

**MINUTES**  
**Common Council Regular Meeting**  
**Date Change due to Holiday**  
**Tuesday, July 5, 2016**

**DRAFT**

**A. Pledge of Allegiance**

Mayor Uran called the meeting to order at 7:03 p.m. with the Pledge of Allegiance.

**B. Roll Call of Members**

Mayor Uran asked for a roll call of the Members. The call of the roll was as follows: Present Members: Member Evorik, Member Retson, Member Jeffries, Member Clemons, Member Kyres, and Member Drasga. Also, present were City Attorney David Nicholls, Kristie Dressel, Clerk-Treasurer and Barb Kortokrax, Chief Deputy Clerk. Member Sauerman was out of town.

**C. Approval of Regular Meeting Minutes of June 6, 2016**

Member Clemons made a motion to approve the Regular Meeting Minutes for June 6<sup>th</sup> and seconded by Member Kyres. After a voice vote the motion carried unanimously.

**D. Reading of Agenda**

Mayor Uran read through the Agenda.

**E. Addition of New Items to Agenda**

Being none, the meeting continued.

**F. Approval of Claims**

Member Retson stated that he reviewed and audited five claims and the Elan (credit card) claims and all City business was done in good faith.

Motion made by Member Retson to approve Claims 59569-60543. Seconded by Member Clemons. After a voice vote the motion carried unanimously.

**G. Petitions, Remonstrance's, and Public Statements**

Being none, the meeting continued.

Mayor Uran gave a "hats off" to the Parade Committee. They did a fabulous job and the turnout was great!

**H. Special Recognition by Mayor Uran**

Employee of the Month July 2016

Mayor Uran recognized Ryan Patrick, Detective from the Police Department. Chief Pete Land recommended Ryan Patrick who was a part of and helped with the schooling of the citizens police academy. It's a 10 week structured program; which is an expansion of the Police program. It's the first one that was held and Ryan came into the Chief's office to volunteer for it. There were 12 citizens that took this class.

Mayor Uran added, they learned a lot from this class.

Applause was given to Ryan Patrick for giving to the community in this way by interacting with them and doing so without pay. Great job.

Detective Patrick said that the school will happen again next year and we have four citizens that heard about this year's class and would like to be part of it next year. Also, some of the people that took the class want to come back next year for the class as well.

**I. Reports of Department Heads, Boards and Committees**

Greg Falkowski, Chief of Staff, stated that there isn't anything from the Department Heads. Mayor Uran asked if there was anything from the Boards and/or Committees. He did add that he knew the Ordinance Committee met late last week and asked Member Clemons to give a brief of what was discussed along with Attorney Kutanovski for the legal aspect of that meeting.

Member Clemons reported that he met with Members Retson and Jeffries to discuss the Ordinances. They will begin reviewing the Ordinances because some are outdated.

Alex Kutanovski, Attorney, reported that it came to the attention of the Legal Department that some of the Ordinances are outdated and needs clear revamping. The Ordinance Committee agreed that some will need repealed or amended so instead of hiring an outside Consultant; we decided with the Committee being active we can do it in house.

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Alex continued by stating they would like to present the Council the Ordinances that need repealed or amended. The Council would have 30 days to review and then a review comment period. Then they would be placed on the Council agenda. The committee would like this procedure going forward until this project is completed.

At this time, Alex handed-out a handful of Ordinances that need review by the Council and then have these on August's Agenda. He distributed a copy of the original Ordinance and then attached the proposed changes attached to it:

- Ordinance 540 in Chapter 11 § 11.01 City Boundaries
- Title XI: Business Regulations Chapter 112 Milk Products
- Title XI: Business Regulations Chapter 113 Automobile Service Stations
- Title XIII, Misdemeanors, Chapter 130 § 130.02 Abandoned or Unused Ice Box
- Title XIII, Misdemeanors, Chapter 130 § 130.99 Penalty (D) Defacing Property
- Ordinance 2009-03-08 Fire Rescue Department to seek reimbursement for Fire, Safety & Rescue Responses and Hazardous Material and Environmental Incidents
- Ordinance 2005-06-19 Providing for the Protection of Art

Also, it was discussed to prepare an Ordinance for children's curfew per State Statute. These items were presented tonight for the Council to have for their thirty day review.

**J. Appointments**

Being none, the meeting continued.

**K. Presentations**

Being none, the meeting continued.

**L. Items of Unfinished Business - Including Those Which Are Deferred or Pending**

Being none, the meeting continued.

**M. Deferred Business**

Being none, the meeting continued.

**N. Old Business**

**1. Ordinance No. 2016-06-08 Additional Appropriations**

**Public Hearing – 2<sup>nd</sup> Reading**

Mayor Uran explained that this is for the additional expenses for Crown Point Fire Rescue Department and to purchase software for the Fire/EMS/Clerks Departments.

There had been a brief explanation at the last Council meeting for this upcoming expense. The Crown Point Fire Rescue have determined that additional funds in the amount of \$30,963.75 are needed in Account Line Item 001-50-3745 (Other Services and Charges) for the ongoing and additional expense of the update and purchase of software for the Fire/EMS/Clerks for the remainder of 2016.

