

The Common Council of the City of LaPorte

November 16, 2009

Convene

The Common Council of the City of LaPorte met in regular session in the Council Chambers on November 16, 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 Pressler.

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

Petitions & Comments

None

Standing Committee Reports

Airport Authority: Councilman Luscomb reported the Airport Authority will meet this Wednesday, November 18, 2009, at 5:15 at the Airport.

Mayor's Veterans Committee: Councilman Heichel reported the Veteran's Day Ceremony at the Civic Auditorium last week went very well. He announced the ESGR Program will be sending someone to present a plaque to the City for participating and supporting our Armed Forces.

Park & Recreation: Councilman Pressler reported several items were discussed at the last Park Board meeting which includes the following:

- The Whirlpool park and ball field, which is located across from the old Berkel building, will be returned to its owners. He reported the widening of Boston Street will encroach on the right field area and usage is down considerably as previous functions have been moved to Kesling Park. Councilman Pressler noted the City should realize a savings as we will no longer have to maintain the six acres associated with the park.
- Repairs to the Girl Scout building are underway. Future uses include instructional and educational programs. Both the Forester and Recreational Director have ideas on how to use the building. The building will likely not be rented out due to its neighborhood setting.

- The rental fees for all shelters, gazebo and amphitheatre will be increased by 7% to include sales tax. Cummings Lodge fees will remain the same as sales tax is already being charged. The change is due to the recommendation of the Clerk-Treasurer.
- Recreational programs will be increasing. Increases range from \$2.00 per child for the Youth Summer Camp to as much as \$50.00 per usage for some ball diamonds. In the past the City has subsidized many of these programs with tax dollars, however, with budget cuts for 2010, it was either eliminate certain programs or assess a fee so they are self-sufficient. As the Park Board did not want to eliminate any programs they opted to increase the fees.
- Beechwood Golf Course will see some minor changes in their fee structure. The multi-pass option was eliminated and a full time college student season pass was added. Also, if you purchase a season pass before the end of January, you will save \$50.00. After January the cost of a season pass will increase by \$50.00. Councilman Pressler stated even at \$650.00, this is still one of the lowest season pass prices in the region. He noted golf fees largely remained the same as area golf course have experienced a drop in revenue, which includes Beechwood at a loss of 2% over last year. Councilman Pressler reported Beechwood is still the best value around and the fear is that increasing costs would lessen play. Also, the option of purchasing a two-way liquor license is still being discussed with the City's insurance carrier.
- Civic rates will be increased as well. The cost to rent the entire building will be increased by \$50.00 and to rent an entire level will be increased by \$25.00. Both will be done over the next two years. Single room rentals are increasing by \$10.00 to \$15.00. Due to budget cuts and the reduction of overtime citywide, the Civic can no longer afford to staff certain events. Rather than cancel these events, i.e. recreational basketball, the Civic Director, Chanaya Sadler, has taken it upon herself to staff these events at no additional expense to the City. Councilman Pressler thanked Ms. Sadler for her contribution of time.
- Councilman Pressler reported plans for the 2010 Winterfest is underway. Anyone interested in sponsorships should contact the Recreational Director, Peggy Nauyokas, at the Park Office.
- Councilman Pressler urged everyone to check out the "Healthier U" newsletter on the Park & Recreation webpage at cityoflaporte.com. This month's topic is lowering your "bad" cholesterol.

Plan Commission: Councilman Logwood reported the Plan Commission will conduct a special meeting on November 30th, at 6:00 p.m. in the Council Chambers to discuss the 18th Street and State Road 39 PUD Plan. Councilman Logwood inquired if the Plan Commission Attorney, Dave McCain, has spoken to the City Attorney regarding enforcing color coding in the Historic District. Don Baugher, City Attorney, he has spoken with Mr. McCain, and this issue will likely come before the Council.

By-Laws & Ordinances: Councilwoman Renner reported the By-Laws and Ordinances Committee will meet on Tuesday, November 24, 2009, at 6:00 p.m. in the Council Chambers.

