

**December 18, 2023**

The Common Council of the City of La Porte met in regular session Monday, December 18, 2023, at 6:00 P.M. in Council Chambers.

**Pledge of Allegiance**

Councilwoman Cutler led the Pledge of Allegiance.

**Roll Call:**

Present: Galloway, Cutler, Konieczny, Franke, West

Absent: Vincent, 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. Councilwoman Konieczny moved to approve the minutes as presented, motion was seconded by Councilwoman West and unanimously carried.

**Petitions and Comments of Citizens**

Sierra Sue Jesch – Jefferson Avenue – Ms. Jesch stated there was no sound for the last Council Meeting and noted the meeting video did not start until the meeting was nearly complete. Ms. Jesch also thanked Chief Brettin for his years of service to the City of La Porte.

Brian Kajer – 406 Niesen St. – Mr. Kajer thanked Mayor Dermody and Councilmembers for creatively growing the City of La Porte. Mr. Kajer noted local marinas are charging One Thousand Six Hundred dollars per boat slip and asked what Parks & Recreation plans for the leases they hold with the marinas. Mr. Kajer noted he would like to see funds go back into the launches, landscaping and parking lots if there is an increase in the cost of the boat slips.

Mayor Dermody asked for a moment of silence for the passing of Judge Baldoni.

**Standing Committee Reports**

**Sustainability Commission:** Councilman Franke reported the Sustainability Commission met December 18, 2023, and worked with Phil Graf, the City's Contracted Arborist on an updated inventory management plan for tree inventory in the City of La Porte. Councilman Franke noted once we have an updated inventory, the City will work to remove old, damaged trees and continue work on the replacement plan, keeping the City's tree plan diverse.

**Redevelopment Commission:** Councilman Franke reported the Redevelopment Commission will meet December 20, 2023, at 5:15 P.M. at City Hall in Council Chambers.

**Police Merit Commission:** Councilman Galloway reported Police Merit Commission met December 12, 2023, and stated Mr. Brath is retiring from Police Merit Commission at the end of the year. Councilman Galloway stated there is a new applicant currently in academy and Police Chief Brettin will soon be retiring.

**Business Improvement District Council Appointment: Two-Year Terms for Two Appointments**

Councilman Franke made a motion to table Two-Year Terms for Two Appointments to the Business Improvement District; motion seconded by Councilwoman Konieczny and unanimously carried.

Councilwoman Cutler stated there are eight members and the Business Improvement District has a quorum, however, two seats are open.

**Introduction of a Resolution Adopting a Definitive Policy and Written Fiscal Plan**

Councilwoman West made a motion to read a Resolution for the first time in its entirety; motion seconded by Councilwoman Cutler and unanimously carried. Councilwoman West read a Resolution Adopting a Definitive Policy and Written Fiscal Plan in its entirety.

Mayor Dermody invited Community Development and Planning Director Craig Phillips to speak about the Fiscal Plan. Mr. Phillips stated this is a one hundred percent voluntary annexation which means the petitioner has petitioned the City to include their two parcels into the City. Mr. Phillips noted the two parcels consist of approximately 274.34 acres and is over 12.1% contiguous to the existing corporate boundaries of the city. Mr. Phillips stated the current use of the land is farmland with the exception of two small residential properties that are part of the farm property. The existing zoning, Mr. Phillips states, is agricultural. Mr. Phillips noted the proposed zoning is light industrial, M1, at the request of the applicant. The total assessed valuation of the property, per the Fiscal Plan, is \$459,445. Mr. Phillips went on to detail that all non-capital services can be provided without any additional increase in cost to the city with the exception of a small increase for additional police patrol for the city for the purpose of vehicle maintenance because there is an additional lane mile being added to the City anticipated at a total of \$2,100 per year. Mr. Phillips stated there are no anticipated costs to capital improvements as a result of this annexation. Per the overall financial impact on page twelve of the fiscal

plan, the estimated levy increase, which begins in tax year 2026, is roughly \$4,643 according to Mr. Phillips per the Fiscal Plan which increases accordingly. Mr. Phillips noted that the costs for the annexation can be covered by the revenues received and noted the fiscal plan was prepared by Baker Tilly, our financial municipal advisor.

**Vote/Motion to Approve - Resolution Adopting a Definitive Policy and Written Fiscal Plan**

Councilman Franke made a motion to approve a Resolution Adopting a Definitive Policy and Written Fiscal Plan; motion seconded by Councilwoman West and unanimously carried.

