

REGULAR MEETING – March 16, 2010

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

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

REPORTS OF STANDING COMMITTEES

Councilman Jankowski reported on the Animal Control Advisory Committee meeting held on Thursday, March 11, 2010.

Councilman Jankowski advised 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.

Councilman Jankowski stated there were two (2) over flows at the Treatment Plant, advising he didn't have information regarding them being reported to IDEM.

Councilman Jankowski reported on the information the Sanitary District provided to the EPA, advising there has been an increase in reported sewer over flows.

Councilman Jankowski stated that he has requested information regarding various issues including the Sanitary District employee that was involved in an accident with a Sanitary vehicle in January 2010.

Councilman Jankowski advised the Council he would be requesting information regarding the legal expense associated with the investigation of Mr. Meer as soon as it becomes available.

REPORTS OF SPECIAL OR SELECT COMMITTEES

Councilman McKee reported on the Code Review Committee meeting advising the committee is about 90% through the Municipal Code Book. Mr. McKee stated that a suggested revision copy will be presented to each member of the Council for their review some time in May and then schedule Workshops to explain the suggestions, with a goal to bring the changes to the Council in June, 2010.

Councilman McKee thanked the Mayor and Councilman Doyle for their continued work and a special thank you to Attorney Lapaich and fellow Councilwoman Pat Boy for the hard work, efforts, research and planning before and after each Code Review Meeting.

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 by title only, there being no objections,

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4444

AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE INDIANA DEPARTMENT OF HOMELAND SECURITY AND PLEDGING TO APPROPRIATE NECESSARY MATCHING FUNDS

WHEREAS, the City of Michigan City is eligible for a land acquisition grant from the Indiana Department of Homeland Security (hereinafter referred to "IDHS") for purposes of acquiring flood-prone property and the demolition of any improvements on said property; and

WHEREAS, the IDHS grant has a Twenty-Five percent (25%) local match requirement and the grant regulations mandate that the land acquisition and the building demolition be completed within ninety (90) days of the award of the grant; and

WHEREAS, should IDHS award this grant to the City, an owner of a flood-prone property, which is located on the waters of Trail Creek at 1102 Liberty Trail, has agreed to sell her property to the City; and

WHEREAS, the aforementioned property fits into the City's plan for a greenway trail system along Trail Creek; and

WHEREAS, should IDHS award this grant to the City, the actual appraisals and demolition bids will need to be immediately obtained for the aforementioned property.

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

Section 1. The Michigan City Common Council supports and authorizes the submission of the IDHS grant application in the amount of One Hundred Twenty-seven Thousand Dollars (\$127,500.00) to be used to cover the cost of the purchase and demolition (including related costs such as appraisals, closing costs and administration) of a property located on the waters of Trail Creek at 1102 Liberty Trail of which costs total One Hundred Seventy Thousand Dollars (\$170,000), Seventy-Five percent (75%) of which would be paid with the grant funds and Twenty-Five percent (25%) would be paid with local funds.

Section 2. The Michigan City Common Council intends and commits to appropriate the required Twenty-five percent (25%) matching funds of up to Forty-Two Thousand Five Hundred Dollars (\$42,500.00) if the grant is awarded.

Section 3. The City Controller is authorized to create a fund to receive and distribute the grant funds upon the approval of the IDHS application.

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/ Richard Murphy, Member
Michigan City Common Council

Councilman Murphy addressed the Council stating several reasons to support the proposed resolution.

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

ORDINANCES

The Clerk read on first reading by title only, **AN ORDINANCE PROVIDING FOR THE PARK DEPARTMENT CONCESSION OPERATIONS (EXCEPT GOLF) IN THE DEPARTMENT OF PARKS AND RECREATION AND AMENDING EXISTING ORDINANCES ACCORDINGLY**

Introduced by: Joe Doyle

Councilman Doyle advised the Park and Recreation Department was present to answer any questions regarding the proposed ordinance.

Council President Espar referred the proposed Ordinance to the Finance Committee for their consideration and recommendation.

Councilwoman Boy asked if the proposed ordinance was in the code book, stating if it is the title should be referenced to the code not the ordinance.

