

TOWN COUNCIL MEETING  
September 9, 2019  
7:00 p.m.

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

President N. Cobbs called the meeting to order at 7:00 p.m.

II. ROLL CALL

Roll was called by Deputy Clerk-Treasurer K. Hrapek; 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 August 26, 2019 Council Meeting, seconded by Council Member L. Kittredge, motion approved by unanimous voice vote.

IV. CONSIDERATION OF CLAIMS

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

V. PETITIONS AND COMMENTS FROM THE FLOOR

Kim Goldak 1069 N 100 E – Mrs. Goldak spoke on behalf of the Quiet Zone for downtown. She believed this project should be a high priority for the Town. She also commented that she didn't believe the Town should allow the Dollar General store to open on the west end of Town. She talked of the store business model and philosophy. Council Member J. Ton advised the issue of the Quiet Zone would be addressed later on the agenda.

Ann Macker 210 S. 14<sup>th</sup> St. – Mrs. Macker requested the Town require a neighborhood or community impact study for the proposed Dollar General Store, including crime, noise, safety, traffic, and rental turnover.

Rebecca Riley-Vargas – 402 Broadway – 3 Moons Fiberworks - Mrs. Riley-Vargas explained her what business is, which included beginning with raw wool and working through the entire process before the end product. She advised she would like authorization during the European Market to have on display three Angora goats alongside her building to show people the raw product on the hoof. Ms. Riley-Vargas advised that there have been people interested in a shearing demonstration. Council Member J. Ton made sure the animals would not be housed at this location and only on display for specific periods of time during the European Market. He commented that this would be no different than horses on display during a parade. Engineer M. O'Dell advised the only concerns involved the Town Code prohibiting farm animals and the area where the goats are kept are on Town right-of-way and the goat owner would be responsible for

cleaning any mess once the goats were removed. Council Member E. DeLaney advised he observed the goats when the Montessori students were on a field trip to see them and he recommended trying it and seeing how it goes. Council Member J. Ton suggested a trial period. Town Attorney Lukmann advised the Council could make a motion to grant a waiver to the Ordinance and recommended the Council set specific times and days when it is permitted. Council Member J. Ton made motion to waive the Ordinance for the display of these goats on Saturdays of the European Market from 9 am to 3 pm, motion seconded by Council Member L. Kittredge, motion approved by unanimous voice vote.

Mitchell Batson 1715 Broadway – Mr. Batson spoke in favor and support of the Quiet Zone and advised he felt it was a quality of life issue. Mr. Batson thanked the Council for their work.

Robert Carp 219 S. 14<sup>th</sup> St. – Mr. Carp also spoke in support of the Councils work on the Quiet Zone.

Evelyn Komenas 1087 N. Pearson Rd – Mrs. Komenas expressed her concern over an ongoing issue with the Brassie Golf Course driving range which results in numerous balls landing on her property and damaging her house and property. She advised the current management of the golf course has been uncooperative and rude, refusing to work with the residents on the problem. The management has told the residents, who have lived there for longer than the golf course has existed, to move if they don't like it. Mrs. Komenas was advised the driving range is within county jurisdiction and the Town is unable to take action about this portion of the golf course. She stated the clubhouse is in Town limits and that is where they sell or rent the golf balls for the driving range. Mrs. Komenas feels the Town should tell Brassie they cannot sell or rent golf balls for the driving range until they resolve the issue of the balls hitting the properties across the street. Council Member E. DeLaney told Mrs. Komenas the Town has no jurisdiction over the driving range and recommended she contact Porter County Commissioners, particularly North County Commissioner J. Biggs. He also directed Town Manager B. Doyle to make contact with Commissioner Biggs to discuss this issue. Town Manager B. Doyle advised he has attempted to contact Commissioner Biggs but has been unable to speak with him. Town Manager B. Doyle also stated he has attempted to speak with Brassie Golf Course management but when he informed them of the issue they told him to call their attorney. Council Member J. Ton asked if the Town could write Brassie a letter explaining the Towns concern about this matter and the displeasure with their response or lack of. Town Attorney Lukmann advised he would prepare a letter and have the Town Council President sign it. This was approved by consensus of the Council.

David Evans 1081 N. Pearson Rd – Mr. Evans also expressed his displeasure with Brassie and their lack of regard for the persons living across from the driving range. He related that he was almost hit by a ball and when he called the Brassie office he was told not to stand in his front yard. He advised his vehicle has been damaged at least 6 times by golf balls and there has been other damage to his property but the Brassie has been rude and unresponsive.

Brian Marx 445 Franklin St. Porter – Mr. Marx expressed his displeasure with the Police Department for failing to notify residents in a timely manner of a shooting and subsequent manhunt on State Road 49 and later into Indiana Dunes State Park. He stated notification was

not made until 12 hours later, however within that same 12 hours; someone had the time to post a joke on the department's Facebook site. Council Member E. DeLaney advised he observed a post on this issue within 45 minutes of it occurring and while it was still an active situation. Council Member E. DeLaney and Council Member J. Ton both encouraged Mr. Marx to attend the next Police Commission meeting and express his concerns there.

