

REGULAR MEETING – February 19, 2008

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, February 19, 2008, 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 Ron Meer.

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

PRESENT: COUNCIL MEMBERS Patricia Boy, Joe Doyle, Marc Espar, Phillip Jankowski, Robert McKee, Ron Meer, Willie Milsap, Richard Murphy, and Angie Starks. (9).

ABSENT: None (0).

A QUORUM WAS NOTED PRESENT.

APPROVAL of MINUTES

President Meer inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of February 5, 2008 and hearing none, the Minutes were approved as printed.

REPORTS of STANDING COMMITTEES

Councilwoman Starks reported on the Public Health and Safety Committee Meeting held February 14, 2008 in regards to the Weapons and Smoke Detector Ordinances that are currently on the table. Committee members recommended passage of both Ordinances with certain amendments.

REPORTS OF SPECIAL OR SELECT COMMITTEES

Councilman Jankowski stated that the Council Members would be receiving a response from Mr. Walus stating that the groundwater problems in the Forest Manor/Village Green areas and Streibel Pond have no connection.

Councilman Jankowski thanked John Jones, Emergency Management Director for offering assistance and looking at options that may be available for flood victims. Councilman Jankowski stated that he met the representatives of FEMA and provided them with a list of residents who had indicated flooding problems. Councilman Jankowski advised the community to contact him if flooding problems were present and he would forward their information to FEMA.

Councilman Doyle reported on the Memorial Park renovation and encouraged the Council to view the construction progress.

Councilman Murphy reported he attended his first meeting as Council representative for the Commission on the Social Status of African-American Males. Councilman Murphy thanked

Councilman Milsap, Arthur Payne, Marty Corley and all commissioners for welcoming him to the Commission and looks forward to working with them.

Councilman Doyle reported on the Municipal Airport website utilization, stating hits have been received from as far away as California as well as foreign countries.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

Mayor Oberlie made the following reports:

Mayor Oberlie spoke to the Council regarding the Transportation Enhancement Grant and a study that was authorized by the Board of Works and done by John Hanke, Railroad Museum Administrator of Baltimore, Maryland. Mayor Oberlie requested a workshop with the Council on March 12 or 13th, to outline and review the various options to properly display the line car(s) and possibly authorize submission of a grant.

The Indiana Senate passed House Bill 1145 by a vote of 42-3. House Bill 1145 will now proceed to the Governor for his signature. House Bill 1145 deals with Tax Delinquent Properties ("TDP"). It would allow the county to transfer abandoned property to an adjacent property owner for little or no cost. Although counties might lose some revenues from an eventual tax sale, they might also save by avoiding the costs associated with appraisal and auction services. More important, the time required to get a property back on the tax rolls would likely be reduced.

At the February 5, 2008 Meeting, Councilman McKee inquired if there was a flow chart available projecting implementation schedules on the 40-plus projects discussed at the State of the City Address. Mayor Oberlie distributed paperwork to all Council Members depicting flowcharts given to all Department Heads in January. Mayor Oberlie stated that Department Heads meet on the second Tuesday of the month to monitor projects and progress. The Mayor stated his objective was to come in front of the Council on a quarterly basis to provide updates. Mayor Oberlie outlined some of the major activities:

In lieu of legal issues being discussed tonight, the Mayor spoke about the following North End Action Implementation Items:

Item 9 - Franklin Street is moving towards two-way traffic. Redevelopment Commission has agreed to hire an engineer - Haas and Associates who will be addressing curb adjustments necessary to allow for two-way traffic, as long as the Mainstreet Association stays supportive of the action.

Item 10 – Mayor Oberlie will try and schedule an Executive Session with the Council in late March to provide a status update and review the Michigan Boulevard Reconstruction.

Item 16 – In the beginning of April, Mayor Oberlie will try and present a cost analysis to the Council in building a grade separation for pedestrians over the three South Shore switching tracks from the US 12 properties along the West side of the beach. Two different designs are currently being worked with.

Items 20 and 21 - Board of Works approved and retained engineers to provide schematic and space-needs analysis for Park Office and Police Department buildings.

