

## **REGULAR MEETING – MARCH 17, 2009**

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, March 17, 2009, 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 Bob McKee.

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, Willie Milsap (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 McKee inquired whether there were any corrections, deletions, or additions to the minutes of the regular Meeting of March 3, 2009.

Councilwoman Boy made a motion to approve the revised minutes as printed, seconded by Councilman Doyle. The motion was approved as revised.

### **REPORTS OF STANDING COMMITTEES**

Councilman Espar reported on the Finance Committee meeting held on March 11, 2009 regarding the proposed Ordinance approving additional appropriation of unappropriated riverboat funds for transfers into accounts in the riverboat fund (**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), along with the proposed ordinance amending Ordinance No. 4037 setting salaries and wages for appointed officials and employees of the City of Michigan City for the Calendar Year 2009.

Councilman Espar reported on the Local Advisory Task Force on Governmental Efficiency, Asset Management and Utilization Committee Meeting held on March 10, 2009.

Councilman Doyle reported on the Parks and Recreation Committee held on March 10, 2009 regarding the additional appropriation for the Park Department to cover additional expenses incurred for the Oasis Splash Pan and General Concession, along with the proposed ordinance providing for the combining of certain non-reverting funds in the department of Parks and Recreation and amending existing ordinances accordingly.

Councilwoman Nelson reported on the Park Committee meeting stating the committee's recommendation was to pass both Ordinances.

Councilwoman Boy reported on the Task Force Subcommittee (Departments, Bds., Comm., & Grants) held on March 10, 2009 stating that Jason Miller would be the Chairperson and the next meeting is scheduled for Friday, March 27, 2009, at 5:00 p.m. at the LaPorte County Convention & Visitors Bureau, Marquette Mall, 4073 S. Franklin Street.

Councilwoman Nelson stated that a Public Health & Safety Committee meeting will be held on Tuesday, March 24, 2009 at 7:00 p.m., in the Mayor's Conference Room. Ms. Nelson advised this meeting will be to review a proposed graffiti ordinance.

### **REPORTS OF SPECIAL OR SELECT COMMITTEES**

Councilman Murphy reported on the update of the Michigan Boulevard Oversight Committee project. Mr. Murphy invited the public to attend the next oversight meeting on Wednesday, March 18, 2009 at 6:00 p.m., at the Fifth Ward Office, 1401 E. Michigan Boulevard.

Councilman Murphy stated that the Mayor invited the Michigan Boulevard Oversight Committee to attend the next team meeting to begin discussion on conceptual design.

Council President McKee thanked the Clerk's Office for keeping pace with the amount of meetings that are being scheduled.

### **REPORTS of OTHER CITY OFFICERS and DEPARTMENTS**

Human Rights Executive Director/EEO Officer TaTanisha Clark presented to the Council the summary of the 2007 - 2009 Construction Report for the City of Michigan City.

Discussion ensued among Ms. Clark, Council Members Meer, Milsap, Boy and McKee.

### **PETITIONS**

There were no petitions.

### **COMMUNICATIONS**

There was no communications.

### **RESOLUTIONS**

Council President McKee asked the Clerk to read the following resolution in its entirety,

**MICHIGAN CITY COMMON COUNCIL****RESOLUTION NO. 4413****A RESOLUTION TO THE MICHIGAN CITY PLAN COMMISSION AND  
TO THE MICHIGAN CITY PLANNING AND INSPECTION  
DEPARTMENTS INSTRUCTING THE WAIVER OF CERTAIN  
BUILDING PERMIT FEES AND INSPECTION FEES**

**WHEREAS**, the Michigan City Common Council has given support to the creation and the need of decent and adequate housing and supports the need to help make better housing available to those who would not qualify under normal means, and

**WHEREAS**, Habitat for Humanity, Inc., works in partnership with people in need of decent adequate housing who would not qualify for home ownership under normal means, and

**WHEREAS**, Habitat for Humanity, Inc., acquires property and builds a house in partnership with a family that is selected by a committee, and

