**September 6, 2022**

The Common Council of the City of La Porte met in regular session Monday, September 6, 2022, at 6:00 P.M. in Council Chambers.

**Pledge**

Councilwoman Feikes led the Pledge of Allegiance.

**Present** Franke, Feikes, Vincent, Galloway, Konieczny, Cutler

**Absent** West

**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 seconded by Councilwoman Cutler and unanimously carried.

**Petitions and Comments of Citizens**

Spencer England, 516 E Street - addressed Council regarding Flag presentation and the Supreme Court ruling regarding when and where government can present flags. Mr. England asked Council if there is currently an ordinance in the City of La Porte regarding Flag presentation.

Donna Johnson, 1037 Indiana Avenue - addressed Council regarding the benefits of Christianity in our community. Mrs. Johnson would like request Council to designate either March or April as Christian heritage month.

Kaelynn Deckard, Scipio Township Trustee - thanked Council for allowing her to speak at the last Council meeting. Ms. Deckard thanked Ed Volk for allowing her to tour the airport. Ms. Deckard asked Council to keep Scipio Township Fire Department in mind with the airport runway expansion.

Mayor Dermody thanked Center Township Fire Department for their assistance with the 18th Street storage unit fire. Mayor Dermody stated that if this fire occurred within 39 North Conservancy district the outcome could have been a lot worse due to the water and fire suppression challenges.

Mark Schreiber, Park Department Superintendent - recognized Recreation Director Pam Carroll on 40 years of service to the City of La Porte. Pam Carroll thanked Mr. Schreiber, her team, and all the volunteers that she has worked with over the years.

Maria Fruth, Chief Executive Officer of Health Care Foundation of La Porte - discussed the importance of the Civic Auditorium in La Porte. Mrs. Fruth recognized and celebrated all the important events that have happened for our community at the Civic Auditorium over the years. Mrs. Fruth noted that as community members, we have the duty of care, and the Civic Auditorium is in need of the proposed renovations including the ADA compliant renovations to be viable for generations to come.

Tim King, Executive Director of the La Porte County Symphony Orchestra shared with Council how the updated sound and lighting systems have benefited the Symphony. Mr. King noted it has greatly improved the quality of their performances. The new ADA compliant seating will be greatly appreciated by those who attend the Symphony Orchestra performances at the Civic Auditorium.

Brian Larson, Owner of Larson-Danielson Construction - advocated for the upgrades at the Civic Auditorium. Mr. Larson stated that he is an owner of Larson-Danielson Construction. In 1929, his great great uncle Amel Danielson gave a proposal of $188,500 to build the Civic Auditorium. Mr. Larson’s great great grandfather and his great grandfather managed and constructed the work that was completed in the 1930s. In the 1990s, Mr. Larson’s father managed the renovations in the basement of the Civic Auditorium. During the pandemic, the Civic Auditorium was one of the only places available for events due to the ability to be more than six feet apart. Mr. Larson noted many generations of community members have made memories at the Civic Auditorium over the years and the upgrades are necessary to keep the building thriving generations to come.

Mitch Feikes, Park Board President - noted that it is our responsibility as citizens of the community to support upgrades at the Civic Auditorium.

**Standing Committee Reports**

**Redevelopment Commission:** Councilman Franke reported the Redevelopment Commission met on August 24, 2022. Councilman Franke reported an update was given on Monroe Streetscape design. Additionally, Councilman Franke reported an upcoming planning session with members of the Redevelopment Commission and Business Improvement District board members to discuss design. Councilman Franke reported that an update was given regarding Clear Lake construction. Councilman Franke reported the parking study draft is complete and was distributed to City officials for feedback. Councilman Franke reported budgets were discussed and passed for 2023 and the 2017 G.O. Bonds were reviewed, and payment was approved. The land sale was approved on Boyd Blvd.

**Sustainability Commission:** The Sustainability Commission met August 29, 2022. Mr. Councilman Franke reported Lori Larson, City of La Porte MS4 Coordinator joined the commission and the Eden Sea Grant was discussed.