In other areas:

The Aviation Department terminal bids were received they are over budget, alternatives are being explored.

Apprentice Program/Indiana Plan. The contract was signed by the Board of Public Works and Safety. Informational sessions will be held within the week. The purpose of the Indiana Plan is to help minorities and dislocated workers gain entrance into apprenticeship and trade programs. 60 hours of classroom training is mandated. Successful trainees will be able to work 2,000 hours in the trade of their choice. Public releases and marketing have been sent to local

churches, neighborhood organizations, Ryan Fly of Eastport Landscaping, and the NAACP as well as other media outlets.

Coolspring reconstruction design public hearing will be held at 7:00 p.m. on March 6th in the Council Chambers. Approvals from INDOT were received this week. This project will have a substantially altered timeline.

Mayor Oberlie addressed questions from Council President Meer regarding the Westside Crossing and the Singing Sands Trailway Program. The Mayor stated it would be almost \$4,000,000 to build a pedestrian overpass and walkway towards the beach area.

PETITIONS

Deputy Clerk Neulieb presented a Petition with approximately 180 signatures to the Council against the time change of the City Council Meetings.

COMMUNICATIONS

There were no Communications.

RESOLUTIONS

There were no Resolutions.

ORDINANCES

The Clerk read on second reading by title only, **AN ORDINANCE PROHIBITING THE POSSESSION OF DEADLY WEAPONS BY INDIVIDUALS IN ANY BUILDING NOW OR HEREAFTER OWNED , LEASED, OPERATED, OCCUPIED, MANAGED, OR CONTROLLED BY THE CITY OF MICHIGAN CITY, INDIANA**, as Sponsored by Marc Espar and Co-Sponsored by Willie Milsap.

Councilman Espar made a motion and submitted the following amendment, which was seconded by Councilman Milsap:

Amend Section II, Paragraph B by inserting at the end “....but does not include folding knives (“pocket knives”) with an overall length less than two and one-half inches (2 ½”).”

Council President Meer asked if there were any questions or comments by the Council or general public and hearing none, the motion carried and the amendment was adopted by the following vote: **AYES: COUNCIL MEMBERS Milsap, Murphy, Starks, Boy, Doyle, Espar, Jankowski, McKee, and Meer (9). NAYS: None (0).**

Councilman Espar made a motion and submitted the following amendment, which was seconded by Councilman Milsap.

Amend Ordinance to insert a new section between Section V and Section VI with, “Any person who for whom a valid protective order has been issued and who is otherwise authorized to carry a concealed weapon in the State of Indiana shall be exempt from the prohibition of Section I.”

Council President Meer inquired if Councilman Espar would consider extending the amendment to anyone that has an Indiana License to carry a hand gun in Indiana legally, rather than just making exclusive to someone that has a protective order. Councilman Espar felt inclusion would not be appropriate.

Council President Meer asked if there were any questions or comments by the Council or general public and hearing none, the motion carried and the amendment was adopted by the following vote: **AYES: COUNCIL MEMBERS Murphy, Starks, Boy, Doyle, Espar, Jankowski, McKee, Meer, and Milsap (9). NAYS: None (0).**

Councilwoman Starks requested to have amendments on third reading, and was objected to by Councilman McKee. Council President Meer stated there will not be amendments on third reading.

Councilman Espar read a lengthy statement on views and facts regarding this Ordinance.

Councilwoman Boy questioned at length the enforcement logistics of this Ordinance.

There was discussion and questions amongst Council Members Doyle, Meer, McKee, Boy, and Espar in reference to the proposed Ordinance.

Council President Meer asked Vice-President Milsap to take the chair.

Councilman Meer addressed Councilman Espar and made numerous comments regarding situations that have occurred with weapons on Government properties that an Ordinance would not have stopped.

Councilman Espar called a point-of-order and asked the Council President to speak on matters not readily available to the Council.

Councilman Meer agreed with Councilman McKee's comments. Councilman Espar again called a point-of-order stating Councilman Meer's comments sounded like argument and debate instead of facts.

