

**PORTER TOWN COUNCIL  
MINUTES  
January 23, 2024**

The Town Council of the Town of Porter, Indiana met in a regularly scheduled session on Tuesday, January 23, 2024 at the Porter Town Hall, 303 Franklin St., Porter, Indiana. The meeting was called to order by Town Council President Laura Madigan at 7:00 p.m.

The Pledge of Allegiance to the American Flag was recited.

**Roll Call**

William "Bill" Lopez.....Present  
Laura Madigan .....Present  
Don Craft .....Present  
Kelly Karriman .....Present  
James Burge .....Present

A quorum was attained. Clerk-Treasurer Corinne Peffers was also present.

**Additional Officials Present**

Attorney Laura Frost; Police Chief Todd Allen; Public Works Superintendent Jamie Spanier; and Building Commissioner/Director of Development Michael Barry.

**Approval of Minutes**

Lopez made a motion to approve the Executive Session Minutes of January 9, 2024. Burge noted a correction to the spelling of Kelly Karriman's name as listed under members present. Burge seconded the motion to approve. Motion passed by all in favor vote.

Karriman made a motion to approve the Minutes of January 9, 2024. Craft seconded the motion. Motion passed by all in favor vote.

**Consideration of Claims and Sewer Adjustments**

Lopez made a motion to approve the claims and sewer adjustments as presented. Burge seconded the motion. Motion passed by all in favor vote.

**Petitions & Comments from the Floor**

Richard Wagner, owner of 755 Waverly Road, said he came before the Council before in the fall, and requested a change in the criteria for getting a beach permit. He stated, "I used to rent out the home that I have there, this past July I took over the ownership myself to keep it in the family because it's been in the family for about 65 years. So I just want to return it to my kids and grandkids for them to use, so I made some improvements to the property and such, and I was looking at, you know, going forward to this summer applying for beach permit. So I looked at the criteria for the beach permits and even though I paid property taxes which came to \$5,200 this past year and \$2,600 of that goes to the county recorder, I'm basically not considered a resident because it's not my primary residence. You have to have a vehicle registration and a valid driver's license for the town of Porter to be considered for that. Alright, so I asked for, you know, that property taxes basically would be the main criteria since I do pay those, and I should be treated just like all you folks in here, you know, in the town. Okay, well, fast forward to about six, eight weeks ago. Like I said, I was doing improvements to the property and such, and after a while with the trash collection, I really didn't need trash

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collection anymore. So I called Reliable [Republic] to suspend my trash collection service. So after being on hold for quite a while they came back and told me they said, well, we can't do that for you. You have to do it through the Town of Porter. I said okay, so I called over here to try to suspend my service for it because I just don't need it. You know, if I have one bag of trash every couple three months, I can take it back and put in my trunk and take it back to my other house and put it in the garbage. So anyway, but they told me that I can't discontinue the service. It's automatic. You know, I'm on automatic billing for it, it's basically \$20 a month and I said but I don't need it. I don't want to but I guess there's a town ordinance that requires me to participate in that. Okay. So that being said, basically, I'm considered a resident and a full-time resident in the Town of Porter because you folks take my money for the trash collection. But on the other hand, I don't get defined of the simple benefit of getting a beach permit considered that I'm a resident. It's not really about the money, but either I need to be considered, you know, a resident or I should not be considered a primary resident, but you know, it's one on this hand, and one on this hand and it's just not what I think is fair. So, I'm asking if you folks would afford me the luxury of at least a beach permit, or to have me have my trash collection be optional for me. So one or the other. Thank you very much."

Trent Albert of 1420 Waverly Road stated, "I am still concerned about Indiana Avenue. It's been a year to date that we were called on about encroaching on someone else's property, which is our property, and it's been determined that it was our property. And, we're still not able to go forward with this project because there's an unknown determination by the town. We really would like to move forward, we'd like to finish this up and we don't know what's going on. We'd like to move forward. That's all we're here for, just find out what's the status on Indiana Avenue, which is an easement. The problem that we have is right now is it's currently holding a lot of water, and it was only exposed by the fact that we removed a lot of trees that we didn't realize that were killed by the water that was holding. It's because at the end of Burwell, in 2005, a new residence was added at the end of it on the other side, on the northern part of our property, and that blocked all the water flow to go through that. That killed all those trees and we didn't determine all that until we removed those trees. Now it's killing the trees that we've removed and put back in there. We just like to move forward and put a culvert in at the end of that driveway. There's less than 200 feet to the east of that, there's a 24-inch culvert right underneath Burwell. Right now we're collecting all this water that's just standing there, and holding up, and killing trees that we just planted less than six months ago."

