

The Common Council of the City of LaPorte

October 19, 2009

Convene

The Common Council of the City of LaPorte met in regular session in the Council Chambers on October 19, 2009 at 7:00 P.M. Attendance: Councilman Logwood, Present: Councilwoman Renner, Present: Councilwoman Hammons, Present: Councilman Heichel, Present: Councilman Schmitt, Present: Councilman Luscomb, Present: Councilman Pressler, Present.

Pledge

The Pledge of Allegiance was led by Councilman Schmitt.

Mayor Chrobak noted the agenda would need to be amended by adding the Business Improvement District 2010 Budget after item number eleven.

Minutes

As each Council member received an advance copy of the minutes from the previous meeting, Mayor Chrobak stated they would dispense with the reading of same and asked if there were any corrections or additions.

Approval of Minutes

Councilman Pressler moved to approve the minutes as presented; motion seconded by Councilwoman Hammons and unanimously carried.

Mayor Chrobak welcomed the students from LaPorte High School.

Petitions & Comments

None

Council Appointment to the NewPorte Landing Design Review Committee

Mary Jane Thomas, Director of Community Development and Planning, informed the Council the previous Council adopted an Ordinance establishing a NewPorte Landing Design Review Committee in 2006. Members on the committee will include one member from the Plan Commission, Redevelopment Commission, Tree Commission and Common Council as well as the Director of Engineering and City Planner. Ms. Thomas reported at this time an application for new construction in the NewPorte Landing area has been submitted to the Engineer for approval. The committee will need to convene to discuss the application. Mayor Chrobak explained this committee will be required to meet regarding design standards for new development in the NewPorte Landing area only. Ms. Thomas stated some of the issues the committee will discuss would be signage, materials, landscaping, building location, etc.

Councilman Luscomb volunteered to sit on the committee.

Councilman Logwood stated as Councilwoman Hammons serves on the Redevelopment Commission, he

would like to nominate her as the Council's appointment to the NewPorte Landing Design Review Committee; motion seconded by Councilman Luscomb.

The Mayor called for the following roll call vote:

Councilwoman Hammons: Heichel, Pressler, Logwood, Renner and Luscomb

Councilman Luscomb: Schmitt and Hammons

Councilwoman Hammons was voted to represent the Council on the NewPorte Landing Design Review Committee.

Standing Committee Reports

Airport Authority: Councilman Luscomb reported the Airport Board did not meet last week as was previously reported. He stated they will meet this Wednesday, October 21, 2009, at 5:15 p.m. at the Airport at which time Ed Volk, Chairman of the Board, will be summarizing recent construction on the ramp and other areas at the Airport.

Mayor's Veteran's Committee: Councilman Heichel reminded everyone there will be a Veteran's Day Ceremony on Wednesday, November 11, 2009 at 9:30 a.m. at the Civic Auditorium.

Park & Recreation: Councilman Pressler deferred to Councilman Luscomb as he was unable to attend the last Park Board meeting. Councilman Luscomb stated several items were discussed and gave a brief report on the following:

John Webber, Purdue North Central Basketball Coach, along with Chanaya Sadler, Civic Director, announced the PNC basketball team will be using the Civic Auditorium for their home basketball games this year while a new building is being built on their campus. They will play eleven home games at the Civic Auditorium beginning October 30th. He noted this will be the first team to play competitively since 1979.

Nate Long gave an update on the Clear Lake Aquatic Vegetation Management Plan, also known as the L.A.R.E. Grant. He reported in 2008 Clear Lake was treated for milfoil with no reoccurrence until late this summer when some milfoil was detected by the boat ramp which was treated and will be monitored. The Park Department will continue to seek out grants available to help enhance the City's lakes.

On October 13th, 7,800 students attended the Children's Concert at the Civic Auditorium. A big note of thanks goes out to the Civic staff for their help in making this event a huge success every year.

The Girl Scout Cabin, also known as the Old Jaycee Building, is in need of foundation repairs. Quotes were received by the Board of Works this past Wednesday. The Board of Works will determine whether the repairs are cost effective versus future use of the building. Dean Heise, Director of Parks and Recreation, believes the building can be used for educational purposes for the Forester Program as well as other park classes.

The Park Board is investigating the possibility of procuring a two-way liquor license for Beechwood Golf Course and the Civic Auditorium to generate additional revenues. Additional information will be reported once it is available.

Mr. Heise informed the Park Board he was approached by the engineering firm working on the McClung Road Project regarding a drainage easement at the corner of Truesdell Avenue and McClung Road. This

would entail approximately one half acre of park land. The corner would be improved for a smoother turn onto Truesdell from McClung Road which will bring a better line of sight and intersection safety as well as drainage improvements. Mr. Heise reported there would be no serious impact on park land. More information will be available as the project moves forward. Anyone with questions regarding this matter can contact the Director of Engineering, Mr. Heise, the Director of Wastewater or the DNR.

