

COUNCIL MINUTES

May 25, 2021

Present were council members President Greg Stinson, Vice President David Phillips, Brian Finley, William Lopez, Attorney Gregg Sobkowski, Police Chief Todd Allen, Fire Chief Jay Craig, Park Director Brian Bugajski, Building Commissioner Michael Barry, and Public Works Superintendent James Spanier. Council member Erik Wagner was absent.

APPROVAL OF MINUTES

Finley made a motion to adopt the May 11, 2021 minutes as written and Lopez made the second, vote 4-0, motion passed.

APPROVAL OF CLAIMS

Phillips made a motion to approve the claims and sewer adjustments as presented and Finley made the second, vote 4-0, motion passed.

COMMENTS FROM THE FLOOR

James Morsch 2912 Wabash Avenue, he said he addressed the town council last year about parking at Johnson Inn parking business that is not in compliance and non-conforming with the ordinances of the town and he wants to know what the town is doing to regulate that business to make sure that they comply. He is asking about setbacks, spaces for handicap people and he has not heard what has been done to take care of these matters. He was also told to fix up the building and he can't see any changes there. He wants to know what is going to happen next. Stinson noted that the BZA has given him until June 15th to address issues with the building and he has three weeks left. He will need to report back to the BZA. Stinson noted that until then nothing can be done. Barry said they have blocked off the stairs and put up some signage. Attorney Sobkowski noted that after the deadline the town can do the repairs and then recoup the cost by placing a lien against the property.

CLERK TREASURE REPORT

Pomeroy reminded residents not to fill their swimming pool until June 16th when the summer sprinkling credit goes into effect. That credit runs from June 16th thru October 15th.

ATTORNEY REPORT

Attorney Sobkowski stated that he sent to the council a summary of new legislation that will take affect soon and if anyone has any questions, please let him know.

POLICE DEPARTMENT REPORT

Police Chief Allen asked the council to approve to declare retired Chief Spanier's duty weapon as surplus so that he can buy it back from the town for \$250. Stinson asked for a motion to declare retired Chief Spanier's service weapon as surplus with a value of \$250, Finley made the motion and Phillips made the second, vote 4-0, motion passed.

FIRE DEPARTMENT REPORT

Fire Chief Craig stated that he sent out for quotes for repairs to the fire station and he received them today and he will review them and have a report for next meeting. He said there are a few that have deadlines and unfortunately they are due right after the next meeting. He stated that materials are going up and some of the quotes will only be valid until the 10th of June. Craig said he is happy that some of the costs are coming in under budget and he will have a report at next meeting. Craig stated that he left out some of the electrical work and asked permission to get the rest of the electrical quotes for the training room and LED lights, Stinson asked for a motion to receive quotes for lighting in the training room and LED lights for the break room, Lopez made the motion and Finley made the second, vote 4-0, motion passed. Stinson noted that the quotes are approximately \$20,000 under for phase 1.

PUBLIC WORKS REPORT

Public Works Superintendent Spanier thanked the council for giving him this opportunity and to thank them for the wonderful facility for them to work from. It is so different from the old place and he feels it was a good move for the town. He said he is still moving in and getting up to speed.

PARK DEPARTMENT REPORT

Park Director Bugajski announced that the annual Memorial Day Program at Hawthorne Park will take place on Monday, May 31st at 1:00pm. Representatives from the Towns of Porter, Burns Harbor, and Chesterton will be in attendance as well as the Porter Fire Department serving as honor guard. The event will take place in front of the Community Building, in the event of inclement weather the event will take place inside the Community Building.

Bugajski requested action on bids that were collected on May 5, 2021 for the construction portion of the Lake Pratt Accessible Walkway Project. He reported that the lowest bidder was LaPorte Construction Company with a bid of \$142,511. All bids were reviewed by Abonmarche Consultants, who is serving as the construction manager of the project. Abonmarche recommended the award go to LaPorte Construction Company. Bugajski thanked Council President Stinson and Clerk Treasurer Pomeroy for their assistance in securing additional funding for the project, as the bids that came in were higher than the funds budgeted for the project. Stinson asked for a breakdown of total project costs and funding and they are:

Costs

Construction Management (Abonmarche) - \$14,900

Construction (LaPorte Construction) - \$142,511

Signage/Incidentals - \$3,000

Total Project Cost: \$160,411

Funding Sources

Lake Michigan Coastal Grant - \$65,000

Park Operating Budget – \$23,411

Park Donations Budget - \$23,000

LIT - \$20,000

CCI - \$15,000

Stormwater Board - \$10,000

2018 G.O. Bond - \$4,000

Total Funding: \$160,411

Town Attorney Gregg Sobkowski asked if the funding from the Stormwater Board had been previously approved and Bugajski indicated that formal action had not yet taken place at a Stormwater Board meeting, however, the board had previously provided a letter of commitment to funding the project. Council President Stinson asked for a motion to approve awarding of the project to LaPorte Construction, and approve the source of funds for the project, contingent on the Stormwater Board's approval of project funding. Finley made the motion and Lopez made the second and the motion was opened for discussion. Bugajski indicated that he was worried if the current bids were rejected and the project re-bid, pricing would come back even higher due to material costs and the demand for construction labor. Councilman Stinson asked if there was any word from the Lake Michigan Coastal Program on additional funding for the project. Bugajski reported that there is possibly some additional funding, and that Coastal Program staff is working to

move that funding to the project, but it would not happen prior to the project start. If additional funding from the Lake Michigan Coastal Program became available, then the Town's commitment of funds to the project could be reduced. Seeing no further discussion Council President Stinson called for a vote on the motion, vote 4-0, and motion passed.