**School Board:** Councilman Franke reported the School Board will meet on September 12, 2022, at 6:00 P.M. at the Educational Service Center.

**Park Board:** Councilwoman Feikes reported Park Board met on Wednesday, August 17, 2022, at 4:00 P.M. at the Park Office. Councilwoman Feikes reported Pam Carroll was recognized for 40 years of service with the Park Department. Ms. Carroll began her career as part of the seasonal concessions staff and was hired full-time in 1982. In 2015, Ms. Carroll was promoted to Recreation Director, the position she currently holds. Councilwoman Feikes reported City Engineer Nick Minich attended the Park Board meeting to discuss the trail projects that are underway as well as future projects. Project included in the presentation were Clear Lake Loop Trail, Chessie Trail Connector and Stone Lake Trail Phases II and III. Councilwoman Feikes reported there was discussion regarding the field usage fees and Park Board decided to charge a flat rate of $750 per season rather than per team. Councilwoman Feikes reported this will be for the “A” Street field used by the La Porte Football Club. Councilwoman Feikes reported on Sunday, August 21, 2022, a dedication was held for the small watercraft launch on Stone Lake with help from Northwest Indiana paddling Association. Councilwoman Feikes reported thanks was given to the Healthcare Foundation of La Porte for funding the launch. The tenth musical instrument, this one being donated by the Visual Arts Council of La Porte, was installed last week at Craven Pond Trailhead. Councilwoman Feikes reported special thanks was given to Mike Lemberis and Mark Lockhart of the La Porte Park Department and Tyler Smith and Kelly Galloway of Mitch Feikes Builders Inc. for the installation.

**Traffic Commission:** Councilwoman Feikes reported due to the Labor Day Holiday the Traffic Commission will meet on Tuesday, September 16, 2022 at 6:00 P.M. at the Police Station

**Mayor’s Veterans Committee**: Councilman Galloway reported the Mayor’s Veterans Committee will meet Monday, September 12, 2022 at 5:00 P.M. at the Park Department.

**Police Merit Commission:** Councilman Galloway reported Police Merit Commission will meet September 13, 2022 at 2:00 P.M. at the Police Station.

**Business Improvement District Board:** Councilwoman Cutler reported on the agenda tonight, there are two items regarding the Business Improvement District Board. The first is the appointment of Tommy Viere to Dawn Melchiorre’s seat expiring December 31, 2023; and Courtney Dickman to Erica Kanney’s seat expiring 12/31/22. Both seats were vacated before their terms were up. Councilwoman Cutler reported a request for additional appropriation of funds for claims reported last month covering repairs to planters, pavers, and the removal of electric boxes on Lincolnway. The next meeting of the Business Improvement District board will be Monday September 12, 2022, at 5:00 P.M. at City Hall.

**Urban Enterprise Association:** Councilwoman Cutler reported at the meeting in August, two business grants were approved for Development Alliance and Downtown Delights. Earlier this year, a business grant was approved for the Bon Viet restaurant located at 501 Lincolnway for exterior paint and repairs. Councilwoman Cutler reported the restaurant plans to open in October 2022. The next meeting will be held on Wednesday September 21, 2022 at 4:00 P.M. at the LEAP offices.

**Alcohol Beverage Review Commission:**  Councilwoman Cutler reported the Alcohol Beverage Review Commission met last month to review a Municipal Riverfront Alcohol Permit Application from Thaddeus C. Gallery which was approved. Councilwoman Cutler reported it is on tonight’s agenda, and Councilwoman Cutler will recuse herself from the vote tonight as she did at the review commission meeting last month.

**Historic Preservation Commission:**  Councilwoman Konieczny reported the Historic Preservation Commission will meet tomorrow, Tuesday August 16, 2022, at 5:30 P.M. in Council Chambers

**Airport Authority:** Councilwoman Konieczny reported the Airport Authority’s next meeting is scheduled for Wednesday September 14, 2022, at 5:15 P.M. at the airport.

