

May 15, 2023

The Common Council of the City of La Porte met in regular session Monday, May 15, 2023, at 6:00 P.M. in Council Chambers.

Pledge of Allegiance

Councilwoman Cutler led the Pledge of Allegiance.

Present: Vincent, Galloway, West, Franke, Cutler

Absent: Konieczny, Feikes

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. Councilman Franke moved to approve the minutes as presented; motion seconded by Councilwoman West and unanimously carried.

Petitions and Comments of Citizens

Jody Slabaugh, 2402 North State Road 39, addressed the Council regarding the 39N annexation. Mr. Slabaugh stated the annexation is important to him and he is disappointed in all the misinformation that is being spread. Mr. Slabaugh stated for the last year residents have heard the City say they were unsafe. The 39N Conservancy District Board, the Districts engineer, and now a third-party engineer VS Engineering have all determined residents are safe anywhere in the district. The District does have a plan to fix the water system and is working to secure funds. The City of La Porte and the 39N Conservancy District reached an agreement that the water tower does not need construction until the average daily usage is 360,000 gallons per day.

Chris Pinkerton, PO BOX 1811, addressed the Council regarding the 39N annexation. Ms. Pinkerton stated the residents of 39N did a twenty-year levy on their homes and their property to pay off a six and a half million-dollar loan out of their own pockets. Ms. Pinkerton claims Mayor Dermody has only offered to give back one-third of the money to the 39N Conservancy District residents. She stated that currently the district is only at a daily usage rate of 50,000 gallons per day and there is no urgency to start construction. Ms. Pinkerton discussed her frustrations with the annexation process.

Mayor Dermody invited Director of Community Development and Planning, Craig Phillips to brief the Council on the financial plan regarding the annexation. Mr. Phillips stated as a courtesy to those who were not able to

attend the public information sessions as a part of the Outreach Program that is required by State Statute, he has been asked to give a brief presentation on the information that was presented at the public meetings. State Statute requires the City provide three pieces of information as part of the Outreach meetings; maps showing the proposed boundaries of the annexation territory, the proposed plans for the extension of capital and non-capital services in the annexation territory including the proposed dates of the extension, and lastly the expected fiscal impact on taxpayers in the annexation territory including any increase in taxes and fees. Mr. Phillips stated he had copies of maps available for anyone in the audience who would like a copy. He described the boundaries as approximately 973 acres in total and stated the perimeter boundary is over the twelve and one half or one eighth contiguous as required by State Statute. Mr. Phillips addressed questions that have arisen in regard to the boundary of the annexation and why we did not go further north to include the remainder of the 39N Conservancy District. State Statute requires that at least 12.5 % or 1/8 of the boundary of the annexation area must be contiguous or touching existing City Limits. Based on that and the calculations we performed we did not have the ability to go any further physically with additional annexation. The existing zoning includes agricultural zoning, highway commercial B3, light industrial M1, and single family R1B. The current population of the annexation area is 176 based on the 2020 Census data and the real property assist valuation for the annexation is \$30,631,075. Non-Capital services will be provided within one-year of the effective date which we anticipate to be on or around December of 2023. These include services such as police protection. We anticipate the need to hire three additional police officers, one for each shift. The additional police officers will include an estimated total of \$240,000 in salary wages and benefits. Three new police cars will be required for a cost of \$150,000 and an additional \$8,100 will be needed for fuel and maintenance. Due to the location and character of the annexation area the Fire Department does not anticipate any additional costs for the provision of fire services. The area is currently covered by Center Township Volunteer Fire Department and upon annexation fire protection would be provided by The City of La Porte Fire Department. Emergency Medical Services will continue to be provided by La Porte County EMS. Street maintenance will be provided by the City of La Porte Street Department. This would add about 1.9 additional miles of streets to the City. The City of La Porte Street Department provides services such as street sweeping, snow plowing, leaf and brush pickup, and street paving and repairs. We anticipate the need for an additional \$9800.00 of additional annual operating costs for supplies and repairs and approximately \$80,000 in salary wages and benefits for one additional employee. In addition to that a new dump truck fully equipped with a snowplow and salt spreader will be needed with an estimated cost of

