

PAGE
July 16, 2013
TOWN COUNCIL MINUTES

Council President Glen Gaby called the July 16, 2013 meeting to order at 7:01 p.m.

ROLL CALL:

Larry Ballah
Rick Ryfa
Glen Gaby
Pat Schaadt
Stan Dobosz - Absent

ALSO ATTENDING:

George Jerome - Clerk Treasurer
Greg Mance – Police Chief
Don Hill – Assistant Fire Chief
Rick Konopasek – Public Works Director
Bob Schwerd – Attorney for the Town

APPROVAL OF MINUTES:

Council Member Pat Schaadt moved to adopt the minutes of the July 2, 2013 meeting as presented, second by Council Member Larry Ballah. MOTION CARRIED

APPROVAL OF CLAIMS:

Claims No. 1928 – 2140 in the amount of \$978,976.84 (nine hundred seventy-eight thousand, nine hundred seventy-six dollars and eighty-four cents) were presented for payment. Council Member Rick Ryfa moved to accept the claims as presented, second by Council Member Larry Ballah. MOTION CARRIED

ANNOUNCEMENTS:

- a. The next council meeting will be Tuesday August 6th at 7:00 p.m. A study session will be held at 6:30 before the meeting and one to follow if necessary.
- b. There will be a council study session on Tuesday July 23rd at 5:30 p.m.
- c. The Central Market will be on hiatus for the next two weeks
- d. Park Full of Art is scheduled for July 20th & 21st in Central Park
- e. The NWI Symphony will perform in Central Park Friday July 26th – Rain location GHS Auditorium

COMMUNICATIONS:

- a. Request from Salvatorian Fathers for permission to use Town roads and sidewalks on Sunday August 11th for their annual Pilgrimage. Motion by Council Member Pat Schaadt to approve the request, second by Council Member Rick Ryfa. MOTION CARRIED
- b. St Mary's Western Days Committee requested permission to place advertising signs and banners to publicize their event. Motion by Council Member Rick Ryfa to approve the request, second by Council Member Pat Schaadt. MOTION CARRIED

REPORTS:

1. NIRPC – No Report
2. Community Policing Committee – No Report
3. Board of Public Works – No Report
4. Director of Public Works – The work on 400 Block of N Cline is nearing completion. Work may be complete by July 26th. New Bike Trail signs are scheduled to be installed on July 18th. The signs will be located at each end of the trail.
5. Police – No Report
6. Fire – The Annual Fireman's Dance and Raffle was a great success and Asst Chief Hill thanked all who participated
7. 911 Committee – No Report

8. Pending Items –

- a. Council President Glen Gaby read the letter from Attorney Torrenga summarizing his investigation into the issues surrounding the complaints made by resident Connie Hess regarding the Enbridge construction road. President Gaby noted that it was unfortunate that Ms Hess was not present.
- b. Director of Public Works Rick Konopasek presented two agreements for reimbursement for utility relocations required for work at Avenue H and Fairbanks. Council Member Pat Schaadt moved to authorize the council president to sign the agreements, second by Council Member Larry Ballah. MOTION CARRIED
- c. Police Chief Mance reported on the results of his reallocation of resources based on the statistical analysis of reactive crime call hotspots by IUN. He reported that June's call volume was the lowest since June 2001. When questioned, he attributed the success to the increased police presence in trouble spots, including the use of bicycle patrols in apartment complexes, parks and the bike trail, working closely with landlords and the cooperative work with Munster and Highland as part of the Violence Reduction Grant.

BUSINESS FROM THE COUNCIL:

A. UNFINISHED BUSINESS

1. Council Member Larry Ballah moved to approve Ordinance 2013-15: An Ordinance Amending Town Code Chapter 78 Utilities, Article III. Sewer Service Division 5 Rates and Charges, Section 78-179(f), second by Council Member Rick Ryfa. MOTION CARRIED
2. Council Member Pat Schaadt moved to approve Ordinance 2013-16: An Ordinance Amending Town Code Chapter 78 Utilities, Article II. Water, Division 2 Connection and Use, Sections 78-58, 78-59(b) and 78-71(5), second by Council Member Larry Ballah. MOTION CARRIED

B. NEW BUSINESS

1. Council Member Rick Ryfa moved to approve a proposal from Robinson Engineering to provide Design and Construction Engineering for the Main Street Beautification Project at a cost not to exceed \$29,600, second by Council Member Pat Schaadt. MOTION CARRIED
2. Council Member Larry Ballah moved to grant permission for Public Works Director Rick Konopasek to advertise for the Main Street Beautification Project, second by Council Member Rick Ryfa. MOTION CARRIED.

PUBLIC COMMENTS:

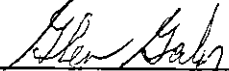
- Red Anderson, 1447 N Harvey discussed concerns about the one-way roads at Columbia and Broad Streets
- Karl Grimmer again expressed his views about take-home police vehicles for officers residing out of town limits.