BUILDING COMMISSIONER REPORT

Building Commissioner Barry presented six new contractors for approval, Lopez made a motion to approve the six new contractors and Phillips made the second, vote 4-0, motion passed.

OLD BUSINESS

ORDINANCE 2021-09 AMENDING SALARY ORDINANCE

Stinson did second reading by title only and noted that there was a minor adjustment adding Public Works to Superintendent. Phillips made a motion to approve Ordinance 2021-09 and Finley made the second, vote 4-0, motion passed.

ORDINANCE 2021-02 TEMPORARY SIGNS

Stinson did second reading by title only and Phillips made a motion to adopt Ordinance 2021-02 and Finley made the second, vote 4-0, motion passed.

TOWN POLICIES REGARDING COVID

Stinson noted that things are continuing to trend in a positive way and the Governor has lifted his order, the question is what do we do regarding town policies related to opening of town buildings and capacity max requirements. Phillips noted that Chesterton has dropped their mask mandate and lifted the requirement for notification of events larger than 25 and moved it to 100, he said he is asking how soon we will be doing things also. Stinson noted that planning for events size number is controlled by Porter County Health Department and he noted that the town has been following their guidelines, so the town has already made events at 100 people. He wants input regarding masks from the council, they asked Pomeroy how the office feels regarding masks. Pomeroy noted that all employees in town hall have been vaccinated and has met the requirements of two week waiting period. She also noted that we have the plastic shield in the window at the front desk. We are fine with opening the building since there will be no actual contact with anyone entering the building. We have decided if anyone is uncomfortable they can wear their face mask or not. Stinson noted that he feels if the employees do not wear a mask then the residents should not have to wear one when entering the building. The council asked Chief Allen about the police station and he noted that about 90% of the employees are vaccinated and everything is

closed to the public except for the lobby. The employees are comfortable without wearing a mask around each other but regarding the officers they are dealing with the public not wearing masks but the majority of them are vaccinated. The Park department is vaccinated but are not two weeks out for being fully vaccinated. The Public Works department are having a tough time of working together with masks and would like to see the ban lifted. Chief Craig is ok with lifting mask but the fire fighters will still wear them on medical calls but not in the station while training. The volunteers are 50% vaccinated. Stinson asked the attorney if we can make employees or volunteers that are not vaccinated wear a mask and if you prove you are vaccinated you will not need to wear a mask in town buildings. Attorney Sobkowski said there is a split about whether it is appropriate to request proof of vaccination from current employees or volunteers, he stated that there is not enough guidance on this issue. He does not recommend that the town asks for proof of vaccination. By consensus the council agreed to have town hall open tomorrow and have no requirement of wearing a mask for residents or employees. It is a personal choice to wear a mask or not when in town hall. Council agreed that for social distancing that it should be reduced to three feet apart and also in meeting room.

NEW BUSINESS

VACATION OF STREET RIGHT-OF-WAY PORTER BEACH

Stinson asked Barry to explain this vacation and Barry said he received a request to vacate a portion of roadway at Dearborn Street adjacent to the garage that did belong to the house at 3001 Duneland. The house at 3001 Duneland was sold to one party and garage property is being sold to another party. It is a one car garage that sits on a very small flat portion of ground with a 20 foot dune in front of it and then it drops off steeply to the south. The lot that is being sold is only buildable if the right-of-way is vacated, that is why they are asking for this request. Dearborn Street does not exist in that location and will only be able to go 75 feet before it drops steeply downhill. There will never be a road built there. There is no address for this site. There is a time limit to send the public notice out. The council should set this for a public hearing on June 8th. Council agreed by consensus to set this for public hearing at the June 8th meeting.

LOCAL ROADS AND BRIDGES MATCHING GRANT AGREEMENT


This is a Community matching Grant for crack sealing of roads. The grant amount is \$47,874.75 and that is for 37 locations. They sent the contract and it needs to be approved at a public meeting. Lopez made a motion to approve the contract with INDOT and Finley made the second, vote 4-0, motion passed. Barry submitted for paving that wasn't approved and he will submit again on July 1, 2021.

COUNCIL COMMENTS

Finley announced that he will not be at the next meeting on June 8th. Lopez made a motion to adjourn and Phillips made the second, vote 4-0 motion passed.

Dated this 8th day of June, 2021.

Greg Stinson, President




David Phillips, Vice President

Brian Finley



William Lopez

ATTEST: 

Carol Pomeroy, Clerk Treasurer