

**PORTER TOWN COUNCIL
MINUTES
February 13, 2024**

The Town Council of the Town of Porter, Indiana met in a regularly scheduled session on Tuesday, February 13, 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.

Chief Craig asked for a moment of silence for retired Assistant Porter Fire Chief Weldon "Peanut" Coslet.

Roll Call

William "Bill" Lopez.....Absent
Laura MadiganPresent
Don CraftPresent
Kelly KarrimanPresent
James BurgePresent

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

Additional Officials Present

Attorney Laura Frost; Police Chief Todd Allen; Fire Chief Jay Craig; Building Commissioner/Director of Development Michael Barry and Park Director Brian Bugajski.

Approval of Minutes

Craft made a motion to approve the Minutes of January 23, 2024. Burge seconded the motion. Motion passed by all in favor vote.

Consideration of Claims and Sewer Adjustments

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

Petitions & Comments from the Floor

None.

Porter's Perfect Pint Check Presentation

Bugajski welcomed Liz Tilden of Pat's Liquors and Leroy Flores of Leroy's Hot Stuff, who were in attendance to present proceeds checks from last year's event on behalf of the non-profit Porter's Perfect Pint, Inc. to the Porter Volunteer Fire Department and to the Porter Park Department. Bugajski said that more than \$250,000 has been raised since the event started more than 12 years ago.

Reports

Clerk-Treasurer Report

Peffers reminded residents that there will be a small increase of \$1.54 on utility bills issued in March. This is for trash, so two months of service will increase from \$38.38 to \$39.92. Also, beach permits will go on sale March 11, 2024 to Porter residents first. It will be mail in only

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again. The form will be available on the website on March 11th at 8:30 a.m. and forms must be printed with the watermark.

Peffer reported that the list of outstanding checks for two years or more as of Dec. 31, 2023 has been filed with the Town Council in accordance with state law. Peffer submitted a LIT Fund Request for a total of \$883.75 for PDF editing software for five users at Town Hall, plus 1 year of support.

Burge made a motion to approve the LIT request for PDF editing software for \$883.75. Craft seconded the motion. Motion passed by all in favor vote.

Attorney Report

No report.

Police Department Report

No report.

Fire Department Report

No report.

Public Works Department Report

Spanier was absent but notified the Council that he is still working on pricing for replacing street signs and there is no more progress on the Ford Lightnings.

Park Department Report

Bugajski reported that the Duneland Exchange Club reached out and asked permission to place their sign and pinwheels at Hawthorne Park near the corner of Waverly and Lincoln during the month of April as part of their Prevent Child Abuse Campaign.

Karriman made a motion to approve Duneland Exchange Club's sign placement request at Hawthorne Park during the month of April. Burge seconded the motion. Motion passed by all in favor vote.

Bugajski informed the Council that last year's approval of use of park operating funds and park donation funds to pay a portion of the Hawthorne Park Parking and ADA Improvement Project needs to be reapproved this year because the money wasn't encumbered. The funding is set aside in 2024's budget.

Burge made a motion to approve expending \$2,400.00 from park donation funds and \$8,000.00 from park operating funds for the Hawthorne Park Parking and ADA Improvement Project. Craft seconded the motion. Motion passed by all in favor vote.

Building Commissioner/Director of Development Report

Barry reported that are 25 contractors for approval that have met all their requirements and paid their fees.

Karriman made a motion to approve the 25 contractors. Craft seconded the motion. Motion passed by all in favor vote.

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Barry informed the Council that three bids were received February 12, 2024 for the Community Crossing Matching Grant 2023-2. Milestone Contractors North, Inc was the lowest responsive and responsible bidder at \$582,197.50. The initial estimate done last July was \$748,000.00.

Craft made a motion to award the CCMG 2023-2 project to Milestone Contractors North, Inc. for \$582,197.50. Burge seconded the motion. Motion passed by all in favor vote.