Councilman Meer stated several factual occurrences that have taken place in our country regarding weapons and fatalities, including there aren't metal detectors, law enforcement agents, security devices or security cameras at most of City-owned building entrances or exits to enforce this Ordinance if adopted. Councilman Meer commented on reasons why a citizen should be able to have a permit to carry a weapon.

Councilman Espar again called for a point-of-order and made a motion that the Chair is out of order by resuming the Chair while the debate is still in progress on this issue, seconded by Councilman McKee. Council President Meer directed the Clerk to call for the vote: **AYES: COUNCIL MEMBERS Doyle, Espar, McKee (3). NAYS: COUNCIL MEMBERS Starks, Boy, Jankowski, Milsap, and Murphy (5). (Note: Council President Meer did not vote (1)).**

Comments made by Councilman McKee pertaining to the proposed Ordinance included three key issues: enforcement, safety and legality.

Council President Meer asked if there were any comments or questions by the Council or general public.

Richard Harding, 510 Bies Street and Keith Devereaux, 212 Columbia Street stated several reasons why they're against this Ordinance being adopted and the constitutionality of it.

Council President Meer asked if there were any other comments or questions by the Council or general public, and hearing none, the Ordinance was laid over for third reading (with amendments).

Councilman McKee called a point-of-order and made a motion to **TABLE** the following Ordinance so the Council can review a written report from the Code Review Meeting held on February 15, 2008: **AN ORDINANCE IMPROVING AND STANDARDIZING RULES AND TERMS APPLICABLE TO EMPLOYEES TRANSFERRING BETWEEN JOBS WITH DEPARTMENTS AND AGENCIES OF THE CITY OF MICHIGAN CITY.** The motion was seconded by Councilman Doyle and Councilwoman Boy.

Council President Meer asked if there were any comments or questions by the Council or general public and hearing none, the Ordinance was **TABLED** by the following vote: **AYES: COUNCIL MEMBERS Boy, Doyle, Espar, Jankowski, McKee, Meer, Milsap, Murphy, and Starks (9). NAYS: None (0).**

The Deputy Clerk read on second reading by title only, **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA REGULATING SMOKE DETECTORS FOR RENTAL PROPERTIES**, Introduced by: Councilman Doyle, Councilwoman Boy and Councilman McKee.

Councilman Espar made a motion and submitted the following amendments, which was seconded by Councilman Milsap and Councilwoman Starks.

Amend Section 1, Paragraph B by striking, “Dwelling shall mean a building or structure which is wholly or partially used or intended to be used as a residence for a person or family, but does not include a tent, trailer or other structure which is transportable.” and inserting in its place, “Dwelling shall mean a building or structure which is wholly or partially used or intended to be used as a residence for one or more persons or family, but does not include recreational vehicles.”

Amend Section 2, Paragraph B by striking, “Smoke detectors shall be installed and mounted on the ceiling or wall at a point centrally located in the corridor area giving access to the rooms used for sleeping purposes. Where a common hallway is used, smoke detectors shall be installed and spaced not more than 15 feet apart in the hallway or as otherwise provided by the authorities with jurisdiction, i.e., Building Inspector or Fire Department. All smoke detectors shall be installed and located either on the ceiling or on a wall not more than 6 inches from the ceiling, and in all rooms used for sleeping purposes.” and inserting in its place, “Smoke detectors shall be installed in all locations specified under Indiana Code 22-11-18 and the Michigan City Building Code and according to manufacturer’s specifications.”

Amend Section 5 by striking, “The Inspection Department and the Fire Department of the city shall be authorized to make the inspections and require certification as they deem necessary and appropriate in order to enforce the terms of this ordinance. Certification may not be required more frequently than annually as the respective departments deem necessary.” and inserting in its place, “The Inspection Department and the Fire Department of the city shall be authorized at any time to inspect any rental dwelling unit in order to enforce the terms of this ordinance with the consent of the tenant of a leased dwelling unit, with the consent of the owner of a vacant dwelling unit or by order of the Court. Further, the Fire Department may require certification as they deem necessary and appropriate in order to enforce the terms of this ordinance. Certification may not be required more frequently than annually. Inspections may be made more frequently than annually as the respective departments deem necessary.”