Madigan asked Albert to clarify what he would like from the Town. She said I do recall having that property surveyed and that there were trees planted and removed from town property but I am not sure I know what project you want to move forward with.

Albert said a culvert underneath a neighboring driveway.

Madigan said I believe that the Town is working with Albert's neighbor about their driveway separately.

Barry, the Council, and Albert continued to discuss the water situation and Barry said he will schedule a site visit with Albert.

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**Reports**

*Clerk-Treasurer Report*

Peffers reported that the Department of Local Government Finance certified the 2024 budget Order for Porter County on January 16, 2024, and the order contains the state's certification of the approved budget, the certified net assessed value, the tax rate, and the tax levy for each fund of each taxing unit in the county. The order also gives the total tax rate for each taxing district. The order is available on the DLGF's website. You can find it under County Specific Information, find Porter County and then look for the link to the 2024 Porter County Budget Order. The DLGF's website also contains lots of helpful information for taxpayers about property taxes and tax bills.

Peffers said that we received an invoice yesterday from the Duneland Chamber of Commerce for 2024's membership fees, and there is a discount if it is paid before January 31, so she asked for approval to pay \$275.00.

Lopez made a motion to approve payment of \$275.00 to the Duneland Chamber of Commerce for 2024's membership. Craft seconded the motion. Motion passed by all in favor vote.

*Attorney Report*

No report.

*Police Department Report*

Chief Allen said that back in May we started accepting lateral transfers and we hired Kaylee Nugent as a dispatcher. She came to us with a year and a half of experience, and she got lost in the process of the lateral transfer policy getting passed, and I was asking at the time if we could apply the transfer to her to allow her to have 40 hours of vacation time for a year's worth of service.

Madigan said in the spring and summer we had a number of dispatcher positions that we needed to fill. We've been offering a lateral hire process for our police department, which helps increase our competitiveness while looking to hire and retain talent. I remember this particular applicant was the reason that Chief Allen came to the Council and asked for us to expand that lateral hire process to the dispatch department as well. The Council agreed and moved forward, but she was hired just before the first reading. But hiring and recruiting her was the reason that we started this process in the first place, and we never went back and affirmed that she qualified to receive those extra vacation days. So that's why Chief Allen is bringing it up tonight.

Craft made a motion to give Kaylee Nugent 40 hours of vacation time. Burge seconded the motion. Motion passed by all in favor vote.

*Fire Department Report*

Chief Craig was not in attendance but Burge mentioned the Emergency Vehicle Preemption

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(EVP) Grant. Madigan said that the Clerk-Treasurer's Office is working to coordinate receiving information before it's brought to the Council for approval.

Peppers said she reached out to the Town of Chesterton asking for a copy of the grant agreement and any memorandums of understanding that would apply, and they said that it's going back and forth between their legal and engineering departments, so they're still working on that. Going forward the Council would need to figure out where we would take that money from to pay that matching grant. It's my understanding that as the project progresses, Chesterton is the grant coordinator, so they'll invoice us for our portion, so it won't be a lump sum payment, but it would be over the course of probably this year into next year.

***Public Works Department Report***

Spanier thanked the public for keeping vehicles off streets during the recent snow event. It helps the department out tremendously.

***Park Department Report***

Bugajski was not in attendance. Karriman reported on his behalf. We are still waiting on the railings for Hawthorne Park's ramp project but Bugajski has a progress meeting with Abonmarche and will provide updates at a later time. In all of the excitement of the first meeting of the year, Bugajski forgot to acknowledge a donation that was received. It came in at the end of 2023 and he wanted to thank Sarah Tilden for donating \$1,000 to Park Department to be used for maintenance and upgrades to the Tilden Family Memorial Garden.