\$250,000. The City anticipates Local Road and Streets and Motor Vehicle Highway Funds will pay for these costs. Trash collection and recycling will be provided to residential properties up to four units. Anything above four units and commercial and industrial properties will need to continue to provide their own private service. Trash collection services will be approximately \$15 per month. We do not anticipate the need for any additional Parks as a result of this annexation. Street lighting will be provided. We anticipate the need for an additional sixteen streetlights which will result in an annual cost of \$2,800. Mr. Phillips stated the City is also required to provide information regarding Capital Improvements. We intend to provide capital improvements within three years of the effective annexation. The improvements include water service provided by the City of La Porte Water Department. The necessary capital upgrades include a new water tower, new booster station and lopping as well as other improvements. The cost of these upgrades is estimated to be approximately \$11.7 million. The City intends to pay this through a combination of bonds and grants that would be available to us as the full-time operator. Wastewater would be provided through the City of La Porte Wastewater Department. We anticipate the need to provide an extension of the sewer at a cost of \$250,000 and a lift station improvement in the vicinity of County Road 300 North. These would be paid for with funds on hand. We anticipate the need to pave one street segment at an approximate cost of \$320,000 again as mentioned above these capital projects will begin within three years of the annexation. The third item we are required to cover is information regarding fees. Those include water service which carries with it a minimum of 21.35 cents per month dependent upon usage. Wastewater and Wastewater handling which has a minimum monthly fee of \$23.90, again dependent on meter size and usage. The Stormwater fee is a minimum of \$5.49 per month for residential, a public fire fee of \$2.63 per month dependent on the type of property, and a street maintenance fee of \$2 per month. Two items that are not covered by the monthly water bill would be wheel tax and dog registration fee. We can also provide individual tax information for property owners that would like to meet with us. The final approval is anticipated to go in front of the City Council in August.

Mayor Dermody stated the 39N Conservancy District provided a study by VS Engineering. On May 9, 2023, at 8:30 A.M the City asked VS Engineering, Jeffrey Hall, to come in and share this study with us and they were unavailable. Because VS Engineering is unavailable, we have asked Howard Jones of NIES Engineering to come forward. Mayor Dermody stated the first statement in VS Engineering's presentation was 'we basically agree with your study'. Mr. Jones stated as Mayor Dermody mentioned they indicated they broadly agreed with our initial thoughts as to what needs to happen in

39N. We broadly agree with the fact that what they are saying is improvements are needed to meet current fire flow needs, certainly with the bigger properties up there. We also agree that the existing system will be unable to supply sufficient water to two simultaneous fires. We would like to add that the same limitation would apply if you had a single fire and needed to open two hydrants, and that is the risk that could certainly happen if a fire happened in one of the large buildings up there. We took a look at the GIS system and forty buildings are 5,000 square feet or larger. Some of them are residential and some commercial. Chief Snyder can say better than I but once buildings start to get that size, he is typically going to want to use two hydrants. When two hydrants are open too much water ends up coming through that single booster station, which is the only source of water for 39N. If too much water goes through the suction side of that booster station the pressure drops. If the pressure drops below 25 PSI that booster station automatically shuts down and at that point no water at all will be heading up 39N. Finally, and this may change as this is only in draft form from VS Engineering, but we noted that some of their suggested improvements are not intended to meet future growth and are only intended to meet deficiencies in the fire flow capability for large buildings. The report also did not directly address replacing the existing booster station. The City and I both agree that the existing booster station is getting up to about 25 years old and its useful life is coming to an end. Any kind of improvement that is made needs to include that booster station in addition to the fact that its life expectancy is wearing out. Mr. Jones stated he would like to see the final report that they have before discussing anything further. Mr. Dermody noted, as Mrs. Pinkerton stated earlier in the meeting, residents of 39N paid a premium for this infrastructure and at this time it is barely meeting the minimum water requirement by the state.

David Heinold, Assistant City Planner/ADA Coordinator, announced the La Porte Trails Greenways and Blueways Master Plan Public Open House will be Thursday May 18, at 5:30 P.M., at the La Porte Civic Auditorium, 1001 Ridge Street. There will be a presentation about thirty minutes into the workshop to offer different input on priority routes and recommendations that the consultant has come up with.

La Porte Slicers Robotics Team Recognition

Mayor Dermody invited Miles Fettinger to the podium. Mayor Dermody congratulated Mr. Fettinger and the entire robotics team, SlicerTech, for their success. Mr. Fettinger said he could not have done it without Todd Hudson, who is the Project Lead the Way teacher. He was also very complicit in our success this year. Mr. Fettinger shared how proud he is of the kids and everything they have done and accomplished. He continued to explain all the work the kids have to do to perform during competition.

