**December 4, 2023**

The Common Council of the City of La Porte met in regular session Monday, December 4, 2023, at 6:00 P.M. in Council Chambers.

**Pledge of Allegiance**

Santa Claus led the Pledge of Allegiance.

**Roll Call:**

Present: Galloway, Cutler, Konieczny, Franke, Feikes

Absent: Vincent, West

**Approval of Minutes**

Mayor Dermody stated each member received an advance copy of the minutes from the previous meeting and asked if there were any corrections or additions. Councilwoman Feikes moved to approve the minutes as presented, motion was seconded by Councilman Franke and unanimously carried.

Mayor Dermody introduced Santa Claus who presented Council Members with a Christmas treat and discussed his non-profit Santa with a Cause.

**Petitions and Comments of Citizens**

Charity Hlavsa – Hot Spot Café – Reported the Cookie Walk on Saturday, December 9, 2023. Twenty-three downtown businesses will be participating. Cookie tins are available for purchase and are required for participation for $15.00; the Cookie Walk is from 10:00 AM until noon.

George Callas – Tornado Drive – Reported a fantastic Santa Parade and enjoyed spending time and money at some of the downtown businesses.

**Standing Committee Reports**

**Redevelopment Commission:** Councilman Franke reported the Redevelopment Commission met November 29, 2023, at 5:15 P.M. at City Hall in Council Chambers. Councilman Franke reported the Qualls Incentive Accounts Payable Voucher was approved.

**Sustainability Commission:** Councilman Franke reported the Sustainability Commission met November 27, 2023, and discussed the tree plan and the use of the grant. Councilman Franke reported at the next meeting, the Commission plans to have the arborist in attendance to assist with the tree plan.

**Traffic Commission:** Councilwoman Feikes reported the Traffic Commission will meet December 5, 2023, at 5:00 PM at the Police Station.

**Park Board:** Councilwoman Feikes reported the next Park Board meeting will meet on December 20, 2023, at 4:00 P.M. at the Park Office.

**Business Improvement District Board:** Councilwoman Cutler reported the next Business Improvement District meeting will be held on December 11, 2023, at 5:00 P.M. at City Hall.

**Urban Enterprise Association Board:** Councilwoman Cutler reported there will be no December Urban Enterprise Association meeting.

**Airport Authority:** Councilwoman Konieczny reported the Airport Authority will meet Wednesday, December 13, 2023, at 5:15 P.M. at the Airport.

**Historic Preservation Commission:** Councilman Konieczny reported the next Historic Preservation Commission meeting is scheduled for Wednesday, December 13, 2023, at 5:30 PM in Council Chambers. Councilwoman Konieczny reported the major topic of discussion will be the walking corridor project along Indiana Avenue during the upcoming infrastructure work.

**2024 City Council Meeting Schedule**

Councilwoman Konieczny made a motion to approve the 2024 City Council Meeting Schedule; motion seconded by Councilwoman Feikes and unanimously carried.

**Business Improvement District Council Appointment: Two-Year Terms for Five Appointments**

Councilwoman Cutler made a motion to reappoint John Spiggle, Tommy Viere and Lizz Ward to the Business Improvement District; motion seconded by Councilwoman Feikes and unanimously carried.

**La Porte Alcoholic Beverage Review Commission Council Appointment: One-Year Term for One Appointment**

Councilwoman Cutler made a motion to appoint Councilman Tim Franke to the La Porte Alcoholic Beverage Review Commission; motion seconded by Councilman Galloway and unanimously carried.

**Redevelopment Commission Council Appointment: One-Year Term for Two Appointments**

Councilman Franke made a motion to reappoint Brian Chalik and JT McDermott to the Redevelopment Commission; motion seconded by Councilwoman Cutler and unanimously carried.

**Public Hearing on Annexation Petition for C.L. Rhoade Corporation**

Mayor Dermody opened the Public Hearing on the Annexation Petition for C.L. Rhoade Corporation and asked if anyone from the public wished to speak. City Attorney Nick Otis noted the Public Hearing was published in the Herald Dispatch on November 14, 2023, per the Affidavit of Publication. Attorney Otis noted this is a super-voluntary annexation and was requested by the sole property owner and discussed the annexation timeline and requirements per state statute.

Emily Robben – 402 Truesdell – Ms. Robben asked for clarification as to why C.L. Rhoade Corporation received $928,000 in subsidies in the last approximately thirty years. Ms. Robben stated she could not find who funded those subsidies and if that will affect City of La Porte taxpayers.