Police Chief Mance cited some of the data that was analyzed in making the decision to provide take home vehicles for all officers with more than 2-years service and stated that the officers will have a deduction from their paychecks to defray costs. The specific amount is a function of distance from Griffith's town limits.


Included in the Safety Board's analysis were reduced maintenance costs, longer useful operational life, reduced shift-change "swap-out" time which results in additional patrol time as well as the increase in Griffith's participation in regional policing activities. According to the town's insurance agent, there will be no significant increase in liability exposure.

There being no further business to come before this Council; the meeting was adjourned at 7:45 p m.

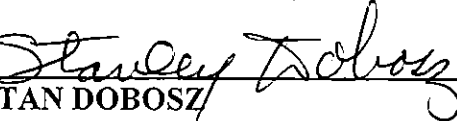
TOWN COUNCIL
TOWN OF GRIFFITH


GLEN GABY


LAWRENCE BALLAH


RICK RYFA


PATRICIA SCHAADT


STAN DOBOSZ


GEORGE N. JEROME
CLERK TREASURER

ORDINANCE NO. 2013-15

**AN ORDINANCE AMENDING TOWN CODE CHAPTER 78
UTILITIES, ARTICLE III. SEWER SERVICE, DIVISION 5 RATES AND CHARGES,
SECTION 78-179(f)**

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, IC 36-1-3-6(b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, the Town of Griffith is a municipal government located in Lake County, Indiana, which may pass and codify ordinances for its operation, all pursuant to IC 36-1-4 and IC 36-1-5; and

WHEREAS, during the summer months a number of residents use potable water from the Town's distribution system for such uses as lawn sprinkling, garden watering and car washing; and

WHEREAS, the water used for the aforesaid activities does not enter into the Town's sanitary system and therefore is not treated by the Hammond Sanitary District; and

WHEREAS, the Town Council of the Town of Griffith is of the opinion that it is just and proper that single-family residential users of the Town's sanitary sewer system not be penalized for sprinkling their lawns, watering their gardens, washing their cars and doing similar summer time activities involving water usage; and

NOW, THEREFORE, BE IT ORDAINED, by the Town Council for the Town of Griffith that Town Code Chapter 78 Utilities, Article III. Sewer Service, Division 5 Rates and Charges, Section 78-179(f) shall be replaced in its entirety to read as follows:

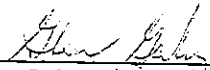
(f) In order that the single-family residential users of the town's sewage services not be penalized for sprinkling lawns, watering gardens, washing cars and doing similar summertime activities during the billing periods of May 21 through June 20, June 21 through July 20, July 21 through August 20, and August 21 through September 20 (which service is billed on the 5th day of July, August, September and October, respectively), the billing for sewage service for single-family residential users for said periods shall be based upon the water usage during the previous November 21 through December 20 period (billed on the previous January 5th), if such January 5th water bill usage is lower than the aforementioned summer bills, and if the owner of the property has remained the same. Said rate shall only apply to single-family residential users in the Town. There is a \$40.00 maximum summer credit for any one month billing period.

NOW, THEREFORE, BE IT FURTHER ORDAINED, that any and all such Ordinances or parts of Ordinances of the Town of Griffith that are in conflict with the provisions of this Ordinance are hereby repealed and of no further force or effect.

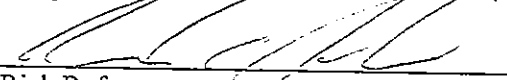
288
NOW, THEREFORE, BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect from and after its passage and posting in accordance with Indiana Code 36-5-2-10.

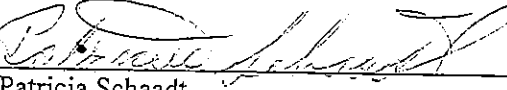
PASSED AND ADOPTED by the Town Council for the Town of Griffith, Lake County, Indiana this 16th day of July, 2013.

COUNCIL MEMBERS OF THE TOWN OF
GRIFFITH, LAKE COUNTY, INDIANA



Glen Gaby, President


Larry Ballah


Rick Ryfa


Patricia Schaadt

Attest:


George Jerome
Clerk-Treasurer

Absent
Stan Dobosz

ORDINANCE NO. 2013-16

**AN ORDINANCE AMENDING TOWN CODE CHAPTER 78
UTILITIES, ARTICLE II. WATER, DIVISION 2 CONNECTION
AND USE, SECTIONS 78-58, 78-59(b) AND 78-71(5)**

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs; and

WHEREAS, IC 36-1-3-6(b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

WHEREAS, the Town of Griffith is a municipal government located in Lake County, Indiana, which may pass and codify ordinances for its operation, all pursuant to IC 36-1-4 and IC 36-1-5; and

