

March 6, 2023

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

Pledge

Councilman Vincent led the Pledge of Allegiance.

Present All present

Absent

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

Shaw Freidman, Attorney for 39 North Conservancy District, addressed Council regarding the annexation of 39 North Conservancy District. Mr. Freidman shared a packet he prepared with the Council and encouraged City of La Porte to renegotiate a contract with 39 North Conservancy District.

Paul Przybylinski, 1716 Washington Street, Michigan City, reported on an annexation of 420 acres in Michigan City and encouraged Council to read and understand the costs associated with the proposed annexation.

Dean White, 3066 N. US HWY 35, stated his heart is in the City of La Porte. Mr. White reported there is a vista view for tourism on Waverly/Pine Lake Avenue and the high brush is blocking one of the most beautiful views of the lake. Mr. White also reported there is a hole in the pavement in front of his vacation rental. He would like permission to cover the hole with concrete to prevent someone from getting hurt.

Denise Conlon thanked the City of La Porte for assisting NIPSCO in getting the word out to residents about the assistance programs NIPSCO has to offer and urges residents to contact NIPSCO if they are having problems paying their bills at 1-800-464-NIPSCO. Ms. Conlon reported they are looking at an approximate 25%-30% decrease in natural gas prices which will be passed on to residents. Brian Burns reported on current projects in the pipeline at NIPSCO.

Mayor Dermody stated that from day one, his administration's goal has been the wellbeing of the homeowners and business owners of 39 North. He stated City of La Porte has made it clear that the 39 North Conservancy District Board has failed its residents noting the President of 39 North reported in a public meeting that 39 North has a problem and does not know how to fund the solution. Mayor Dermody stated the only plan that 39 North has is to ask the City for their plan. City of La Porte has a plan, 39 North does not. There is a fire protection issue based on infrastructure that has not kept up with the continuing development of 39 North. Mayor Dermody noted that City of La Porte is meeting with residents and business owners to discuss the issues, not the 39 North Conservancy District. Homeowners and business owners are shocked to find out what the issues are. Mayor Dermody stated we cannot wait until something bad happens. The City of La Porte is prepared to find funding for the infrastructure needs that have been ignored for twenty years stating we are not here to protect government, we are here to protect the residents and businesses. Mayor Dermody stated businesses have not been able to sell their property and homeowners are concerned about their home values because of this situation. Mayor Dermody reported an Ordinance adopted in 2016 by the Common Council of the City of La Porte with Mayor Milo leading the charge, stated the City of La Porte will not provide utility services outside the City of La Porte. Mayor Dermody assured the public his administration will continue to move forward in providing the necessary improvements to the 39 North water system with the provision of the area being annexed into the City of La Porte.

Standing Committee Reports

School Board: Councilman Franke reported the School Board will meet Monday, March 13, 2023, at 6:00 P.M.

Redevelopment Commission: Councilman Franke reported the Redevelopment Commission met on Wednesday February 22, at 3:15 P.M. in Council Chambers. Claims were approved as well as a request for property acquisition.

Sustainability Commission: Councilman Franke reported the Sustainability Commission will be meeting on February 27, 2023, at 4:00 P.M. in the Council Chambers.

Park Board: Councilwoman Feikes reminded the public the band "Jump," a VanHalen Tribute Band, will be performing at the Civic Auditorium on March 10, 2023 with doors opening at 6:00 P.M. Councilwoman Feikes reported the opening act, "The Classic Rock Experience" will begin at 7:00 P.M. and tickets are available both online and at the Civic Auditorium.

Councilwoman Feikes also announced the “Shamrock Shindig,” sponsored by Mitch Feikes Builders, Inc. will be held on March 18, 2023. Councilwoman Feikes noted there will be live Irish folk music provided by “Celtic Roots,” St. Patrick’s Day inspired food, cornhole, and green beer. Councilwoman Feikes stated admission for the event will be \$10 per person and reserved tables of eight are available for \$100. For information on these events, call the Civic Auditorium at 219-362-2325 or visit their website at www.laportecivicauditorium.com

Traffic Commission: Councilwoman Feikes reported Traffic Commission will meet on March 7, 2023, at 5:00 P.M. at the Police Station.

Police Merit Commission: Councilman Galloway reported the Police Merit Commission will hold its next meeting on Tuesday, March 14, 2023, at 2:00 P.M. at the Police Station.

Business Improvement District Board: Councilwoman Cutler reported at the next Business Improvement District Board meeting will be Monday, March 13, 2023, at 5:00 P.M. at City Hall.

Urban Enterprise Association: Councilwoman Cutler reported the Urban Enterprise Association will meet Wednesday March 15, 2023, at 4:00 P.M. at the LEAP office.