**Historic Preservation Commission:** Councilwomen Cutler reported the Historic Preservation Commission will meet Wednesday September 14, 2022, at 5:30 P.M. at City Hall, noting it is a week earlier than their normal schedule.

**2022 Council Appointments to Business Improvement District Board**

Thaddeus Cutler, Business Improvement District Board President stated the board is very excited about both appointments. Courtney Dickman, owner of Downtown Delights is a new business owner in the City of La Porte. Mr. Cutler reported a fresh set of eyes for old problems is always a good asset. Mr. Cutler also reported Tommy Viere will be a great addition with his development ideas in the Downtown area.

Councilwomen Feikes made a motion to approve the appointments of Courtney Dickman and Tommy Viere to the Business Improvement District Board; motion was seconded by Councilwomen Cutler and unanimously carried.

**Second and Final Reading of** **an Ordinance of the Common Council of the City of La Porte, Establishing Allowable Costs in Accordance with Sub Part E of 2 C.F.R. 200**

Councilwoman Feikes moved to read an Ordinance for the second time by title only; motion seconded by Councilman Franke and unanimously carried. Councilwoman Feikes read an Ordinance of the Common Council of the City of La Porte, Establishing Allowable Costs in Accordance With Sub Part E of 2 C.F.R 200 by title only.

Clerk-Treasurer Parthun clarified this Ordinance is something that is required by State Board of Accounts because we receive Federally Funded Grants. City Attorney Nick Otis stated we were already doing these things; we just did not have a policy.

**Motion to Vote/Adopt**

Councilman Franke made a motion to adoptan Ordinance of the Common Council of the City of La Porte, Establishing Allowable Costs in Accordance with Sub Part E of 2 C.F.R. 200; motion seconded by Councilwoman Cutler and unanimously carried.

**ORDINANCE NO. 18-2022**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF LA PORTE, ESTABLISHING ALLOWABLE COSTS IN ACCORDANCE WITH SUB PART E OF 2 C.F.R. 200**

**Introduction 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 Scipio Township, Contiguous Herewith**

Councilwoman Konieczny moved to read an Ordinance for the first time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilwoman Konieczny 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 Scipio Township, Contiguous Herewith in its entirety.

City Attorney Nick Otis stated the second reading will take place at the September 19, 2022 Council meeting along with the proposed approval of the Fiscal Plan. Mr. Otis highly recommends this property be annexed into city limits.

**Introduction of an Ordinance Regulating the Use of Golf Carts Within the Corporate Limits of The City of La Porte**

Councilman Franke moved to read an Ordinance for the first time in its entirety; motion seconded by Councilwoman Cutler and unanimously carried. Councilman Franke read an Ordinance Regulating the Use of Golf Carts Within the Corporate Limits of The City of La Porte in its entirety.

Councilman Franke noted golf carts are allowed in the County but not currently in City limits. Several residents have called to inquire. Councilman Franke does not see it as an issue if rules are followed. Councilwoman Feikes noted this was discussed at length at Traffic Commission. Councilwoman Cutler asked what this ordinance means for our trails and parks. Park Department Director Mark Schreiber stated the ordinance does have provisions laid out not allowing golf carts on any of the trails. Councilman Galloway stated operating a golf cart is the same as operating a motor vehicle and is in opposition of the ordinance. He asked for a statement from Fire Chief Andy Snyder. Fire Chief Andy Snyder noted this was a unanimous decision by the Traffic Commission and has been brought in front of both the Traffic Commission and Council previously and is comfortable with the revisions of the Ordinance presented tonight. City Attorney Nick Otis noted the ordinance states one may cross State highways, but one cannot drive on State highways. Mayor Dermody stated the second reading will take place at the September 19, 2022 meeting.

**Introduction of an Ordinance for an Additional Appropriation for ARP Coronavirus Local Fiscal Recovery Fund – Fund No. 2401 Park and Recreation Facility Improvements**

Councilwoman Feikes moved to read an Ordinance for the first time in its entirety; motion seconded by Councilwoman Cutler an unanimously carried. Councilwoman Feikes read an Ordinance for an Additional Appropriation for ARP Coronavirus Local Fiscal Recovery Fund – Fund No. 2401 Park and Recreation Facility Improvements in its entirety. Second reading will take place at the September 19, 2022 meeting.