**WHEREAS**, Habitat for Humanity, Inc., purchases building materials through various fundraising events, and uses volunteer labor in building houses, and

**WHEREAS**, Habitat for Humanity, Inc., upon completion the home is sold to the family with a no-profit, no-interest mortgage, and

**WHEREAS**, Habitat for Humanity, Inc., works with the homeowner helping them to become responsible homeowners, and

**WHEREAS**, the Common Council wishes to lessen the burden for the Habitat for Humanity Inc., and they can proceed with construction without delay:

**NOW, THEREFORE, BE IT RESOLVED** that the Michigan City Common Council hereby instructs the Plan Commission and the Planning and Inspection Departments to specifically waive any and all fees on the home site being constructed by Michigan City Habitat for Humanity, Inc., at 209 and 212 Willard Avenue.

Upon this Resolution's effective date, the City Clerk will send a copy to the Controller, each member of the Board of Public Works and Safety and Plan Commission, and to John Pugh for the Planning and Inspection Departments, for their records and future presentation to the State Board of Accounts.

INTRODUCED BY: Ron Meer

Councilman Meer moved to adopt the Resolution, seconded by Councilman Milsap.

Jeff Wiliver, President and Sue Downs, Construction Manager of LaPorte County Habitat for Humanity addressed the Council regarding the Resolution.

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

Council President McKee advised there will be a formal public hearing on the next Resolution as advertised on March 7, 2009. Council President McKee asked Councilman Espar to read the following resolution in its entirety,

## MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4414

**APPROVING THE STATEMENT OF BENEFITS FOR TAX ABATEMENT FOR CERTAIN REAL PROPERTY OWNED BY CONSOLIDATED BISCUIT COMPANY WITHIN MICHIGAN CITY AND WAIVING CERTAIN REQUIREMENTS PURSUANT TO INDIANA LAW, INCLUDING, WITHOUT LIMITATION, IC 6-1.1-12-1, ET SEQ.**

**WHEREAS**, the COMMON COUNCIL of Michigan City, Indiana, by Ordinance No. 2648 as amended, and / or otherwise, has adopted one or more Declaratory Resolution(s) designating certain areas within Michigan City, Indiana as Economic Revitalization Area(s) for the purpose of real property tax abatement consideration thus establishing a Tax Abatement Area in the City of Michigan City, Indiana, and has further adopted a Tax Abatement Program (the "Program"); and

**WHEREAS**, such Declaratory Resolution includes an area which includes the subject property owned or used by the taxpayer (Consolidated Biscuit Company), such being more particularly described as follows:

**502 W. Highway 20, Michigan City, IN 46360 (with the legal description as attached here to at Exhibit A).**

**WHEREAS**, under the terms of the Program, abatement benefits, among other things, are made available to owners of real estate upon which new construction has occurred and such benefits are made available as to owners of such property located anywhere within the city limits of the City of Michigan City, Indiana;

**WHEREAS**, Consolidated Biscuit Company has filed with this Council its Statements of Benefits on the forms provided by the State of Indiana and has provided this Council with a presentation in support thereof;

**WHEREAS**, this Council is satisfied that the Petitioner's Statement of Benefits meets with the requirements of Ordinance Number 3648, as amended, as well as previous tax abatement resolutions adopted by the Common Council of Michigan City;

**WHEREAS**, notice of the adoption of Resolution(s) and all other related matters and the public hearing before the Common Council has been published pursuant to Indiana Code 6-1.1-12.1-2.5;

**WHEREAS**, the Council held a public hearing for the purposes of hearing all remonstrances and objections from interested persons, including any remonstrances concerning waiver of filing requirements; and

**WHEREAS**, the Council has determined that the qualification(s) for an economic revitalization area have been met.

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

**SECTION 1.** That the matters and things recited in the preamble hereof are hereby adopted and made a part of this Resolution by incorporation and reference as if repeated in full.

