

# **REGULAR MEETING – SEPTEMBER 1, 2009**

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, September 1, 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, Richard Murphy, Joe Doyle, Angie Nelson, Ron Meer, and 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 August 18, 2009.

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

## **REPORTS OF STANDING COMMITTEES**

Councilman Espar reported on the last three Finance Committee meetings along with the Workshop held on August 12, 2009.

Councilman Jankowski addressed the Council regarding a copy of the letter they received from him that the Utilities Committee wrote to Mr. Boyd Phelps, President of the Sanitary District Board of Commissioners.

Councilman Doyle reminded everyone of the Labor Dayz Event happening this weekend at Washington Park inviting everyone to attend.

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

Councilman Jankowski reported on the Tax Abatement Committee meeting held on Tuesday, August 25, 2009.

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

Kevin Kieft, Business Development Manager, Michigan City Economic Development Corporation, presented a detailed list regarding the 2010 tax abatements received.

Mr. Kieft addressed Councilman Espar's question regarding avenues the City might offer to attract businesses to our community.

Councilman Jankowski made a motion to accept the (2009 CF-1Form) tax abatements, second by Councilman Milsap.

The motion carried and the Tax Abatements were accepted by the following vote: **AYES: COUNCIL MEMBERS McKee, Meer, Milsap, Murphy, Nelson, Boy, Doyle, Espar, and Jankowski (9). NAYS: None (0).**

### **PETITIONS**

There were no petitions.

### **COMMUNICATIONS**

There were no communications.

### **RESOLUTIONS**

There were no resolutions.

### **ORDINANCES**

There being no objections, the Clerk read by title only, **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 COMMONLY DESCRIBED AS AN APPROXIMATE 1.5 ACRE PARCEL OF PROPERTY LOCATED IMMEDIATELY SOUTH OF THE SOUTHERN BOUNDARY LINE OF THE TOWN OF LONG BEACH, NORTH OF U.S. HIGHWAY 12, WEST OF KARWICK ROAD OF LONG BEACH, NORTH OF U.S. HIGHWAY 12, WEST OF KARWICK ROAD AND IMMEDIATELY EAST OF STOREY AVENUE IN MICHIGAN CITY, INDIANA FROM MANUFACTURING (M2) TO RESIDENTIAL (R2)**

**Introduced by: Patricia Boy**

Councilwoman Boy addressed the Council regarding the location of the property in the Ordinance.

Attorney Barry McDonnell, 601 Franklin Street, representing the petitioners, (Jason Billups, Laura Caldwell) addressed the Council advising reasons to support the proposed ordinance rezoning said property from M-2 (Manufacturing) to R-2 (Residential).

Council President McKee 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.

There being no objections, the Clerk read by title only, **AN ORDINANCE TO REDUCE APPROPRIATIONS**

**Introduced by: Marc Espar**

Councilman Espar addressed the Council advising the reason for the proposed Ordinance is that there are twenty-seven (27) pay periods in 2010.

Council President McKee 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.

There being no objections, the Clerk read by title only, **AN ORDINANCE ENDORSED BY THE FINANCE COMMITTEE OF THE MICHIGAN CITY COMMON COUNCIL FOR APPROPRIATIONS AND TAX RATES**

**Introduced by: Marc Espar**

Council President McKee advised there would be a Formal Public Hearing as advertised in the News-Dispatch on August 16 & 23, 2009.

Councilman Espar reported that at the Finance Committee meeting this evening Councilmen Jankowski and Murphy requested to be Co-Sponsors to the proposed Ordinance.

President McKee repeated three times, "Any questions or comments by the general public at this time?"

Councilman Espar advised the Council of reasons for the proposed budget.

Mayor Oberlie addressed the Council with concerns regarding the proposed ordinance for appropriations and tax rates (2010) sponsored by Councilman Espar.

Councilman Espar responded to Mayor Oberlie's concerns.

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.

Attorney Meyer responded to President McKee's questions regarding the proposed ordinances being laid over for second reading.

Council President McKee 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.

There being no objections, the Clerk read by title only, **ORDINANCE FOR APPROPRIATIONS AND TAX RATES**

**Introduced by: Willie Milsap**

Council President McKee advised there would be a Formal Public Hearing as advertised in the News-Dispatch on August 16 & 23, 2009.

Councilman Milsap stated the Ordinance is the Original Budget with no changes.

President McKee repeated three times, "Any questions or comments by the general public at this time?"

Mayor Oberlie addressed the Council stating the reason he asked Councilman Milsap to sponsor the original proposed ordinance.

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.

Discussion ensued among Council Members Nelson, McKee, and Espar.

Councilman Espar made a motion that the Ordinance for Appropriations and Tax Rates, introduced by Councilman Milsap not be advanced to second reading as it is substantially identical to the ordinance endorsed by the Finance Committee this evening; second by Councilmen Murphy and Jankowski.

The motion was carried by the following vote: **AYES: COUNCIL MEMBERS Meer, Murphy, Nelson, Boy, Doyle, Espar, Jankowski, and McKee (8). NAYS: COUNCIL MEMBER Milsap (1).**

There being no objections, the Clerk read by title only, **AN ORDINANCE ESTABLISHING SALARIES FOR THE POLICE DEPARTMENT OF THE CITY OF MICHIGAN CITY FOR THE CALENDAR YEAR 2010**

**Introduced by: Marc Espar**

Councilman Espar stated the Ordinance sets the salaries and wages for the Police Department, and there were no changes to the amounts as they were the same in the 2009 budget.

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 second reading.

There being no objections, the Clerk read by title only, **AN ORDINANCE ESTABLISHING SALARIES FOR THE FIRE DEPARTMENT OF THE CITY OF MICHIGAN CITY FOR THE CALENDAR YEAR 2010**

**Introduced by: Marc Espar**

Councilman Espar stated the Ordinance sets the salaries and wages for the Fire Department, and there were no changes to any of the amounts.

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 second reading.

There being no objections, the Clerk read by title only, **AN ORDINANCE SETTING SALARIES AND WAGES FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF MICHIGAN CITY, INDIANA, FOR THE CALENDAR YEAR 2010.**

**Introduced by: Marc Espar**

Councilman Espar advised this ordinance also has no changes in the amounts proposed.

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 second reading.

**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 Meer commented on the Efficiency Task Force Committees in regards to their recommendations to the proposed 2010 budget.

Councilman Espar stated the Finance Committee would be scheduling meetings and will contact the Clerk's Office as to when they will be.

Council President McKee addressed the Council regarding the conversation he had with Mayor Oberlie regarding the proposed budget.

President McKee asked the Finance Committee to keep sharpening their pencil in terms of the 35% Riverboat spending ordinance.

President McKee advised he would be calling for a Special Meeting after the next Council Meeting to have the third reading on the proposed budget.

**ADJOURNMENT**

A motion by Councilman Meer, supported by Councilman Milsap, and there being no further business to transact, President McKee declared the meeting ADJOURNED (approximately 7:14 p.m.).

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Thomas F. Fedder, City Clerk