Redevelopment Commission: Councilwoman Hammons reported the Redevelopment Commission will meet this Wednesday, November 18th, at 5:30 p.m.

Traffic Commission: Councilman Schmitt reported the Traffic Commission met on November 3rd at which time a public hearing was held regarding the reversal of traffic on Chicago Street. After the public hearing, the Traffic Commission unanimously voted to leave the flow of traffic on Chicago Street as it is.

Joint Ordinance Steering Committee: Councilman Heichel reported the Joint Ordinance Steering Committee will meet this Thursday, November 19th, at 6:00 p.m. at the County Complex Building. He noted he will be attending the Urban Enterprise Association Planning meeting at 4:00 p.m. and will try to make the other meeting at 6:00. Mayor Chroback reported she plans on attending the Joint Ordinance Steering meeting in case Councilman Heichel cannot.

Introduction of an Ordinance Authorizing the Issuance of Tax Anticipation Warrants for 2010

Councilwoman Renner moved to suspend the rules and introduce an Ordinance for the first time by title only; motion seconded by Councilman Heichel and unanimously carried. Councilwoman Renner read Indiana Bond Bank's 2010 Advance Funding Program Ordinance; an Ordinance Authorizing the City of LaPorte, Indiana, to Make Temporary Loans to Meet Current Running Expenses for the Use of the General Fund, the Fire Lease Fund of 2005 Fund, the GO Bonds of 2004 Fund, the Parks and Recreation Fund, the Park District Bonds of 1997 Fund and the Motor Vehicle Highway Fund of the Issuer, in Anticipation of an Not in Excess of Current Taxes Levied in the Year 2009, and Collectable in the Year 2010; Authorizing the Issuance of Temporary Loan Tax Anticipation Time Warrants to Evidence Such Loans and the Sale of Such Time Warrants to the Indiana Bond Bank; and Appropriating and Pledging the Taxes to be Received in Such Funds to the Punctual Payment of Such Time Warrants Including the Interest Thereon by title only.

Councilwoman Renner stated for public information, the aggregate amounts will not exceed the following for the respective identified funds:

General Fund	\$6,937,469
Fire Lease Fund of 2005 Fund	\$ 233,964
GO Bonds of 2004 Fund	\$ 206,933
Parks & Recreation Fund	\$ 992,435
Park District Bonds of 1997 Fund	\$ 290,238
Motor Vehicle Highway Fund	\$ 149,983

Teresa Ludlow, Clerk-Treasurer, informed the Council this Ordinance is to authorize the City to take out bonds or tax warrants for 2010. She reported she sent the application to the Indiana Bond Bank today to roll over the 2009 Tax Warrants. The County has indicated they anticipate on distributing tax revenue collected from the provisional bills for 2008 pay 2009 either the end of November or the beginning of December. Once that money is received, the City will send a copy of the Form 22 to the Indiana Bond Bank, which indicates what was collected. The Indiana Bond Bank will then notify the City what needs to be paid against the 2009 Tax Warrants and the interest that is due. The Clerk-Treasurer informed the Council the City will not get the same rate of 1.65% when rolling over the 2009 Tax Warrants. She reported the Indiana Bond Bank is anticipating the rate will be around 3%. The Ordinance before the Council tonight is for 2009 pay 2010 taxes which will operate the 2010 budget. She stated as the City has bond payments due every year in January and February, she anticipates the City will continue to take out tax anticipation warrants until the County is able to distribute property tax revenues on a regular basis in June and December.

The Clerk-Treasurer informed the Council the 2010 Tax Warrant Documents need to be submitted to the Indiana Bond Bank by December 4th. She stated the Council does not meet again until December 7th. In order to meet the deadline, the Council needs to make a determination on whether they want to pass the Ordinance at the same meeting it was introduced or hold a special meeting.

Second & Final Reading of an Ordinance Authorizing the Issuance of Tax Anticipation Warrants for 2010

Councilwoman Renner moved to suspend the rules and read the Ordinance for the second and final time by title only; motion seconded by Councilman Logwood and unanimously carried. Councilwoman Renner read the Ordinance for the second and final time by title only.