**R-32-2023  
RESOLUTION ADOPTING A DEFINITIVE POLICY AND  
WRITTEN FISCAL PLAN**

**Second and Final Reading of an Ordinance of the Common Council of the City of La Porte, Indiana, Annexing to and Bringing within the City Limits of La Porte, Indiana, and Amending the Zoning Ordinance for Property Located in Pleasant Township, Contiguous Herewith: Name of Petitioner C.L. Rhoads Corporation**

Councilman Franke made a motion to read an Ordinance for the second and final time by title only; motion seconded by Councilwoman Cutler and unanimously carried. Councilman Franked read an Ordinance of the Common Council of the City of La Porte, Indiana, Annexing to and Bringing within the City Limits of La Porte, Indiana, and Amending the Zoning Ordinance for Property Located in Pleasant Township, Contiguous Herewith: Name of Petitioner C.L. Rhoads Corporation by title only.

City Attorney Nick Otis stated the first reading of this Ordinance was at the first December Common Council meeting and in between that meeting and the meeting tonight, Plan Commission met regarding establishing zoning as this is new area to the City. Attorney Otis noted because of that, all adjacent property owners were served with the Notice of Public Hearing at the Plan Commission Meeting and the Plan Commission is making a favorable recommendation to the City Council for the zone map change. Attorney Otis stated there are still several procedural steps that need to be completed if this annexation is approved.

**Vote/Motion to Approve - Ordinance of the Common Council of the City of La Porte, Indiana, Annexing to and Bringing within the City Limits of La Porte, Indiana, and Amending the Zoning Ordinance for Property Located in Pleasant Township, Contiguous Herewith: Name of Petitioner C.L. Rhoad Corporation**

Councilwoman Konieczny made a motion to approve an Ordinance of the Common Council of the City of La Porte, Indiana, Annexing to and Bringing within the City Limits of La Porte, Indiana, and Amending the Zoning Ordinance for Property Located in Pleasant Township, Contiguous Herewith: Name of Petitioner C.L. Rhoad Corporation; motion seconded by Councilman Franke and unanimously carried.

**ORDINANCE NO. 35-2023**

**ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LA PORTE, INDIANA, ANNEXING TO AND BRINGING WITHIN THE CITY LIMITS OF LA PORTE, INDIANA, AND AMENDING THE ZONING ORDINANCE FOR PROPERTY LOCATED IN PLEASANT TOWNSHIP, CONTIGUOUS HEREWITH: NAME OF PETITIONER C.L. RHOADE CORPORATION**

**Second and Final Reading of an Ordinance Approving 2024 Budget for the City of La Porte Water Department**

Councilwoman Konieczny made a motion to read an Ordinance for the second and final time by title only; motion seconded by Councilwoman Cutler and unanimously carried. Councilwoman Konieczny read an Ordinance Approving 2024 Budget for the City of La Porte Water Department by title only.

**Vote/Motion to Approve - Ordinance Approving 2024 Budget for the City of La Porte Water Department**

Councilman Franke made a motion to adopt an Ordinance Approving 2024 Budget for the City of La Porte Water Department; motion seconded by Councilwoman West and unanimously carried.

**ORDINANCE NO. 36-2023**

**ORDINANCE APPROVING 2024 BUDGET FOR THE CITY OF LA PORTE WATER DEPARTMENT**

**Second and Final Reading of an Ordinance Approving 2024 Budget for the City of La Porte Wastewater Department**

Councilwoman Cutler 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 Cutler read an Ordinance Approving 2024 Budget for the City of La Porte Wastewater Department by title only.

**Vote/Motion to Approve - Ordinance Approving 2024 Budget for the City of La Porte Wastewater Department**

Councilman Franke made a motion to adopt an Ordinance Approving 2024 Budget for the City of La Porte Wastewater Department; motion seconded by Councilwoman Cutler and unanimously carried.

**ORDINANCE NO. 37-2023  
ORDINANCE APPROVING 2024 BUDGET FOR THE CITY OF LA PORTE  
WASTEWATER DEPARTMENT**

**Second and Final Reading of an Ordinance Amending Ordinance 1347 Adopting the Provisions of “the Park and Recreation Law of 1955” Creating a Department of Parks and Recreation for City of La Porte, Indiana, Transferring Property and Funds from Predecessor Board of Park Trustees and Recreation Commission, Providing for Appointment and Terms of Members of Board, and Repealing Prior Ordinances in Conflict Therewith**

Councilman Franke made a motion to read an Ordinance for the second and final time by title only; motion seconded by Councilman Galloway and unanimously carried. Councilman Franke read an Ordinance Amending Ordinance 1347 Adopting the Provisions of “the Park and Recreation Law of 1955” Creating a Department of Parks and Recreation for City of La Porte, Indiana, Transferring Property and Funds from Predecessor Board of Park Trustees and Recreation Commission, Providing for Appointment and Terms of Members of Board, and Repealing Prior Ordinances in Conflict Therewith by title only.

