

TOWN COUNCIL MEETING
August 23, 2021
7:00 p.m.

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE

President S. Darnell called the meeting to order at 7:00 p.m.

II. ROLL CALL

Roll was called by Clerk-Treasurer C. Udvardy; present were Council Member S. Darnell, Council Member J. Ton, Council Member D. Lafata, Council Member J. Fisher, and Council Member L. Kittredge.

III. APPROVAL OF MINUTES

Council Member D. Lafata made the motion to approve the minutes of the August 9, 2021 Meeting, motion seconded by Council Member J. Fisher; motion approved by unanimous voice vote.

IV. CONSIDERATION OF CLAIMS

Council Member D. Lafata 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

Vacation of a Public Way—701 S. 20th St. – Connor Nolan & Brittany Tripp –Connor Nolan explained that unimproved Park Avenue has been vacated on the west side of S. 20th Street, both sides of S. 21st Street, both sides of S. 22nd Street, and to the east of the Petitioner’s property, on the west side of S. 18th Street. Along Petitioner’s property, unimproved Park Avenue has been treated as an extension of the side yard by the Petitioner since 2017 and prior owners since 1994 when the house was built. The area has been planted and landscaped and maintained continuously during that time. Nolan wishes to take over formal ownership and requests a public hearing set for September 13, 2021. Council Member J. Ton made the motion to set the public hearing for this vacation on September 13, 2021, motion seconded by Council Member D. Lafata; motion approved by unanimous voice vote.

Loren Ellis- 130 W. Lincoln- Cub Scout 998- Loren Ellis asked the Council’s permission to host a Popcorn Drive Lot on behalf of the Cub Scouts Troop 998 on October 9, 2021 in the parking lot across from Town Hall. Council Member J. Fisher made the motion to defer this

approval to the Chief of Police and Town Manager, motion seconded by Council Member J. Ton; motion approved by unanimous voice vote.

VI. REPORTS FROM OFFICIALS & DEPARTMENT HEADS

A. Police— Chief Richardson commented that it has been a good first 6 days in the department and gave Interim Chief Bob Byrd recognition for carrying the department. Council Member J. Ton thanked Bob Byrd for all his hard work. Council Member J. She is thankful to have worked with him. Council Member D. Lafata thanked Byrd for helping during the transition process. Council Member L. Kittredge seconded all thanks offered. Council President S. Darnell commented that she has enjoyed Byrd’s moxie. Byrd was then presented with a commemorative plaque from Town Manager D. Cincoski. Byrd thanked everyone and said he appreciated all of the accolades and noted that the officers are the ones making things happen for us and are keeping our community safe. Byrd continued to thank the Council for their support, the Town’s legal team at Harris Welsh and Lukmann, Town Manager Cincoski, and the Department Heads. Student Resource Officers Joe and Chris were thanked for making a huge difference in our community at the schools. Byrd acknowledged and thanked Assistant Police Chief Rocha, noting that Rocha is highly regarded by law enforcement in NWI and that Rocha has been his #2 guy. Clerk Treasurer C. Udvare proceeded to ceremonially swear in incoming Police Chief T. Richardson.

B. Fire – South Shore Clean Cities Grant, Pine Township Fire Protection Agreement-
Deputy Chief Williams discussed a \$50,000 reimbursable grant through South Shore Clean Cities through which the CFD could potentially purchase a Ford Crew Cab F-250 that uses E-85. The vehicle would be utilized for EMS calls and support the “clean cab initiative” which keeps the dirtiest gear isolated from the apparatus cab. Lastly, the vehicle would be able to assist with fire prevention activities, snowplow, and transport personnel as needed for trainings and dive calls. The upfront cost for grant management to South Shore Clean Cities, Inc. is \$1,500, which Chief Camel had requested be paid out of CEDIT. Additionally, if awarded the grant, Chief Camel had requested \$59,137.43 from the CCD fund to be used to purchase the vehicle. \$50,000 would be reimbursed within two weeks of receiving the vehicle as part of this grant program. Council Member J. Fisher made the motion to approve the grant application/use of funds for the vehicle, motion seconded by Council Member L. Kittredge; motion approved by unanimous voice vote. Next, Deputy Chief Williams reported on a Pine Township Fire Protection Contract. Chief Camel has been working with legal to create a fire protection agreement with Pine Township in regards to the area on I-94 from the 28.2 mile marker (Brummitt Rd.) to the Porter/LaPorte County line in which the CFD responds to calls. Chief Camel presented the contract which states a \$15,000 fee to Pine Township for the purpose of fire protection assistance. The contract also sets a deadline of September 15, 2021 for response or termination of services along I-94 in Pine Township. Council Member J. Fisher made the motion to approve the contract, motion seconded by Council Member J. Ton; motion approved by unanimous voice vote.

C. Clerk Treasurer- NO REPORT

D. Streets, Sanitation, & Central Service –Town Manager D. Cincoski reported that the department will be working on the Butler Winery sidewalk and parking lot clean up.

E. Engineering—Town Engineer M. O’Dell presented a Roadsoft agreement invoice. O’Dell requested approval for payment via manual claim in the amount of \$5,995 to Michigan Tech. Council Member L. Kittredge made the motion to approve, motion seconded by Council Member D. Lafata; motion approved by unanimous voice vote.

F. Building —Building Commissioner M. O’Dell reported that Aldi is moving forward—working on the parking lot. Complaints have been received regarding exits in this area. Commissioner M. O’Dell explained that the island is supposed to send traffic east. However, they are trying to work on the parking lot and have had issues of people trying to go West on Indian Boundary Road. Contractors are working to complete the jobs.