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

The Clerk read on first reading by title only, **AMENDING SECTION 3 OF ORDINANCE NO. 3748 TO ALLOW FOR THE TRANSFER OF MONIES FROM THE ZOO EDUCATION NON-REVERTING FUND NO. 1303 TO THE OPERATING BUDGET OF THE MICHIGAN CITY PARK AND RECREATION DEPARTMENT TO PAY THE WASHINGTON PARK ZOO EDUCATION CURATOR'S ANNUAL WAGES**

Introduced by: Joe Doyle

Council President Espar advised the proposed ordinance would be referred to the Finance Committee for their consideration and recommendation.

Councilwoman Boy addressed the language in Section 3 asking if the proposed ordinance was in the code book advising that if it is the title should be referenced to the code not the ordinance.

President Espar stated the Finance Committee will review and report back to the Council.

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

The Clerk read on first reading by title only, **AMENDING THE ZOO NON-REVERTING CAPITAL IMPROVEMENT FUND AND AMENDING ALL SUBSEQUENT AMENDING ORDINANCES THERETO ALSO KNOWN AS SECTION 2-411 OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA**

Introduced by: Joe Doyle

Councilwoman Boy asked the Finance Committee to check the status of the proposed ordinance title in regards to referring to a code or an ordinance.

Councilman McKee addressed Section 2-411(c) requesting the Finance Committee to review the language in regards to "Zoo admission fees" being omitted from this sentence.

Council President Espar stated the proposed ordinance would also be referred to the Finance Committee for their consideration and recommendation.

Council President Espar asked if there any questions or comments by the general public or Council and hearing none, the ordinance was laid over for second reading.

The Clerk read on first reading by title only, **APPROVING AN ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND**

Introduced by: Richard Murphy

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance - \$42,850.00. INCREASE: Account #9000 0000 04 441.001, Land Acquisition - \$42,850.00).

President Espar addressed Councilwoman Boy's concern regarding what account the money would go into if the land was not purchased.

Councilman Murphy addressed the Council reminding them of the Resolution that was adopted in December 2009 authorizing the submission of Coastal Management Grant

for land acquisition. Mr. Murphy stated several reasons why he sponsored the proposed ordinance asking the Council for their support.

Council President Espar referred the proposed ordinance to the Finance Committee.

Councilwoman boy made a motion to **TABLE** the ordinance until April 20, 2010 when the Public Hearing would be held, second by Councilwoman Nelson.

The ordinance was **TABLED** until the Council meeting on April 20, 2010 by the following vote: **AYES: Council Members Milsap, Murphy, Nelson, Boy, Doyle, Espar, Jankowski, McKee, and Meer (9). NAYS: None (0).**

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR EQUIPMENT FOR ANIMAL CONTROL DEPARTMENT**

Introduced by: Marc Espar

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance, - \$8,067.85. INCREASE: Account # 9000 0000 04 444.014, Animal Control Department Equipment - \$8,067.85)

Council President Espar referred the proposed ordinance to the Finance Committee for their consideration and recommendation.

Councilwoman Boy asked if the Finance Committee would check to see if there have already been estimates and bids regarding this appropriation.

Councilman McKee made a motion to **TABLE** the ordinance until the April 20, 2010 Council meeting, second by Councilwomen Boy and Nelson.

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

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR FORESTER EQUIPMENT**

Introduced by: Marc Espar

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance - \$51,000.00. INCREASE: Account # 9000 0000 04 444.005, Forester Equipment - \$51,000.00).

Councilwoman Boy asked if the Finance Committee would advise the Council if estimates and bids were done regarding the appropriation.

Councilwoman Boy made a motion to **TABLE** the ordinance until the April 20, 2010 Council meeting, 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 motion to **TABLE** the ordinance was adopted by the following vote: **AYES: Council Members Nelson, Boy, Doyle, Espar, Jankowski, McKee, Meer, Milsap, and Murphy (0). NAYS: None (0).**

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR EQUIPMENT FOR THE CENTRAL MAINTENANCE DEPARTMENT**

Introduced by: Marc Espar

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance - \$35,000.00. INCREASE: Account #9000 0000 04 444.009, Central Maintenance Department Equipment -\$35,000.00).

Council President Espar referred the Ordinance to the Finance Committee for their consideration and recommendation.

Councilwoman Boy asked if the Finance Committee would advise the Council if estimates and bids were already done regarding the appropriation.

Councilwoman Boy made a motion to **TABLE** the ordinance until the Council meeting on April 20, 2010, second by Councilwoman Nelson.

