

TOWN COUNCIL MEETING
December 10, 2018
7:00 p.m.

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

President L. Kittredge 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 to approve the minutes of the November 26, 2018 Council Meeting, seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

IV. CONSIDERATION OF CLAIMS

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

V. PETITIONS AND COMMENTS FROM THE FLOOR

Anton Insurance – Paul Sciarra of Anton Insurance presented a proposal for an insurance plan change to AXA for all ancillary coverage, this would be financially beneficial to the Town and employees, but there would be 3 current dentists no longer covered in the plan which impacts 10% of the employees, but there is a total savings of \$8,300 for the Town. Council Member J. Ton made the motion to approve the change to AXA for dental and life insurance, motion seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

Steve Williams – 812 Carland Dr. Westville, Local 4600 representing fire fighters on the Chesterton Fire Dept. He thanked the Town Council, Clerk-Treasurer's staff, and Fire Chief for all the work on improving the salaries and making significant steps in improving the future of the Fire department. He then expressed concern about the loss of a benefit they have had for the last 7 years and has been eliminated in the 2019 contract, which is the a 96 hour reduction in paid time off. He requested a "Meet and Confer" in accordance with Indiana law with the majority of the Town Council instead of just with the Town Council fire department liaison, the fire chief and Town Attorney. He advised this meeting is scheduled for Friday December 14, 2018 at 9:30 a.m. and it is their belief that the current team from the Town does not satisfy Indiana Code. Council Member J. Ton commented this has been the usual and customary practice for a "Meet and Confer" and confirmed with Town Attorney J. Paulson that this is correct, and that there is a dispute between the Town Attorney's office and the Attorney for Local 4600. She advised the Town Council should appoint a team to participate in the "Meet and Confer" as has been the practiced historically. Council Member E. DeLaney commented that if the majority of the

Council were to attend then there would have to be proper notice and it would be a public meeting. Council Member J. Ton made the motion to appoint Council Member E. DeLaney, Town Council Fire Department Liaison, Fire Chief J. Jarka, and the Town Attorney to represent the Town at the “Meet and Confer” on Friday December 14, 2018 at 9:30 a.m. with the Local 4600 Fire Fighter’s representatives, motion seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Council Member J. Ton also commented that this would be taken under advisement for future discussion.

VI. REPORTS FROM OFFICIALS AND DEPARTMENT HEADS

- A. POLICE - No Report
- B. FIRE - No Report
- C. CLERK-TREASURER – Clerk-Treasurer S. Kuziela reported the salary ordinance would be ready for the next Council meeting and asked if there were any changes for the Council Members to contact her so that any changes can be sent to the Town Attorney for addition to the Ordinance. She also reported on the current donations to the Safe Haven Baby Box, including; Susan and Don Ayers- \$40., Alisa Hecimovich - \$500., Anonymous donation - \$500. Council asked her about a donation sent to the Safe Haven Baby Box company, and she advised she had not received that check yet and the corporation giving that donation had to donate to a 501(3)c charity which the Town is not, and she would advise the Council once the check is logged into the Town. The total donations to date are \$11,010. She also reported that she has worked with the D.L.G.F. representative and although they have not yet received the 2019 budget order, the D.L.G.F. increased the 2019 budget to \$5,517,968 an increase of \$135,899 which is what the Town originally passed. She also asked about the board and commission interviews, and the only one that has to be done this year is the Redevelopment Commission, and there is a new person to interview. The Council by consensus advised they would meet at 6:30 p.m. on December 26, 2018 prior to the next regularly scheduled Council meeting. She also advised the Porter County Council is asking for Town Council recommendations for the Chesterton Economic Development Board and the Porter County Convention, Recreation, and Visitor Commission. Council Member J. Ton made the motion to appoint Nicholas Walding to the Chesterton E.D.C., motion seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Council Member E. DeLaney made the motion to retain Lisa Woodrich and recommend her to the Porter County Council, motion seconded by Council Member J. Ton, motion approved by unanimous voice vote. Council Member J. Ton commented that the donations for the Safe Haven Baby Box have exceeded the cost. He thanked the fire fighters and Fire Chief J. Jarka for their hard work.
- D. STREETS, SANITATION & CENTRAL SERVICES- Commissioner J. Schnadenberg advised they are continuing with the picking up leaves, it has been a long season.
- E. ENGINEERING – Engineer M. O’Dell reported Amerilodge developers have passed primary plat and are moving forward.
- F. BUILDING - M. O’Dell advised a remodeling permit has been issued for the former Standard Bank building near Jewel.
- G. PARK - No Report
- H. ATTORNEY - No Report
- I. UTILITIES - On vacation
- J. TOWN MANAGER- Family emergency

K. NIRPC REPORT - Council Member J. Ton reported no meeting in November and asked if the Council wanted him to continue as the representative to NIRPC. Council Member E. DeLaney made the motion to retain Council Member J. Ton as the NIRPC representative for the Town, motion seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

VII. PUBLIC HEARINGS, BID OPENINGS AND REMONSTRANCES

Public Hearing for Ordinance 2018-21 Additional Appropriations – Council President L. Kittredge opened the Public Hearing at 7:30 p.m. No one spoke in support of the Ordinance and no one spoke in opposition to the Ordinance. Council President L. Kittredge closed the Public Hearing.