Mayor Uran confirmed with Clerk-Treasurer Dressel that this was published two times once in The Times and once in the Post.

Attorney Nicholls commented that this additional appropriation is properly in the right form and is ready for the Public Hearing.

Mayor Uran opened the floor for public comments. Asking twice and being none, the floor was closed and the meeting continued.

Motion made by Member Clemons to adopt Ordinance 2016-06-08 and seconded by Member Evorik. After a roll call vote the motion carried unanimously 6-0.

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**O. New Business**

**1. Conflict of Interest** Chareice White – Board Member of South Shore CVA  
Mayor Uran mentioned that Chareice represents the City of Crown Point by being a Board Member of South Shore CVA; this is a new rule by the CVA to have the Conflict of Interest filed yearly.

Member Kyres made the motion to accept the Conflict of Interest, as presented. Seconded by Member Retson. After a voice vote the motion carried unanimously 6-0.

**2. Resolution No. 2016-07-14-R**  
**Resolution Approving or Denying Action of the Board of Zoning Appeals Pursuant to I.C. 36-7-4-918.6 for Special Use. Mark Schweitzer- Petitioner.**  
**Petition #16-12 for Special Use Received Favorable Recommendation from the BZA by a vote of 4-0.**

Anthony Schuleter gave a brief summary of the action by the BZA, as follows: The Petitioner is requesting a Special Use to operate a Gas Station/Convenience Store in a B-2 Business District located on the corner of West Joliet Street and North West Street. The site currently has the same use but is legal non-conforming. The Petitioner plans to redevelop the property to something similar to the Family Express on Indiana Avenue and North Street, doubling the footprint of the current gas station.

Anthony concluded by stating a Site Development review and approval will be required before the Plan Commission prior to permitting.

Petitioner, Mark Schweitzer, Representing West Joliet Inc. and Summit & Broadway Properties, Inc. located at 865 Superior Drive, Crown Point.

Member Clemons asked about the lot next to the existing location.

Mark explained that there are a total four lots. There are 2 lots used for the existing business and 2 other lots west.

Mark stated that he is getting the approvals now for a possible future new look and development. This is why the total of 4 lots are being discussed.

Member Evorik asked if the demolition would be soon.

Mark replied not at this point. Just planning ahead and depends on the Plan Commission's decision.

Member Retson asked if this fits in the Masterplan for the City.

Mayor Uran replied that it does ~ it serves the purpose of the neighborhood.

Mayor Uran asked if there were any remonstrators against.

Anthony Schuleter stated there were 4 but they were more concern to have a buffer between the business part and the residential complex which is now behind the existing business.

Member Drasga asked what the current business hours are.

Mark stated 5:00 a.m. - 10:00 p.m. or 11:00 p.m.

Member Jeffries stated that it makes sense for what he is proposing, especially, with Wheeler School and the fields with the activities coming in this area, as well.

Member Kyres commented that he supports the BZA recommendation for the Special Use.

Motion made by Member Clemons to approve Resolution No. 2016-07-14-R and seconded by Member Drasga. After a voice vote the motion carried unanimously 6-0.

**3. Ordinance No. 2016-07-10**  
**Establishing Cumulative Capital Development Fund**  
**Public Hearing – 1<sup>st</sup> Reading**

Mayor Uran commented that Greg Guerrettaz was in front of the Council at their last meeting. He indicated to encourage the City to ensure this fund to be in place. Attorney Nicholls will expand more on this.

Attorney Nicholls mentioned that the fund levy should be increased, as suggested by Greg, because if we don't try we won't get anything. The Ordinance in front of you is for a fund levy to be \$.05 per \$100 of assessed valuation.

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Member Kyres made a motion to read in title only and hold over for second reading for Ordinance No. 2016-07-10. Seconded by Member Clemons. After a voice vote the motion carried unanimously.

Motion to suspend rules on second reading made by Member Clemons and seconded by Member Kyres. After a voice vote the motion carried unanimously.

Motion to adopt Ordinance No. 2016-07-10 made by Member Kyres and seconded by Member Clemons. After a roll call vote the motion carried unanimously.

Motion was made and seconded to reinstate rules but was rescinded by the Members who made it to discuss Ordinance No. 2016-07-11.

**4. Ordinance No. 2016-07-11**  
**Establishing "FUND 257 LOIT Special Distribution"**

Mayor Uran then asked Attorney Nicholls to explain this one to the Council. Attorney Nicholls stated that Kristie, Clerk-Treasurer, received documentation from the State Board of Accounts regarding the establishment of a Special Fund titled "Fund 257 LOIT Special Distribution". Pursuant to the terms of Senate Enrolled Act 67 written by Paul D. Joyce, CPA, State Examiner; requesting that all cities and towns to establish a special fund for the receipt of the funds for this one-time special distribution from the State. They want complete accountability transparency regarding the placement and use of these funds. Attorney Nicholls continued that the restricted uses are pursuant to I.C. § 6-3.6-9-17 (h)(1)(A).