Amend Section 6, Paragraph B, by striking subparagraphs 3. and 4., and renumbering subsequent sub-paragraphs.

Council President Meer asked if there were any questions or comments by the Council or general public. Councilman Espar responded to Attorney Meyer that these amendments are in writing and would be given to the Clerk’s Office.

President Meer called for the vote, the amendments were adopted by the following vote: **AYES: COUNCIL MEMBERS Doyle, Espar, Jankowski, McKee, Meer, Milsap, Murphy, Starks, and Boy (9). NAYS: None (0).**

Councilwoman Boy made a motion and submitted the following amendment to add to the Ordinance, seconded by Councilman Espar.

No adverse action, including, but not limited to, lease termination, eviction, rent increase, decrease in services, or failure to renew lease, shall be threatened or implemented against a tenant or occupant because the tenant or occupant has, in good

faith, reported violation of the laws of the State of Indiana or this code related to the habitability of a dwelling or dwelling unit.

There was a discussion among Attorney Meyer and Councilman Murphy regarding the language in the proposed amendment.

Charles Sheerin, 402 Sheridan Avenue stated his opinion in regards to Councilman Murphy's comments on this amendment.

Jane Cooley, 10055 W. 100 N, addressed the Council with regards to this Ordinance and the proposed amendment. Ms. Cooley asked Councilwoman Boy to read the amendment again and stated habitability has nothing to do with a smoke detector in a rental property.

City Attorney Meyer advised the Council the legality of adding the amendment.

Debra Williams, 1210 E. Michigan Boulevard expressed her concerns with Councilwoman Boy's proposed amendment.

Council President Meer asked if there were any other comments or questions on this amendment and hearing none, the amendment failed by the following vote: **AYES: COUNCIL MEMBERS Espar, Jankowski, and Milsap (3). NAYS: COUNCIL MEMBERS McKee, Meer, Murphy, Starks, Boy, and Doyle (6).**

Councilwoman Boy made a motion submitting the following changes to the previous amendment.

No adverse action, including, but not limited to, lease termination, eviction, rent increase, decrease in services, or failure to renew lease, shall be threatened or implemented against a tenant or occupant because the tenant or occupant has, in good faith, reported violation of the laws of the State of Indiana or this Ordinance.

There was a discussion among City Attorney Meyer, Council President Meer and Councilman McKee regarding the language and clarification of the amendment presented by Councilwoman Boy.

President Meer asked Councilwoman Boy to read the amendment again with the changes made:

No adverse action, including, but not limited to, lease termination, eviction, rent increase, decrease in services, or failure to renew lease, shall be threatened or implemented against a tenant or occupant because the tenant or occupant has, in good faith, reported violation of the laws of the State of Indiana or this Ordinance.

Councilman McKee called a point-of-order and stated that he didn't believe that the changes Councilwoman Boy made substantially changed the amendment. Councilman McKee stated you can't send the same amendment back through. Council President Meer agreed.

Council President Meer asked if there was any support from the Council on this amendment and hearing none, the amendment did not move forward.

Council President Meer asked if there were any comments or questions by the Council or general public regarding the amended Ordinance.

Councilwoman Starks reported on the Public Health and Safety meeting held February 14, 2008, regarding comments made by the public.

City Attorney Jennifer Evans addressed Janet Smith, 402 E. 8th Street, Debra Williams, 1210 E. Michigan Boulevard, Jane Cooley, 10055 W 100 N, and Warren Glanz, 7944 W. 20 N., LaPorte, with their concerns regarding this Ordinance.

Council President Meer stated that the Michigan City Fire Department does give out hundreds of smoke alarms free to citizens in our community every year.

Councilmen Milsap and McKee discussed Senate Bill 26 with Nathaniel Williams, 1210 E. Michigan Boulevard and advised him that this Bill did pass but is not yet a law.

Council President Meer asked if there were any comments or questions by the Council or general public and hearing none, the Ordinance was laid over for third reading.