Police Department: Councilman Luscomb stated there is nothing to report at this time, however, he would like to applaud the Police Department for their continued dedication to the City. He stated they have to deal with a lot of crimes and other situations and they are handling them very well.

School Liaison: Councilman Pressler reported the School Board will be meeting tomorrow evening, October 20th, at 6:30 p.m. at the Educational Services Building.

Traffic Commission: Councilman Schmitt reported the Traffic Commission will meet on November 3, 2009, at 6:30 p.m. at which time a public hearing will be held regarding reversing the flow of traffic on Chicago Street, which is between the Post Office and LaPorte Hospital.

Joint Ordinance Steering Committee: Councilman Heichel reported the Joint Ordinance Steering Committee will meet on October 22, 2009 at 6:30 p.m. at the County Complex Building.

Alpha Baking Personal Property Tax Abatement

Mayor Chrobak noted Mary Jane Thomas, Director of Community Development and Planning, Tim Gropp, Director of GLEDC and Marc Zawicki, representing Alpha Baking were present to answer questions from the Council.

Ms. Thomas informed the Council Alpha Baking is requesting a personal property tax abatement to replace an existing bakery oven at a cost of \$1,549,500.00. The improvement is necessary to maintain and increase the quality of their product so that they can retain their largest customer, thus retaining the 260 jobs they currently have. She noted Alpha Baking currently does not have any active tax abatements. Their previous tax abatement goals have either been achieved or exceeded in terms of investment and job creation.

Introduction of a Resolution Authorizing Economic Revitalization Area Statement of Benefits for Alpha Baking

Councilwoman Hammons moved to introduce a Resolution; motion seconded by Councilman Logwood and unanimously carried. Councilwoman Hammons read a Resolution of the Common Council of the City of LaPorte, Indiana, Authorizing Economic Revitalization Area Statement of Benefits for Alpha Baking in its entirety.

Mayor Chrobak asked Ms. Thomas to explain how a tax abatement works over a period of time as this is new to some of the Council members. Ms. Thomas informed the Council as this is a five year abatement, taxes will be deferred during that time with no taxes being paid the first year and gradually increasing during the term of the abatement.

Mike Seitz, President of the LaPorte Chamber of Commerce, encouraged the Council to pass this Resolution as this will allow for the retention of over 200 jobs and a payroll of \$11,100,000.00.

Mr. Zawicki came forward to answer questions from the Council. He reported the new oven will allow for better quality standards for their largest customer, which entails over fifty percent of the volume of product

manufactured. Mr. Zawicki stated this customer has indicated at times, Alpha Baking does not meet or exceed their quality standards and by replacing the current oven, which is over 20 years old, it will allow them to not only meet those quality standards but will allow them to bid on new business. Councilman Logwood stated by passing this Resolution it will allow Alpha Baking to maintain 50% of their customer base. Mr. Zawicki stated that was correct. Councilman Luscomb stated if approved, how soon would it be up and running. Mr. Zawicki reported they are hoping for March 2010.

Motion/Vote - Adopt Resolution R-17-2009

Councilwoman Hammons made a motion to approve the Resolution as presented; Councilman Logwood seconded the motion. The motion passed by vote: Councilman Logwood (Yes), Councilwoman Renner (Yes), Councilwoman Hammons (Yes), Councilman Heichel (Yes), Councilman Schmitt (Yes), Councilman Luscomb (Yes), Councilman Pressler (Yes).

RESOLUTION R-17-2009
RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF LAPORTE,
INDIANA, AUTHORIZING ECONOMIC REVITALIZATION AREA
STATEMENT OF BENEFITS FOR ALPHA BAKING

Second & Final Reading of an Ordinance for Appropriations and Tax Rates

Councilman Pressler moved to read an Ordinance for the second and final time by title only; motion seconded by Councilwoman Hammons and unanimously carried. Councilman Pressler read an Ordinance for Appropriations and Tax Rates by title only.

Councilman Heichel stated at the last Council meeting it was noted tax rates for the City of LaPorte taxpayers will decrease for the year 2010. Councilman Pressler inquired if the County Council has looked at the City's budget as required by the State. Don Baugher, City Attorney, reported the County Council, on October 12th, approved all budgets submitted without recommendation if they were within the growth factor.

Motion/Vote - Adopt Ordinance No. 18-2009

Councilman Pressler made a motion to adopt the Ordinance as presented; Councilman Heichel seconded the motion. The motion passed by vote: Councilman Logwood (Yes), Councilwoman Renner (Yes), Councilwoman Hammons (Yes), Councilman Heichel (Yes), Councilman Schmitt (Yes), Councilman Luscomb (Yes), Councilman Pressler (Yes).