***Building Commissioner/Director of Development Report***

Barry informed the Council that he will be attending the meeting with Brian on the phone to discuss the park railing and some issues that we had with the contractor, and he will follow up with the Council. Barry reported that there are 37 contractors for approval that have met all their requirements and paid their fees.

Lopez made a motion to approve the 37 contractors. Craft seconded the motion. Motion passed by all in favor vote.

Barry reported Community Crossings Grant 2024-1 was submitted to INDOT on January 19, 2024. Barry said it's a joint project with Chesterton on paving Woodlawn Avenue. Chesterton graciously put the plans together and saved us a good chunk of money. Since we only have to pay 25% of the cost, we save them some money so, as I said the last time I mentioned this, that's one of these odd win-wins. That doesn't happen very often. That's all submitted to INDOT and we should hear around April if it's been awarded. Barry requested to go out to bid for the CCMG 2023-2 project which was awarded last fall. We have to have it under contract and everything back to INDOT by March 3, 2024. It's scheduled to advertise January 26, and February 5, with bids due February 12, and we will be ready to award at the Council meeting on Tuesday, February 13, 2024.

Craft made a motion to approve putting CCMG 2023-2 out to bid. Karriman seconded the motion. Motion passed by all in favor vote.

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**Old Business**

*Board Appointments*

Madigan said I am so happy and grateful that we received so many applicants for the Environmental Sustainability Commission. It really goes to show how the community really wants to prioritize environmental sustainability as we move forward with our growth. We received twice as many applicants as there are seats, so I want to remind everyone that these meetings happen every month, we haven't set an exact date yet, but we are looking at the third Tuesday of each month, they are open to the public. If you aren't appointed, come to the meetings anyway and share your ideas with the commission. They are an advisory commission, they want to do what the public wants.

Madigan announced the Town Council President's appointments to the Environmental Sustainability Commission: Tara Duffie, Reggie Korthals, Jennifer Dimitroff, David Rowley, and Alison Hultman. Student appointment is Devin Throw. There are two student appointments, but one is postponed pending confirmation.

Madigan announced the Town Council President's appointment to the Plan Commission: Mary Burke.

Madigan said the Police Commission appointment is a Town Council appointment. Lopez nominated Erik Wagner to serve on the Police Commission. Burge nominated Jerry Gruett to serve on the Police Commission. A roll call vote was taken. Don Craft – Gruett. Kelly Karriman – Gruett. James Burge – Gruett. Bill Lopez – Wagner. Laura Madigan – Gruett. Jerry Gruett appointed to the Police Commission by 4-1 vote.

Madigan announced the Town Council president's appointments to the Redevelopment Commission: Alison Hultman, Russ Erwin, and Jamie Hogan.

Madigan said that the Town Council has two appointments to the Redevelopment Commission. Karriman nominated Laura Madigan and Bill Lopez. Appointments passed by all in favor vote.

Madigan announced the Town Council President's appointment to Stormwater Board: Mitch Reynolds.

Madigan announced the Town Council President's appointment to the Board of Zoning Appeals: John Kremke.

Madigan said that the pros and cons of either disbanding or filling the Economic Development Commission will be discussed. There has been no business since June of 2020.

Madigan announced that James Burge will represent the town on the Northwestern Indiana Regional Planning Commission (NIRPC).

Madigan said that there are three employees that are appointed to the Plan Commission by the Town Council. Brian Bugajski and Jay Craig have been serving. Karriman nominated James Burge to replace Madigan on the Plan Commission. Council consensus was to retain Bugajski and Craig. Appointments confirmed by all in favor vote.

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Madigan announced the appointment to the Regional Development Authority (RDA) Transportation Development District (TDD) Steering Committee: Michael Barry.

Madigan announced the appointment to the Duneland Economic Development Corporation (DEDC): Bill Lopez.

Madigan announced the Town Council President's appointment of a non-voting member to the Redevelopment Commission: Beth Mehling.