**SECTION 2.** That the Common Council of the City of Michigan City hereby determines:

- A. That the real estate improvements described in the taxpayer's SB-1 RE will be used in conjunction with and for the purposes of the taxpayer's manufacturing facility. The new construction will allow manufacturing to continue in Michigan City instead of other locations. The proposed construction will provide for expansion of the taxpayer's business presence in its relevant market and allow it to remain competitive with its competitors in the market place. The proposed construction will assist the taxpayer in maintaining its existing employment and provide for future potential employment.
- B. With the new construction, the number of the taxpayer's employees who will likely be retained is approximately 187 with an annual payroll of approximately \$4,900,000.00.
- C. Retention of employment as described in the Statements of Benefits is a benefit which can be reasonably expected to result from the proposed project.
- D. The benefits described justify the deductions which will occur in tax abatement for the project.
- E. That as a result of the above-referenced Resolutions and Ordinances, the deduction to which the petitioner is entitled to is ten (10) years with respect to the real property improvements and / or construction.
- F. That the location of the Petitioner's manufacturing plant described herein (502 W. Highway 20, Michigan City, IN) is within the Michigan City Economic Revitalization Area.

- G. That the Statement of Benefits filed by the Petitioner meets the requirements of this Council and should be approved as submitted.
- H. That the grant of approval referred to herein is subject to the report and oversight provisions of applicable Ordinances of the City of Michigan City, Indiana.
- I. That the Council hereby waives any and all clerical errors, technical errors and any and all nonconformities that are waivable under State and local law, including without limitation those described in IC 6-1.1-12.9-5, subsections (b)(1) and (b)(2), and IC 6-1.1-12.1-11.3, subsections (a)(1) through (a)(5) inclusive, including without limitation the specific provisions of IC 6-1.1-12.1-11.3(a)(2)(A) relating to the failure to submit the completed statement of benefits form to the designating body before the initiation of the redevelopment.

SECTION 3. The Common Council hereby accepts and approves the Statements of Benefits of the Petitioner, and hereby authorizes the signature thereof by the President of this Council and the attestation thereof by the City Clerk.

SECTION 4. This Resolution shall be in full force and effect after its adoption by the Michigan City Common Council.

Introduced by: /s/ Marc A. Espar  
Common Council Member

President McKee asked if there were any questions or comments by the general public or Council and hearing none, President McKee opened the formal public hearing, repeating three times “any questions or comments by the general public at this time?”

Michael White, Appraisal Management Research Company introduced Ed Shackelford, Plant Manager of Consolidated Biscuits. Mr. Shackelford addressed the Council regarding the expansion to Consolidated Biscuits, asking for their approval of benefits for tax abatement.

Kevin Kieft, Business Development Manager, Michigan City Economic Development Corporation, stated they were in full support of Consolidated Biscuits, keeping the 187 jobs and 4.9 million dollars of annual salaries in our community; asking the Council to adopt the resolution.

Council President McKee repeated three times, “Any questions or comments by the general public at this time?” There was no response and the public hearing was closed.

Councilman Espar stated reasons why the property tax abatement resolution being introduced to the Council should be adopted.

Councilman Espar moved to adopt the resolution, seconded by Councilwoman Boy and Nelson.

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

Council President McKee asked Councilwoman Nelson to read the following resolution in its entirety,

**MICHIGAN CITY COMMON COUNCIL**

**RESOLUTION NO. 4415**

**RESOLUTION OF THE MICHIGAN CITY COMMON COUNCIL  
OF THE CITY OF MICHIGAN CITY, INDIANA**

**AUTHORIZING THE 2009  
BYRNE JUSTICE ASSISTANCE GRANT (JAG)**

**WHEREAS**, the Michigan City Police Department has a system known as the “Mobile Data Canopy Structure” that allows their Mobile Data Transmission System to operate; and

**WHEREAS**, the Michigan City Police Department is currently upgrading their “Mobile Data Canopy Structure” system, which includes but is not limited to allowing said system to operate on the local emergency service frequency, provide a means for electronic document operations, and provide for communication as prescribed by the Emergency Management Agency (EMA), National Incident Management System (NIMS), and Homeland Security Operations; and

**WHEREAS**, the Michigan City Police Department wants to further enhance their “Mobile Data Canopy Structure” system with the purchase of wireless security cameras to use within the corporate limits of Michigan City to promote public safety and security for Michigan City Residents; and

**WHEREAS**, the Michigan City Police Department has applied for and received, contingent on Council approval, the 2009 Byrne Justice Assistant Grant (JAG) Program Award in the amount of \$106,831.00, which said grant would be utilized to purchase the wireless security cameras.

