

## **JANUARY 6, 2020**

The Common Council of the City of LaPorte met in regular session in the Council Chambers on Monday, January 6, 2020 at 6:00 p.m.

### **Pledge**

Councilwoman Brown led the Pledge of Allegiance.

Present: Brown, Feikes, West, Galloway, Cutler, Franke and Vincent

Absent: None

### **Minutes**

Mayor Dermody stated each Council member received an advance copy of the minutes from the December 16, 2019 meeting and asked if there were any corrections or additions. Councilwoman Feikes moved to approve the minutes as presented; motion seconded by Councilwoman Cutler and unanimously carried.

### **Petitions & Comments**

Mayor Dermody advised the Council will be implementing a new format for Petitions and Comments. Prior to the meeting there will slips available for those individuals who wish to address the Council. During Petitions and Comments anyone can speak on any topic that is not on the agenda. For those who wish to speak regarding an agenda item they will be given an opportunity after the Ordinance or Resolution is read and the Council has had time to discuss. Mayor Dermody stated along the lines of public comment he asked everyone to make sure their cell phones are muted, everyone will be limited to three (3) minutes and if you have repetitive comments we ask that you just say you agree with the previous person's comments.

Larry Pinkerton, 1612 L Street, congratulated the new administration on winning the election and believes they will do a good job for the City. Mr. Pinkerton advised the Council he supports the possibility of an overpass on Tipton however, he does not support the closing Detroit or Pulaski Streets for the overpass. He stated Detroit Street is a direct access to NewPorte Landing and feels closing the street will impact the growth there. He stated he believes the reason for closing these streets is because the railroad doesn't want to keep them open.

Mayor Dermody stated Public Comment is just that, it is a time for the public to make comments unless the Council decides to make it questions and answers.

### **Standing Committee Reports**

**Traffic Commission:** Councilwoman Brown reported the Traffic Commission will be meeting tomorrow evening, January 7, 2020 at 6:00 p.m. at the Police Department.

**Park & Recreation:** Councilwoman Feikes reported the Park Board met in December 18<sup>th</sup> at which time Buy-Cool Promotions was selected as the 2020 t-shirt vendor. Inappropriate Trivia will once again be held at the Civic Auditorium on January 25, 2020. The Park Board approved a reduction in the rental fee based upon the profit of the bar that evening. Winterfest 2020 will take place January 24<sup>th</sup> through January 26<sup>th</sup>. For more information visit [www.cityoflaporte.com/450/WinterFest](http://www.cityoflaporte.com/450/WinterFest) or call (219) 326-9600. The Park Board gave permission for horses to be allowed in Solders Memorial Park for horse drawn wagon rides during Winterfest on January 26<sup>th</sup> from 1:30 to 3:30 p.m. Councilwoman Feikes reported Youth Sports Registration will take place on January 14<sup>th</sup> and January 16<sup>th</sup> from 6:00 to 7:30 p.m. at the Civic Auditorium. The fee this year will be \$75 per child and \$65 for each additional child in the family. She advised the Board approved an encumbrance in the amount of \$2,826.00 for repairs on the north, south and west entrances at the Civic Auditorium. The Kankakee Valley Association Girls Fast Pitch League will now be absorbed into our Park and Recreation Programs. A new league will be formed this season.

**Police Department:** Councilman Galloway reported the Police Merit Commission will be meeting on January 14, 2020 at 2:00 p.m. at the Police Department.

**Business Improvement District:** Councilwoman Cutler reported the Business Improvement District Board will meet on Monday, January 13, 2020, at 5:00 p.m. and will be led by Vice-President, Thaddeus Cutler and a new board president will be voted on at that time.

**Urban Enterprise Association:** Councilwoman Cutler reported the Urban Enterprise Association announced in December that “New Age Bakery” will be opening in the downtown. They will be located next to Thode Floral in a building with restoration and improvements partially funded by the UEA’s Business Façade Grant Program. The Urban Enterprise will meet this month on Wednesday, January 15<sup>th</sup> at 4:00 p.m. at the LEAP Offices.

**Historic Preservation Commission:** Councilwoman Cutler reported the December meeting of the Historic Preservation Commission was cancelled and they are scheduled to meet this month, on Tuesday January 21, 2020 at 5:30 p.m.

**Plan Commission:** Councilman Vincent reported the Plan Commission will be meeting on Tuesday, January 14, 2020 at 6:00 p.m. at City Hall.

