

REGULAR MEETING – February 2, 2010

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, February 2, 2010, 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 Marc Espar.

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

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

ABSENT: None (0).

A QUORUM WAS NOTED PRESENT.

ALSO PRESENT: Clerk – Thomas Fedder, Deputy Clerk – Gale Neulieb and Council Attorney – James Meyer.

APPROVAL OF MINUTES

President Espar inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of January 19, 2010.

Councilwoman Boy made a motion to approve the minutes as printed, second by Councilman Meer. The minutes were approved as printed.

REPORTS OF STANDING COMMITTEES

Councilman Jankowski reported on the Finance Committee Meeting held on January 25, 2010, advising the meeting was called to consider the appropriation for the correction of the wall deteriorating at Millenium Plaza. (Council Members Murphy, Jankowski, and Espar were present.) Councilman Jankowski addressed the Council regarding the construction, advising the committee supported the proposed ordinance by requesting to have 2nd and 3rd Reading.

Councilman Doyle presented a report from the Park Department in reference to their review, advising he would be scheduling a Park Department/Finance Committee meeting in the near future to review their report.

REPORTS OF SPECIAL OR SELECT COMMITTEES

Councilman Murphy reported on the Local and Minority Hiring Oversight Committee meeting held on January 28, 2010.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

M.C.P.D. Chief Neitzel did a presentation regarding the Michigan City Police Departments Crime statistic report for 2009.

Council President Espar thanked Chief Neitzel and his Officers for a job well done.

Chief Neitzel addressed President Espar's question regarding what the average years of an officer was.

Discussion ensued among Chief Neitzel and Council Members Murphy, Milsap, and Espar.

PETITIONS

There were no petitions.

COMMUNICATIONS

Tom Fedder, City Clerk stated there was correspondence received from Eric Prascak regarding the re-appointment to the Michigan City Ethics Commission.

Mr. Fedder also advised there was correspondence received from Mike Gonder regarding the appointment to the Michigan City Ethics Commission.

RESOLUTIONS

The Clerk read the following Resolution in its entirety,

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. _____

ACKNOWLEDGING AND RECOMMENDING THE CREATION OF THE JOB POSITION OF BUILDING MANAGER

WHEREAS, currently the 2010 City Budget contains the job position of Maintenance Supervisor the job duties of which are to manage, maintain, and supervise the building, grounds, and equipment at City Hall; and

WHEREAS, with the recent departure of the Maintenance Supervisor and the recommendations made by the Local Advisory Task Force Efficiency Committee wherein it was proposed that the position of Maintenance Supervisor be eliminated and a new position of Building Manager be created which would include expanded job duties, qualifications and responsibilities to include the management, maintenance, and supervision of the building, grounds, and equipment for *all* municipal buildings; and

WHEREAS, the salary for the position of Building Manager should be commensurate with the increased job duties, responsibilities, education and experience required for said position, which said job duties, responsibilities, education and experience requirements exceed the present position of Maintenance Supervisor; and

WHEREAS, the Mayor seeks the acknowledgement and recommendation from the Common Council of the City of Michigan City, Indiana, for the establishment of said new position before advertising for the same.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, that:

1. The Common Council of the City of Michigan City, Indiana, acknowledges and recommends the elimination of the position of Maintenance Supervisor and the establishment of the new position of Building Manager.

2. Furthermore, the Common Council of the City of Michigan City, Indiana, recommends that a reasonable salary for the increased job duties, responsibilities, education, and experience requirements of this new position would be \$_____.

This Resolution shall be in full force and effect after passage by the Michigan City Common Council and approval by the Mayor.

INTRODUCED BY: /s/ Bob McKee

CO-SPONSOR: /s/ Marc Espar,

Councilman McKee thanked the Mayor for the follow up in the request to implement what he believed was one of the more important recommendations that came from the Buildings and Grounds Committee of the Local Government Advisory Task Force. Mr. McKee stated there were still some issues regarding the resolution requesting to **TABLE** it until the February 16, 2010 Council meeting, second by Councilwoman Nelson. The resolution was **TABLED** until the February 16, 2010 Council meeting by the following vote: **AYES: McKee, Meer, Milsap, Murphy, Nelson, Boy, Doyle, Espar, and Jankowski (9). Nays: None (0).**

Council President Espar stated he would be referring the resolution to the Finance Committee for their consideration.

ORDINANCES

There being no objections, the Clerk read on second reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CUMULATIVE CHANNEL MAINTENANCE FUND**

INTRODUCED BY: Joe Doyle

CO-SPONSOR: Marc Espar

President Espar advised there would be a Formal Public Hearing as advertised in the News Dispatch on January 21, 2010.

Councilman Doyle addressed the Council regarding the importance of adopting the ordinance.

Councilman Meer asked if there were no objections to have second and third reading on this ordinance. There were no objections.