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

Section 1. The Common Council supports and approves the 2009 JAG Program Award, which will promote public safety and security for Michigan City Residents.

Section 2. Upon receipt of the 2009 JAG Program Award, the Mayor is authorized to execute any and all contracts and memoranda required for the award of the above-described grant.

Section 3. Upon receipt of the 2009 JAG Program Award, the City Controller is authorized to open an account to receive the grant funds and make expenditures from said fund without further authorization of the Common Council.

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

Introduced By: /s/ Marc Espar, Member  
Michigan City Common Council

/s/ Angela Nelson, Member  
Michigan City Common Council

/s/ Bob McKee, Member  
Michigan City Common Council

Councilwoman Nelson advised that M.C.P.D. Chief Neitzel is on the Council’s Agenda for April 7, 2009 to speak on this matter.

Councilman Espar stated this was a great opportunity for the M.C.P.D. to receive grant funds to expand our mobile data canopy structure system, and to purchase wireless security cameras to promote public safety.

Councilwoman Nelson moved to adopt the Resolution, second by Councilmen Espar and Milsap.

M.C.P.D. Assistant Chief Kintzele addressed the Council regarding the proposed grant funds and asked the Council for their support.

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

## **ORDINANCES**

Council President McKee advised there will be a formal public hearing on the next Ordinance as advertised on March 7, 2009.

The Clerk read on second reading by title only, **AN ORDINANCE 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).

President McKee asked if there were any questions or comments by the general public or Council and hearing none, President McKee opened the formal public hearing, repeating three times "Any questions or comments by the general public at this time?"

Council President McKee repeated three times, "Any questions or comments by the general public at this time?" There was no response and the public hearing was closed.

Councilman Espar advised reasons for the additional appropriations and stated that the Finance Committee met on March 11, 2009 and recommends its adoption.

Council President McKee asked if there any comments or questions by the general public or Council and hearing none, the Ordinance was laid over for third reading.

The Clerk read on second reading by title only, **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA PROVIDING FOR THE COMBINING OF CERTAIN NON-REVERTING FUNDS IN THE DEPARTMENT OF PARKS AND RECREATION AND AMENDING EXISTING ORDINANCES ACCORDINGLY**

**INTRODUCED BY:** Joe Doyle

Councilman Doyle commented on the committee meeting held regarding this resolution; the committee recommended an amendment by substitution.

Councilman Doyle moved to adopt the following amendment by substitution, seconded by Council Members Nelson and Milsap.

**MICHIGAN CITY COMMON COUNCIL**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA PROVIDING FOR THE COMBINING OF CERTAIN NON-REVERTING FUNDS IN THE DEPARTMENT OF PARKS AND RECREATION AND AMENDING EXISTING ORDINANCES ACCORDINGLY**

**WHEREAS**, the Michigan City Common Council did, on May 17, 1977 adopt Ordinance No. 2305, entitled, AN ORDINANCE ESTABLISHING A SPECIAL NON-REVERTING OPERATING FUND WITHIN THE DEPARTMENT OF PARKS AND RECREATION OF THE CITY OF MICHIGAN CITY, INDIANA FOR EXPENSES AT THE ZOO, in the order to allow the Michigan City Department of Parks and Recreation (the "Park Department") to operate food and concession stands and provide for expenses at the Washington Park Zoo; and

**WHEREAS**, the Michigan City Common Council did, on April 19, 2005, adopt Ordinance No. 3949, entitled, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING ORDINANCE NO. 2305, etc., in order to provide for revenues and expenses at the Zoo Gift Shop; and