Barry informed the Council that a Memorandum of Understanding for a joint Woodlawn Avenue paving project with the Town of Chesterton as part their CCMG 2024-1 project has been reviewed by the attorneys. It was approved by Chesterton's Town Council on February 12, 2024.

Karriman made a motion to approve the Joint Agreement Regarding the Paving of Woodlawn Avenue CCMG 2024-1 with the Town of Chesterton. Burge seconded the motion. Madigan said Porter's share of the cost is \$48,707.84. Motion passed by all in favor vote.

Barry reported that the National Park Service would like to place a trailer along Howe Road by the river for propagating mussels as part of a native mussel restoration effort. He said that he has discussed possible locations with NPS and received a proposal in writing. Barry recommends location option #3 as noted in the proposal. The location is not experiencing erosion threatening the roadbed and there is sufficient space available to build a stone pad with minimal additional construction. There is no cost to the Town.

Burge made a motion to approve placement of the National Park Service's mussel propagation trailer at location option #3 along Howe Road. Craft seconded the motion. Motion passed by all in favor vote.

Barry said he has a proposal for a sewer rate study from BakerTilly, the last one we did was in 2019 but the rates weren't adopted until 2022. The rate study will encompass the cost of future projects, determine what our rates should be, and give us options for building some of our sewer projects.

Madigan noted that it's in the town's best interest, as well as for transparency purposes, to let a third party conduct the rate study rather than doing it in-house.

Burge made a motion to approve a sewer rate study with BakerTilly at a cost not to exceed \$5,000. Craft seconded the motion. Motion passed by all in favor vote.

Barry reported that the property at 172 Summertree has been an ongoing issue since the Fire Dept. was called to respond to an emergency there. Barry said it's an unsanitary unit and he has spent months trying to work with the mortgage company with no results, and the HOA. The HOA said they are not going to do anything, but he is still pursuing. He would like to start the process of mitigating and will still continue to discuss it with the HOA to see if they can do anything. The first step in the process is to obtain a court order to inspect it. The second step is to seek quotes to remediate.

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Karriman made a motion to approve the Building Commissioner to obtain a court order to inspect the interior of 172 Summertree. Craft seconded the motion. Motion passed by all in favor vote.

Burge made a motion to approve the Building Commissioner to see quotes to remediate the property at 172 Summertree. Craft seconded the motion. Motion passed by all in favor vote.

Old Business

None.

New Business

Ordinance No. 2024-01

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE TOWN OF PORTER, INDIANA, AMENDING ORDINANCE 2023-13

WHEREAS, the Porter Town Council is statutorily empowered to implement an annual salary ordinance for the employees and officers of the Town of Porter; and

WHEREAS, the Porter Town Council adopted Ordinance 2023-13 fixing compensation for Town employees and officers for the year 2024; and

WHEREAS, the Porter Town Council is desirous of amending Ordinance 2023-13.

BE IT ORDAINED by the Porter Town Council as follows:

Section 1. Ordinance Amendment. Section One of Ordinance 2023-13 is hereby amended by deleting the chart designating the minimum and maximum compensation for “Town Hall” employees in its entirety and replacing it with the following:

POSITION		PER	MINIMUM	MAXIMUM
TOWN HALL				
CLERK TREASURER		YR		43,166.94
DEPUTY CLERK TREASURER		YR		57,809.37
ENTRY LEVEL CLERK		YR	30,000.00	35,000.00
BUILDING COMMISSIONER		YR	5,000.00	8,000.00
COUNCIL, EACH MEMBER		YR		4,300.00
PLAN COMMISSION – EACH MEMBER		MEETING		109.08
PLAN/BZA SECRETARY		MEETING		85.76
	ADDRESS LOOK-UP			20.00
BZA – EACH MEMBER		MEETING		70.00
STORMWATER – EACH MEMBER		MEETING		70.00
DEPUTY CLERK – UTILITY		HR	15.00	25.00
CODE ENFORCER OFFICER		HR	16.00	21.00
ZOOM COORDINATOR		MEETING		75.00
ENVIRON. SUSTAINABILITY COMM. RECORDING SECRETARY		MEETING		70.00
MISC. LABOR		HR	15.00	20.00

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Section 2. Conflicting Ordinances. Any Ordinance or provision of any Ordinance or the Porter Town Code in conflict with the provisions of this Ordinance is hereby repealed.