Public Hearing for PSR, LLC Annexation into the Town of Chesterton – Council President L. Kittredge opened the Public Hearing, Attorney Greg Babcock representing PSR, LLC advised a Fiscal Plan for this development was completed by S.E.H. and reviewed by Town’s financial advisors London-Witte and was found to be in order. He presented information regarding the annexation and potential development that would be a mixed use development including single family home, patio homes and a couple businesses. He advised there is a Resolution for the Fiscal Plan and would like the Council to approve it later in the meeting. After Attorney G. Babcock presented the information, William Stone 1451 Birdie Way spoke in opposition to the annexation and development. He advised he developed Stone Meadows and he stated this was an upscale single family development and the proposed PSR, LLC development would not be the same quality of development and would detract from his development. He advised he protests this annexation and development and would continue to do so throughout the process and every step. Council President L. Kittredge closed the Public Hearing at 7:37 p.m.

VIII. ORDINANCES AND/OR RESOLUTIONS

RESOLUTION 2018-09 Arbor Day 2018 – Council Member D. Lafata made the motion to approve this Resolution, motion seconded by Council Member E. DeLaney, motion approved by unanimous voice vote.

RESOLUTION 2018-10 Appointing Appraisers to appraise fair market value of real estate – Council Member E. DeLaney made the motion to approve this resolution, motion seconded by Council Member D. Lafata, motion approved by unanimous voice vote.

RESOLUTION 2018-11 A Resolutoin Establishing a Written Fiscal Plan and Definite Policy Pursuant to Indiana Law for the Annexation of Approximately 58.89 Acres Petitioned for by for PSR, LLC, an Indiana Limited Liability Company – Council Member J. Ton made the motion to approve this Resolution, motion seconded by Council Member E. DeLaney, motion approved by unanimous voice vote.

ORDINANCE 2018-20 – Indian Oak PUD – Attorney representing property owner and petitioner advised they have been before the Plan Commission and their petition has received an unfavorable recommendation. He presented information about the sign height and size and alternatives they would be willing to include in this sign if approved. Engineer M. O’Dell presented information regarding the Plan Commission decision and concerns regarding the proposed sign, and these alternatives were not presented to the Plan Commission. Council

Member E. DeLaney made the motion to reject the Ordinance, motion seconded by Council Member N. Cobbs, motion approved by unanimous voice vote.

ORDINANCE 2018-21 Additional Appropriations – Council Member D. Lafata made the motion to approve the Ordinance on 1st Reading, motion seconded by Council Member N. Cobbs, motion approved by unanimous voice vote. Council Member J. Ton made the motion to suspend the rules, motion 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, motion seconded by Council Member E. DeLaney, motion approved by unanimous voice vote.

IX. COMMUNICATIONS

NONE

X. OLD BUSINESS

Animal Control Contract – Council Member E. DeLaney advised the Town Attorney has worked with Porter County Attorney to include a clause to permit opting out of the contract at the end of the year. Council Member E. DeLaney made the motion to approve the contract, motion seconded by Council Member J. Ton, motion approved by unanimous voice vote.

Award Asphalt Bids – Street Commissioner J. Schnadenberg recommended the Council awards the bid to the lowest responsible and responsive bidder, Rieth-Riley and release the bid bond of the unsuccessful bidder. Council Member N. Cobbs made the motion to award the bid to the lowest responsible and responsive bidder, Rieth-Riley and release the bid bond of the unsuccessful bidder, motion seconded by Council Member D. Lafata, motion approved by unanimous voice vote.

NEW BUSINESS

Refuse Write-Offs – Clerk-Treasurer S. Kuziela advised there were fewer than usual write-offs this year and these were because of property foreclosures, and the total write-offs are \$183.48. Council Member E. DeLaney made the motion to approve the request, motion seconded by Council Member J. Ton, motion approved by unanimous voice vote.

Waiver of Town Standards Petition #18-02 – Mark Markovich, Mark I construction, 1300 Brassie Ave. – requested waiver of standards for a garage pad constructed at 411 Lost Tree Dr. because the pad was poured 6” too high. Mr. Markovich explained the error and that the neighbors have an elevation higher than this garage pad. Engineer M. O’Dell presented information regarding this waiver and there was no issue granting the waiver. Council Member E. DeLaney expressed concern about drainage issues impacting the neighbors. Town Attorney J. Paulson advised the Council they could not address this at the same meeting it was presented. Mr. Markovich advised the homeowner can’t get an occupancy permit and would like to move into the new house by Christmas.

XII. COMMENTS FROM THE BOARD

Council Member J. Ton: Council Member J. Ton advised he became aware that St. John has received a quiet zone designation, and he would like to have the Town Manager investigate how they did this and if we could match their success. He recommended the Town create a quiet corridor from Calumet to 8th St. and this might reduce the expense from original estimates. By consensus of the Council the Town Manager and Council Member J. Ton would continue investigating this process.

Council Member D. Lafata:	No Comment
Council Member N. Cobbs:	No Comment
Council Member E. DeLaney:	No Comment
Council Member L. Kittredge:	No Comment

XIII. ADJOURNMENT

Council Member N. Cobbs made the motion to adjourn, seconded by Council Member D. Lafata, motion approved by unanimous voice vote. meeting adjourned.

COUNCIL PRESIDENT

ATTEST:

Clerk-Treasurer S. Kuziela

The Town Council meeting was reconvened and the matter of Waiver of Town Standards Petition #18-02 was addressed. Council Member E. Delaney asked if the plans would include a curtain drain and Mr. Markovich advised that it would be included. Council Member J. Ton made the motion to approve the Waiver of Town Standards Petition #18-02 provided the plans included a curtain drain on the property, motion seconded by Council Member E. Delaney, motion approved by unanimous voice vote.

Council Member E. DeLaney made the motion to adjourn, seconded by Council Member D. Lafata, motion approved by unanimous voice vote, meeting adjourned.

COUNCIL PRESIDENT

ATTEST:

Clerk-Treasurer S. Kuziela