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

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR BUILDING REPAIRS FOR THE DEPARTMENT OF PARKS AND RECREATION**

Introduced by: Marc Espar

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance - \$18,885.00. INCREASE: Account # 9000 0000 04 443.007, Park Projects - \$18,885.00).

Council President Espar referred the proposed ordinance to the Finance Committee for consideration and recommendation.

Councilwoman Boy asked if the Finance Committee would advise the Council if estimates and bids were already done and who would be doing the work.

Councilman Doyle advised the Park Department was present to answer any questions regarding the appropriation.

Jan Orlich, Superintendent, Park and Recreation Department advised there were four (4) quotes received.

Councilwoman Boy made a motion to **TABLE** the Ordinance until the April 20, 2010 Council meeting, second by Councilwoman Nelson.

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

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR EQUIPMENT FOR THE STREET DEPARTMENT**

Introduced by: Marc Espar

(DECREASED: Fund #9000, Riverboat Fund Unappropriated Balance – \$287,000.00. INCREASE: Account # 9000 0000 04 444.004, Street Department Equipment - \$287,000.00)

Councilwoman Boy asked if the Finance Committee would advise the Council if estimates and bids were already done.

Council President Espar referred the ordinance to the Finance committee.

Councilman Murphy made a motion to **TABLE** the ordinance until the April 20, 2010 Council meeting, second by Councilwoman Nelson.

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

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR EQUIPMENT FOR THE VECTOR CONTROL DEPARTMENT**

Introduced by: Marc Espar

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance - \$9,020.00. INCREASE: Account # 9000 0000 04 444.007, Vector Control Department Equipment - \$9,020.00).

Councilwoman Boy asked if the Finance Committee would advise the Council if estimates and bids were already done.

Councilwoman Nelson made a motion to **TABLE** the ordinance until the April 20, 2010, Council meeting, second by Councilman Murphy.

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

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR EQUIPMENT FOR THE POLICE DEPARTMENT**

Introduced by: Marc Espar

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance - \$67,750.62. INCREASE: Account #9000 0000 04 444.021, Police Department Equipment – \$67,750.62).

Councilwoman Boy asked if the Finance Committee would advise the Council if estimates and bids were already done.

Councilwoman Nelson made a motion to **TABLE** the ordinance until the April 20, 2010, Council meeting, second by Council Members McKee and Boy.

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

The Clerk read on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR LAND ACQUISITION**

Introduced by: Marc Espar

(DECREASE: Fund #9000, Riverboat Fund Unappropriated Balance - \$42,500.00. INCREASE: Account # 9000 0000 04 444.001, Land Acquisition - \$42,500.00).

Council President Espar referred the proposed ordinance to the Finance Committee.

Councilwoman Boy made a motion to **TABLE** the ordinance until the April 20, 2010, Council meeting, second Councilman Meer.

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

President Espar advised John Schaefer, City Controller and Mayor Oberlie that he would contact them to schedule the Finance Committee meetings.

The Clerk read on first reading by title only, **CREATING AN ANONYMOUS WRONGFUL CONDUCT AND DANGEROUS CONDITION REPORTING PROGRAM REGARDING THE OPERATIONS OF ALL DEPARTMENTS AND AGENCIES OF MICHIGAN CITY GOVERNMENT OPERATIONS**

**Introduced by: Phil Jankowski
Ron Meer
Pat Boy**

Councilman Jankowski stated there were Author's Amendments by substitution, advising Councilwoman Boy presented the Council with the following:

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

CREATING AN ANONYMOUS REPORTING PROGRAM FOR WRONGFUL CONDUCT AND DANGEROUS CONDITIONS REGARDING THE OPERATIONS OF ALL DEPARTMENTS AND AGENCIES OF MICHIGAN CITY GOVERNMENT

WHEREAS, an anonymous reporting program for employees and others to report illegal activity and other wrongdoing by government employees and officials can be a critical element for the ethical and efficient operation of a governmental entity; and

WHEREAS, the Common Council believes that it is in the best interest of the government of Michigan City and its citizens to provide reasonable assurance that fraudulent, illegal, unethical, dangerous, wasteful, or dishonest activity on the part of Michigan City's managers, employees, elected and appointed officials, contractors, vendors, or business contacts are prevented, or detected and punished; and

WHEREAS, recent events have demonstrated that there exists a potential for inappropriate behavior within City government operations; and