**WHEREAS**, the City Controller has reported that it is necessary and advisable to combine certain of the Park Department's non-reverting funds which provide for the deposit of revenues from the sales of concession at Park Department facilities and which fund permissible expenditures thereof; and

**WHEREAS**, the Park Department, acting by and through the Michigan City Parks and Recreation Board, has determined that it is necessary for the good of its park facilities and to maximize the benefits to the citizens of this City, as well as the visitors hereto, and has requested that the Michigan City Common Council establish a special non-reverting operating fund which would replace the three (3) Park Department non-reverting funds that relate to the operation of the concessions at the Park Department's Washington Park facilities; and

**WHEREAS**, the concessions are intended by the Park Department to eventually be operated by the Park Department on a self-sustaining basis, thus not requiring the expenditures of funds appropriated from general tax revenues; and

**WHEREAS**, the establishment of such non-reverting fund is authorized pursuant to Chapter 311, Sections 216 and 221 of the Acts of the Indiana General Assembly of 1955; and

**WHEREAS**, the Common Council finds it is appropriate to establish a single non-reverting fund as a combination of the non-reverting funds that currently exist for the operation of the concessions at the Park Department's Washington Park facilities.

**NOW, THEREFORE, BE IT ORDAINED** by the Michigan City Common Council as follows:

Section 1. Under the provisions of Chapter 311, Sections 216 and 221 of the Acts of the Indiana General Assembly of 1955, there is hereby established a Special Non-Reverting Operating Fund to be used for receipt and payment of all revenues and expenses for the combined operation of the food, beverage and sundries concession stands by the Michigan City Department of Parks and Recreation under the following provisions and for the purposes set forth in Section 2 hereof.

Section 2. Said new Fund, to be known as the Special Non-Reverting Fund No. 1315, shall replace the following non-reverting funds which relate to food, beverages and sundries sales:

- (a) Washington Park Zoo
- (b) Washington Park Beach and General Area
- (c) The new Oasis Splash Park

Section 3. All revenues in said existing Funds and all revenues received from sales of food, beverages and sundries from the locations referred to in Section 2, above, shall be deposited into Special Non-Reverting Fund No. 1315 from and after the effective date of this Ordinance.

Section 4. Expenditures may be made from Fund No. 1315 for the operating expenses of the facilities used for said sales, including the purchase of inventory for sale, salaries of special part-time employees, and for the following purposes:

- (a) Purchase of fixtures, equipment and capital improvements,
- (b) Maintenance, repair and improvements to concession equipment,
- (c) Maintenance and improvements to Washington Park, the Zoo and the Oasis Splash Park, and
- (d) Feed for the animals at the Zoo.

Section 5. Each year, at the time of submission of the proposed Park Department budget for the following fiscal year, the anticipated revenues and expenditures from said Fund No. 1315 shall be shown. An amount equal to such expenditures for two (2) months, together with amounts for any permissible expenditures shall remain in the

operating fund to be used in the following year. (This sentence makes no sense to me since the expenses are to be paid out of the new non-reverting fund.) Any excess funds over and above said amounts shall remain in said Fund No. 1315 and shall be available for the permitted necessary purchases or improvements as determined by the Park Board.

Section 6. Expenditures may be made from said Fund No. 1315 without special appropriations, but only upon for claims approved by, and signed by the appropriate officers of, the Park Department's Board of Commissioners.

Section 7. All budgeting requirements herein shall be completed in the Park Department Budget for the next fiscal year after the adoption hereof.

Section 8. Any parts of Ordinance No. 2305 and Ordinance No. 3949 which are in conflict with this Ordinance are hereby repealed.

Section 9. This Ordinance shall be in full force and effect from and after its adoption, approval by the Mayor, any publication required by law and any necessary approval of the Indiana Department of Local Government Finance.

INTRODUCED BY: \_\_\_\_\_  
JOSEPH DOYLE

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

Council President McKee asked if there were any comments or questions by the general public or Council on the amended Ordinance and hearing none, the Ordinance was laid over for third reading.