City Attorney Nick Otis stated the request to amend this ordinance was made by the Park Department and the Clerk-Treasurer’s office to update language dating back to the 1970’s. Attorney Otis reported due to SBOA audit purposes, the City wants to ensure our Ordinances show how we conduct business. For example, Attorney Otis noted we previously did not

reference sponsorships, so that language has been updated. Additionally, language was updated regarding safeguarding money and depositing it daily to the Clerk-Treasurer's office.

**Vote/Motion to Approve - Ordinance Amending Ordinance 1347 Adopting the Provisions of "the Park and Recreation Law of 1955" Creating a Department of Parks and Recreation for City of La Porte, Indiana, Transferring Property and Funds from Predecessor Board of Park Trustees and Recreation Commission, Providing for Appointment and Terms of Members of Board, and Repealing Prior Ordinances in Conflict Therewith**

Councilwoman Konieczny made a motion to adopt an Ordinance Amending Ordinance 1347 Adopting the Provisions of "the Park and Recreation Law of 1955" Creating a Department of Parks and Recreation for City of La Porte, Indiana, Transferring Property and Funds from Predecessor Board of Park Trustees and Recreation Commission, Providing for Appointment and Terms of Members of Board, and Repealing Prior Ordinances in Conflict Therewith; motion seconded by Councilwoman West and unanimously carried.

#### **ORDINANCE NO. 38-2023**

**ORDINANCE AMENDING ORDINANCE 1347 ADOPTING THE PROVISIONS OF "THE PARK AND RECREATION LAW OF 1955" CREATING A DEPARTMENT OF PARKS AND RECREATION FOR CITY OF LA PORTE, INDIANA, TRANSFERRING PROPERTY AND FUNDS FROM PREDECESSOR BOARD OF PARK TRUSTEES AND RECREATION COMMISSION, PROVIDING FOR APPOINTMENT AND TERMS OF MEMBERS OF BOARD, AND REPEALING PRIOR ORDINANCES IN CONFLICT THEREWITH**

#### **Introduction of a Resolution to Transfer Funds within the 2023 Budget**

Councilman Galloway made a motion to read a Resolution for the first and only time in its entirety; motion seconded by Councilwoman Konieczny and unanimously carried. Councilman Galloway read a Resolution to Transfer Funds within the 2023 Budget in its entirety.

Clerk-Treasurer Parthun stated budgets are estimates and by year end, Department Heads have transfers to complete to clear up their appropriations.

**Motion/Vote Resolution to Transfer Funds within the 2023 Budget:** Councilwoman Konieczny made a motion to adopt a Resolution to Transfer

Funds within the 2023 Budget; motion seconded by Councilwoman West and unanimously carried.

**RESOLUTION NO. R-33-2023**  
**RESOLUTION TO TRANSFER FUNDS WITHIN THE 2023 BUDGET**

**Introduction of a Resolution to Encumber Funds within the 2023 Budgets**  
Councilman Franke made a motion to read a Resolution for the first time in its entirety; motion seconded by Councilman Galloway and unanimously carried. Councilman Franke read a Resolution to Encumber Funds within the 2023 Budgets in its entirety.

**Motion/Vote Resolution to Encumber Funds within the 2023 Budget:**  
Councilwoman Konieczny made a motion to adopt a Resolution to Encumber Funds within the 2023 Budget; motion seconded by Councilwoman West and unanimously carried.

**RESOLUTION NO. R-34-2023**  
**RESOLUTION TO ENCUMBER FUNDS WITHIN THE 2023 BUDGET**

**Other Business:**

Mayor Dermody announced that two Councilmembers will not be returning in 2024 after their commitment to the community, Councilman Vincent after four year and Councilwoman Cutler after eight years. Mayor Dermody stated being an elected official in this day in age is difficult. Councilmembers work a regular job daily and come in at least weekly to deal with issues and address concerns of their constituents. Mayor Dermody stated Councilwoman Cutler set the standard as a Councilperson and will truly be missed and asked for everyone to give Councilwoman Cutler a standing ovation.

Councilwoman Cutler stated it has been her pleasure to serve the City of La Porte and to those who will serve after her, she stated the most important part of the role of Councilmember is to listen and communicate. Councilwoman Cutler loves the City and will still be living and working in the City of La Porte.

Mayor Dermody and Annette Loeffler are working on a project to memorialize Councilmembers who have served because it takes a team to make things happen. Mayor Dermody stated Mayor's pictures are nice, but those who served on the Council shouldn't be forgotten.

Mayor Dermody also congratulated Kabelin's on the old Streiter building coming down and stated he looks forward to the professional buildings being built at that location.

Mayor Dermody also stated he looks forward to a great 2024 with a continual focus on housing and the final Notre Dame Charette to be in the City at the beginning of 2024.

Councilwoman Konieczny stated Thursday, January 4, 2023, Veteran's and a guest will be admitted for free into the La Porte Invitational. Free passes are available at the VFW.

**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: January 2, 2024