

REGULAR MEETING – September 2, 2008

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, September 2, 2008, at the hour of 6:30 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 6:30 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, Phillip Jankowski, Marc Espar Robert McKee, Ron Meer, Richard Murphy, Joe Doyle, and Angie Nelson (9).

ABSENT: Willie Milsap (1).

A QUORUM WAS NOTED PRESENT.

ALSO PRESENT: City Clerk - Tom Fedder, Deputy Clerk – Gale Neulieb, and Council Attorney – Jim Meyer.

Council President Meer advised the Council of deadlines, procedures and timelines the Clerk's Office has in regards to getting items on the Council Agenda. President Meer stated that a proposed ordinance or resolution must be reviewed by City Attorney Jennifer Evans, Attorney John Espar or Council Attorney James Meyer prior to the Thursday 12:00 p.m. deadline.

APPROVAL OF MINUTES

Councilwoman Boy stated the correct spelling of "Kaser" on page seven.

President Meer inquired whether there were any other corrections, deletions, or additions to the amended minutes of the Regular Meeting of August 19, 2008 and hearing none, the minutes were approved as printed.

REPORTS OF STANDING COMMITTEES

Councilman Espar reported on the Finance Committee, and stated that the Committee sent a letter/questionnaire regarding the 2009 budget to Mayor Oberlie to begin the process of meeting with various department heads. Mr. Espar stated that the first meeting is September 4, 2008 at 6:00 p.m. in the West Conference Room. Mr. Espar advised the Finance Committee will meet to work on the 2009 budget on September 11, 18, and 25, 2008 at 6:00 p.m. in the West Conference Room.

REPORTS OF SPECIAL OR SELECT COMMITTEES

Council President Meer reported on the Ethics Committee meeting held on August 27, 2008.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

Mayor Oberlie reported on the Grants for Transportation Policy Committee at NIRPC.

Mayor Oberlie commented on the status of the South Shoreline Museum study and requested to schedule a work shop with John Hanke and the Council regarding this matter.

PETITIONS

There were no communications

COMMUNICATIONS

There were no communications.

RESOLUTIONS

Council President Meer stated if there were no objections the following Resolution could be read and hearing none, directed the Clerk to read the Resolution by title only,

MICHIGAN CITY COMMON COUNCIL**RESOLUTION NO. 4401****INCREASING AND DECREASING CERTAIN APPROPRIATIONS
WITHIN THE BUDGET OF THE CEMETERY,
FOR THE YEAR 2008, IN MICHIGAN CITY, INDIANA**

WHEREAS, it has been demonstrated that certain circumstances exist within the budget of the Cemetery of Michigan City resulting from the unanticipated high cost of fuel which require the increasing and decreasing of certain appropriations within that budget for the year 2008.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that the following transfers of appropriations in the Cemetery's 2008 budget for the purpose of paying necessary unanticipated expenses are, subject to the laws governing the same, hereby approved:

Cemetery

DECREASE:	A/C # 2120 0000 01 411.001 Salaries & Wages	\$10,000.00
INCREASE:	A/C # 2120 0000 02 422.021 Gasoline	\$6,500.00
	A/C # 2120 0000 02 422.025 Diesel Fuel	\$3,500.00

Section 2. This Resolution shall be in full force and effect after passage and approval by the Mayor.

INTRODUCED BY: /s/ Marc Espar

There was a discussion between Mark Tomscheck, Cemetery Superintendent and Councilman Espar regarding the appropriation.

President Meer addressed Mr. Tomscheck regarding reasons why the Resolution was not on the agenda.

Councilman Espar moved to adopt the Resolution, seconded by Council Members, Doyle and Murphy

Council President Meer asked if there were any comments or questions by the general public or Council and hearing none, the Resolution was adopted by the following vote: **AYES: COUNCIL MEMBERS Murphy, Nelson, Boy, Doyle, Espar, Jankowski, McKee and Meer (8). NAYS (0).**

There being no objections, the Clerk read the Resolution in its entirety.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4402

**SUPPORTING PARTICIPATION IN THE
INDIANA SEGMENT OF THE LAKE MICHIGAN WATER TRAIL**

WHEREAS, a multi-state effort is underway to create a continuous 1,000 mile Lake Michigan Water Trail for kayaking and use by other non-motorized recreational lake craft; and

WHEREAS, a fully implemented Lake Michigan Water Trail would serve to attract national recognition, tourism, recreational spending, and other related beneficial economic impacts to Michigan City; and

WHEREAS, local, state and federal governmental jurisdictions, agencies and departments along the Lake Michigan lakeshore currently own, maintain, or plan to provide for lake access and support facilities for non-motorized lake craft; and

WHEREAS, a safe and effective long distance water trail needs the coordination of such sites and facilities, along with coordinated signage and information as well as emergency services; and

WHEREAS, the City of Michigan City supports participation with the other Lake Michigan lakeshore jurisdictions to achieve development and implementation of the Indiana segment of the Lake Michigan Water Trail.

NOW, THEREFORE, BE IT RESOLVED by the City of Michigan City Common Council that the City of Michigan City, through the Mayor, Board of Public Works, and any other appropriate City agencies, agree to install signage; participate in the development of informational brochures; assign emergency service personnel to develop protocols for assistance; assist in identifying or providing overnight accommodations in private or public facilities to the extent reasonably possible; and identify security arrangements for safekeeping of kayaks and other non-motorized lake craft overnight.

BE IF FURTHER RESOLVED THAT a representative of the City of Michigan City should be appointed by the Mayor to participate as a member of NIRPC's Lake Michigan Water Trail Working Committee so as to better achieve these ends.

