obtained an estimate to temporarily repair the roof for \$6,000. He requested permission to have the roof repaired for this amount from CEDIT funds. Council Member L. Kittredge made the motion to approve this request, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Chief Cincoski also advised that because of the age and condition of the roof the entire roof needs to be replaced except for the area of the fire bays and the estimated cost of this would be from \$60,000 to \$65, 0000. He also requested window replacement on the west side of the building and he has obtained a quote from the Ross Group which was the lowest quote for \$17,100 and he requested permission to proceed pending legal approval of the contract. Council Member J. Ton made the motion to approve pending legal review, seconded by Council Member L. Kittredge, motion approved by unanimous voice vote.

B. FIRE - Chief J. Jarka requested approval of the recommendation for the financing of the Fire Engine that he has submitted to the Council Members and he recommended that of the 2 proposals he received to approve the lowest percentage rate which was Horizon Bank in the amount of 1.88%. Council Member J. Ton made the motion to approve Horizon Bank as recommended, seconded by Council Member L. Kittredge, motion approved by unanimous voice vote. Chief Jarka also requested authorization to gift the surplus fire gear to a volunteer fire department that is in need of the gear. Council Member J. Ton made the motion to approve this request, seconded by Council Member L. Kittredge, motion approved by unanimous voice vote. Chief Jarka also advised that he has spoken with Town of Burns Harbor Fire

Department, they would like to trade for the heavy rescue vehicle, and in exchange, they would provide the Town with a 2006 Ambulance body Ford E 450 and \$25,000 cash. Council Member J. Ton made the motion to approve this trade, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. The \$25,000 would be returned to the CCD Fund. Chief Jarka also reported the Portage FD had submitted a SAFER Grant and the Town FD also benefitted with the receipt of air packs and masks.

C. TOWN HALL - Clerk-Treasurer S. Kuziela reported the Town has not received any information concerning the Circuit Breaker results and they are still waiting for the numbers to come in. She reported on behalf of the Street Department the Town received a Tree City Award for being Tree City for the last 20 years. She also advised that the Town would be receiving funds as part of a LOIT payout and requested authorization to work with the Town Attorney to create a fund for this money so that this would be a stand-alone fund that could be monitored. The Council approved by consensus.

D. STREETS, SANITATION & CENTRAL SERVICES- Street Commissioner J. Schnadenberg was absent, R. Wheeler advised the Council has been presented with a copy of the 3-year sidewalk plan that would continue this year. Some of the items on the list were taken care of last year. He advised that spring cleanup would begin April 18th and residents are asked to separately pile the brush and leaves and there would not be a set schedule or route for pick up. He also requested Mrs. Gregoline's information to forward to Commissioner Schnadenberg.

E. ENGINEERING - Engineer M. O'Dell reported the Council was sent a letter concerning a review completed by Engineer M. O'Dell, Chief Cincoski and Commissioner Schnadenberg regarding parking in Morgan's Corner. The roadways are narrow and some are one way, the letter lists the no parking locations they recommend. Once the Council approves the locations, the Street Commissioner would have the curbs painted and signs installed.

F. BUILDING - No Report

G. PARK - Park Superintendent B. Mathias reported the bids for the splash pad were to be opened later in the meeting and they are working on the bathrooms on the east side of Dogwood Park and installation of playground equipment also at Dogwood.

H. ATTORNEY - Town Attorney Lukmann advised that he has submitted Ordinance 2016-04 for approval later in the meeting.

I. UTILITIES - Superintendent Ryan advised because of delays the Foxchase lift station would start up tomorrow at 9 a.m. and the water flow is next week. Council Member E. Delaney asked how the tank worked with the recent rains and Superintendent Ryan advised that everything worked well.

J. TOWN MANAGER- Town Manager B. Doyle provided information on the LOIT Trust of \$420,707,665 of which the Town should receive \$338,723 by June 1st from the County. He advised that 75% has to be used for Local Road and Street projects and the remaining 25% was to be used for road related projects. He advised the reason for the Clerk-Treasurer's request for a separate fund is because these funds can be used as the Town's matching funds for a 50/50 grant that requires a Transportation Management Plan that staff has been working with DLZ and LTAP preparing. Town Manager B. Doyle advised the Fiber Optic Progress Phase is on track and there is nothing new to report.

