

REGULAR MEETING – September 4, 2007

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday Evening, September 4, 2007, at the hour of 7:30 p.m., local time, in the Common Council Chambers, located in the lower level of the City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana.

The meeting was called to order at 7:30 p.m. by Council President Willie Milsap, who presided.

The Pledge of Allegiance to the Flag and a short period of silent prayer were observed.

Roll call was authorized and the following were noted present and/or absent:

PRESENT: COUNCIL MEMBERS Evelyn D. Baker; Patricia Boy; Angelo Corley, Joseph Doyle; Phillip Jankowski, Virginia Martin; Ronald Meer, Willie Milsap (8).

ABSENT: Paul Przybylinski (1).

A QUORUM WAS NOTED PRESENT.

APPROVAL of MINUTES

President Milsap inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of August 21, 2007, and, hearing none, the minutes were approved as printed.

REPORTS of STANDING COMMITTEES

There were no reports.

REPORTS OF SPECIAL OR SELECT COMMITTEES

There were no reports.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

There were no reports.

PETITIONS

There were no Petitions.

COMMUNICATIONS

At the request of the President, the Clerk read a letter from John Bougearel, dated August 30, 2007, addressed to the City Council:

City Council:

This is a request to get on the City Council agenda for the September 4, 2007 Michigan City City Council Meeting.

The topic of discussion is to give recognition to and applaud the Michigan City, City Council Efforts to fight the Pahs Road development and to request that they move forward and appeal Judge Harner's August 8, 2007 dismissal.

/s/John Bougearel
107 Martin Drive
Trail Creek, IN. 46360

Councilman Meer requested that Mr. John Bougearel be allowed to speak on this matter. John Bougearel, 107 Martin Drive, Trail Creek, Indiana submitted a petition with signatures of concerned citizens supporting the Michigan City Common Council to put forth a legal court appeal to continue legal action on the land north of Pahs Road, currently known as the proposed Canterbury governmental subsidized housing complex. Mr. Bougearel requested that the petition be on record in the Clerk's Office.

RESOLUTIONS

There were no Resolutions.

ORDINANCES

The Clerk read on second reading by title only, **AN ORDINANCE OF THE MICHIGAN CITY COMMON COUNCIL OF THE CITY OF MICHIGAN CITY ESTABLISHING PROCEDURES FOR PETITIONING THE COUNCIL TO VACATE A PUBLIC PLACE, OR PLATTED EASEMENT**, introduced by Angelo Corley and Virginia Martin.

Council President Milsap asked if there were any questions or comments by the Council or Public on second reading and, there being none, the Ordinance was held over for the third reading.

The Clerk read on second reading by title only, **AN ORDINANCE SETTING THE ANNUAL SALARIES FOR THE CITY CLERK, MAYOR AND ALL COMMON COUNCIL MEMBERS**, introduced by Phil Jankowski.

Council President Milsap asked if there were any questions or comments by the Council or Public on second reading and, hearing none, the Ordinance was held over for third reading.

The Clerk read on second reading by title only, **AN ORDINANCE SETTING SALARIES AND WAGES FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF MICHIGAN CITY, INDIANA FOR THE CALENDAR YEAR 2008**, introduced by Phil Jankowski.

Council President Milsap asked if there were any questions or comments by the Council or Public on Second reading and, hearing none, the Ordinance was held over for third reading.

The Clerk read on second reading by title only, **AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES**, introduced by Phil Jankowski.

Councilman Jankowski submitted the following amendment and moved that it would be deleted:

Decrease:
Riverboat – Fund 9000 – Account Number 443.007
Park Projects & Equipment
 Golf Carts: \$250,000

Councilman Corley second the motion. There was a discussion among Council Members, Jankowski, Doyle, Corley, and Baker regarding the amendment.

Councilwoman Martin and John Schaefer, City Controller, discussed the financial status of the Golf Course.

Councilwoman Boy commented that at the work shop the Park Department did assure there would be scheduled maintenance done on the golf carts so they won't have to be replaced all at the same time again.