Section 3. Severability. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Madigan noted that this amendment adds a salary for the recording secretary of the newly formed Environmental Sustainability Commission. The ESC meets for the first time on Feb. 20, 2024.

Craft made a motion to suspend the rules of adopting an ordinance in two separate meetings. Karriman seconded the motion. Don Craft – aye, Kelly Karriman – aye, James Burge – aye, Laura Madigan – aye. Motion passed.

Craft made a motion to adopt Ordinance No. 2024-01 Amending Ordinance 2023-13. Karriman seconded the motion. James Burge – aye, Don Craft – aye, Kelly Karriman – aye, Laura Madigan – aye. Ordinance No. 2024-01 passed and adopted.

Resolution 2024-01

RESOLUTION 2024-01

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PORTER, INDIANA,
AUTHORIZING THE USE OF MONIES IN THE HEALTH INSURANCE FUND**

WHEREAS, on September 23, 2014, the Porter Town Council adopted Ordinance No. 2014-06 establishing a Health Insurance Fund, Fund 504, now Fund 2501, (the “Fund”), codified at Section 2-165 of the Porter Town Code; and,

WHEREAS, pursuant to Section 1(b) of Ordinance 2014-06, codified at Section 2-165(b) of the Porter Town Code, “money on deposit in the Fund may be used to pay a portion of the health insurance deductible for Town employees/officials, in the amount determined by the Town Council from time to time”; and,

WHEREAS, effective January 1, 2024, in addition to the Town’s major medical health insurance plan (the “Major Medical Plan”) for Town employees/officials who are eligible for coverage, the Town has established a supplemental health insurance plan (the “Supplemental Plan”) which in relevant part provides coverage for a portion of the health insurance deductible payable by Town employees/officials pursuant to the Town’s Major Medical Plan; and,

WHEREAS, the prescription medication Stelara is excluded from coverage under the Supplemental Plan; and,

WHEREAS, pursuant to the authority granted under Ordinance 2014-06, the Town Council wishes to establish a policy for use of monies in the Fund to pay a portion of the health insurance deductible payable under the Major Medical Plan for the prescription medication Stelara to the extent the Supplemental Plan does not provide coverage for Stelara;

NOW THEREFORE, BE IT RESOLVED by the Porter Town Council as follows:

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1. The Town Council hereby authorizes the use of monies in the Fund to pay all but Five Hundred and 00/100ths Dollars (\$500.00) of the out-of-pocket deductible payable annually and charged with respect to covered Town employees/officials and/or their covered dependents for the prescription medication Stelara under the terms of the Town's Major Medical Plan. The affected Town employee/official shall remain responsible for payment of the first Five Hundred and 00/100ths Dollars (\$500.00) of the out-of-pocket deductible payable annually and charged with respect to the prescription medication Stelara under the terms of the Town's Major Medical Plan.
2. The authorization in paragraph 1 above shall remain in effect for so long as the Supplemental Plan, or any subsequent supplemental health insurance plan adopted by the Town from time to time, excludes the prescription medication Stelara from coverage.
3. All prior adopted resolutions and/or policies adopted by the Porter Town Council in conflict herewith are hereby repealed and superseded by this Resolution.
4. The Town's Employee Handbook shall be deemed amended to the extent necessary to implement the provisions of this Resolution.
5. This Resolution shall be in full force and effect immediately upon passage, and shall apply to health insurance claims incurred from and after January 1, 2024.

