

## **REGULAR MEETING – OCTOBER 6, 2009**

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, October 6, 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 September 15, 2009.

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

Council President McKee stated that the Special Council Meeting minutes would be approved at the next Council meeting (October 20, 2009).

### **REPORTS OF STANDING COMMITTEES**

Councilman Jankowski reported on the Sanitary District Board meeting held on September 23, 2009.

Councilman Jankowski stated the Utility Committee would be scheduling a meeting to review the response received from the Sanitary District.

Councilman Jankowski commented on the Capital Improvement plan being updated and the master plan that was filed May 2008, advising the estimated cost for these improvements were \$18,700,000. Mr. Jankowski advised the Sanitary District would not be providing the budget for the 2010 enterprise fund.

President McKee stated the Code Review Committee would be scheduling a meeting for Tuesday, October 20, 2009 at 5:00 p.m.

Councilman Espar asked the Controller's Office to make copies of the 2010 budgets for Water, Sanitation, and Port Authority for each Council Member.

**REPORTS OF SPECIAL OR SELECT COMMITTEES**

Councilman Murphy stated the Michigan Boulevard Project Committee would be scheduling a meeting to review how the bidding process will be done. Mr. Murphy advised that this project was an INDOT project.

Councilman Murphy addressed Councilman Meer's questions regarding INDOT being involved in the project.

Councilman Meer asked Attorney Meyer to research this matter.

**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**

There were no resolutions.

**ORDINANCES**

There being no objections, the Clerk read on third reading 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**

Council President McKee stated there was a Formal Public Hearing held on September 15, 2009.

Councilwoman Boy stated each Council Member received a signed copy of the petition for rezoning and the facts/ findings from the Plan Commission.

Councilwoman Boy made a motion to adopt the Ordinance, second by Councilwoman Nelson.

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

### **UNFINISHED BUSINESS**

Council President McKee advised Mayor Oberlie was requesting advice and consent concerning the re-appointment of Mr. Jeffrey Meyer as a member of the Michigan City Tree Board. Mr. Meyer's term of office will begin immediately and expire August 1, 2012.

A motion was made by Councilwoman Boy, second by Councilman Murphy.

President McKee asked if there were any questions or comments by the general public or Council and hearing none, the re-appointment of Mr. Jeffrey Meyer to the Michigan City Tree Board was passed by the following vote: **AYES: COUNCIL MEMBERS Boy, Doyle, Espar, Jankowski, McKee, Meer, Milsap, Murphy, and Nelson (9). NAYS: None (0).**

### **NEW BUSINESS**

Council President McKee stated that the Human Rights Commission submitted Mrs. W. Faye Moore to represent them to the Social Status of African American Males Commission, replacing Sherry Neal effective immediately and expire February 1, 2010.

Council President Milsap made a motion for Ms. Moore to replace Ms. Neal on the Social Status of African American Males Commission, second by Councilwoman Boy.

Councilman Milsap stated Ms. Moore had a prior obligation and was unable to attend this meeting.

President McKee asked if there were any questions or comments by the general public or Council and hearing none, Ms. Moore was appointed to the Social Status of African American Males Commission by the following vote: **AYES: COUNCIL MEMBERS Doyle, Espar, Jankowski, McKee, Meer, Milsap, Murphy, Nelson, and Boy (9). NAYS: None (0).**

### **COMMENTS FROM THE PUBLIC**

Bill White, representing the United Front Coalition of Michigan City addressed the Council regarding the bidding/hiring on the Michigan Boulevard Project.

Brett Kelley, 330 North Calumet Avenue, representing the United Front Coalition addressed the Council regarding the letter they received from the Coalition regarding the hiring ordinance. Mr. Kelley asked the Council to schedule a meeting regarding the bidding and hiring process the Michigan Boulevard Project.

Leonardo Victory, 304 Grace Street, United Front Coalition of Michigan City addressed the Council regarding why the ordinances aren't being enforced, asking who should be enforcing them. Mr. Victory asked the Council to change the language to make it stronger.

Wesley Scully, 508 Pinetree Drive, Trail Creek, President of the NAACP asked about INDOT being involved in the Michigan Boulevard Project stating that INDOT is a State run organization. Mr. Scully asked if he could be notified of any meetings regarding this project so he could attend.

Council President McKee advised that there have been several meetings held reviewing the status of the Michigan Boulevard Project.

Dennis Boy, 218 Southwood Drive, asked the Council what procedures a citizen could take to get the ordinance enforced if they should see a project being violated.

Attorney Meyer addressed Mr. Boy's questions and concerns.

**COMMENTS FROM THE COUNCIL**

Councilwoman Boy reported on the Coffee with the Council held on Saturday, September 19, 2009.

Councilman Meer commented on ordinances and enforcement issues regarding hiring and City projects being in compliance.

Council President McKee agreed with Councilman Meer commenting on the language and enforcement issues of the City's hiring ordinance.

Attorney Meyer addressed President McKee stating that he would have the Human Rights Ordinance revised for the Council's review by mid November.

**ADJOURNMENT**

A motion by Councilwoman Nelson, supported by Councilman Milsap, and there being no further business to transact, President McKee declared the meeting ADJOURNED (approximately 7:05 p.m.).

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Thomas F. Fedder, City Clerk