

The Common Council of the City of LaPorte

March 15, 2010

Convene

The Common Council of the City of LaPorte met in regular session in the Council Chambers on March 15, 2010 at 7:00 p.m. Attendance: Councilman Logwood, Absent: 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 Luscomb.

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 Councilman Heichel and unanimously carried.

Petitions & Comments

Josh Caudle, Hoopeston, Illinois, the new owner of the New LaPorte Cinemas, was present to introduce himself to the Council. The target date for the grand opening of the New LaPorte Cinemas is slated for April 1st. He stated they are excited about being here and will not take the community for granted. Mayor Chrobak thanked Mr. Caudle for attending tonight's meeting and wished him great success in this endeavor.

Standing Committee Reports

Airport Authority: Councilman Luscomb reported the Airport Authority at their March 10th meeting proposed several amendments to City Ordinances with regard to towers. They will be forwarding their recommendations to the Plan Commission after which time it will be given to the Council for final approval.

NewPorte Landing: Mayor Chrobak stated the meeting schedule for tomorrow evening has been cancelled. The next meeting will be held in June.

Park & Recreation: Councilman Pressler reported the Park Department is pleased to announce Kyle Cashmere has been hired as the new golf pro. Mr. Cashmere seems very energetic and has some good ideas for the Beechwood Golf Course.

School Board Liaison: Councilman Pressler reported the School Board will meet tomorrow evening, March 16th at 6:30 p.m. at the Educational Services Center.

Joint Ordinance Steering Committee: Councilman Heichel reported the third draft of the County Wide Plan was e-mailed to committee members yesterday. He stated Jerry Jackson, Director of Wastewater, has some changes that need to be made as well as the Engineering Department and LaPorte Municipal Airport. Mayor Chrobak stated this Thursday they will be discussing subdivisions.

Appointment - Urban Enterprise Zone

Councilman Pressler moved to nominate Darren Thode, Thode Floral, as the Council's business appointment to the Urban Enterprise Zone. He reported Mr. Thode contacted the City about the position and when he talked with Mr. Thode he seemed very enthusiastic. Mayor Chrobak inquired if there were any other nominations. As there were none, she asked for a roll call vote:

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

Nays: None

Mr. Thode was unanimously appointed to the Urban Enterprise Zone. Mary Jane Thomas, Director of Community Development and Planning, will contact Mr. Thode on behalf of the City.

Second & Final Reading of an Ordinance Amending Section I of Ordinance No. 39-2007

Councilwoman Renner moved to read an Ordinance for the second and final time by title only; motion seconded by Councilman Heichel and unanimously carried. Councilwoman Renner read an Ordinance Amending Section I of Ordinance No. 39-2007 by title only.

Mayor Chrobak noted Jerry Jackson was present and requested he come forward to answers questions from the Council. Mr. Jackson advised the Council there are two major changes to the Ordinance. The first provides for a waiver to property owners who are 62 years old or older while they own the property as long as the septic is in good working condition. The second provides a property owner can present a hardship claim to the Board of Works in writing stating their case, where previously they would have to submit their case to the Board in person. It also allows the waiver to be extended.

Councilman Heichel inquired if by granting exemptions would it cause additional administrative work for the Sewage Department to keep track of who has connected, who hasn't and those who have a hardship claim. Mr. Jackson stated the department currently has a spreadsheet that tracks which properties are connected to the City's sewer. There of course would be additional time to keep track of the exceptions; however, he does not believe it will be an exorbitant amount of time.

Councilman Pressler thanked the Sewer Committee for their hard work regarding these issues and coming to some type of resolution. He asked Mr. Jackson if this amendment to the Ordinance is not passed will it still allow the Board of Works to grant hardship cases to property owners. Mr. Jackson stated he believes the current Ordinance allows for a hardship case, however, the property owner would need to be present at the Board of Works meeting and it only allows the exception for a period of five years. Also, there will be no exceptions for anyone 62 or older.

Councilman Pressler asked if a septic fails is it noticeable. Mr. Jackson stated the answer to that is yes and no. If a septic fails, there is the possibility you would see and smell it as the sewage would rise to the ground. As the City is largely sand based, the sewage would seep through the sand and the pollutants would be in the ground. Mr. Jackson stated some septic failures do both. He stated a septic could fail and go undetected and contaminate a neighbors or their own water well.

Motion/Vote - Adopt Ordinance No. 8-2010

Councilwoman Renner made a motion to adopt the Ordinance as presented; Councilman Luscomb seconded the motion. The motion passed by vote: Councilman Logwood (Absent), Councilwoman Renner (Yes), Councilwoman Hammons (Yes), Councilman Heichel (No), Councilman Schmitt (Yes), Councilman Luscomb (Yes), Councilman Pressler (No).

**ORDINANCE NO. 8-2010
ORDINANCE AMENDING SECTION I OF ORDINANCE 39-2007
(Sewer Connections)**

Introduction of an Ordinance Amending Section 94-322 of the Municipal Code of the City of LaPorte (Ridgefield & Kingsbury Avenue)

Councilman Pressler moved to introduce an Ordinance; motion seconded by Councilman Heichel and unanimously carried. He noted the word "east" should be inserted in front of 19th, 20th and 21st Street. Councilman Pressler read an Ordinance Amending Section 94-322 of the Municipal Code of the City of LaPorte, Indiana in its entirety with the above mentioned modifications.

Councilman Pressler reported the six intersections currently do not have a yield or stop sign. He stated the Traffic Commission felt this was the best course of action for public safety.

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

Other Business

The City Attorney noted a copy of a Resolution passed by the Police Merit Commission was provided to them for their review. He stated he believes the Resolution is self-explanatory. An Ordinance will be drafted for their consideration for the next Council meeting.

Mayor Chroback announced this is Severe Weather Awareness Week. Emergency drills will be done on Wednesday, March 17th, between the hours of 10:15 and 10:30 a.m. and again between 7:30 and 7:45 p.m.

Adjourn

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

Signatures

APPROVED: _____
Kathleen A. Chroback, Mayor

ATTEST: _____
Teresa L. Ludlow, Clerk-Treasurer

Approved: April 5, 2010