**New Business**

***Lift Station Project Bid Award***

Barry said there are two lifts stations on Mineral Springs Road, one at Beam Street and one at Highway 20. Both are considered confined space lift stations, they are very deep and they are very small. A confined space lift station requires a minimum of two people to service because they are dangerous, so we have been trying to replace these for a few years. We bid this in March of last year and we only received one bid. Since there was only one, it wasn't competitive so we chose to rebid and make some revisions to the plan. The Beam Street station has a basket that catches nasty material that would otherwise clog the pumps up, and our Public Works Department employees have to clean that basket out. This project will eliminate that by putting chopper pumps so they don't plug up. We replaced the pumps at Woodlake Springs lift station a couple years ago with chopper pumps, because we had a problem with constant repair of pumps because of things flushed that shouldn't be. With the chopper pumps installed, we haven't had any issues, we haven't had any breakage or plugged up pumps that need to be manually cleaned out by our employees. Trying to make their jobs safer and cleaner is something we should be looking to do. We rebid this, we received two competitive bids. One from Haase Construction and one from Grimmer Construction. We have worked with both companies. Grimmer did our Porter Avenue lift station and they did a good job on that. After reviewing all the bids versus the bid documents that we submitted, Grimmer is the lowest responsible and responsive bidder. We recommend the bid is awarded to Grimmer Construction.

The project is scheduled to be completed by the end of the year. The lead time on the generator still needs to be determined. The IDEM permit has been extended.

Lopez made a motion to award the Mineral Springs at Beam Street and at U.S Highway 20 Lift Station Pump Replacement Project to Grimmer Construction for \$1,485,400.00 to be paid from sewer funds. Karriman seconded the motion. Kelly Karriman – aye, James Burge – aye, Don Craft – yes, Bill Lopez – aye, Laura Madigan – aye. Motion passed.

***Hawthorne Park Baseball Field Usage Agreement***

Karriman said that Bugajski received three proposals for use of the baseball field at Hawthorne Park this year and Bugajski recommends accepting the proposal from State Park Little League. Madigan noted that Bugajski listed some reasons why he felt that State Park Little League's proposal was the best of all. Weekday practices are scheduled for after-work hours and games run concurrent on weekends, there aren't enough days of the week to facilitate all three

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proposals. SPL's proposal includes plans to utilize the field seven days a week in partnership with the State Park Sluggers and Duneland Flyers teams, the other proposals included only two days a week of field usage, respectively. SPL's proposal includes partnerships with the State Park Sluggers and Duneland Flyers teams, thereby expanding the base of volunteers to assist with maintenance/improvements, increasing the number of athletes using the field, and establishing a pre-arranged agreement for scheduled usage amongst said teams. SPL's proposal includes a more robust and detailed layout of planned improvements to the existing facilities, including usage of the press box/concession building and an estimated monetary value of improvements. The field and facilities have not had as large of an investment (in both monetary value or volunteer labor) as proposed by SPL in almost 25 years.

Madigan noted this is a contract to invest in our ballfield, not just rent it out. The contract has been reviewed by the attorney, but the contract still needs some revisions. Attorney Frost said the proposal can be approved.

Karriman made a motion to accept State Park Little League's Hawthorne Park Ballfield Usage Agreement subject to final legal negotiations. Craft seconded the motion. Burge suggested that the two teams that did not get the nod be reminded that the field at Porter Cove Park may be an alternative option and they should talk to Bugajski about the possibility. Motion passed by all in favor vote.

*Approval of Contracts*

Lopez made a motion to approve James M. Mandon's contract. Craft seconded the motion. Motion passed by all in favor vote.

Craft made a motion to approve the Global Engineering and Land Surveying contract. Lopez seconded the motion. Motion passed by all in favor vote.

Craft made a motion to approve the BakerTilly contract. Burge seconded the motion. Motion passed by all in favor vote.

Lopez made a motion to approve the Abonmarche contract. Craft seconded the motion. Motion passed by all in favor vote.

Craft made a motion to approve the Haas & Associates contract. Karriman seconded the motion. Motion passed by all in favor vote.

Lopez made a motion to approve the Organizational Development Solutions, Inc. (ODS) contract. Craft seconded the motion. Motion passed by all in favor vote.

Craft made a motion to approve the Porter Volunteer Firefighters Inc. contract. Burge seconded the motion. Motion passed by all in favor vote.