WHEREAS, under certain circumstances the Town of Griffith, Indiana, Code of Ordinances allows the Town of Griffith to discontinue water service to a customer; and

WHEREAS, a customer of the Town's water utility has certain procedural due process rights which should be afforded prior to discontinuance of water utility service; and

WHEREAS, the public health, safety, and welfare of the residents of the Town of Griffith requires that the interest of the Town's water utility and the procedural due process rights of the water customer be weighed and balanced in circumstances which require discontinuance of service based on nonpayment; and

NOW, THEREFORE, BE IT ORDAINED, by the Town Council for the Town of Griffith that Town Code Chapter 78 Utilities, Article II. Water, Division 2 Connection and Use, Section 78-58(c) shall be replaced in its entirety to read as follows:

(c) All water charges shall attach to the premises served as well as to the customer. The owner of rental premises shall be responsible for the payment of all bills rendered for service supplied to such premises. The utility shall give at least five (5) days prior written notice before disconnection of service, except for those cases arising due to necessary repairs, any tampering or knowingly permitting any tampering with any service pipe, service stop, meter, or meter seal. The notice shall be mailed to such customer at his address as shown upon the utility's records or personally delivered to the customer where a person is on the premises, advising the customer of the reason for the proposed discontinuance of service, and stating that service shall be discontinued if the reason continues to be uncorrected for five (5) days. The notice shall further provide that the customer may request an administrative hearing prior to the discontinuance of service. The administrative hearing shall be held before the Clerk-Treasurer or his designee. At the conclusion of the hearing, the Clerk-Treasurer (or his designee) shall have the authority, based on good cause shown, to affirm, modify, or reverse the order to discontinue service. The utility may discontinue service without notice in cases arising due to necessary repairs, any tampering or knowingly permitting any tampering with any service pipe, service stop, meter, or meter seal.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Town Council for the Town of Griffith that Town Code Chapter 78 Utilities, Article II. Water, Division 2 Connection and Use, Section 78-59(b) shall be replaced in its entirety to read as follows:

(b) The Griffith water utility will make an effort to read meters at least monthly, and such reading shall be prima facie evidence of the amount of water used. If the utility is unable to gain access to a customer's property, the customer may be billed an estimated charge based on the average of previous meter readings. The first billing made after the meter is read shall be adjusted according to the meter reading. All customers are required to have an electronic transmitting meter installed by the utility. All existing, manually read meters shall be replaced by the utility at no cost to the customer. The customer shall contact the utility to arrange for the replacement. Any customer who does not arrange for the replacement of an existing manually read meter shall be charged a fee of \$25.00 per month of service. Said \$25.00 fee shall recur monthly until such time as the manually read meter is replaced.

NOW, THEREFORE, BE IT FURTHER ORDAINED, by the Town Council for the Town of Griffith that Town Code Chapter 78 Utilities, Article II. Water, Division 3 Rates and Charges, Section 78-71(5), table of *Other charges* shall be replaced to read as follows, the remainder of said Section 78-71(5) to remain as-is and in full force and effect:

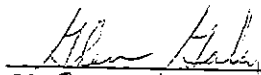
- (5) *Other charges.*
Meter tap\$200.00
5/8" x 3/4" meter\$200.00
3/4" x 3/4" meter\$250.00
1" and larger meterMeter Kit Cost plus 20%
Reconnection charge\$30.00
Deposit for residential or commercial customers\$50.00
Deposit for industrial customers, or any other customers with more than twelve units
(trailers, apartments, tenants, etc.) utilizing a single meter\$150.00

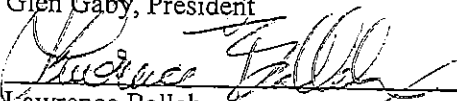
NOW, THEREFORE, BE IT FURTHER ORDAINED, that any and all such Ordinances or parts of Ordinances of the Town of Griffith that are in conflict with the provisions of this Ordinance are hereby repealed and of no further force or effect.

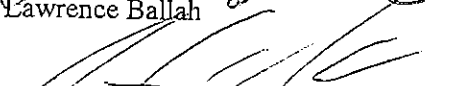
NOW, THEREFORE, BE IT FURTHER ORDAINED, that this Ordinance shall be in full force and effect from and after its passage and posting in accordance with Indiana Code 36-5-2-10.

PASSED AND ADOPTED by the Town Council for the Town of Griffith, Lake County, Indiana this 16th day of July, 2013.

COUNCIL MEMBERS OF THE TOWN OF GRIFFITH, LAKE COUNTY, INDIANA


Glen Gaby, President


Lawrence Ballah


Rick Ryfa, Vice President


Patricia Schaadt

Absent
Stan Dobosz

Attest:

George Jerome, Clerk-Treasurer