K. NIRPC REPORT - Council Member J. Ton advised the INDOT LaPorte District is now called the Northwest District and that is the proper term to use in the future. He stated that they have attended meetings and advised the SR 49 project would extend from US Hwy 12 to the Toll road beginning this Wednesday or Thursday depending on weather. He advised that there

would be lane closures leaving one lane both directions for the duration, which should last until late August. He also advised that NIRPC released a survey on Lake Michigan access called the Marquette Plan Action Survey previously authored by Congressman Peter Visclosky. NIRPC is requesting resident input on people experience and access Lake Michigan. He advised anyone interested in the future of the Lake Michigan shoreline is encouraged to participate in the survey by accessing the NIRPC website.

VII. PUBLIC HEARINGS, BID OPENINGS AND REMONSTRANCES

BID OPENING PARK SPLASH PAD EQUIPMENT

Town Attorney Lukmann advised that he recommended that once the bids are read the Council takes them under advisement pending review and recommendation.

Vortex Midwest Aquatic Play Solutions Williamston, MI	\$215,470
Rain Drop Products LLC Ashland, OH	\$250,332
Rain Deck Mesa, AZ	\$104,686
Waterworks International Kankakee, IL	\$258,735
RecSource Aquatics Yoder, IN	\$218,540.69

Council Member J. Ton made the motion to take the bids under advisement, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

VIII. ORDINANCES AND/OR RESOLUTIONS

ORDINANCE 2016-02 An Ordinance of the Town of Chesterton, Porter County, Indiana for the Brassie Estates Planned Unit Development District - Council Member J. Ton made the motion to approve the Ordinance on 1st Reading, seconded by Council Member D. Lafata, motion approved by unanimous voice vote. Council Member J. Ton made the motion to suspend the rules, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Council Member N. Cobbs made the motion to approve the Ordinance on 2nd Reading, seconded by Council Member D. Lafata, motion approved by unanimous voice vote.

ORDINANCE 2016-03 An Ordinance of the Chesterton Town Council Amending Portions of the Text of the Unified Comprehensive Zoning and Subdivision Control Ordinance of Chesterton, Indiana - Council Member J. Ton made the motion to approve the Ordinance on 1st Reading, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Council Member J. Ton made the motion to suspend the rules, seconded by Council Member D. Lafata, motion approved by unanimous voice vote. Council Member D. Lafata made the motion to approve the Ordinance on 2nd Reading, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

ORDINANCE 2016-04 An Ordinance of the Town of Chesterton Amending 2015-24 2016 Salary Ordinance - Council Member J. Ton made the motion to approve the Ordinance on 1st Reading, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Council Member D. Lafata made the motion to suspend the rules, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Council Member J. Ton made the motion

to approve the Ordinance on 2nd Reading, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

RESOLUTION 2016-03 – Urban Forestry Days – Council Member J. Ton made the motion to approve the Resolution, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

RESOLUTION 2016-04 – Reclassification of Expenses - Council Member D. Lafata made the motion to approve the Resolution, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

IX. COMMUNICATIONS

NONE

X. OLD BUSINESS

NONE

NEW BUSINESS

Maura Durham – Duneland Chamber of Commerce:

European Market – 2016 Saturdays from May 7th to Oct 29th – Exclusive use of Thomas Centennial Park, Chamber Parking Lot 220 Broadway and 3rd St. and restrict other vendors not associated with the European Market – Council Member J. Ton made the motion to approve the request pending review by Town Attorney, seconded by Council Member L. Kittredge. During discussion, concerns were expressed about the unapproved vendors and local businesses setting up outside their businesses. Town Attorney was requested to review and present solutions to these issues. No vote was taken at this time.

Fireworks on the Lakefront June 30th - Request Town contributions as previous years - \$2,500 in cash and \$2,500 in kind services from Police and Fire – Council Member J. Ton made the motion to approve request, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

XII. COMMENTS FROM THE BOARD

Council Member J. Ton:	Council Member J. Ton commended Dave Ryan for the Foxchase progress and the work done on the storage tank.
Council Member L. Kittredge:	Council Member L. Kittredge thanked the residents who presented their concerns during the Council meeting and commended D. Ryan on progress with utility projects.
Council Member D. Lafata:	No Comment
Council Member N. Cobbs:	Council Member N. Cobbs commented that it was good to see people at the meeting.
Council Member E. Delaney:	No Comment.

XIII. ADJOURNMENT

Council Member J. Ton made motion to adjourn, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Meeting adjourned.

COUNCIL PRESIDENT

ATTEST:

Clerk-Treasurer S. Kuziela