

## **REGULAR MEETING – February 16, 2010**

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, February 16, 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, Asst. Deputy Clerk – Kim Sliwa 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 February 2, 2010.

Councilman McKee made a motion to approve the minutes as printed, second by Council Members Murphy and Boy. The minutes were approved as printed.

### **REPORTS OF STANDING COMMITTEES**

Councilman Jankowski reported on the Finance Committee Meetings held on February 9 and 16, 2010, advising the meetings were called to discuss creating a position of a Facilities/Services Manager. (Finance Committee Members Murphy, Jankowski, and Espar were present.)

Councilman Jankowski reported on the Sanitary District Board Meeting held on January 27, 2010 advising that to date the Utility Committee hasn't received from the Sanitary District Board their budget regarding their operating funds, rate increases or capital financing plan that was requested.

Mr. Jankowski stated the Water Department advised the Utility Committee that there wouldn't be any salary increases for the management staff in 2010 and there was no immediate plan for a rate increase.

**REPORTS OF SPECIAL OR SELECT COMMITTEES**

There were no reports of special or select committees.

**REPORTS of OTHER CITY OFFICERS and DEPARTMENTS**

There were no reports of other city officers and departments.

**PETITIONS**

There were no petitions.

**COMMUNICATIONS**

There were no communications.

**RESOLUTIONS**

The Clerk read the following Resolution, by title only,

**MICHIGAN CITY COMMON COUNCIL**

**RESOLUTION NO. 4441**

**ACKNOWLEDGING AND RECOMMENDING THE CREATION OF THE JOB POSITION OF FACILITIES AND SERVICES 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 Facilities and Services 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 Facilities and Services 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 Facilities and Services Manager. The job description attached here to as "Exhibit "A".

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 a salary not to exceed \$65,000.00 plus benefits.

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

**EXHIBIT “A”**

**CITY OF MICHIGAN CITY  
JOB DESCRIPTION**

**Job Title:** Facilities and Services Manager  
**Department:** Municipal Buildings  
**Reports To:** Mayor  
**FLSA Status:** Exempt  
**Prepared By:** Shelley Dunleavy  
**Approved By:**  
**Approved Date:**

**Summary** Plans, directs and coordinates activities of employees and contractors engaged in the replacement, expansion or operation, repair and maintenance of municipal facilities, equipment and grounds to ensure safety and improve efficiency and reduce costs by performing the following duties.

**Essential Duties and Responsibilities** include, but are not limited to, the following:

Reducing operating costs of facilities and grounds.

Inspects facilities and equipment to determine need and extent of service, equipment required and type and number of operation and maintenance personnel needed.

Works with management to plan and assist with recommendations to schedule facility modifications.

Coordinates with appropriate city department representatives on scheduling repairs and oversees facility and equipment preventative maintenance including but not limited to, telephone systems, building infrastructure maintenance, and HVAC, elevators, electrical, plumbing and water/sewer services.

Assigns workers to duties such as maintenance, repair or renovation and obtains bids for additional work from outside contractors.

Directs contracted projects to verify adherence to specifications.

Monitors mechanical systems to ensure efficient/safe operation and performs emergency repairs when necessary.

Tracks, collects, reports and maintains information related to building utility usage, and preventative maintenance schedules to reduce operating costs.

Researches and implements new technology to improve operational efficiency.

Manages inventory of equipment, fixtures and furniture to ensure replacement schedule.

Develops environmental health and safety procedures for facilities, including emergency action plans, disaster recovery, business continuity and other related procedures and ensures procedures comply with local, state, and federal regulations.

Performs facilities planning activities, including evaluating existing usage patterns of buildings and equipment and project future requirements.

Purchases building and maintenance supplies, machinery, equipment and furniture.

Negotiates and administers outside service provider contracts.

Plans and administers building department budget.

Manages key control system and security system and personnel.

Reports to Mayor as requested, and to the Finance Committee of the Common Council every six (6) months, regarding cost savings options identified, evaluated, and implemented. Report must demonstrate savings achieved and future goals.