Motion/Vote - Adopt Ordinance No. 20-2009

Councilwoman Renner made a motion to adopt the Ordinance 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).

ORDINANCE NO. 20-2009

**ORDINANCE AUTHORIZING THE CITY OF LAPORTE, INDIANA, TO MAKE TEMPORARY LOANS TO MEET CURRENT RUNNING EXPENSES FOR THE USE OF THE GENERAL FUND, THE FIRE LEASE FUND OF 2005 FUND, THE GO BONDS OF 2004 FUND, THE PARKS AND RECREATION FUND, THE PARK DISTRICT BONDS OF 1997 FUND AND THE MOTOR VEHICLE HIGHWAY FUND OF THE ISSUER, IN ANTICIPATION OF AN NOT IN EXCESS OF CURRENT TAXES LEVIED IN THE YEAR 2009, AND COLLECTABLE IN THE YEAR 2010; AUTHORIZING THE ISSUANCE OF TEMPORARY LOAN TAX ANTICIPATION TIME WARRANTS TO EVIDENCE SUCH LOANS AND THE SALE OF SUCH TIME WARRANTS TO THE INDIANA BOND BANK; AND APPROPRIATING AND PLEDGING THE TAXES TO BE RECEIVED IN SUCH FUNDS TO THE PUNCTUAL PAYMENT OF SUCH TIME WARRANTS INCLUDING THE INTEREST THEREON
(2010 Tax Anticipation Warrants)**

The Clerk-Treasurer informed the Council an Ordinance extending the 2008 pay 2009 Tax Warrants will come before them as soon as it is received from the Indiana Bond Bank and will need to be passed by December 18th. In all likelihood it will be presented to the Council at their December 7th meeting and if not a special meeting will be necessary. Councilman Logwood stated if the Council hears the Ordinance at the December 7th meeting, will it need be introduced, read for the second time and passed all at the same meeting. The Clerk-Treasurer stated that was correct.

Introduction of an Ordinance Granting Chief of Police Limited Powers to Deputize Special Deputies

Councilman Luscomb moved to introduce an Ordinance for the first time in full; motion seconded by Councilwoman Renner and unanimously carried. Councilman Luscomb read an Ordinance Granting Chief of Police Limited Powers to Deputize Special Deputies in its entirety.

Terry Scherer, Police Chief, came forward to explain the reasons behind the Ordinance and to answer questions from the Council. He informed the Council about a year ago, he was approached by Sgt. Kellems from the LaPorte County Sheriff's Department regarding violations he saw at LaPorte High School but could not enforce. Earlier this year the LaPorte County Sheriff's Lake Patrol contacted him regarding violations they witnessed but could not enforce as they had no authority, specifically people jumping off the channel bridge. After meeting with the City Attorney and the Director of Parks and Recreation, an Ordinance was drafted for the Council. Chief Scherer stated if any Council member has any questions or concerns to please give him a call or send an e-mail.

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

Other Business

Mayor Chrobak informed the Council a memo was provided to them regarding their appointments to the Business Improvement District. She noted the term for John Spiggle, Lee Brady, Michael Seitz and Dave

Schmitt all expire December 31, 2009. The Mayor reported all four members have expressed a desire to be reappointed. She stated all four have been very active on the Board. Mayor Chroback noted the Council does not have to take any action tonight, this can be done at a December meeting and if they choose they could nominate someone other than these four as long as the person is either an owner or has a significant interest in a business in the BID District.

Motion/Vote - Appointments to the Business Improvement District

Councilman Pressler moved to reappoint John Spiggle, Lee Brady, Michael Seitz and Dave Schmitt to the Business Improvement District Board; motion seconded by Councilman Logwood and unanimously

Mayor Chroback reported a copy of the notice setting the meeting for the By-Laws and Ordinance Committee for Tuesday, November 24, 2009, at 6:00 p.m. was provided to the Council.

Adjourn

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

Signatures

APPROVED: _____
Kathleen A. Chroback, Mayor

ATTEST: _____
Teresa L. Ludlow, Clerk-Treasurer

Approved: December 7, 2009