Mayor Uran stated that the City received approximately \$750,000.00 and along with the grant we are pursuing that this money will be used for roads. That's why this fund is being established.

Member Jeffries made a motion to read in title only and hold over for second reading for Ordinance No. 2016-07-11. Seconded by Member Clemons. After a voice vote the motion carried unanimously.

Motion to suspend rules on second reading made by Member Clemons and seconded by Member Kyres. After a voice vote the motion carried unanimously.

Motion to adopt Ordinance No. 2016-07-11 made by Member Jeffries and seconded by Member Clemons. After a roll call vote the motion carried unanimously.

Motion was made by Member Kyres and seconded by Member Clemons to reinstate rules. After a voice vote the motion was unanimous.

**5. Resolution No. 2016-07-15 R**  
**For Common Council Authorizing Acceptance of the Donation of Real Property from the Crown Point Community School Corporation**

Mayor Uran stated this is something we have worked on for a while and has been accepted by the School Board.

Attorney Kutanovski stated that this is a Resolution where Crown Point Community School Corporation has authorized the donation of certain property, as noted in Exhibit A, for the Council to accept the real estate consisting of 2.388 acres as noted in Exhibit A. To be used as a public park on the terms and conditions set forth in the Real Estate Donation Agreement as Exhibit B.

Motion was made by Member Clemons to approve Resolution No. 2016-07-15-R and seconded by Member Drasga. After a voice vote the motion carried unanimously.

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**6. Real Estate Donation Agreement Between Crown Point School Corporation and City of Crown Point**

This Agreement needs the Council's approval to authorize the Mayor to sign off on the Agreement.

Motion was made by Member Drasga to authorize the Mayor to sign off on the Real Estate Donation Agreement between Crown Point School Corporation and City of Crown Point. Seconded by Member Jeffries. After a voice vote the motion carried unanimously.

It was mentioned by the Mayor that this action will be going to the RDC on Monday. Attorney Kutanovski stated the RDC to approve their portion regarding to approve an agreement training and educational programs.

Attorney Nicholls mentioned when the documents are in legal order and official we will make sure insurance coverage is on this property.

Mayor Uran wanted to thank Scott Angel, President of Board of School Trustees, Tom Hoffman, Secretary of Board of School Trustees, Council Members Clemons, Drasga and Kyres. Also, to thank everyone who has had a part of getting this accomplished!

**P. Reports and Miscellaneous Matters**

Diana Bosse, Special Events, thanked the Mayor, Department Heads, Clerk-Treasurer Dressel and Councilman Jeffries for the assistance with the City Wide Picnic. This was the biggest turnout and the most sponsors we've had to help out the City. They are: City of Crown Point, McDonald's, Walmart, NIPSCO, Jewel Osco, Culver's, Pop's Italian Beef, Wittenberg Village, Chick-Fil-A, Carriage Court, Sandwich City, Midnight Blue Towing, Station 21, Tequila Restaurante, Phat Phil's, Strack & VanTil, White Hawk Country Club, The Bounce House Co., Langel's Pizza, Lucrezia, Dairy Queen, Great Harvest Bread Co., Gelsosomo's, Eli's Golden Apple.

Diana Bosse, Special Events, stated the following activities:

- Garbage pickup will be on Thursday due to the Holiday
- Farmers Market will be held on South Main Street between 8:00 a.m.- 1:00 p.m.
- Car Cruise is Thursday from 5:00 p.m. - 8:00 p.m.

Some other July events:

- Cal Ripken is hosting Ohio Valley Tournament
- Sportsplex is welcoming Game Days National Tournament
- Babe Ruth will be hosting State and Ohio Valley Tournament
- Parks Department will welcome the NSA World Series game

Scott Rediger, Public Works, will be stripping part of Main Street; from Clark Street north to Robinson. Part of Main Street will be closed down and then the other side will be closed to get the project completed. It takes a few hours for the paint to dry. So, weather permitting it won't be closed that long.

Member Clemons mentioned that he has talked with the residence regarding their street by White Hawk West and are very pleased with the street getting paved.

Mayor Uran thanked the Council for the resources to get this project completed.

Member Jeffries stated that it's pretty special to see so many Officials, Department Heads and Employees working the picnic on a holiday weekend and serving the City in this capacity.

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Greg Falkowski, Chief of Staff, reported that 93<sup>rd</sup> and Chase Street will be closed for the round-about project.

Mayor Uran explained that this is not a full round-about but a smaller one. It's going to be a beautiful monument from the northwest of the City when entering Crown Point.

Mayor Uran gave an update that The Lofts will soon have a ribbon cutting. Also, the Mayor mentioned how homeowners are making improvements of their property in this area as well. It's good seeing ongoing improvements around the City.

**Next Regular Council Meeting Monday, August 1, 2016 7:00 P.M.**

**Q. Adjournment**

Motion made by Member Kyres and seconded by Member Clemons. After a voice vote the meeting adjourned at 8:10 p.m.

SUBMITTED:

\_\_\_\_\_  
Kristie L. Dressel, Clerk-Treasurer

APPROVED:

\_\_\_\_\_  
David D. F. Uran, Mayor