G. Parks –Superintendent S. Griffin reported that the Department is finishing up the master plan with S.E.H. Meetings with S.E.H. are upcoming. More follow up to come.

H. Attorney—Town Attorney Lukmann commented that he has known and worked with Bob Byrd for 20 years—“there are none better than Byrd.” Attorney Lukmann further stated that he is confident that Chief Richardson will fit in.

I. Utilities—NO REPORT

J. Town Manager—NO REPORT

VII. PUBLIC HEARINGS, BID OPENINGS, & REMONSTRANCES

NONE

VIII. ORDINANCES AND/OR RESOLUTIONS

Ordinance 2021-16- Amending Ordinance 2021-08- Establishing the ARP Coronavirus Local Fiscal Recovery Fund- Clerk Treasurer Udvare explained that the purpose of this ordinance is to proclaim that we will be adopting a plan for the funds, approve all appropriations prior to use, and explain what we will do with any interest earned and to establish a fund for interest. Clerk-Treasurer Udvare further explained that \$1.5 million has been received thus far and that \$1.5 million more is coming. Council Member J. Ton made the motion to approve the ordinance on 1st reading, motion seconded by Council Member J. Fisher; motion approved by unanimous voice vote. Council Member J. Ton made the motion to suspend the rules, motion seconded by Council Member J. Fisher; motion approved by unanimous voice vote. Council Member J. Fisher made the motion to approve the ordinance on 2nd reading, motion seconded by Council Member D. Lafata; motion approved by unanimous voice vote.

IX. COMMUNICATIONS

NONE

X. OLD BUSINESS

Right of Way Agreement- Ritter St. - Czyzewski- 1009 Scarborough Court- Margaret Czyzewski- The Department Heads issued a memorandum to the Town Council reviewing this request for Right-of-Way Agreement for an undeveloped parcel of land on unimproved Ritter Street. The following conditions/requirements were asked to be considered:

1. When the Parcel Owner applies for a Building Permit, they must meet all of the Chesterton Utility requirements to connect to the existing gravity sewer on Ritter Street and these requirements will become part of the Building Permit.
2. If at any time in the future the Parcel Owner determines they want to subdivide this parcel, they will need to come before the Chesterton Town Council for permission to add another Right-of-Way Agreement to Ritter Street.
3. All driveways will connect perpendicularly to the extended Ritter Street. The Parcel Owner shall extend Ritter Street past the driveway and shall terminate Ritter Street with a hammerhead turnaround design and location.

Czyzewski was okay with the conditions. Town Attorney C. Lukmann said this is a policy decision and the agreement will need updated. Council Member J. Ton made the motion to approve the agreement pending legal review and updates, motion seconded by Council Member J. Fisher; motion approved by unanimous voice vote.

Quiet Zone- Town Manager Cincoski reported that they are still working on requested corrections and improvements.

Plan Commission and Redevelopment Commission Appointments- Council Member J. Ton made the motion to appoint D. Lafata to the Plan Commission, motion seconded by Council Member L. Kittredge; motion approved by unanimous voice vote. Town Attorney Lukmann explained that Redevelopment Commission would consist of a Presidential appointment. Council President S. Darnell made the motion to appoint D. Lafata to the Redevelopment Commission. Darnell thanked Lafata for stepping up to these positions and also thanked all those that applied.

XI. NEW BUSINESS AND/OR UPDATES

Storm Water Bond Engagement Letter- This letter is regarding Storm Water District Bonds, Series 2021. Taft's purpose would be to render certain approving opinions on behalf of the Town regarding the validity of the bonds under applicable state and federal laws and to render certain opinions concerning tax status and other matters. Taft will be reviewing all of the documents for the transaction and generally supervising the proceedings as they move toward closing. Taft will also work with the Town's Financial Advisor, London Witte. Taft proposes a \$12,500 fee to be paid at the closing of the bonds. London Witt proposes \$12,500 for their

portion of the bond work. Town Attorney Lukmann explained that almost 10 years have gone by since this bond's last issue and that the bond can be replaced without change in citizen's taxes. Furthermore, Attorney Lukmann reported that J. Shanahan of Taft and London Witte have sent engagement letters and that they have already been approved at the August 16th Storm Water Board meeting. The Town Council is the ultimate issuer of the bond so Town Attorney Lukmann would like the Town Council to approve the letters of engagement as well. Council Member J. Fisher made motion to approve both engagement letters to Taft and to London Witte, motion seconded by Council Member L. Kittredge; motion approved by unanimous voice vote.

XII. COMMENTS FROM THE BOARD

Council Member S. Darnell:	Member S. Darnell encouraged people to think about getting the covid-19 vaccination; If not for themselves, then for others.
Council Member J. Fisher:	Member J. Fisher welcomed Chief Richardson and thanked Bob Byrd. She mentioned how much she values the Town police department.
Council Member L. Kittredge:	Member L. Kittredge thanked Bob Byrd for taking position when the Town needed him.
Council Member J. Ton:	Member J. Ton said it has been great working with Bob Byrd.
Council Member D. Lafata:	No comment

XII. ADJOURNMENT

Council Member J. Ton made the motion to adjourn, motion seconded by Council Member J. Fisher; motion approved by unanimous voice vote.

ATTEST:

COUNCIL PRESIDENT

CLERK TREASURER C. UDVARE