



# AGENDA

## COMMON COUNCIL - REGULAR MEETING

Tuesday, April 7, 2009

Meeting to be held at **6:30 p.m.**, local time,  
in the Common Council Chambers, City Hall Building  
100 East Michigan Boulevard, Michigan City, Indiana

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### CALL TO ORDER BY COUNCIL PRESIDENT

### PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER

### ROLL CALL

### APPROVAL OF MINUTES .....Regular Meeting March 17, 2009

### REPORTS of STANDING COMMITTEES

### REPORTS of SPECIAL or SELECT COMMITTEES

**REPORTS of OTHER CITY OFFICERS and DEPARTMENTS**

Introduction of Citizens Observer Program – M.C.P.D. Chief Neitzel

**PETITIONS**

Oehmstead Company, LLC – Petition for Voluntary Annexation

**COMMUNICATIONS**

**RESOLUTIONS**

**SUPPORTING THE EXPENDITURE OF FEDERAL STIMULUS FUNDS ON PRODUCTS MADE IN THE UNITED STATES AND EMPLOYMENT OF PERSONS IN LAPORTE COUNTY**

**INTRODUCED BY:** Ron Meer

**RESOLUTION OF THE MICHIGAN CITY COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AUTHORIZING REPRESENTATIVES TO ACT ON BEHALF OF THE CITY WITH RESPECT TO CERTAIN MATTERS RELATED TO BROWNFIELDS FINANCIAL ASSISTANCE TO BE AWARDED TO THE CITY BY THE INDIANA FINANCE AUTHORITY**

**INTRODUCED BY:** Angela Nelson

**AUTHORIZING THE 2009 COMMUNITY ORIENTED POLICING SERVICES AVAILABILITY OF FUNDING UNDER THE COPS HIRING RECOVERY PROGRAM**

**INTRODUCED BY:** Angela Nelson  
Marc Espar

**ORDINANCES**

**ORDINANCE  
1<sup>ST</sup> Reading**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING THE MICHIGAN CITY COMPREHENSIVE ZONING ORDINANCE NO. 2114 BY CHANGING THE PROVISIONS FOR THE MAXIMUM HEIGHT OF STRUCTURES IN RESIDENTIAL DISTRICTS**

**INTRODUCED BY: Patricia Boy**

**ORDINANCE  
1<sup>ST</sup> Reading**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, AMENDING THE MICHIGAN CITY ZONING MAP AND ORDINANCE NO. 2114 BY REZONING A PARCEL OF PROPERTY KNOWN AS 200 BLOCK (LOT 1, 2, 3, 4, 5, 6, 7, 8, AND 9) IN ORR AND DEWOLF'S ADDITION TO MICHIGAN CITY FROM BUSINESS B2 TO RESIDENTIAL R2; AND, BLAIR'S 2<sup>ND</sup> ADDITION TO MICHIGAN CITY BLOCK 5 SW CORNER LOT 11 AND PIECE IN NW CORNER LOT 10 FROM BUSINESS B2 TO RESIDENTIAL R2**

**INTRODUCED BY: Ron Meer**

**ORDINANCE  
1<sup>ST</sup> Reading**

**APPROVING ADDITIONAL APPROPRIATION FOR THE BUDGET OF THE GOLF FUND**

**INTRODUCED BY: Joe Doyle**

**(DECREASE:** Fund # 1314 Golf Unappropriated - \$ 21,800.00,  
**INCREASE:** Fund # 1314 0000 02 423.005, Miscellaneous Merchandise Supplies (to purchase inventory for resale and related supplies) \$16,500.00, Fund # 1314 0000 03 439.011, Contractual Services (to provide bartender training for employees, purchase alcohol permits, and purchase alcohol liability insurance) \$ 3,600.00, Fund # 1314 0000 02 423.003 Small Tools & Minor Equipment (to purchase refrigerators) \$ 1,700.00).

**ORDINANCE  
1<sup>ST</sup> Reading**

**AN ORDINANCE REQUIRING THE REMOVAL OF GRAFFITI IN ORDER TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE, DECLARING THAT PROPERTY MAY BECOME A NUISANCE OWING TO THE FAILURE OF RESPONSIBLE**

**PARTIES TO REMOVE GRAFFITI AFTER HAVING BEEN REQUESTED TO DO SO BY CITY, ESTABLISHING A PROCESS FOR THE REMOVAL OF GRAFFITI AND THE RECOVERY OF PUBLIC CLEAN-UP EXPENSES, CREATING CIVIL REMEDIES, AND ADDING ARTICLE VII TO CHAPTER 46 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, LAPORTE COUNTY, INDIANA**

**INTRODUCED BY:** Angie Nelson  
Willie Milsap

**ORDINANCE  
1<sup>st</sup> Reading**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA ANNEXING 44.347 ACRES OF REAL ESTATE OWNED BY OEHMSTEAD COMPANY, LLC, SITUATED ON 600 WEST, MICHIGAN CITY, INDIANA AND DECLARING THE SAME TO BE A PART OF THE CITY OF MICHIGAN CITY, INDIANA AND PROVIDING ZONING CLASSIFICATION THEREFORE**