### **Liaison Appointments**

Mayor Dermody announced the following liaison appointments to Board and Commissions:

Councilwoman West: Plan/Zone, Fire Merit & Code Enforcement

Councilwoman Feikes: Finance, Park & Recreation & Traffic

Councilwoman Cutler: Business Improvement District, Finance & Urban Enterprise Assoc.

Councilman Galloway: Mayor’s Veterans, Police Merit, Streets & Business Improvement District

Councilwoman Brown: Airport Authority, Finance & Tree Commission  
Councilman Franke: Police, Redevelopment Commission & School Board Liaison  
Councilman Vincent: Planning/Zoning, Streets & Traffic Commission

Councilwoman Brown advised she was added to the Traffic Commission. Mayor Dermody stated so noted.

### **President Pro-Tem Appointment**

Councilwoman Cutler moved to nominate Councilman Franke as the Council President Pro-Tem for 2020; motion seconded by Councilwoman Feikes. Mayor Dermody asked if there were any comments. Councilman Franke stated he accepts as long as the Mayor promises not to miss any meetings.

The motion to appoint Councilman Franke as the 2020 President Pro-Tem was unanimously carried.

### **Schedule of 2020 Council Meetings**

Mayor Dermody stated the Council regularly meets on the first and third Mondays every month at 6:00 p.m. He stated there are a couple of conflicts due to holidays as well as the next meeting which falls on Martin Luther King Day and would normally be moved to the next business day, however, most of the Council will be attending the Newly Elected Boot Camp in Indianapolis that week, so it is being proposed it be moved to January 27, 2020. The 2020 Schedule for Council is as follows:

January 6, 2020		
January 20, 2020	Martin Luther King Jr. Day	January 27, 2020
February 3, 2020		
February 17, 2020	President's Day	February 18, 2020
March 2, 2020		
March 16, 2020		
April 6, 2020		
April 20, 2020		
May 4, 2020		
May 18, 2020		
June 1, 2020		
June 15, 2020		
July 6, 2020		
July 20, 2020		
August 3, 2020		
August 17, 2020		
September 7, 2020	Labor Day	September 8, 2020

September 21, 2020  
October 5, 2020  
October 19, 2020  
November 2, 2020  
November 16, 2020  
December 7, 2020  
December 21, 2020

**Motion/Vote – Approve 2020 Council Meeting Schedule**

Councilwoman Feikes moved to approve the 2020 Council Meeting Schedule as presented; motion seconded by Councilman Franke and unanimously carried.

**Council Appointments to the Business Improvement District**

Councilwoman Cutler moved to table the Council's appointments to the Business Improvement District as they will be meeting next Monday at which time a new president will be elected. She stated hopefully they will have recommendations for the next Council meeting; motion seconded by Councilwoman Feikes and unanimously carried.

**Council Appointments to the Redevelopment Commission**

Mayor Dermody stated the Council has two appointments to the Redevelopment Commission for a one-year term each and opened the floor for nominations.

**Motion/Vote – Appoint J.T. McDermott to Redevelopment Commission**

Councilman Franked moved to appoint J.T. McDermott; motion seconded by Councilwoman Feikes. Councilman Franke reported Mr. McDermott recently moved back to LaPorte with his wife and one child and has a degree in government finance. He reported Mr. McDermott is currently traveling for work and was unable to attend tonight's meeting. The motion to appoint J.T. McDermott to the Redevelopment Commission was unanimously carried.

**Motion/Vote – Appoint Brian Chalik to Redevelopment Commission**

Councilman Galloway moved to re-appoint Brian Chalik to the Redevelopment Commission; motion seconded by Councilwoman Feikes.

Brian Chalik addressed the Council and stated it has been a pleasure to serve on the Redevelopment Commission for the past two years and he is honored the Council would choose him to continue that role.

The motion to appoint Brian Chalik to the Redevelopment Commission was unanimously carried.

**Introduction of an Ordinance Repealing Ordinance No. 3-2011 and Creating a New Ordinance Regarding Filing of Memoranda of any Public Meeting**

Councilman Galloway moved to introduce an Ordinance for the first time in its entirety; motion seconded by Councilwoman Cutler and unanimously carried. Councilman Galloway read an Ordinance Repealing Ordinance No. 3-2011 and creating a New Ordinance Regarding Filing of Memoranda of any Public Meeting in its entirety.