VI. REPORTS FROM OFFICIALS AND DEPARTMENT HEADS

A. POLICE - No Report

B. FIRE - No Report

C. CLERK-TREASURER – No Report

D. STREETS, SANITATION & CENTRAL SERVICES – Commissioner J. Schnadenberg reported he received information regarding the State salt bid for this year and it has increased by \$12.90 a ton to \$77.72 per ton. If the Town gets the 1,500 tons it usually orders, it would cost the Town an additional \$19,000 this year. He also presented a list of paving projects completed to date and reported they have repaired 312 sidewalk trip hazards and the Indiana Avenue parking paving project. He advised the next round of paving projects would begin September 30<sup>th</sup> which include 1050 N from Dickinson Rd to 200 E and 200 E to Harrington. He also advised Coffee Creek Dr. and Mississinewa Rd. would be completed. Schnadenberg also said they were going to put a skim coat on the Towns portion of E. Oakhill Rd. He again thanked the County Highway Department for their assistance with the chip and seal on 950 N and Saemann Rd. He expressed his displeasure with the CSX contractor did at Indian Boundary Rd and Calumet and has contacted them about the mess they left at that intersection. Schnadenberg advised the contractor said they would be returning to address the complaint. He also would be contacting CSX to advise them of the problem.

E. ENGINEERING – Engineer M. O'Dell reported the south Toll Road parking lot would be used for truck parking only because of work they would be doing at another plaza. He provided an update on the Lamar sign and the approved BZA variance. He reported he and J. Gadzala had submitted last June a census address list, and he received a notice 15 days ago with their results of our updates and corrections and they rejected 15 updated addresses, which has been appealed. He reported that DLZ had provided design work for the splash pad and DLZ has donated this work to the Park department. He reported that J. Gadzala obtained a NIPSCO environmental action grant for Coffee Creek Park and J. Gadzala and Shane are handling the project.

F. BUILDING - Commissioner M. O'Dell reported that Subway at 619 Gateway Blvd has been given final occupancy permit. Also MHO Cancer Center 800 Indian Boundary Road has received final occupancy. He also presented to the Council pictures of 507 Wabash that the building and police departments have been dealing with the last 2 years. He advised the police department has sent letters and the building is becoming a nuisance and hazard. He requested authorization to work with the Town Attorney to begin the process related to this nuisance. Council Member E. DeLaney made the motion to approve this request, motion seconded by Council Member J. Ton, motion approved by unanimous voice vote. Town Attorney Lukmann advised the owner of this property is an LLC in Boca Raton, FL.

G. PARK - No Report

H. ATTORNEY - No Report

I. UTILITIES - No Report

J. TOWN MANAGER- Town Manager B. Doyle reported the Rossman Property has been purchased, 44 acres which had been handled by 5/3 Bank. The new owners would be meeting with department heads about this property. Town Manager Doyle also reported he has been working with Justin Roseberry of GGI on the update of the Town's IT system town wide. He advised this includes cyber education, new servers, firewalls, new Window 10 licenses, and work stations. He advised the cost would be split among the departments needing the work, and the quote is \$26,885. He requested authorization to proceed with the project. Council Member L. Kittredge made the motion to approve the request, motion seconded by Council Member D. Lafata, motion approved by unanimous voice vote.

VII. PUBLIC HEARINGS, BID OPENINGS AND REMONSTRANCES

NONE

VIII. ORDINANCES AND/OR RESOLUTIONS

NONE

IX. COMMUNICATIONS

NONE

X. OLD BUSINESS

Quiet Zone – Council Member J. Ton asked if the Town Attorney has completed the review of the proposals. Town Attorney Lukmann advised the review has been completed and it is a matter for the Council to decide how they want to proceed. Council Member J. Ton made the motion to form a committee consisting of Town Manager B. Doyle, Engineer M. O'Dell, Council Member E. DeLaney, Council Member J. Ton and any other Council Member wanting to attend to review and evaluate the proposals. He suggested Town Manager B. Doyle schedule this as soon as possible, prior to the next Council meeting. Motion seconded by Council Member L. Kittredge, motion approved by unanimous voice vote.

NEW BUSINESS

Council Member E. DeLaney advised the Council received an email from the Clerk-Treasurer about setting a budget meeting during the week of September 16<sup>th</sup>. During discussion it was decided by consensus to schedule a meeting for September 18<sup>th</sup> at 4 pm at the Town Hall.

XII. COMMENTS FROM THE BOARD

Council Member J. Ton:	No Comment
Council Member D. Lafata:	No Comment
Council Member L. Kittredge:	No Comment

Council Member E. DeLaney: Council Member E. DeLaney addressed the issue of the Dollar General Store. He advised to bring the issue before the Advisory Plan Commission and there will be a hearing before it is referred to the Council for action. The Advisory Plan Commission will complete their due diligence and completely vet the project before the referral to the Council. He also commented regarding the Quiet Zone project and advised this is a quality of life matter, food for business and will also increase land value.

Council Member N. Cobbs: Council Member N. Cobbs commented the Advisory Plan Commission would be meeting Thursday night and the Dollar General Store is set for a Public Hearing and he invited all those with concerns to attend the meeting and address the Advisory Plan Commission.

XIII. ADJOURNMENT

Council Member Cobbs made the motion to adjourn, seconded by Council Member L. Kittredge, motion approved by unanimous voice vote. Meeting adjourned.

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COUNCIL PRESIDENT

ATTEST:

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Deputy Clerk-Treasurer K. Hrapek