Karriman made a motion to adopt Resolution 2024-01. Craft seconded the motion. Don Craft – aye, James Burge – aye, Kelly Karriman – aye, Laura Madigan – aye. Resolution 2024-01 passed and adopted.

Amendment to Porter Volunteer Firefighters, Inc. 2024 Contract

Madigan noted that this amendment adds a provision to reimburse the Porter Volunteer Firefighters, Inc. for travel expenses related to education.

Craft made a motion to approve the Amendment to Porter Volunteer Firefighters, Inc. 2024 Contract. Karriman seconded the motion. Motion passed by all in favor vote.

Chief Craig requested permission for Deputy Chief Dan Branham to attend an arson investigation class in Fort Wayne, Indiana on February 24 and 25, with a 2-night hotel stay.

Burge made a motion to approve Deputy Chief Dan Branham's attendance at the fire investigation class. Craft seconded the motion. Motion passed by all in favor vote.

Changer Order #3 Hawthorne Park Parking and ADA Improvements

Bugajski explained that the change order moves the project's substantial completion date to June 1, 2024. It also adjusts the cost of the railing that we are waiting on. It will go from a linear foot cost to a lump sum which saves the Town money. A time frame has also been added for having the stair railings at the park installed to Feb. 16, 2024 and existing grading and seeding to be completed by Feb. 29, 2024. Bugajski recommended approval.

Karriman made a motion to approve Change Order #3 Milestone Contractors North, Inc. for \$16,957.49 for the Hawthorne Park Parking and ADA Improvements. Craft seconded the motion. Motion passed by all in favor vote.

Bugajski asked for approval to pay Milestone's invoice, Inv. No. 238504-01 dated Feb. 9, 2024 for \$229,042.51 for work already completed, inspected and approved. \$8,000 will come from park operating funds, \$2,400 from park donations funds, and \$218,642.51 from ARPA funds. Milestone submitted a partial waiver of lien.

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Craft made a motion to pay Milestone's Invoice No. 238504-01 dated Feb. 9, 2024 in the amount of \$229,042.51. Karriman seconded the motion. Motion passed by all in favor vote.

Approval of Contracts

Westchester Township Fire Protection Agreement

Burge made a motion to approve the Westchester Township Fire Protection Agreement. Craft seconded the motion. Motion passed by all in favor vote.

Great Lakes Engineering, Inc.

Karriman made a motion to approve the Great Lakes Engineering, Inc. contract. Craft seconded the motion. Motion passed by all in favor vote.

Plan Commission/BZA Member Training

Madigan said a few years ago, she and few others completed a Citizen Planner Course with Purdue Extension and it covers pretty much everything that a citizen board member on a municipal planning commission needs to know about doing their job. It has a good amount of information for BZA members as well. She asked the Council to consider encouraging our new members and those who haven't taken the class yet to register for the class, and then reimburse those members upon successful completion. Registration is now open and they offer hybrid classes.

Members must present proof of payment and a certificate of completion when submitting a request for reimbursement. Karriman and Burge expressed support.

Craft made a motion to approve reimbursing Plan Commission and BZA Members \$200.00 upon completion of Purdue Extension's Citizen Planner Course. Karriman seconded the motion. There will be up to six members attending. Motion passed by all in favor vote.

Council Comments

Burge thanked the Public Works Department for their quick response to a pothole situation on Wagner just south of Oak Hill Road.

Madigan thanked the Porter's Perfect Pint Festival group.

Adjournment

Burge made a motion to adjourn. Karriman seconded the motion. Motion passed by all in favor vote.

Being no further business to discuss, Madigan adjourned the meeting at 7:46 p.m.

Approved this 27 day of February, 2024.

TOWN COUNCIL OF THE TOWN OF PORTER

Laura Madigan, President

William Lopez, Vice President

James Burge

Don Craft

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Kelly Karriman

Attest: Corinne M. Peffers, Clerk-Treasurer