He shared a short video with the Council and explained the different roles of each member of the team. Mr. Fettinger introduced the SlicerTech team members to the Council; Sawyer Schnick, Alden Pinkston, Addison Scott, Jillian Fettinger, Emma West, and Calem Myers. Members of the team not present tonight are Robert Martin, Ayden Hahn, Ian Bos, Amina Salmi, Belle Scott, Noah Moyer, Anastasia Joseph-Greenwade, Dillon Conlin, and Aubrey Tanksley. Adult mentors are Chris Schnick and Jessica Potter. The team has received acknowledgements at each of their three competitions this season, most recently, the Rookie All Star Award which qualified them to participate in the international event that took place on April 19-22, 2023, in Houston, Texas. This event had seven hundred teams representing twenty-six countries.

Standing Committee Reports

Sustainability Committee: Councilman Franke reported the Sustainability Committee will meet May 22, 2023, 4:00 P.M. in Council Chambers.

Redevelopment Commission: Councilman Franke reported the Redevelopment Commission will meet on Wednesday May 31, 2023, at 5:15 P.M. in the Council Chambers.

Traffic Commission: Councilman Vincent reported Traffic Commission will meet June 6, 2023, at 5:00 P.M. at the Police Station.

Mayors Veterans Committee:

Councilman Galloway reported the Mayors Veterans Committee met on May 8, 2023, at 5:00 P.M. at the Park Department. Councilman Galloway also reported the Veteran's Brick Dedication Ceremony will be the first Saturday in June. Veterans Day at the Civic will be November 10, 2023, at 10:30 A.M.

Police Merit Commission: Councilman Galloway reported the Police Merit Commission met on Tuesday, May 9, 2023, at 2:00 P.M. at the Police Station.

Business Improvement District: Councilwoman Cutler reported at the May meeting of the Business Improvement District, Director of Community Development and Planning Craig Phillips conveyed a request for fund for electrical outlets to be installed on Monroe Street. The request was declined because the Business Improvement District has been in the process of removing all electrical outlets in the tree wells as part of the long-term design plan. The flower planting in downtown is planned for the end of May and Mr. Phillips has been working hard on resolving the issues with outdated irrigation system and control panel installed over twenty years ago. They are looking into purchasing a new system. The next meeting will be Monday June 12, 2023, at 5:00 P.M. at City Hall.

Urban Enterprise Association: Councilwoman Cutler reported at the April meeting a 50/50 business grant was approved for the Dunes Event Center to expand their parking lot. The May meeting was changed to an earlier date because of a conflict with a LEAP event. At the May meeting a 50/50 grant was approved for 811 Monroe Street for window replacement. Also discussed were possible revisions to the current grant program to include repairs on alley facing exteriors, and some interior repairs. The next meeting will be Wednesday June 21, 2023, 4:00 P.M. at the LEAP offices.

Fire Merit Commission: Councilwoman West reported the next Fire Merit Commission will meet Wednesday, June 7, 2023, at 6:30 P.M. at Fire Station No. 1.

Second and final of an Ordinance Amending Ordinance No. 1820 Regarding the Membership of the Historic Preservation Commission

Councilman Franke moved to read an Ordinance for the second time by title only; motion was seconded by Councilwoman West and unanimously carried. Councilman Franke read an Ordinance Amending Ordinance No. 1820 Regarding the Membership of the Historic Preservation Commission by title only.

Motion/Vote – Adopt Ordinance 13-2023

Councilman Franke made a motion to approve An Ordinance Amending Ordinance No. 1820 Regarding the Membership of the Historic Preservation Commission; motion was seconded by Councilman Vincent and unanimously carried.

**ORDINANCE NO. 13-2023
AN ORDINANCE AMENDING ORDINANCE NO. 1820 REGARDING THE
MEMBERSHIP OF THE HISTORIC PRESERVATION COMMISSION**

Second and final reading of an Ordinance Establishing the Dr. George L. and Catharine Piatt Andrew House 1209 Michigan Avenue as a Single Site Historic District

Councilman Vincent moved to read an Ordinance for second time by title only; motion was seconded by Councilwoman Cutler and unanimously carried. Councilman Vincent read An Ordinance Establishing the Dr. George L. and Catharine Piatt Andrew House 1209 Michigan Avenue as a Single Site Historic District by title only.

Motion/Vote – Adopt Ordinance 14-2023

Councilman Vincent made a motion to approve An Ordinance Establishing the Dr. George L. and Catharine Piatt Andrew House 1209 Michigan Avenue as a Single Site Historic District; motion was seconded by Councilman Franke and unanimously carried.