ORDINANCE NO. 18-2009
ORDINANCE FOR APPROPRIATIONS AND TAX RATES

**Introduction of an Ordinance Amending Section 94-231 of the Municipal Code
(Clay Street)**

Councilman Logwood moved to introduce an Ordinance; motion seconded by Councilman Pressler and unanimously carried. Councilman Logwood read an Ordinance Amending Section 94-231 of the Municipal Code of the City of LaPorte, Indiana (Clay Street) in its entirety.

Mayor Chroback reported this Ordinance came from the Traffic Commission and asked if there were any questions or comments.

Councilman Logwood reported the area in question is next to the building which previously housed the Salvation Army. The parking was changed to allow for loading and unloading of vehicles. As the Salvation Army no longer occupies the building, the Traffic Commission is recommending parking be changed back to two-hour parking which is consistent with the rest of the downtown area.

Second and final reading will take place at the next regular Council meeting.

Further Action on Ordinance 17-2009

Mayor Chroback noted Councilman Heichel requested this item be put on the agenda.

Councilman Heichel moved to introduce a Resolution; motion seconded by Councilman Logwood. The motion failed by the following roll call vote:

Ayes: Logwood, Hammons and Heichel

Nays: Renner, Luscomb, Schmitt and Pressler

Business Improvement District Budget for 2010

Mary Jane Thomas reported Fran Milo, BID President and John Spiggle, Treasurer, extend their apologies to the Council as they both were unavailable to attend tonight's meeting. The 2010 Business Improvement District Budget needs to be presented to the Council for review every year prior to November 1st. She noted the budget is exactly the same as 2008 and 2009. The BID has a levy of \$85,000.00 annually which permits the County Auditor to set the rate necessary to raise those funds. The City Attorney noted this is not tax dollars but an assessment the Business Improvement District imposes on themselves.

Motion/Vote - Approval of the Business Improvement District Budget for 2010

Councilman Logwood moved to approve the 2010 Business Improvement District Budget as submitted; motion seconded by Councilman Pressler and carried by the following roll call vote:

Ayes: Hammons, Renner, Luscomb, Schmitt, Heichel, Pressler and Logwood

Nays: None

Other Business

Mayor Chroback invited the Council to attend the ground breaking ceremony for Buffalo Wild Wings tomorrow afternoon at 2:00 p.m. They will be located next to Napa Auto Parts in the Kroger shopping area.

Mayor Chroback reported she sent a memo to the Council and Plan Commission regarding the Sensible Tool Handbook Workshop which will be held on November 4th from 5:30 to 7:30 p.m. at NIRPC. The handbook is reviewed and updated every two years.

Motion/Vote - Remove Ordinance Providing Penalty Provisions for Violation of Noise Ordinance from the Table

Councilman Logwood moved to remove the Ordinance Providing Penalty Provisions for Violation of Noise Ordinance referred to the Traffic Commission on July 20, 2009 off the table; motion seconded by Councilman Heichel and unanimously carried.

Councilman Logwood noted the Traffic Commission is recommending no further action be taken and the Ordinance die. The City Attorney explained the Council can either vote it down or take no action whatsoever which means it would die. No further action was taken.

Councilman Heichel informed the Council he had the privilege of attending the funeral for a distinguished honored veteran, Robert G. Moorhead, who was the Assistant Adjutant General for the State of Indiana back in the 1960's. Mr. Moorhead was the President of the United States Kiwanis Club and was instrumental in getting their headquarters moved to Indianapolis.

Mayor Chrobak announced Wednesday, October 21, 2009, is "Pink Day". The City is asking everyone to wear pink for Breast Cancer Awareness and is accepting \$5.00 donations.

Councilman Luscomb stated with the passing of the budgets, he thinks it is appropriate to recognize City employees who have not received a raise for the past two years and the future looks very bleak with skyrocketing costs. He stated the unknowns have weighed pretty heavy on the employees, not knowing what the future holds, including rumors of lay-offs and other calamities visiting the City. Councilman Luscomb personally expressed his appreciation for all the hard work and dedication given to the City by employees. He stated he believes residents are receiving Cadillac services on a Ford Escort budget.

Mayor Chrobak concurred with Councilman Luscomb, noting all departments are under scrutiny with regard to spending. She reported each department is required to fill out a purchase request form which needs prior approval from either her herself or the Clerk-Treasurer before proceeding. The Mayor stated she understands that at times this becomes very cumbersome for departments, especially when there is an emergency. She thanked all departments for their patience during these trying times.

Adjourn

There being no further business, Councilman Pressler moved to adjourn; motion seconded by Councilman Heichel and unanimously carried.

Signatures

APPROVED: _____
Kathleen A. Chrobak, Mayor

ATTEST: _____
Teresa L. Ludlow, Clerk-Treasurer

Approved: November 2, 2009