The formal public hearing was opened, with President Espar asking "is there anyone from the public who wished to address the Council?" and hearing none, the public hearing was closed.

President Espar asked if there were any comments or questions by the Council and hearing none, asked the Clerk to read the ordinance on third reading by title only,

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4081

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CUMULATIVE CHANNEL MAINTENANCE FUND

WHEREAS, it has been demonstrated to the Council that it is necessary to appropriate more money than was appropriated in the 2010 Annual Budget for the Cumulative Channel Maintenance Fund for the repair of the sea wall and foundation at Millenium Plaza; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Cumulative Channel Maintenance Fund #0990 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same:

	<u>Amount Requested</u>	<u>Amount Appropriated:</u>
DECREASE Fund # 0990 Cumulative Channel Maintenance Fund Unappropriated Balance	\$ 920,000.00	
INCREASE Fund # 0990 0000 04 444.016 Port Authority Projects (for the repair of the sea wall and foundation at Millenium Plaza)		\$ 920,000.00
TOTAL FOR FUND:	\$ 920,000.00	

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: /s/ Joseph Doyle, Member
Michigan City Common Council

CO-SPONSOR: /s/ Marc Espar, President
Michigan City Common Council

Councilman Meer made a motion to adopt the ordinance, second by Councilman McKee.

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

There being no objections, the Clerk read on 2nd reading by title only, **AN ORDINANCE VACATING AN ALLEY RUNNING THROUGH ZORN'S ADDITION BETWEEN FRANKLIN AND PINE STREET IN MICHIGAN CITY, LAPORTE COUNTY, INDIANA**

INTRODUCED BY: Marc Espar

Hesham Khalil, Global Engineering and Land Surveying, representing St. Stanislaus School addressed the Council asking to **TABLE** the ordinance indefinitely.

Councilman Meer made a motion to **TABLE** the ordinance indefinitely, second by Council Members McKee and Boy.

The motion was adopted to **TABLE** the ordinance indefinitely by the following vote: **AYES: COUNCIL MEMBERS Milsap, Murphy, Nelson, Boy, Doyle, Espar, Jankowski, McKee, and Meer (9). NAYS: None (0).**

UNFINISHED BUSINESS

Council President Espar opened nomination for the Republican appointment to the Michigan City Ethics Commission that expired December 31, 2009.

Councilwoman Nelson nominated Michael Gonder, second by Councilmen Murphy and Doyle.

Councilman Jankowski nominated Al Austin, second by Councilwoman Nelson.

President Espar closed the nominations stating the vote will take place for the Republican appointment to the Michigan City Ethics Commission at the next Council meeting February 16, 2010.

Council President Espar advised the following incumbents expire February 1, 2010 for the Social Status of African American Males Commission: Albertine Allen – Minority Health Coalition, Willie Milsap – Swanson Center, Rev. Charles Dowdell – Ministerial Assoc., Rodney Washington – LP County Prosecutors Office, Faye Moore – Human Right Commission, opening nominations.

Councilwoman Boy advised that all five incumbents requested to remain on the Commission; nominating all five for re-appointment to the Commission, second by Council Members Nelson and Murphy.

President Espar closed the nominations and the vote for the five incumbents to the Social Status of African American Males Commission passed with no objections:

AYES: COUNCIL MEMBERS Murphy, Nelson, Boy, Doyle, Espar, Jankowski, McKee, Meer, and Milsap (9). NAYS: None (0).

Council President Espar thanked the five members that were re-appointed for their time and commitment for serving on the Social Status of African American Males Commission.

NEW BUSINESS

There was no new business.

COMMENTS FROM THE PUBLIC

Eric Prascak, 9977 N. State Road 39, La Porte, addressed the Council regarding the appointment to the Michigan City Ethics Commission.

COMMENTS FROM THE COUNCIL

Councilwoman Nelson thanked Roy Romine, City Hall Maintenance Director for his 30 years of service and dedication and hoped he enjoys his retirement. Ms. Nelson stated he would be missed.

Councilwoman Boy agreed with Councilwoman Nelson's comments that he did a great job.

Councilman Meer commented on the Neighborhood Stabilization Grant activities that will be taking place on the Westside including possible employment opportunities for residents who reside within the boundaries of the target area. Mr. Meer stated the projects include demolition of blighted structures that have been identified as unsafe premises; and redevelopment of vacant properties.

Councilman Meer advised there would be a meeting held on Wednesday, February 10, 2010, at the HOPE Building (formerly Park School), 222 McClelland Street regarding this project.

Councilman Meer addressed Councilman Milsap's question regarding the target area of this project.

Councilman Murphy gave an update report regarding the Art Scape Project.

ADJOURNMENT

A motion by Councilwoman Nelson, supported by Councilman Meer, and there being no further business to transact, President Espar declared the meeting ADJOURNED (approximately 7:32p.m.).

Thomas F. Fedder, City Clerk