Park Department Superintendent Mark Schreiber stated funds will be used for upgrades in seating, ADA compliance, and upgrading the HVAC system at the Civic Auditorium.

**Public Hearing for an Additional Appropriation for ARP Coronavirus Local Fiscal Recovery Fund – Fund No. 2401 Park and Recreation Facility Improvements**

Mayor Dermody opened the public hearing. There was no public comment. Mayor Dermody closed the public hearing.

**Introduction of A Resolution Amending Resolution No. R-12-2022 Identifying the City of La Porte’s Plan to Use American Rescue Plan Funds**

Councilman Vincent moved to read a resolution for the first and only time its entirety; motion was seconded by Councilman Galloway and unanimously carried. Councilman Vincent read a Resolution Amending Resolution No. R-12-2022 Identifying the City of La Porte’s Plan to Use American Rescue Plan Funds in its entirety.

**Motion to Vote/Adopt**

Councilwoman Feikes made a motion to adopt a Resolution Amending Resolution No. R-12-2022 Identifying the City of La Porte’s Plan to Use American Rescue Plan Funds; motion was seconded by Councilman Vincent and unanimously carried.

Clerk-Treasurer Courtney Parthun stated to stay in compliance with State Board of Accounts guidance, if the plan to spend funds changes, the resolution needs to be amended.

**RESOLUTION NO. R-18-2022**

**RESOLUTION AMENDING RESOLUTION NO. R-12-2022 IDENTIFYING THE CITY OF LA PORTE’S PLAN TO USE AMERICAN RESUCE PLAN FUNDS IN ITS ENTIRETY**

**Introduction of a Resolution for an Additional Appropriation for The Business Improvement District – Fund No. 2511 and CEDIT – Fund No. 2209**

Councilwoman Cutler moved to read a resolution for the first and only time in its entirety; motion seconded by Councilwoman Feikes an unanimously carried. Councilwoman Cutler read a Resolution for an Additional Appropriation for The Business Improvement District – Fund No. 2511 and CEDIT – Fund No. 2209 in its entirety.

**Motion to Vote/Adopt:** Councilman Vincent made a motion to approve a Resolution for an Additional Appropriation for The Business Improvement District – Fund No. 2511 and CEDIT – Fund No. 2209; motion seconded by Councilman Franke and unanimously carried.

Business Improvement District President Thaddeus Cutler noted many repairs have been completed this year on the planters, light posts, and pavers throughout downtown. Mr. Cutler reported additional funds are needed to get through snow removal season. Mr. Cutler wanted to publicly note that this money comes from a special assessment on property tax bill from building owners in the Business Improvement District only. Those outside of the district do not pay the special assessment. City Planner Craig Phillips stated infrastructure in the district is aging and more funds are needed to maintain.

Clerk Treasurer Parthun stated the district does have a very healthy cash reserve. Likewise, regarding the additional appropriation for CEDIT which also has a very healthy cash reserve.

**Public Hearing for an Additional Appropriation for The Business Improvement District – Fund No. 2511 and CEDIT – Fund No. 2209**

Mayor Dermody opened the public hearing. There were no comments. Mayor Dermody closed the public hearing.

**Amended Motion to Vote/Adopt**

Councilman Vincent made a motion to approve the Additional Appropriation for The Business Improvement District – Fund No. 2511 and CEDIT – Fund No. 2209; motion was seconded by Councilwoman Cutler and unanimously carried.

**RESOLUTION NO. R-19-2022**

**A RESOLUTION FOR AN ADDITIONAL APPROPRIATION FOR THE BUSINESS IMPROVEMENT DISTRICT – FUND NO. 2511 AND CEDIT – FUND NO. 2209**

**Introduction of a Resolution to Transfer Funds Within The 2022 Budgets** Councilman Galloway made a motion to read a resolution for the first and only time in its entirety; motion seconded by Councilwoman Feikes and unanimously carried. Councilman Galloway read a Resolution to Transfer Funds within The 2022 Budget in its entirety.