*Highway 20 and 49 Interchange Beautification*

Burge said the town has an opportunity with Ball State University's College of Architecture and Planning. There has been some interest in what we can do to beautify the diamond property at the interchange of Highways 20 and 49. We have four million visitors a year that come to the

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state and national parks and that's the main area that everybody comes through. What could we do to make that area look a little nicer? Be it botanical gardens with an emphasis on native plants and trees, showcasing the area and the Town of Porter, to beautify and make it a nice welcome mat to visitors from all over the country. To that end, I reached out to Ball State's College of Architecture and Planning and spoke to the Dean of the Landscape Architecture portion of that. They have programs for their fourth year students that gives them an opportunity to work with municipalities or other real world situations to apply their new craft in a meaningful way. The municipality wouldn't have to pay for their services, we would just have to get input to the students when they are all done, and we could a good visual representation of what that area could look like. If we are interested, we would need to submit a letter to Ball State University by Friday, so they can work it into the curriculum for the fall 2024 semester.

Madigan expressed support for the idea and noted that Barry has attended regular meetings with regional leaders, that that intersection has been a subject. Everyone is interested in seeing that land used in a more efficient way. Barry said met with INDOT six- to- eight years ago about reconfiguring that, and INDOT said if we did it would be become our road, so it wasn't pursued. We had money in an old grant, but that money was lost when the property was given to the National Park. A Purdue student did a similar project that we based our Federal Lands Access Program (FLAP) grant on for the trail from Porter Beach to downtown. This is great idea and we used the student's research, report and studies as basis of that grant.

Madigan asked who owns that property and Barry said INDOT, so if we wanted to do something with that we would have to talk to INDOT.

Craft made a motion to send a favorable letter to Ball State University signed by Laura Madigan to start the process. Burge seconded the motion. Motion passed by all in favor vote.

**Council Comments**

Burge said that the state did improvements at Waverly Road and Highway 20 and when they put up the signs, they used green and white, instead of blue and white like the rest of the Town's street signs. Burge asked Spanier to explore options for replacing the signs. Spanier estimated the replacement cost to be roughly \$200 per sign, but said we would have to contact INDOT to have the existing signs taken down. Their standards are different than ours, but if they aren't willing to take them down, we can put ours up on the other side. Spanier will get pricing and report back.

Burge said Mr. Wagner made a reasonable argument earlier in the meeting. Madigan said he left before we were able to respond, but he is not the first person to come in and say he wants to suspend his trash service because his property is not occupied. Barry said you would have to amend our ordinance to give him the ability to opt out for a reason such as that. Every residence is billed, but if there is no house, then they don't get billed. If it's vacant, we don't have a provision to not bill for trash. Madigan said there are pros and cons to changing the ordinance that we would have to discuss and I am open to having that discussion and providing that path, not making that exception for one particular property.



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Burge said the other half was the beach permit, so that would be looking at that ordinance as well. Craft said he made a definition of the difference between a resident and a property owner in his argument. Madigan said there are a lot of property owners that don't live in town and when this ordinance was written it was due to a strong recommendation from the public that the Town of Porter residents want priority access. The council did what the residents wanted and gave them two weeks of priority access. It doesn't mean that no one else can get a permit, it means everyone else pays a little bit more and they have to wait until Town of Porter residents are done getting theirs. Spanier said another reason for residents, is their car has to be registered to that address, so the Town of Porter gets their excise tax. Madigan said that if you register your car in another municipality then they get that excise tax. We can't force people to use their Porter residence as their primary residence, and we can't force people to register their cars here, but we can offer an incentive, and that's early beach access. Lopez said Mr. Wagner lives somewhere else, he is not a resident.

Madigan thanked all of the departments for the hard work over the course of the recent snow event and inclement weather.

**Adjournment**

Lopez made a motion to adjourn. Craft seconded the motion. Motion passed by all in favor vote. Being no further business to discuss, Madigan adjourned the meeting at 8:03 p.m.

Approved this 13 day of February, 2024.

**TOWN COUNCIL OF THE TOWN OF PORTER**

Laura Madigan, President  
William Lopez, Vice President  
James Burge  
Don Craft  
Kelly Karriman

Attest: Corinne M. Peffers, Clerk-Treasurer