

**PORTER TOWN COUNCIL
MINUTES
February 27, 2024**

The Town Council of the Town of Porter, Indiana met in a regularly scheduled session on Tuesday, February 27, 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 MadiganPresent
Don CraftAbsent
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; Public Works Director Jamie Spanier; Building Commissioner/Director of Development Michael Barry and Park Director Brian Bugajski.

Approval of Minutes

Burge motioned to approve the Minutes of February 13, 2024. Karriman seconded the motion. Motion passed by all in favor vote.

Consideration of Claims and Sewer Adjustments

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

Petitions & Comments from the Floor

Jennifer Klug, 200 Rankin Street, Apt. A, Porter asked if the Council would like to make a statement regarding the Johnson Inn Property since a member of the press was in attendance. There was a recent fire that burned down a vacant house on the property. Klug said there are a lot of people concerned about it, I know from personal experience, at one point in time I did live in place where it was a fire hazard, and it's very scary when you're around anything that is a fire hazard, whether it's where you live, or close to where you live.

Madigan said I do not have a statement prepared, but I can tell you that our first responders were fast, they kept it contained, it was properly secured immediately afterwards, and a suspect was apprehended immediately. The nearest neighbors were terrified, but everyone was safe. As far as moving forward with that property, as far as the corporation goes, the corporation did fire their old attorney that was not moving forward, so hopefully that will help things. In the meantime, the Town is hoping that that moves forward. If it doesn't, we are working behind the scenes with our legal team to move forward on our own. If they beat us to it, we don't have to cough up the funds in advance and recover them later. If they continue to fail to move forward, I feel like we will have no choice but to bring it up for a vote to go out and get quotes and demolish it ourselves. We will continue to move forward.

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Klug said I hope their corporation will get some sense and say they want to be responsible for our community and be diligent about doing what they are supposed to be doing instead of letting it sit and fester.

Reports

Clerk-Treasurer Report

Peppers reported that the 2023 Annual Financial Report was submitted to the State Board of Accounts last week. It can be viewed on the town's website, www.townofporter.com, on the Clerk-Treasurer's page, or on the Indiana Gateway website at gateway.ifionline.org. Beach permits will go on sale March 11 for Porter residents, and they will go on sale to Indiana and out-of-state residents two weeks later on March 25. Details can be found on our website.

Attorney Report

No report.

Police Department Report

Allen updated the Council on the new phone system. The phones have been installed and should go live tomorrow.

Fire Department Report

Burge reported that Chief Craig was not in attendance because he has the fire station and volunteers on standby due to the predicted severe weather.

Public Works Department Report

Spanier reported that the Ford Lightnings should be ready March 19. He asked that they call two weeks ahead of time so we can prepare. He also reported on the street sign research, and because they are a custom fabrication, only one quote was received. The original quote was almost \$3,000 with the high reflectivity, but when we cut it down to the minimum required, the three 18" blue street signs would be \$1,286.72.

Karriman said she would like to have another quote. Lopez said we should table it to see if we can get more quotes and review further because it is a lot of money for signs. Burge asked Spanier to confirm that he said he asked for four quotes and only received one back. Spanier confirmed. Burge said he would like to wait until the next meeting to see if any more quotes come in. Spanier said the cost is normally about \$100 per sign, but these were special fabrication because they have to be larger according to INDOT standards, so they are more expensive. Spanier will follow up with companies that haven't responded yet to see if they will provide a quote.

Park Department Report

Bugajski reported the railing at Hawthorne Park has been installed and we are still waiting on our railing for the ramp on the west side of the building, but it is currently in fabrication. The Easter Egg Hunt at Hawthorne Park will be held at 11:00 a.m. sharp on Saturday, March 23, rain or shine. The Easter Bunny will be there early for pictures and there will be about 6,000 eggs. Volunteers are needed around 10 a.m. that morning for placing eggs and managing the crowd.

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Building Commissioner/Director of Development Report

Barry reported that are 7 contractors for approval that have met all their requirements and paid their fees.

Lopez motioned to approve the 7 contractors. Karriman seconded the motion. Motion passed by all in favor vote.

Barry also reported that there have been several complaints about the detour sign put up at Beam Street and US Hwy. 20 because it is blocking the view. Barry said Porter County installed those, I notified them of the complaints and they moved the signs. I reached out to Signature Graphics and they are going to produce three banners at no cost to us for each side of the pedestrian bridge over US Hwy. 20. There will be one with an arrow, one for Pizzeria Uno and one for the Springhouse Inn. They will be a good visual for motorists to turn down Howe Road.

Burge said he has noticed a few times that some of the bridge closed signs have been removed. Barry said we will have to keep an eye on those and he noticed that too. Barry and Madigan reminded the public that signs and barricades should not be moved. Barry also said that the bridge on Waverly will go out for bids in March and he will keep the Council updated.

Burge said, with the bridge on Mineral Springs and the bridge on Waverly being out at the same time, the volume of traffic at US Hwy. 20 and Wagner Road will be an issue, and asked if there is anything the town can do to be proactive. Barry said we can talk to INDOT and Porter County to see if a temporary traffic signal will be an option. Spanier said that the likelihood of INDOT putting a temporary light up isn't high, they believe that a temporary change can cause more accidents than just leaving it as is. Burge said that letting people know of the closings in advance would be helpful, so they can make changes to their routes and routines.