**Motion to Vote/Adopt**

Councilman Franke made a motion to adopt a Resolution to Transfer Funds Within The 2022 Budgets; motion was seconded by Councilwoman Feikes and unanimously carried.

Park Department Superintendent Mark Schreiber stated transfers were needed to cover rising gas prices. Clerk-Treasurer Courtney Parthun noted the Board of Works transfer is needed to cover insurance deductibles that have risen significantly this year.

**RESOLUTION NO. R-20-2022**

**A RESOLUTION TO TRANSFER FUNDS WITHIN THE 2022 BUDGETS**

**Introduction of a Resolution of The Common Council of La Porte, Indiana, Approving Application for A Municipal Riverfront Alcohol Permit Filed by Thaddeus C. Cutler**

Councilman Franke moved to read a resolution for the first time in its entirety; motion seconded by Councilman Galloway and unanimously carried. Councilman Franke read a Resolution of the Common Council of La Porte, Indiana, Approving Application for A Municipal Riverfront Alcohol Permit Filed by Thaddeus C. Cutler in its entirety.

**Motion to Vote/Adopt**

Councilwoman Feikes made a motion to approve a Resolution of The Common Council of La Porte, Indiana, Approving Application for A Municipal Riverfront Alcohol Permit Filed by Thaddeus C. Cutler; motion seconded by Councilman Vincent. Motion was approved with a 5-0 vote count. Councilwoman Cutler abstained from the vote and Councilwoman West was absent from the meeting.

Mayor Dermody stated downtown is moving in the right direction and he sees this as a great opportunity. He invited Mr. Thaddeus Cutler to the podium to speak. Mr. Cutler stated they have held many types of events at the Gallery including book signings, fine art exhibitions, political fundraisers for both republicans and democrats, service club lunches. Mr. Cutler would like to be able to diversify his business by being able to offer these services instead of having to catering the events.

**RESOLUTION R-21-2022**

**A RESOLUTION OF THE COMMON COUNCIL OF LA PORTE, INDIANA APPROVING APPLICATION FOR A MUNICIPAL RIVERFRONT ALCOHOL PERMIT FILED BY THADDEUS C. CUTLER**

**Introduction of a Resolution Approving Use of a Tax Abatement on Personal Property Taxes Created by The Purchase of New Manufacturing Equipment** Councilwoman Cutler moved to read a resolution in its entirety for the first and only time; motion seconded by Councilwoman Feikes and unanimously carried. Councilwoman Cutler read a Resolution Approving Use of a Tax Abatement on Personal Property Taxes Created by The Purchases of New Manufacturing Equipment in its entirety.

**Motion to Vote/ Adopt**

Councilwoman Cutler made a motion to approve a Resolution Approving Use of a Tax Abatement on Personal Property Taxes Created by The Purchase of New Manufacturing Equipment; motion seconded by Councilwoman Feikes and unanimously carried.

Bert Cook, Executive Director of the La Porte Economic Advancement Partnership noted this is for Maki Machinery, owned by Jeff Maki. Maki Machinery will be occupying the building where WINN Machine moved out of and will be offering quality jobs.

**RESOLUTION R-22-2022**

**A RESOLUTION APPROVING USE OF A TAX ABATEMENT ON PERSONAL PROPERTY TAXES CREATED BY THE PURCHASE OF NEW MANUFACTURING EQUIPMENT**

**Other Business**

Mayor Dermody noted Civic Director, Brett Binversie will be hosting Wellness Day this Saturday. Mayor Dermody also announced City of La Porte Fire Firefighters will be doing the 9/11 Stair Climb on Sunday, September 11, 2022 at Kiwanis Stadium. Councilwoman Cutler reminded everyone that the Sunflower Fair will take place on September 17, 2022.

**Adjourn**

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

**Approve: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Thomas P. Dermody, Mayor**

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

**Courtney Parthun, Clerk-Treasurer**

**Approved: September 19, 2022**