The Deputy Clerk read on third reading by title only, there being no objections,

ORDINANCE NO. 4018

**AN ORDINANCE OF THE COMMON COUNCIL OF
THE CITY OF MICHIGAN CITY, INDIANA
AMENDING ORDINANCE NO. 2009
CHANGING THE TIME OF THE REGULAR MEETINGS
OF THE MICHIGAN CITY COMMON COUNCIL**

WHEREAS, with the passage of time, ordinances may need to be reviewed and/or modified; and

WHEREAS, the Council finds that a change in the time of the regular City Council Meetings from 7:30 p.m. to ***6:30 p.m.**, all local times, will provide the public a more convenient time to attend, listen, and participate in City Council Meetings.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Michigan City, Indiana that Ordinance No. 2009, Municipal 2-53, shall be amended to read as follows:

Sec. 2-53. Regular and Special Meetings.

(a) The Common Council shall meet at the Council Chambers of the City on the first and third Tuesday evenings of every month at ***6:30 p.m.** local time. When any day fixed by this section for the regular meeting of the Common Council is designated by law as a legal holiday, the meeting shall be held on the following day, at the time specified.

This Ordinance shall be in full force and effect after passage and approval by the Mayor.

SPONSORED BY: /s/ Joseph Doyle, Member

CO-SPONSORED BY: /s/ Willie Milsap, Member

CO-SPONSORED BY: /s/ Robert McKee, Member

Passed by a vote of 5 - 4, by the Common Council of the City of Michigan City, Indiana, this 19th day of February, 2008.

/s/Ronald Meer
President, Common Council

Approved by me, this 20th day of February, 2008.

/s/Charles Oberlie

Mayor of Michigan City

ATTEST:

Thomas F. Fedder, City Clerk

*amendment from the 2/5/08 meeting

Councilman Doyle moved to adopt the Ordinance, seconded by Councilmen Milsap and McKee.

The proposed Ordinance regarding the time change of the Council meetings was discussed among Council Members Doyle, Milsap, Starks, Espar, Boy, and Murphy.

Betty Lou Nault, 1501 Lake Shore Drive, representing the League of Women Voters, stated the start time being proposed at 6:30 p.m. is too early and would limit citizen participation in City government.

Virginia Martin, 4851 E. U.S. Highway 12, addressed Councilman Murphy in regards to the Petition that was presented and the amount of signatures against the start time of the Council meetings from Ward One. Mrs. Martin stated her concerns if the proposed time would change.

Ron Miller, WEFM, 1903 Springland Avenue addressed the Council with reasons being against the time change and why it should continue to be at 7:30 p.m.

Sharon Carnes, 414 E. Coolspring Avenue, reported to the Council a list of starting times of Council meetings in surrounding cities in Indiana and stated her concerns against the time change.

Diane Wheat, 214 E. 8th Street, directed several comments to Councilman Murphy. Ms. Wheat stated the only time change it should be changed to is 7:00 p.m., that 6:30 p.m. is too early.

Joan Chumley, 832 Pine Street, expressed her concerns.

Councilman Espar called a Point-of-order and advised President Meer that comments from the public are to be addressed to the Council Body.

Ms. Chumley, expressed her concerns on the time change and encouraged the Council to keep the Council meetings at 7:30 p.m.

Angelo Corley, 240 Springland Avenue, stated that being the past Councilman for Ward One he received several telephone calls from his ward against the time change.

Charles Sheerin, 212 Sheridan Avenue, voiced his opposition of the time change to the Council.

Larry Silvestri, 414 E. Coolspring Avenue, advised the Council that he opposes the time change.

Janet Smith, 402 E. 8th Street, addressed the Council with her concerns with this Ordinance, opposed to this time change.

Council President Meer asked if there were any other questions or comments from the Council or general public and hearing none, the Ordinance was adopted by the following vote: **AYES: COUNCIL MEMBERS McKee, Milsap, Murphy, Doyle, Espar (5). NAYS: COUNCIL MEMBERS Jankowski, Meer, Starks, Boy (4).**

The Deputy Clerk read by title only on third reading, there being no objections,

ORDINANCE NO. 4019

**AN ORDINANCE OF THE MICHIGAN CITY COMMON COUNCIL
AMENDING ORDINANCE NO. 4008**

**REGULATING THE USE OF FIREWORKS IN
MICHIGAN CITY, INDIANA**

WHEREAS, the Common Council passed Ordinance No. 4008 regulating the use of fireworks in Michigan City, Indiana on August 7, 2007 and the Mayor approved said Ordinance on August 8, 2007; and