City Attorney Nick Otis responded that City of La Porte does not offer agricultural incentives and that likely, these subsides were through the USDA. Attorney Otis noted that whether C.L. Rhoade is part of the City of La Porte or not, subsidies do not affect property taxes.

**Introduction of an Ordinance of the Common Council of the City of La Porte, Indiana, Annexing to and Bringing within the City Limits of La Porte, Indiana, and Amending the Zoning Ordinance for Property Located in Pleasant Township, Contiguous Herewith: Name of Petitioner C.L. Rhoade Corporation**

Councilman Franke made a motion to read an Ordinance for the first time in its entirety; motion seconded by Councilwoman Konieczny and unanimously carried. Councilman Franked read an Ordinance of the Common Council of the City of La Porte, Indiana, Annexing to and Bringing within the City Limits of La Porte, Indiana, and Amending the Zoning Ordinance for Property Located in Pleasant Township, Contiguous Herewith: Name of Petitioner C.L. Rhoade Corporation in its entirety.

City Attorney Nick Otis commented on the question that was asked by Ms. Robben during public comment for the Public Hearing that C.L. Rhoade has received $777,542 in federal farm subsidies according to a website Attorney Otis referenced which he noted was for the whole Corporation. This annexation, according to Attorney Otis, is for two parcels of land. According to Attorney Otis, the federal subsidies provided are not administered by City of La Porte nor would it affect the value of their property.

Mayor Dermody noted this Ordinance will move to the December 18, 2023, meeting.

**Introduction of an Ordinance Approving 2024 Budget for the City of La Porte Water Department**

Councilwoman Konieczny made a motion to read an Ordinance for the first time in its entirety; motion seconded by Councilwoman Cutler and unanimously carried. Councilwoman Konieczny read an Ordinance Approving 2024 Budget for the City of La Porte Water Department in its entirety.

**Introduction of an Ordinance Approving 2024 Budget for the City of La Porte Wastewater Department**

Councilwoman Cutler made a motion to read an Ordinance for the first time in its entirety; motion seconded by Councilwoman Konieczny and unanimously carried. Councilwoman Cutler read an Ordinance Approving 2024 Budget for the City of La Porte Wastewater Department in its entirety.

**Introduction of an Ordinance Amending Ordinance 1347 Adopting the Provisions of “the Park and Recreation Law of 1955” Creating a Department of Parks and Recreation for City of La Porte, Indiana, Transferring Property and Funds from Predecessor Board of Park Trustees and Recreation Commission, Providing for Appointment and Terms of Members of Board, and Repealing Prior Ordinances in Conflict Therewith**

Councilwoman Feikes made a motion to read an Ordinance for the first time in its entirety; motion seconded by Councilman Franke and unanimously carried. Councilwoman Feikes read an Ordinance Amending Ordinance 1347 Adopting the Provisions of “the Park and Recreation Law of 1955” Creating a Department of Parks and Recreation for City of La Porte, Indiana, Transferring Property and Funds from Predecessor Board of Park Trustees and Recreation Commission, Providing for Appointment and Terms of Members of Board, and Repealing Prior Ordinances in Conflict Therewith in its entirety.

City Attorney Nick Otis stated the request to amend this ordinance was made by the Park Department and the Clerk-Treasurer’s office to update language dating back to the 1970’s. Attorney Otis reported due to SBOA audit purposes, the City wants to ensure our Ordinances show how we conduct business. For example, Attorney Otis noted we previously did not reference sponsorships, so that language has been updated. Additionally, language was updated regarding safeguarding money and depositing it daily to the Clerk-Treasurer’s office. Mayor Dermody noted this ordinance will move to the December 18, 2023 meeting.

**Introduction of a Resolution to Transfer Funds within the 2023 Budget**

Councilman Galloway made a motion to read a Resolution for the first and only time in its entirety; motion seconded by Councilman Franke and unanimously carried. Councilman Galloway read a Resolution to Transfer Funds within the 2023 Budget in its entirety.

Clerk-Treasurer Parthun stated budgets are estimates and by year end, Department Heads have transfers to complete to clear up their appropriations.

**Motion/Vote Resolution to Transfer Funds within the 2023 Budget:** Councilwoman Konieczny made a motion to adopt a Resolution to Transfer Funds within the 2023 Budget; motion seconded by Councilwoman Feikes and unanimously carried.