Fire Merit Commission: Councilwoman West reported the Fire Department is now fully staffed upon hiring Cameren Watt, Patrick Roy, Brandon Young, and Spencer Leada noting these new recruits will begin academy at the South Bend Regional Fire Academy next Monday, March 13, 2023. Councilwoman West reported academy curriculum will last twenty-two weeks and certify them as Firefighters Levels I/II and EMT as well as various other training certificates. The Fire Merit Commission discussed the current promotional exam process. Some ideas for consideration are a possible minimum score on the written test and whether the current scoring percentages could be changed. Currently a firefighter’s promotional score is made up of 40% for the written exam, 30% of the four-year average of the previous performance ratings, 20% for years of service, and 10% for an oral interview. Chief Snyder will investigate whether this conflicts with state statute and report back next month. It was also reported that this year’s written promotional exams will take place on May 8th, May 9th, May 15th, and May 16th. ESCI Testing Company has been contacted to provide the testing material, as they have done in 2019 and 2021.

Airport Authority: Councilwoman Konieczny reported the Airport Authority will meet on Monday, March 13, 2023, at 5:15 P.M. at the Airport.

Historic Preservation Commission: Councilwoman Konieczny reported the Historic Preservation Commission will next meet on Tuesday, March 21, 2023, at 5:30 P.M. in Council Chambers.

Introduction of a Resolution by the Common Council of the City of La Porte Adopting the Indiana Title II ADA Transition Plan:
Councilman Vincent moved to read a Resolution for the first and only time in its entirety; motion was seconded by Councilwoman Feikes and unanimously carried. Councilman Vincent read a Resolution by the Common Council of the City of La Porte Adopting the Indiana Title II ADA Transition Plan in its entirety.

Assistant City Planner David Heinold reported he worked with City Attorney Nick Otis to draft the resolution to comply with the ADA requirements. Mr. Heinold offered to answer any questions from Council. There being no questions the Council moved on to the adoption.

Motion to Vote/Approve: Councilman Galloway made motion to adopt a Resolution by the Common Council of the City of La Porte Adopting the Indiana Title II ADA Transition Plan; motion was seconded by Councilman Vincent and unanimously carried.

RESOLUTION NO. R-5-2023

A RESOLUTION BY THE COMMON COUNCIL OF THE CITY OF LA PORTE ADOPTING THE INDIANA TITLE II ADA TRANSITION PLAN

Introduction of a Resolution Approving Financing of Aercore 800 Aerator for Beechwood Golf Course Through 1st Source Bank:
Councilwoman Feikes moved to read a Resolution for the first and only time in its entirety; motion was seconded by Councilwoman Cutler and unanimously carried. Councilwoman Feikes read a Resolution Approving Financing of Aercore 800 Aerator for Beechwood Golf Course Through 1st Source Bank in its entirety.

Beechwood Golf Professional, Kyle Cashmer reported currently this process is outsourced. We spend \$4000 annually to aerate our greens once a year. Mr. Cashmer stated we are better served to spend \$4000 annually on our own aerator where we have the ability to aerate when needed opposed to

only once a year. Owning our own equipment will also give us the ability to service tees and fairways as needed throughout the season.

Motion to Vote/Approve: Councilman Franke made a motion to approve A Resolution Approving Financing of Aercore 800 Aerator for Beechwood Golf Course Through 1st Source Bank ; motion was seconded by Councilwoman Feikes and unanimously carried. Mayor Dermody is authorized to sign documents from 1st Source Bank.

RESOLUTION NO. R-6-2023
A RESOLUTION APPROVING FINANCING OF AERCORE 800 AERATOR
FOR BEECHWOOD GOLF COURSE THROUGH 1ST SOURCE BANK

Other Business

Mayor Dermody stated the Dumpster Program is back. Dumpsters are available from 7:00 A.M. until 3:30 P.M. Monday through Friday.

City Attorney Nick Otis stated he takes offense to Mr. Friedman's comments regarding City of La Porte during Mr. Friedman's public comment. Attorney Otis stated the City's Department Heads and employees serve at the pleasure of the Mayor and the Council; not the other way around. Attorney Otis stated Mr. Friedman was trying to create a false narrative and the comments were disrespectful. Attorney Otis stated during the last Administration, he and other Department Heads were directed to work with 39 North on stormwater projects. Attorney Otis stated the current Administration is moving in a different direction and the appointed Department Heads and employees will follow the path the Administration is focused on noting the people doing the groundwork should not be personally attacked; it is not fair and is disrespectful. Attorney Otis reported several voluntary annexations have taken place in the last few years because property owners contiguous to the City realize the value of being in the City limits. Attorney Otis stated with every annexation, a fiscal plan is completed which is required by State Statute. The City of La Porte works with Bakery Tilly Municipal Financial Services and Attorney Otis stated fiscal plans are projections on future conduct and they are an imperfect science. Attorney Otis stated the City has met at least three times with property owners in 39 North and there will be three more public meetings coming up this spring for residents to attend where the fiscal plan will be presented in depth.

Adjourn

There being no further business, Councilman Galloway moved to adjourn; motion seconded by Councilwoman Feikes and unanimously carried.

Approve: _____
Thomas P. Dermody, Mayor

Attest: _____
Courtney Parthun, Clerk-Treasurer

Approved: March 20, 2023