**INTRODUCED BY:** Robert McKee  
Joseph Doyle  
Marc Espar

**ORDINANCE  
1<sup>st</sup> Reading**

**AMENDING ORDINANCE NO. 2053 AND ALL SUBSEQUENT AMENDING ORDINANCES THERETO ALSO KNOWN AS SECTION 50-138, 50-140, 50-141, AND 50-142 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA AND AMENDING CODE 1980, § 150.035.1 AND ALL SUBSEQUENT AMENDING ORDINANCES THERETO ALSO KNOWN AS SECTION 50-139 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA**

**INTRODUCED BY:** Patricia Boy

**ORDINANCE  
1<sup>st</sup> Reading**

**AMENDING ORDINANCE NO. 2053 AND ALL SUBSEQUENT AMENDING ORDINANCES THERETO ALSO KNOWN AS SECTION 22-661 AND 22-663 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA AND**

**AMENDING CODE 1980, § 150.035.1 AND ALL SUBSEQUENT AMENDING ORDINANCES THERETO ALSO KNOWN AS SECTION 22-662 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA**

**INTRODUCED BY:** Patricia Boy

**ORDINANCE  
1<sup>st</sup> Reading**

**AMENDING ORDINANCE NO. 2053 AND ALL SUBSEQUENT AMENDING ORDINANCES THERETO ALSO KNOWN AS SECTION 22-691 AND SECTION 22-692 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA**

**INTRODUCED BY:** Patricia Boy

**ORDINANCE  
3rd Reading**

**APPROVING ADDITIONAL APPROPRIATION OF UNAPPROPRIATED RIVERBOAT FUNDS FOR TRANSFER INTO ACCOUNTS IN THE RIVERBOAT FUND**

**INTRODUCED BY:** Marc Espar

**(DECREASE:** Fund #9000 Riverboat \$86,800.00. **INCREASE** Fund #9000 Acct. 04 444.010 Cemetery Equipment \$35,000.00, Fund #9000 Acct. 04 444.014 Animal Control Equipment and Improvements \$11,800.00, Fund #9000 Acct. 04 444.015 Barker Civic Center Improvements \$40,000.00).

**ORDINANCE  
3<sup>rd</sup> Reading**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA PROVIDING FOR THE PARK DEPARTMENT CONCESSION OPERATIONS (EXCEPT PATRIOT PARK AND GOLF) IN THE DEPARTMENT OF PARKS AND RECREATION AND AMENDING EXISTING ORDINANCES ACCORDINGLY**

**INTRODUCED BY:** Joe Doyle

**ORDINANCE  
3<sup>rd</sup> Reading**

**AN ORDINANCE OF THE COMMON COUNCIL OF  
THE CITY OF MICHIGAN CITY, INDIANA RESCINDING AND  
DELETING ORDINANCE NO. 4028, AND ALL SUBSEQUENTLY  
ENACTED AMENDING ORDINANCES THERETO AND  
SUBSTITUTING AND ADDING PROVISIONS REGARDING THE  
RULES AND PROCEDURES OF THE MICHIGAN CITY COMMON  
COUNCIL**

**INTRODUCED BY:** Marc Espar  
Ron Meer  
Robert McKee

**ORDINANCE  
3<sup>rd</sup> Reading**

**ADDITIONAL APPROPRIATIONS FOR THE PARK  
DEPARTMENT TO COVER ADDITIONAL EXPENSES  
INCURRED FOR THE OASIS SPLASH PAD AND GENERAL  
CONCESSION**

**INTRODUCED BY:** Joe Doyle

(**DECREASE:** Park Fund No. 1301, Unappropriated \$40,194.00,  
**INCREASE:** Personal Services, 1301 0802 411.014 - \$27,294.00,  
Supplies, 1301 0802 02 422.033 – \$5,925.00, Other Services and  
Charges, 1301 0802 03 439.011 - \$6,975.00).

**UNFINISHED  
BUSINESS**

Mayor Oberlie requests advice and consent concerning the appointment of Mr. Dan Messina as a member of the Michigan City Port Authority Board. Mr. Messina's term of office will begin immediately and expire on March 15, 2013.

Mayor Oberlie requests advice and consent concerning the re-appointment of Mr. James Cadwell as a member of the Michigan City port Authority Board. Mr. Cadwell's term of office will begin immediately and expire on May 15, 2013.

**NEW BUSINESS**

**For Information:** Term expired on January 1, 2009  
Animal Control Advisory Committee Incumbent;  
Brian Godfrey.

**COMMENTS FROM THE PUBLIC**

**COMMENTS FROM THE COUNCIL**

**ADJOURNMENT**

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**Thomas F. Fedder, City Clerk**