Performs other duties assigned by the Mayor.

**Supervisory Responsibilities** Supervises, directly or indirectly through subordinate supervisors, custodial and maintenance employees. Is responsible for the overall direction, coordination, and evaluation of these employees. Carries out supervisory responsibilities in accordance with the City's policies and applicable laws. Responsibilities include interviewing, hiring and training employees; planning, assigning and directing work, appraising performance; discipline and addressing complaints and resolving problems.

**Competencies** To perform the job successfully, an individual should demonstrate the following competencies:

Project Management – Develops project plans, coordinates projects, communicates changes and progress, completes projects on time and budget and manages project team activities.

**Qualifications** To perform this job successfully, an individual must be able to perform each essential duty and responsibility satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Ability to work with management to develop strategic plan for facility maintenance.

Knowledge of all mechanical, electrical, plumbing, construction and maintenance trades.

**Education and/or Experience** Bachelor's degree in Engineering, Architecture, or related field. Certified Facilities Manager or Certified Property Manager preferred. Certifications and/or a minimum of 8 years relevant experience in building operations, maintenance and building systems.

**Language Skills** Ability to read and interpret detailed drawings and documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write reports and correspondence. Ability to communicate effectively with employees, citizens, contractors and vendors.

**Mathematical Skills** Ability to calculate figures and amounts such as discounts, interest, commissions, proportions, percentages, area, circumference, and volume. Ability to apply concepts of basic algebra and geometry.

**Reasoning Ability** Ability to apply common sense understanding to carry out instructions furnished in written, oral or diagram form. Ability to deal with problems involving several concrete variables in standardized situations.

**Computer Skills** To perform this job successfully, an individual should have knowledge of internet software, payroll systems, spreadsheet software and word processing software.

**Certificates, Licenses, Registrations** Valid driver's license required.

**Physical Demands** The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disability to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, walk, sit, use hands to finger, handle, or feel, reach with hands and arms, climb or balance, stoop, kneel, crouch, or crawl, talk or hear and taste or smell. The employee must occasionally lift and/or move up to 40 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and ability to adjust focus.

**Work Environment** The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is occasionally exposed to moving mechanical parts, high, precarious places, fumes or airborne particles, toxic or caustic chemicals, outside weather conditions and risk of electrical shock. The noise level in the work environment is usually moderate.

Councilman McKee made a motion to adopt the following amendments; to replace "Building Manger", to read "Facilities and Services Manager" and to make the following changes to read as follows under Now, therefore:

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 Facilities and Services Manager. The job description attached here to as "Exhibit "A".
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 a salary not to exceed \$65,000.00 plus benefits.

The motion was second by Councilman Jankowski.

Keith Harris, 523 Tremont Street, addressed the Council regarding the status of the resolution being tabled.

Councilman McKee advised the proposed position was a recommendation from the Local Advisory Task Force stating reasons to support the proposed resolution.

Councilman McKee addressed Councilman Meer's questions regarding the proposed resolution.

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

The Clerk read the following Resolution, by title only,

**MICHIGAN CITY COMMON COUNCIL**

**Resolution No. [4442](#)**

**DESIGNATING AN OFFICIAL CITY FLOWER AND CITY ROSE**

**WHEREAS**, the City is a participant in the America In Bloom beautification contest for 2010; and

**WHEREAS**, the America In Bloom judges have recommended that the City designate an official flower and rose for the City; and

**WHEREAS**, the City's America In Bloom committee has recommended the Daylily and the Nearly Wild Rose be designated as the City's official flower and rose, respectively.

**NOW, THEREFORE, BE IT RESOLVED**, by the Common Council of the City of Michigan City, Indiana, that:

**Section 1.** The official flower for Michigan City is the Daylily (*Hemerocallis*) and the official City rose is the Nearly Wild Rose.