Introduced by: /s/ Joe Doyle

/s/ Richard Murphy

/s/ Robert McKee

Councilman McKee moved to adopt the Resolution, seconded by Council Members Doyle and Murphy.

Councilman Doyle stated reasons to support the Resolution.

Council President Meer asked if there were any comments or questions by the general public or Council and hearing none, the resolution was adopted by the following Vote: **AYES: COUNCIL MEMBERS Nelson, Boy, Doyle, Espar, Jankowski, McKee, Meer, and Murphy (8). NAYS: None (0).**

There being no objections, the Clerk read the Resolution in its entirety.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4403

ENCOURAGING THE MICHIGAN CITY POLICE DEPARTMENT TO DEVELOP AND IMPLEMENT EFFECTIVE STRATEGIES TO ADDRESS THE ILLEGAL ACTIVITIES THAT ARE CURRENTLY CAUSING A SEVERE NEGATIVE IMPACT ON THE QUALITY OF LIFE IN SOME OF OUR NEIGHBORHOODS

WHEREAS, the Common Council believes in the abilities, professionalism, and work ethic of our Police Officers; and

WHEREAS, the Common Council desires to support the Mayor and Police in their efforts to transform every Michigan City neighborhood into as safe an environment as is reasonably possible; and

WHEREAS, the Police have done an excellent job in most other areas in which it has been asked to focus their attention; and

WHEREAS, time and resources are needed to combat the problem of a deteriorating quality of life due to increasing illegal activities that some neighborhoods are experiencing; and

WHEREAS, other city police departments have successfully implemented community oriented policing and other programs that served to diminish crime and greatly improve the quality of life to specific troubled neighborhoods; and

WHEREAS, the Common Council believes that such programs and strategy are needed in certain areas of our City; and

WHEREAS, the Common Council is confident that the members of the Police Department would have the ability and professionalism to implement and carry out these neighborhood crime fighting programs if they are given the directive and opportunity to do so.

NOW, THEREFORE, BE IT RESOLVED that the Michigan City Common Council strongly encourages the Mayor and Police Department Administration to develop and implement appropriate policing programs that would target trouble spots in an intense yet professional manner in neighborhoods afflicted with a disproportionate amount of criminal activity in order to make all of Michigan City a great place to live, work, and raise a family.

Introduced by: /s/ Bob McKee

/s/ Ron Meer

Councilman McKee moved to adopt the Resolution, seconded by Councilman Doyle.

Dennis Metheny, 6757 W. 450 N., stated his concerns and asked several questions regarding the Resolution.

Council President Meer addressed Mr. Metheny's questions.

Mayor Oberlie stated his concerns regarding the language in the last "WHEREAS" paragraph of the Resolution.

Councilman McKee addressed Mayor Oberlie's comments and stated reasons he brought the Resolution to the Council.

Councilwoman Boy made a motion to take the following out of the Resolution (proposed amendment is in bold lettering):

WHEREAS, the Common Council is confident that the members of the Police Department would have the ability and professionalism to implement and carry out these neighborhood crime fighting programs **if they are given the directive and opportunity to do so.**

President Meer agreed with Councilman McKee and commented on the intent of the language in the last "WHEREAS" in the Resolution.

Councilman Murphy stated his support of the Resolution.

Council President Meer asked if there were any comments or questions by the general public or Council on this proposed Resolution and hearing none, directed the Clerk to call for the vote: **AYES: COUNCIL MEMBERS Boy, Doyle, Espar, Jankowski, McKee, Meer, Murphy, and Nelson (8), NAYS: None (0).**

ORDINANCES

The Clerk read on second reading by title only, **AN ORDINANCE TO ADOPT A CODE OF ETHICS AND TO CREATE AN ETHICS ADVISORY BOARD FOR THE CITY OF MICHIGAN CITY, INDIANA**

Introduced by: Pat Boy
Joe Doyle
Robert McKee

Councilman Espar moved to **TABLE** the Ordinance until the first Council meeting in October (7, 2008), seconded by Councilwoman Boy and Nelson.

President Meer directed the Clerk to call for the vote: **AYES: COUNCIL MEMBERS Doyle, Espar, Jankowski, McKee, Meer, Murphy, Nelson, and Boy (8). NAYS: None (0).**

UNFINISHED BUSINESS

Councilman Murphy advised the Council on an update regarding a South Shore Cost Benefit Analysis effort called the West Lake Corridor Expansion of the South Shore Line that will be taking place in the near future.

NEW BUSINESS

There was no new business.

COMMENTS FROM THE PUBLIC

J. Chalikian, 609 Franklin Street stated his concerns regarding the development of Franklin Square and the parking issues for customers.

COMMENTS FROM THE COUNCIL

Councilman Murphy commented on an article he read in the Chicago Tribune highlighting Michigan City's Washington Park water adventure sports.

Councilwoman Nelson reminded everyone on September 12, 2008 the Human Rights Annual Dinner will be held at the Blue Chip Casino at 6:00 p.m.

Councilman Doyle stated " Washington Park Beach is a beautiful place that many people don't realize the gem it really is". Mr. Doyle commented on the number of out of state license plates you see when driving thru Washington Park as well as local people visiting.

President Meer commented about the on going dilemma between the Michigan City Area School System and the Park Department.

Councilman Milsap entered the meeting at this time and was noted present.

ADJOURNMENT

On motion by Councilman Espar, supported by Councilman Doyle, and there being no further business to transact, President Meer declared the meeting ADJOURNED (approximately 7:25 p.m.).

Thomas F. Fedder, City Clerk