WHEREAS, it is apparent that there have been occasions where people in authority in City government have attempted to intimidate others in an attempt to avoid or punish disclosure of wrongful conduct by City officials or employees; and

WHEREAS, in addition, the Michigan City Sanitary District recently revised its Personnel Policies Handbook, in a transparent attempt to prevent further employee disclosures concerning wrongful conduct and dangerous conditions in said department by wrongfully granting the General Manager of the Sanitary District sole discretion to reject Sanitary District employees' appeals of disciplinary action, thereby preventing those appeals to be heard by the Sanitary District's Board of Commissioners which is charged by Indiana statute with the responsibility and authority to manage and supervise all of the District's operations; and

WHEREAS, there may be employees of the City and members of the public with knowledge of inappropriate acts by City officials or employees, or dangerous conditions in City government operations, who fail to disclose that information due to intimidation and fear of retaliation; and

WHEREAS, there is a demonstrated need for the City to provide a means through which anyone can make an anonymous and confidential report, through a third party, to the Mayor and the Council of any such activity or situation so that the Mayor and/or the Council can conduct a reasonable and, to the extent reasonably possible and lawful, confidential investigation of the report to determine its validity.

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

1. No elected or appointed official, employee, or agent of the City of Michigan City, including all departments and agencies thereof, shall intimidate or punish, or attempt to intimidate or punish, any person, in whole or in part, for that person's report or disclosure of:
 - a. any wrongdoing, within the scope of their employment or agency, by any elected or appointed official of the City or any board, employee, or agent of any department or agency of the City; or
 - b. the existence of an unreasonably dangerous condition on any City property.
2. The Michigan City Board of Works shall contract with a capable and experienced vendor to provide the opportunity for anyone to make an anonymous and confidential report concerning:
 - a. any wrongdoing, within the scope of their employment or agency, by any elected or appointed official of the City or any board, employee, or agent of any department or agency of the City; or
 - b. the existence of an unreasonably dangerous condition on any City property.
3. The contract with the vendor shall require that all reports and information submitted to the vendor shall be provided to the Mayor, the President of the Michigan City Common Council, members of the Common Council Finance Committee, and the chair of the standing committee impacted by the allegations.
4. When deemed appropriate by the Mayor or Common Council, they will forward the allegations to the City's Ethics Committee.
5. Upon receipt of any such report, the Mayor and/or Common Council shall conduct a reasonable investigation by any appropriate means available to determine the validity

of the report. If, after due investigation, the report is determined to be invalid, it shall not be made public and, if it has already become public, the Mayor and/or the Common Council, as appropriate, shall publicly announce that the Mayor and/or the Common Council has determined and believe, after appropriate investigation, that the report is invalid. If the report is determined to be valid, the Mayor and/or the Common Council will take the appropriate steps to address and remedy the problem.

- 6. Any violation of any of the prohibitions in section 1, above, shall be punishable by disciplinary action up to and including termination and a fine of up to \$2,500 per violation. Every day a violation continues shall be considered a separate violation and is punishable as such.

This Ordinance shall be in full force and effect after passage by the Michigan City Common Council, approval by the Mayor, and any necessary publication.

INTRODUCED BY: _____
Phil Jankowski

CO-SPONSOR: _____
Ron Meer

CO-SPONSOR: _____
Patricia Boy

Passed by the Common Council of the City of Michigan City, Indiana this _____ day _____ of 2010.

Marc Espar, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2010.

Charles E. Oberlie,
Mayor of Michigan City

ATTEST:

Thomas F. Fedder, City Clerk

Councilman Jankowski addressed the Council regarding the proposed ordinance advising there are several utilities, cities, and universities that are all going to anonymous reporting. Councilman Jankowski commented on what had occurred to one of their colleagues, addressing what had happened at the Sanitary District.

Councilman Jankowski addressed Dennis Boy's, (218 Southwood Drive) concerns regarding how an anonymous investigation would take place if the proposed ordinance is adopted.

