

## PORTER TOWN COUNCIL

### MINUTES

March 12, 2024

The Town Council of the Town of Porter, Indiana met in a regularly scheduled session on Tuesday, March 12, 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; Fire Chief Jay Craig; Public Works Director Jamie Spanier; Building Commissioner/Director of Development Michael Barry and Park Director Brian Bugajski.

#### **Approval of Minutes**

Karriman motioned to approve the Minutes of February 27, 2024. Burge seconded the motion. Motion passed by all in favor vote.

#### **Consideration of Claims and Sewer Adjustments**

Craft 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**

None.

#### **Reports**

##### *Clerk-Treasurer Report*

Peffers reported that the sale of beach permits started yesterday.

##### *Attorney Report*

No report.

##### *Police Department Report*

No report.

##### *Fire Department Report*

Chief Craig thanked Roger for his help the evening of the fire at Porter Beach. He also thanked the Police Department and Public Works Department. The baby box is moving forward and the goal is to have everything up and going by June 1<sup>st</sup>. Cutting and mounting should be done in two weeks. Some concrete work and landscaping work will be done as well, which is being donated.

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***Public Works Department Report***

Spanier reported that the department is finishing up smoothing alleyways with the grater box. Spanier said he reached out to multiple vendors regarding the street signs for the intersection of US Hwy 20 and Waverly. All the vendors failed to return calls except for Signature Graphics of Porter, and they have graciously offered to donate the signs. The Council and staff members thanked Signature Graphics for being such a good neighbor.

Spanier said that, after looking at two different models, he found a sidewalk shaver for \$13,794.47 from McCann Industries that will suit the town's purposes, and asked permission to purchase it with money in the sidewalk budget.

Burge motioned to approve the purchase of the sidewalk grinder for \$13,794.47. Karriman seconded the motion. Motion passed by all in favor vote.

Spanier also reported that he is working to get quotes on a dump truck that is due to be replaced this year. Spanier said we received a quote back from SpendBridge last year that was too high, but it was for a bigger truck with lots more options. He is working on getting a quote for exactly what we are looking for and hopes to have it for consideration at the next meeting. Cost is estimated at \$115,000, and will be for the biggest truck we can get without requiring a driver to have a CDL.

***Park Department Report***

Bugajski reported that the Easter Egg Hunt at Hawthorne Park will be held at 11:00 a.m. sharp on Saturday, March 23, 2024.

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

Barry reported that are 14 contractors for approval that have met all their requirements and paid their fees.

Lopez motioned to approve the 14 contractors. Craft seconded the motion. Motion passed by all in favor vote.

Barry said that Signature Graphics is also working on banners for the pedestrian bridge to direct motorists to Pizzeria Uno and the Springhouse Inn. Those will also be at no cost to the town. Barry thanked Signature Graphics for being so generous.

**Old 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,

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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:

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.

Lopez motioned to adopt Ordinance No. 2024-02 on second reading. Burge seconded the motion. Don Craft – aye, Kelly Karriman – aye, James Burge – aye, Bill Lopez – aye, Laura Madigan – aye. Ordinance No. 2024-02 passed and adopted.

### *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

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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 #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.

Karriman motioned to adopt Ordinance No. 2024-03 on second reading. Burge seconded the motion. Kelly Karriman – aye, Bill Lopez – aye, Don Craft – aye, James Burge – aye, Laura Madigan – aye. Ordinance No. 2024-03 passed and adopted.

**New Business**

***State Park Little League Sports Organization Facilities Use Agreement***

Karriman motioned to approve the State Park Little League Sports Organization Facilities Use Agreement. Craft seconded the motion. Motion passed by all in favor vote.

***State Park Sluggers Sports Organization Facilities Use Agreement***

Lopez motioned to approve the State Park Sluggers Sports Organization Facilities Use Agreement. Burge seconded the motion. Motion passed by all in favor vote.

***Duneland Flyers Sports Organization Facilities Use Agreement***

Karriman motioned to approve the Duneland Flyers League Sports Organization Facilities Use Agreement. Craft seconded the motion. Motion passed by all in favor vote.

***Marquette Greenway Cooperative Management Agreement***

The Marquette Greenway Cooperative Management Agreement between the National Park Service Indiana Dunes National Park and the Town of Porter establishes the framework for the joint management portion of the Marquette Greenway Trail from the town's border with Burns Harbor to Howe Road. This portion of the trail through the area commonly known as the Mnoke Prairie should be built by July of 2026.

Lopez motioned to approve the Marquette Greenway Cooperative Management Agreement. Burge seconded the motion. Motion passed by all in favor vote.

Barry noted that if anyone would like to see what a trail railroad crossing looks like, there is one on the Calumet Trail near Mineral Springs Road north of Highway 12.

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**Council Comments**

Burge said that he recently spoke with a professor at Ball State regarding the Highway 20 and 49 interchange beautification study, and it has been added to the curriculum for the fall semester. The professor and delegates from the College of Architecture and Planning will come up sometime during the summer, walk the site, and meet with representatives from the Town. Craft suggested including the State Park, National Park, and Visitor Center in the conversations.

Burge asked if the Town has ever approached INDOT about the possibility of interstate noise barriers in the area. Barry said federal highway handles that, it has been brought up and they said no because there weren't enough houses in the area. Madigan said population density is what makes or breaks an application. Barry said he has asked twice in the last twelve years. Lopez said we have brought that up as well as noise from engine braking and it was still denied.

Burge also suggested that the Town sends a formal thank you or plaque to Signature Graphics for all the work they have done for the Town. Barry said the company is a big international company and they are located right here in Porter. They are a gem in the middle of town.

**Adjournment**

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

Approved this 26th day of March, 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