The Clerk read on second reading by title only, **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

Councilman Espar stated that the Ordinance was being sponsored by the Judiciary and Rules committee and reported they discussed the need to formalize procedures relative to Council appointments to various boards and commissions.

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

Council President McKee advised there will be a formal public hearing on the next Ordinance as advertised on March 7, 2009.

The Clerk read on second reading by title only, **AN ADDITIONAL APPROPRIATION FOR THE PARK DEPARTMENT TO COVER ADDITIONAL EXPENSES INCURRED FOR THE OASIS SPLASH PAD AND GENERAL CONCESSION**

INTRODUCED BY: Joe Doyle

President McKee asked if there were any questions or comments by the general public or Council and hearing none, President McKee opened the formal public hearing, repeating three times "any questions or comments by the general public at this time?"

Council President McKee repeated three times, "Any questions or comments by the general public at this time?" There was no response and the public hearing was closed

Councilman Doyle made an authors amendment adding the following account numbers:

Park No. **1301** – Administration

DECREASE Park Fund No. <b>1301</b> , Unappropriated	\$40,194.00
INCREASE Personal Services <b>1301 0802 01 411.014</b>	\$27,294.00
INCREASE Supplies <b>1301 0802 02 422.033</b>	\$5,925.00
INCREASE Other Services and Charges <b>1301 0802 03 439.011</b>	\$6,975.00
TOTAL	\$40,194.00

Purpose: Appropriation for operation expense (excluding concessions) for new Oasis Splash Park

Park No. **1315** – Park Concessions – Non-Reverting Fund

DECREASE Park Concession Fund No. <b>1315</b> , Unappropriated	\$67,887.00
INCREASE Personal Services <b>1315 0000 01 411.014</b>	\$26,687.00
INCREASE Supplies <b>1315 0000 02 423.095</b>	\$41,200.00
TOTAL	\$67,887.00

There was discussion among Shannon Eason, Park Department and Council Members Nelson, Doyle, and Milsap.

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

The Clerk read on second reading by title only, **AMENDING ORDINANCE NO. 4037 SETTING SALARIES AND WAGES FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF MICHIGAN CITY FOR THE CALENDAR YEAR 2009.**

**INTRODUCED BY:** Marc Espar

Councilman Espar stated that this ordinance is to convert a contractual arrangement for services in the Controller's office to a part-time employee position. Mr. Espar reported the Finance Committee meeting held March 11, 2009 recommended the adoption of the ordinance subject to the review of the job description and salary range. Mr. Espar stated that John Schaefer, City Controller didn't have the opportunity to gather the requested data, therefore Councilman Espar **TABLED** the Ordinance on second reading until at such time the Finance Committee has an opportunity to review the additional information and is able to make a recommendation to the full Council.

Councilman Espar made a motion to **TABLE** the proposed ordinance, seconded by Councilwoman Boy. The motion was adopted by the following vote: **AYES:**

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

**UNFINISHED BUSINESS**

There was no unfinished business

**NEW BUSINESS**

There was no new business.

**COMMENTS FROM THE PUBLIC**

There were no comments from the public.

**COMMENTS FROM THE COUNCIL**

Councilman Murphy reminded everyone to attend the first Coffee with the Council being held in the First Ward on Saturday, March 21, 2009 at 9:00 a.m. at Krueger Memorial Hall, 801 Liberty Trail.

Councilman Meer thanked the Mayor and the Board of Works for the improvements of lighting/traffic at Woodlawn Avenue and Hitchcock Street.

Mayor Oberlie addressed Councilman Meer regarding an Ethic Advisory Meeting that will be held April 7, 2009 at 5:00 p.m. in the Mayor's Conference Room and the appointments he made to this committee were Steve Janus and John Pavy.

**ADJOURNMENT**

A motion by Councilman Milsap, supported by Councilman Espar, and there being no further business to transact, President McKee declared the meeting ADJOURNED (approximately 7:45 p.m.).

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Thomas F. Fedder, City Clerk