WHEREAS, Ordinance No. 4008 did not contain a fine amount at the time it was passed; and

WHEREAS, the Common Council finds that it is in the best interest of the health, safety, and welfare of the citizens of Michigan City, Indiana that a fine be imposed for violations of said Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, Indiana that Section 5 of Ordinance 4008 be amended to read as follows:

- 5. Penalties. Any person convicted of violating the provisions of this Ordinance may be punished by a fine of up to \$50.00 dollars for a first conviction, up to \$100.00 for a second conviction, and up to \$250.00 for a third and any subsequent convictions. In addition to any fine that may be imposed, a civil action to abate the nuisance described in Section 2 of this Ordinance may also be brought under the provisions of I.C. 32-30-6 and I.C. 32-30-7.

This Ordinance shall be in full force and effect after passage, approval by the Mayor of Michigan City, and advertisement of Ordinance 4008 and this Ordinance as required by Indiana law.

Introduced by: /s/ Phil Jankowski, Member

Passed by a vote of 9-0 by the Common Council of the City of Michigan City, Indiana this 19th day of February, 2008.

/s/ Ron Meer, President
Common Council

Approved by me this 20th day of February, 2008.

/s/ Charles Oberlie, Mayor
Michigan City, Indiana

Attest:

/s/ Thomas F. Fedder, City Clerk

Councilman Jankowski moved to adopt the Ordinance, seconded by Councilmen McKee and Milsap.

Councilman Jankowski advised that this amendment is to identify the fines in regards to fireworks violations.

Council President Meer asked if there were any questions or comments from the Council or general public and hearing none, the Ordinance was adopted by the following vote: **AYES COUNCIL MEMBERS McKee, Meer, Milsap, Murphy, Starks, Boy, Doyle, Espar, and Jankowski (9). NAYS: None (0).**

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Councilman Milsap made a motion that Sherry Neal from the Human Rights Department would represent the Council on the Social Status of African American Males Commission, her term beginning immediately and expire February 1, 2009. The motion was second by Councilman Doyle.

Council President Meer asked if there were any comments or questions by the Council or general public, there being none the Clerk was directed to take the vote: **AYES: COUNCIL MEMBERS Meer, Milsap, Murphy, Starks, Boy, Doyle, Espar, Jankowski, McKee (9). NAYS; None (0).**

Councilman McKee made a motion to re-appoint Don Przybylinski to the Economic Development Commission, his term beginning immediately and expire January 31, 2010. The motion was second by the balance of the Council.

Council President Meer asked if there were any comments or questions from the Council or general public.

Mayor Oberlie wanted to clarify the Economic Development Commission is composed of (3) three members with the approval of the Mayor; one nominated by LaPorte County Council for a (1) one year term, one nominated by the City Council for a (2) two year, and one by the Mayor which is a (3) three year term.

Don Przybylinski, 215 Gardena Street, addressed the Council on reasons why he wanted to be re-appointed to the Economic Development Commission.

Council President Meer asked if there were any comments or questions from the Council or general public and hearing none, Mr. Przybylinski was nominated by the following vote: **AYES: COUNCIL MEMBERS Milsap, Murphy, Starks, Boy, Doyle, Espar, Jankowski, McKee, and Meer (9). NAYS: None (0).**

Mayor Oberlie has requested advice and consent for the following appointments:

Julie Manner as a member of the Michigan City Historic Review Board, with a term to expire March 15, 2011.

Christopher Schwanke as a member of the Michigan City Historic Review Board, with a term to expire March 15, 2011.

Councilman Doyle moved to give the requested advice and consent, seconded by Councilman Jankowski.

Councilman Murphy stated reasons to re-appoint Mr. Schwanke to the Historic Review Board.

Council President Meer asked if there were any comments or questions from the Council or general public.

Joan Chumley, 832 Pine Street, stated her reasons the Council should support Mr. Schwanke and asked the Council not to re-appoint Ms. Manner stating reasons why.