Councilman Corley commented that we should be purchasing 20 carts each year instead of purchasing them all at once. The older carts should be used on the north course, then replace 20 carts that are even older with 20 new carts on the south course.

Darrell Garbacik, Park Superintendent discussed the '08 Budget pertaining to the purchase of Golf Carts. Mr. Garbacik advised the Council that all 85 carts will be replaced at the same time.

There was a discussion among Mr. Garbacik, Councilwoman Martin and John Schaefer, Controller, regarding fazing in the 85 golf carts.

Janet Smith, 402 E. 8th Street commented that when she golfed she walked for exercise purposes. Ms. Smith asked when did it become imperative that we must have that many golf carts?

Council President Milsap asked if there were any questions or comments by the public regarding this amendment, there being none the motion was seconded by Councilman Corley and denied by the following vote: **AYES: Corley, Jankowski (2). NAYES: Baker, Boy, Doyle, Martin, Meer, Milsap (6).**

Councilman Jankowski submitted the following amendment and moved that it would be deleted:

Decrease:
 Riverboat – Fund 9000 – Account Number 443.007
 Park Projects & Equipment
 Patriot Park Mowing Equipment \$15,600

Councilwoman Martin seconded the motion. Councilman Jankowski commented that the Park Department's budget went up by 13.4 percent, they should have the resources out of their own funds to purchase the lawn mowers for Patriot Park.

Council President Milsap asked if there were any other comments regarding this amendment by the Council or general public, hearing none, directed Clerk to call for the vote: **AYES: COUNCIL MEMBERS Corley, Jankowski, Martin (3). NAYS: COUNCIL MEMBERS Boy, Doyle, Meer, Milsap, Baker (5),** the amendment failed.

Councilman Meer commented on the Ordinance for Appropriation and Tax Rates regarding the capital appropriation and the use of the Major Move Money. Mr. Meer stated that he feels that we need to look into using some of these funds for on the job training in the construction field for the residents of Michigan City, that the City isn't taking advantage of this program at this time.

Councilman Jankowski commented since the City is funding the "SPLASH PAD" at Washington Park, that he hoped the Park Board would consider waving the fees for Michigan City residents. Mr. Jankowski stated he would like to see the children in Michigan City be able to go for free.

Councilwoman Boy thanked the Park Board for getting the break down figures regarding the golf carts.

Councilwoman Boy agreed with Mr. Jankowski regarding waiving the fees for the residence of Michigan City wanting to use the "SPLASH PAD" and suggested using something similar to a debit card for them to wear.

Council President Milsap asked if there were any other comments by the general public, hearing none, the Ordinance was held over for third reading.

The formal public hearing was opened, with President Milsap asking, "Is there anyone from the public that wishes to speak on this Ordinance on second reading?"

Joan Chumley, 832 Pine Street, stated that she agreed with Councilman Meer regarding on the job training in the construction field for the residents of Michigan City so they can make a livable wage. Ms. Chumley asked that "The Major Move Program" not be over looked.

President Milsap asked, "Is there anyone from the public that wish to speak on this Ordinance on second reading?" There was no response and the public hearing was closed.

The Ordinance was laid over to third reading.

UNFINISHED BUSINESS

Jennifer Evans, City Attorney and Councilman Meer discussed the Ordinance regarding Smoke Detectors and landlord registration which will be on the agenda of the October 2, 2007 Council Meeting.

NEW BUSINESS

There was no new business.

COMMENTS FROM THE COUNCIL

Councilman Meer commented on how the State tax dilemma and Federal Government is affecting IN Highway 212 bridge from being repaired in a certain time frame, keeping major roads and highways closed.

Mr. Meer advised the community to contact the Federal Government regarding funds we need for our schools, the Federal Government put requirements that (No Child Left Behind Program) are expected of our children, when there are not enough funds in the state and local community budgets to meet these requirements.

COMMENTS FROM THE PUBLIC

There was no comments by the public.

ADJOURNMENT

On motion by Councilman Doyle, supported by the majority of the Council, and there being no further business to transact, President Milsap declared the meeting **ADJOURNED** (approximately 8:10 p.m.).

Thomas F. Fedder, City Clerk