Councilman Galloway stated this Ordinance is to clean-up an Ordinance that was passed in 2011 with regard to the filing of minutes on the City's website. He reported it will take the responsibility away from the Clerk-Treasurer's Office and put it on the individual boards and commissions which is the way it is currently being done.

Councilman Vincent stated Section II states within a reasonable time and inquired if this could be defined or does it depend on the board or commission. Councilman Galloway stated it is always going to be at least one month behind because the minutes aren't posted until they have been approved by the board or commission.

Anthony Novak, Attorney for the City, stated it is up to the Council on whether they want to define what a reasonable time would be such as within 30 days after approval. Mayor Dermody stated there is plenty of time between now and the next meeting if the Council would choose to amend the Ordinance.

Councilwoman Feikes stated she is in favor of this Ordinance as she gets calls from constituents who want to see the minutes.

Mayor Dermody stated now is the time that we would open discussion to the public if you signed up prior to the meeting to speak on this subject. The Mayor asked if there was anyone in the audience who would like to speak regarding this Ordinance. As no one came forward, the Mayor stated this Ordinance will be placed on the agenda for the January 27<sup>th</sup> meeting.

**Introduction of an Ordinance Amending the Municipal Code of the City of LaPorte Concerning Prevention of Certain Contractor Fraud**

Councilwoman Cutler moved to introduce an Ordinance for the first time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried.

Councilwoman Cutler read an Ordinance Amending the Municipal Code of the City of LaPorte Concerning Prevention of Certain Contractor Fraud in its entirety.

Councilwoman Feikes stated this Ordinance is basically to cover employees to make sure they are being paid correctly as well as their benefits being paid and on time.

Mayor Dermody asked Bert Cook to come forward and explain the reasons for this Ordinance. Bert Cook, Executive Director of the LaPorte Economic Advancement Partnership, stated all of the language in this Ordinance is to make sure contractors who are working in our community are appropriately treating their employees, as employees. He stated this is something that is becoming more prevalent across the State of Indiana by misclassifying employees as independent contractors, so they don't have to pay the associated taxes, workers compensation, things in that nature. Mr. Cook stated he would be happy to answer any questions from the Council regarding the mechanics of the Ordinance.

Councilwoman Cutler stated when she first read the Ordinance she wondered if it was due to something that had happened in the City. Mr. Cook stated there was no specific scenario here in LaPorte.

Mayor Dermody stated this also addresses contractors who are trying to pay their employees cash.

Mayor Dermody stated there are two individuals in the audience who filled out a form prior to the meeting to speak to this Ordinance. The first is Dan Estep. Mr. Estep stated he would like to defer to John Carr. John Carr, 1902 N. Whisper Crossing, LaPorte stated he is the President of the LaPorte Building Trades and wanted to take this time to thank the Council for taking this matter into consideration. He stated this is something the building trades support throughout the State of Indiana and he is glad that LaPorte is joining the rest of the communities throughout Northwest Indiana in bringing this Ordinance forward and hopefully passing it.

Mayor Dermody stated the other person who wishes to speak regarding this Ordinance is Mike Riehle from LEAP. Mike Riehle, President Chamber Services for the LaPorte Economic Advancement Partnership, stated on behalf of their Legislative Affairs Committee, they would like to encourage the Council to support this Ordinance.

Mayor Dermody stated this Ordinance will be placed on the agenda for the January 27<sup>th</sup> Council meeting.

**Other Business**

Councilwoman Feikes made the following announcement:

On January 31, 2020 between the LaPorte Slicer junior varsity and the varsity basketball game versus Crown Point, the following individuals will be inducted into the Hubner Athletic Hall of Fame at LaPorte High School: Eddie Dubbs, Greg Fruth, Dick Hostetler, Elaina Lancioni, Mark Manering and Dennis Mantick. You are cordially invited to a reception to be held at the LaPorte High School Cafeteria prior to the game and induction ceremony. The reception will begin at 4:30 p.m. (CST) and hors d'oeuvres will be served. This will provide an opportunity to reminisce and personally congratulate those individuals being inducted. Mayor Dermody congratulated each of the inductees.

**Adjourn**

There being no further business, Councilwoman Feikes moved to adjourn; motion seconded by Councilman Galloway and unanimously carried.

**Approved:** \_\_\_\_\_  
**Thomas P. Dermody, Mayor**

**Attest:** \_\_\_\_\_  
**Courtney Parthun, Clerk-Treasurer**

**Approved: January 27, 2020**