**ORDINANCE NO. 14-2023
AN ORDINANCE ESTABLISHING THE DR. GEORGE L. AND CATHARINE
PIATT ANDREW HOUSE 1209 MICHIGAN AVENUE AS A SINGLE SITE
HISTORIC DISTRICT**

**Second and final reading of an Ordinance Establishing the Grischow House
1302 Jackson Street as a Single Site Historic District**

Councilwoman West moved to read an Ordinance for the second time by title only; motion was seconded by Councilman Vincent and unanimously carried. Councilwoman West read An Ordinance Establishing the Grischow House 1302 Jackson Street as a Single Site Historic District by title only.

Motion/Vote – Adopt Ordinance 15-2023

Councilman Vincent made a motion to approve an Ordinance Establishing the Grischow House 1302 Jackson Street as a Single Site Historic District; motion was seconded by Councilwoman Cutler and unanimously carried.

**ORDINANCE NO. 15-2023
AN ORDINANCE ESTABLISHING THE GRISCHOW HOUSE 1302 JACKSON
STREET AS A SINGLE SITE HISTORIC DISTRICT**

**Second and final reading of an Ordinance to Amend Ordinance No. 2-2019
to Modify the Schedule of Service Charges for Municipal Refuse and
Garbage Collection Under Chapter 86 of the Municipal Code of the City of
La Porte, Indiana**

Councilman Franke moved to read an Ordinance for the second time by title only; motion was seconded by Councilwoman West and unanimously carried. Councilman Franke read An Ordinance to Amend Ordinance No. 2-2019 to Modify the Schedule of Service Charges for Municipal Refuse and Garbage Collection Under Chapter 86 of the Municipal Code of the City of La Porte, Indiana by title only. Councilman Galloway stated he had been told when residents are receiving the smaller cart, they are being charged a fee. Clerk-Treasurer Parthun noted no fee is charged; however, a waiver

needs to be signed so we have proof that they asked for a smaller cart. A fee will only be charged if they change back to the larger cart after receiving the smaller one.

Motion/Vote – Adopt Ordinance 16-2023

Councilman Franke made a motion to approve An Ordinance to Amend Ordinance No. 2-2019 to Modify the Schedule of Service Charges for Municipal Refuse and Garbage Collection Under Chapter 86 Municipal Code of the City of La Porte, Indiana; motion was seconded by Councilman Vincent and unanimously carried.

**ORDINANCE NO. 16-2023
AN ORDINANCE TO AMEND ORDINANCE NO. 2-2019 TO MODIFY THE
SCHEDULE OF SERVICE CHARGES FOR MINICIPAL REFUSE AND
GARBAGE COLLECTION UNDER CHAPTER 86 OF THE MUNICIPAL CODE
OF THE CITY OF LA PORTE, INDIANA**

Introduction of a Resolution of the City of La Porte Adopting The La Porte County Multi-Hazard Mitigation Plan, 2023

Councilwoman Cutler made a motion to read a Resolution of the City of La Porte Adopting The La Porte County Multi-Hazard Mitigation Plan, 2023 for the first time in its entirety; motion was seconded by Councilman Vincent. Councilwoman Cutler read a Resolution of the City of La Porte Adopting The La Porte County Multi-Hazard Mitigation Plan, 2023 in its entirety. City Attorney Nick Otis noted this is a federal requirement and in order for us to work with the County if a disaster happens, we need to adopt their plan. Fire Chief Snyder noted that it is an important plan and has not been updated as it should be in some time. FEMA looks at this and if we are not compliant, we will not receive the grants that we need. Our department relies on these grants.

Motion/Vote – Adopt Resolution R-13-203

Councilman Franke made a motion to approve a Resolution of the City of La Porte Adopting The La Porte County Multi-Hazard mitigation Plan, 2023; motion was seconded by Councilman Vincent and unanimously carried.

**RESOLUTION NO. R-13-2023
A RESOLUTION OF THE CITY OF LA PORTE ADOPTING THE LA PORTE
COUNTY MULTI-HAZARD MITIGATION PLAN, 2023**

Other Business:

Mayor Dermody noted the LEAP Olympics has begun! Anyone wanting to watch can attend for free.

Adjourn

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

Approved: _____
Thomas P. Dermody, Mayor

Attest: _____
Courtney Parthun, Clerk-Treasurer

Approved: June 5, 2023