**RESOLUTION NO. R-30-2023**

**Resolution to Transfer Funds within the 2023 Budget**

**Take Off the Table A Resolution Adopting the Development Agreement Between the City of La Porte and Park and Severs, LLC for the Park Street Residential Development**

Councilwoman Feikes made a motion to take off the table a Resolution Adopting the Development Agreement Between the City of La Porte and Park and Severs, LLC for the Park Street Residential Development; motion seconded by Councilman Galloway and unanimously carried.

Councilwoman Feikes made a motion to read a Resolution for the first and only time in its entirety; motion seconded by Councilwoman Konieczny and unanimously carried. City Attorney Nick Otis noted there is one change to the name in the Resolution before it is read: Park Street Community, LLC. Councilwoman Feikes read a Resolution Adopting the Development Agreement Between the City of La Porte and Park Street Community, LLC for the Park Street Residential Development in its entirety.

Mayor Dermody stated housing is a top priority in the City of La Porte and thanked Bert Cook for his work on this development agreement. City Attorney Nick Otis provided background information for City Council Members noting this area was annexed earlier this year (approximately 32-33 acres). According to Attorney Otis, this is a private development and will be incentivized by providing utilities in the development area. Attorney Otis highlighted the development is required to begin on or before September 1, 2024, or within thirty days of receiving all necessary permits for the development and indicated this is a standard development agreement incentivizing utilities.

Bert Cook, Executive Director of La Porte Economic Advancement Partnership gave the general parameters of the Park Street Community, LLC project and introduced John Kavchak. Mr. Cook noted that within these thirty-three acres will be 118 townhomes and 19 single-family homes. Mr. Cook noted he appreciates the fact that Mr. Kavchak and his team worked so closely with the City’s leadership team to design a development that works for the City. Mr. Cook stated the need for housing this community is daunting citing the Healthcare Foundation’s Housing Study and the need for thousands of units noting this is a significant “bite” out of that need.

Mayor Dermody stated this started two years ago when the developer and LaPorte County were going back and forth on a development in Rolling Prairie and Bert Cook reached out to discuss City of La Porte. Mayor Dermody welcomed John Kavchak and asked him to discuss the project.

John Kavchak stated the City is pro-growth and execution focused and Park Street Community, LLC is excited to participate in that culture and provide housing that this community needs. Mr. Kavchak thanked the City for allowing Park Street Community, LLC to share in the City’s vision. Mr. Kavchak answered questions from Council. He noted they will build two buildings at a time with three to five units per building to test the demand and will build them exponentially if the demand is there also offering rental options. Mr. Kavchak noted the finishes will be high end at an affordable price point.

**Motion/Vote - Resolution Adopting the Development Agreement Between the City of La Porte and Park and Severs, LLC for the Park Street Residential Development**

Councilwoman Konieczny made a motion to approve A Resolution Adopting the Development Agreement Between the City of La Porte and Park and Severs, LLC for the Park Street Residential Development; motion seconded by Councilwoman Feikes and unanimously carried.

George Callas – Tornado Drive – Mr. Callas asked where this development is located. Mayor Dermody explained where it is located.

Emily Robben – 402 Truesdell – Ms. Robben asked if the Development Agreement is available. Attorney Otis stated it is available and he would email it to her.

**RESOLUTION NO. 31-2023**

**Resolution Adopting the Development Agreement Between the City of La Porte and Park and Severs, LLC for the Park Street Residential Development**

**Other Business:**

Councilwoman Konieczny asked Council to create an advisory committee to form an Airbnb registry similar to the landlord registry and an ordinance for Airbnb properties in the City per discussion she has had with Martin Chidalek to create transparency and ground rules.

**Motion/Vote to Create an Advisory Committee for Airbnb Registry and Ordinance:**

Councilwoman Feikes made a motion to create an advisory committee for Airbnb registry and ordinance; motion seconded by Councilman Galloway and unanimously carried.

Mayor Dermody thanked Fire Chief Snyder for saving Christmas by fixing the electrical at Plaza 618 ensuring the Christmas lights worked on the Christmas Tree at Plaza 618 and for going above and beyond for helping the families in the apartment complex fire. Chief Snyder noted that those that are interested in donating to the families affected by the fire can call the Fire Station to donate (219)362-3456.

Councilwoman Cutler thanked the Fire Department for the Ford’s Christmas display at Fire Station #3 that Firefighter Josh Meyers builds every year.

**Adjourn**

Councilman Galloway moved to adjourn; motion seconded by Councilwoman Konieczny and unanimously carried.

**Approved: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Thomas P. Dermody, Mayor**

**Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Courtney Parthun, Clerk-Treasurer**

**Approved: January 2, 2024**