The motion was carried by the following vote: **AYES: COUNCIL MEMBERS Murphy, Starks, Boy, Doyle, Espar, Jankowski, McKee, Meer, and Milsap (9). NAYS: None (0).**

Mayor Oberlie requested advice and consent from the Council for the re-appointment of Sam Johns as a member to the Michigan City Port Authority Board. Mr. Johns term would begin immediately and expire March 18, 2010.

Councilman Doyle moved to re-appoint Sam Johns to the Michigan City Port Authority Board, seconded by Councilman Espar.

Council President Meer directed the Clerk to take the vote: **AYES: COUNCIL MEMBERS Starks, Boy, Doyle, Espar, Jankowski, McKee, Meer, Milsap, and Murphy (9). NAYS: None (0).** President Meer congratulated Mr. Johns to his re-appointment.

COMMENTS FROM THE COUNCIL

Ms. Starks reported on different boards and committees that she had attended and their response to the new Council.

Ms. Starks asked if the Council would schedule a work shop to discuss standing/special committee procedures and the proper rules of order during these meetings.

Council President Meer advised Councilwoman Starks that any changes made would have to be brought to the Council as an amendment to the original Ordinance of Council rules and procedures.

Councilman McKee agreed with Councilwoman Starks to have a work shop to discuss standing/special committee procedures along with possible potential amendments to the original Ordinance.

Mayor Oberlie addressed Councilman Milsap in regards to the hiring data received from the Human Rights Department. Mayor Oberlie stated there is a proposal that is before the Council to hire an EEO Officer, that it would be that officer's responsibility to develop a plan specified to the Ordinance and consent decree.

Councilman Murphy thanked Mayor Oberlie for responding to the request about the North End Action Item Schedule and also thanked Councilman McKee for requesting this information.

Councilman Murphy spoke on the recent newspaper articles about creating a riverfront district.

Councilwoman Boy asked Mayor Oberlie if the Indiana State Prison was included in the data of Ms. Clark's report.

Councilman Espar and Councilman Milsap would like to remind anyone interested in information about the state's new Healthy Indiana Plan insurance or Hoosier Healthwise to attend an information/enrollment session. A presentation of Covering Kids and Families of LaPorte County will be held on Wednesday, February 20, 2008 at 6:00 p.m. at the 5th Ward Neighborhood Office, 1401 E. Michigan Blvd.

Councilman McKee thanked the Mayor for the North End Action Implementation Schedule.

Council President Meer stated that he agreed with Councilwoman Starks and that he would schedule a workshop to discuss Standard/Special Committee procedures.

President Meer encouraged the general public living in Forest Manor/Village Green area having ground water problems to contact Councilman Jankowski for.

COMMENTS FROM THE PUBLIC

Virginia Martin, Michigan City requested a copy of the petition against the time change of the City Council meetings. Mrs. Martin thanked Councilman Jankowski for his vote against this Ordinance.

Keith Devereaux, 221 Columbia Street thanked the Chief of Police and Michigan City Officers for patrolling his neighborhood more often. Mr. Devereaux commented on security and the proposed weapon Ordinance.

Joan Chumley, 832 Pine Street, thanked the Clerk's Office for the availability of committee meetings on the web page. Ms. Chumley asked questions regarding the Indiana Plan.

Sharon Carnes, 414 E. Coolspring Avenue, expressed her disappointment in the vote regarding the time change for the City Council Meetings. Ms. Carnes read the list of surrounding times of Council meetings in surrounding communities.

Ms. Carnes addressed the audience with her concerns of the language in both the Weapon and Smoke Detectors in Rental Properties Ordinances.

Beth Pishkur, 113 Riviera Drive stated that she was in favor of the 6:30 p.m. starting time for the Council meetings.

Michael McKervey, 629 Gladys Street, expressed his disappointment in the time change to 6:30 p.m. for Council meetings.

ADJOURNMENT

On motion by Councilman Milsap, supported by the majority of the Council, and there being no further business to transact, President Meer declared the meeting **ADJOURNED** (approximately 9:58 p.m.).

Thomas F. Fedder, City Clerk