Attorney Bill Nelson, Braje, Nelson & Janes LLP, 126 E. 5th Street, General Counsel for the Michigan City Sanitation District, addressed the Council regarding his concerns of the language in the fifth paragraph of the proposed ordinance;

WHEREAS, In addition, the Michigan City Sanitary District recently revised its Personnel Policies Handbook, in a transparent attempt to prevent further employee disclosures concerning wrongful conduct and dangerous conditions in said department by wrongfully granting the General Manager of the Sanitary District sole discretion to reject Sanitary District employees' appeals of disciplinary action, thereby preventing those appeals to be heard by the Sanitary District's Board of Commissioners which is charged by Indiana statute with the responsibility and authority to manage and supervise all the of the District's operations; and

Discussion ensued among Attorney Nelson, Attorney Meyer, Council Members Nelson, Boy and Meer.

Council President Espar stated that the proposed ordinance would be referred to the Finance Committee for consideration and recommendation.

Councilwoman Boy requested a copy of the Policy Hand Book for the Sanitary District.

Dennis Metheny, 6757 W. 450 N., stated his concerns regarding the proposed ordinance.

Councilman McKee stated his opinion regarding the proposed ordinance along with comments regarding the ongoing investigation at the Sanitary District.

Councilwoman Boy asked Councilman McKee to help make any amendments needed, so the Council would support and adopt the proposed amended ordinance on third reading.

Councilman Meer thanked Mr. McKee and agreed with his comments advising the Council shouldn't have to consider an ordinance like the proposed ordinance regarding these issues.

Councilman Meer stated his concerns regarding the lack of communication between City management and City employees.

President Espar asked if there were any comments or questions by the general public or Council and hearing none, the ordinance was laid over on second reading at the April 6, 2010 Council meeting.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Council President Espar advised Mayor Oberlie requests the advice and consent concerning the appointment of Mr. Derrick Dirks as a member of the Michigan City Historic Review Board. Mr. Dirks term will begin immediately and expire March 15, 2012.

President Espar stated the Council will consider the advice and consent at the next Council meeting April 6, 2010.

COMMENTS FROM THE PUBLIC

Mayor Oberlie addressed the Council presenting a proposal received by the Board of Public Works and Safety for the operations of the government access channel and the public access channel. Mayor Oberlie advised the proposal has been referred to the Corporation Counsel and City Controller for review, along with a copy submitted to the Laporte County Commissioners to determine their interest in participating in the new contract.

Mayor Oberlie asked the Council to extend the ALCO agreement to continue their services for an additional thirty (30) or (60) days to allow the administration and the Board of Public Works and Safety time to negotiate the agreements.

Councilman Jankowski made a motion to extend the ALCO agreement to continue their services for an additional sixty (60) days, second by Council Members Meer and Nelson.

Councilman McKee asked if ALCO was no longer in business, since the City did not receive a proposal from them and are they willing to extend their agreement.

Discussion ensued among Mayor Oberlie, Council President Espar, and Councilman McKee.

Dennis Metheny 6757 W. 450 N, stated his concerns regarding the proposal received at the Board of Public Works and Safety meeting.

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

COMMENTS FROM THE COUNCIL

Councilman Meer addressed the Council regarding the ongoing issues with the Sanitary District.

Councilwoman Nelson stated she was dishearten that there weren't more bids for the ALOC proposal.

Councilwoman Nelson stated her concerns regarding employee safety in the City's work areas advising that there should be a "Lock Out/Tag Out Program", along with annual/semi annual safety programs for all employees of the City.

Councilwoman Nelson addressed the Council stating her concerns regarding overflow issues not being addressed in the past five years at the Sanitation District.

Councilman Milsap reminded everyone in the Fifth Ward to fill out their Census and that if they need help to fill them out to call the Fifth Ward Office at 861-0331.

Councilman Milsap announced the Spring Clean Blitz would be starting Sunday, March 28, 2010 through Sunday, April 25, 2010 for senior citizens in the Fifth Ward. Call 861-0331.

Councilman Milsap invited everyone to attend the Annual Spring Clean Up, Saturday, March 27, 2010, 11:00 a.m., Fifth Ward Office, 1401 E. Michigan Boulevard, if you have any questions call 861-0331.

Councilwoman Nelson encouraged everyone in Michigan City to fill out their Census information, if someone has a question regarding filling them out to call any of the Council members.

Councilwoman Boy commented on Councilwoman Nelson's comments, advising currently if you have a safety issue at your job you can do anonymous reporting to IOSHA (HOT LINE).

ADJOURNMENT

A motion by Councilwoman Boy, supported by Councilwoman Nelson, and there being no further business to transact, President Espar declared the meeting ADJOURNED (approximately 7:51 p.m.).

Thomas F. Fedder, City Clerk