Old Business

None.

New Business

Ordinance No. 2024-02

ORDINANCE NO. 2024-02

AN ORDINANCE OF THE TOWN OF PORTER TO ESTABLISH A FUND FOR THE PURPOSE OF RECEIVING FEDERAL LAND ACCESS PROGRAM GRANT FUNDS (Fund #2406)

WHEREAS, the Town of Porter, Indiana ("Town") has recently received an award of reimbursable grant funding pursuant to the Federal Land Access Program ("FLAP") established under 23 U.S.C. § 204, for the project involving completion of street improvements along the Waverly Road/Wabash Avenue corridor from the Indiana Dunes Visitor's Center to the Indiana Dunes National Park's Porter Beach Unit (the "Project"); and,

WHEREAS, the Town has determined it is now necessary to create a fund to record the receipt and spending of FLAP grant funds that may be received by the Town for the Project from time to time;

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

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Section 1. Establishment of the FLAP Grant Fund. The FLAP Grant Fund (Fund #2406) is hereby established. Monies distributed to the Town from time to time pursuant FLAP grant(s) awarded to the Town for the Project shall be deposited in Fund #2406.

Section 2. Uses of the Funds. Monies deposited into the FLAP Grant Fund shall only be used for purposes that are permitted and/or required pursuant to applicable requirements of the FLAP program and the Project grant(s) in effect from time to time, including without limitation applicable Federal and/or state laws and regulations, and the terms and conditions applicable to the Project grant(s) awarded to the Town from time to time.

Section 3. Appropriation and Accounting. Monies receipted into the FLAP Grant Fund may require an additional appropriation from the Town Council. The Clerk-Treasurer will maintain detailed accounting records of Fund #2406 to provide for future audits of Fund #2406.

Section 4. 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 5. 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 6. 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 is the Council's first reading and the second reading will be on the March 12 agenda.

Ordinance No. 2024-03

**ORDINANCE NO. 2024-03
AN ORDINANCE OF THE TOWN OF PORTER TO MAKE AN ADDITIONAL APPROPRIATION
FOR FLAP GRANT ENGINEERING (No. 2406-001-312)**

WHEREAS, the Town of Porter, Indiana ("Town") has recently received an award of reimbursable grant funding pursuant to the Federal Land Access Program ("FLAP") established under 23 U.S.C. § 204, for the project involving completion of street improvements along the Waverly Road/Wabash Avenue corridor from the Indiana Dunes Visitor's Center to the Indiana Dunes National Park's Porter Beach Unit (the "Project"); and,

WHEREAS, the Town has established the FLAP Grant Fund (Fund #2406) for the purpose of recording the receipt and spending of FLAP Grant funds that may be received by the Town for the Project from time to time; and,

WHEREAS, the Town Council has engaged a consultant to provide preliminary engineering services for the Project, including NEPA and final design services, using funds in the FLAP Grant Fund; and,

WHEREAS, the Town Council finds that no provision has been made in the existing budget for said expenditure; and

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

Section 1. Additional Appropriation. An appropriation in an amount not to exceed Five Hundred Thirty-Six Thousand Three Hundred and 00/100ths Dollars (\$536,300.00) is hereby made to be applied on the costs of preliminary engineering services for the Project out of the proceeds of the FLAP Grant Fund (Fund

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#2406). Said appropriation shall be in addition to all other appropriations provided for in the existing budget and tax levy for the current year.

Section 2. Reporting to DLGF. The Clerk-Treasurer is hereby authorized and directed to report and certify the additional appropriation to the Department of Local Government Finance as may be required by law.

Section 3. 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 4. 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 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

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Hawthorne Park Community Building Vote Center Use Agreement

The Porter County Board of Elections and Registration has agreed to change the location of a Vote Center from the Porter Fire Station to the Hawthorne Park Community Building for the 2024 election cycle.

Burge motioned to approve the Vote Center Use Agreement for the 2024 Election Cycle for Hawthorne Park. Karriman seconded the motion. Motion passed by all in favor vote.

Fee Waiver for Vote Center Use May 7 and Nov. 5, 2024

Lopez motioned to waive rental fees for the Vote Center Use Agreement. Karriman seconded the motion. Motion passed by all in favor vote.

Hodges & Davis, P.C. Legal Services Agreement 2024

Lopez motioned to approve the Hodges & Davis, P.C. Legal Services Agreement. Burge seconded the motion. Motion passed by all in favor vote.

SEH, Inc. Professional Services Agreement 2024

Lopez motioned to approve the SEH, Inc. Professional Services Agreement. Karriman seconded the motion. Motion passed by all in favor vote.

Council Comments

Madigan thanked the Police, Fire and Street departments for their quick response to the recent fire at the Johnson Inn property near Porter Beach.

Adjournment

Lopez motioned to adjourn. Burge seconded the motion. Motion passed by all in favor vote.

Being no further business to discuss, Madigan adjourned the meeting at 7:24 p.m.

Approved this 12 day of March, 2024.

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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