**Section 2.** That this Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

**Introduced by: /s/ Joseph Doyle**

Councilman Doyle advised the Planning Department along with Julie Manner and Betty Bigda from the America In Bloom Select Committee was present to answer any questions the Council may have.

John Pugh, Director, Planning and Inspection Department, addressed the Council on behalf of the America In Bloom Committee stating reasons why the resolution was being brought to the Council for their approval. Mr. Pugh presented photographs of the Day Lily which is being proposed to be designated as the Michigan City flower, stating Mr. Leo Sharp, owner of Brookwood Gardens offered to donate 5,000 plants to our program this year. Mr. Pugh also presented photographs of the Nearly Wild Rose which would be the City's official rose.

Councilman Doyle made a motion to adopt the resolution, second by Councilwoman Boy.

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

The Clerk read the following Resolution, by title only,

**RESOLUTION NO. 4443**

**RATIFYING A ONE YEAR LABOR AGREEMENT BETWEEN THE CITY OF MICHIGAN CITY AND THE FRATERNAL ORDER OF POLICE, DUNES LODGE #75 FOR THE CALENDAR YEAR 2010**

**WHEREAS**, there is a labor agreement currently in effect between the City of Michigan City and the Fraternal Order of Police, Dunes Lodge #75; and

**WHEREAS**, there have been successful negotiations between the Labor Negotiations Committee of the Common Council, the Board of Public Works and Safety, and the Fraternal Order of Police, Dunes Lodge #75, to formulate certain changes and/or modifications in wages and language all of which have been incorporated into the contract which is attached hereto as Exhibit A.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Michigan City, Indiana that said Common Council hereby ratifies the 2010 contract between the City of Michigan City, Indiana, and the Fraternal Order of Police, Dunes Lodge #75 a copy of which is attached hereto as Exhibit A.

**INTRODUCED BY:** /s/ Patricia Boy, member

Councilwoman Boy made a motion to adopt the resolution, second by Council Members Murphy and Nelson.

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

**ORDINANCES**

There were no ordinances.

**UNFINISHED BUSINESS**

Council President Espar stated that an appointment to the Michigan City Ethics Commission was before the Council advising the nominees were Al Austin and Mike Gonder.

Mike Gonder, 114 Bittersweet Trail, addressed the Council regarding serving on the Ethics Commission.

Council President Espar asked if the Council had any questions for Mr. Gonder and hearing none, the Clerk took the following vote: Mike Gonder; Espar, McKee, Milsap, Murphy, Nelson, Boy and Doyle (7). Al Austin; Jankowski and Meer (2). Mike Gonder was appointed to the Michigan City Ethics Commission.

President Espar thanked Mr. Gonder for his contribution to our City.

Council President Espar stated that Mayor Oberlie was requesting advice and consent concerning the re-appointment of Mr. Werner Graf, Tom Przybylinski, and Mr. John Pugh as members of the Michigan City Historic Review Board. President Espar advised their terms of office would begin immediately and expire on March 13, 2013 and that the vote will take place at the next Council Meeting (March 2, 2010).

Council President Espar advised Mayor Oberlie was requesting advice and consent concerning the appointment of Mr. Paul Foreman as a member of the Michigan City Board of Cemetery Trustees, beginning immediately and expire December 31, 2011. President Espar stated the consent would be voted on at the next Council Meeting (March 2, 2010).

### **NEW BUSINESS**

There was no new business.

### **COMMENTS FROM THE PUBLIC**

There were no comments from the public

### **COMMENTS FROM THE COUNCIL**

Councilman Murphy addressed the Council regarding what the America In Bloom Program does for our City.

Councilwoman Boy congratulated the America In Bloom Committee.

Councilwoman Boy congratulated the three new probationary firefighters and new police officer that were recently inducted, advising the police department is still taking applications for officers.

### **ADJOURNMENT**

A motion by Councilwoman Nelson, supported by Councilwoman Boy, and there being no further business to transact, President Espar declared the meeting ADJOURNED (approximately 7:00 p.m.).

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Thomas F. Fedder, City Clerk