

CITY OF WHITING – FEBRUARY 6, 2007

**MINUTES OF A REGULAR MEETING OF
THE COMMON COUNCIL OF THE CITY OF WHITING, INDIANA**

The Common Council of the City of Whiting met in regular session on Tuesday, February 6, 2007, at 6:30 p.m. with Mayor Stahura presiding. The Pledge of Allegiance was recited, followed by the invocation from Councilman Sarvanidis.

I. ROLL CALL

Councilmembers Greer, Jennings, Sarvanidis, Stolman, Unate and Zubeck were present. Also present were Clerk-Treasurer Drewniak, City Attorney Sejna and interested citizens.

Councilman Spebar was unable to attend the meeting because he was dealing with an emergency situation in his capacity as Acting Street Commissioner.

Councilman Sarvanidis moved for suspension of rules to conduct a Public Hearing on Ordinance No. CC-2007-1763, which relates to portions of Dickey Road being vacated. Councilwoman Greer seconded the motion. Roll Call: Councilmembers Greer, Jennings, Sarvanidis, Stolman, Unate and Zubeck voted aye. Vote: 6 ayes, no nays, no abstentions. Motion carried unanimously.

Clerk-Treasurer Drewniak presented two Proofs of Publication of Legal Notice of this Public Hearing on Ordinance No. CC-2007-1763, which was published in The Times and the Post Tribune on Tuesday, January 23, 2007. Clerk-Treasurer Drewniak read pertinent sections of the advertisement aloud.

Councilman Sarvanidis informed the Council that there have been two minor amendments to this Ordinance, which passed first and second readings at the last Common Council meeting:

1. In the title, 'Right-of-Ways' was changed to 'Rights-of-Way'.
2. In the 'Now, Therefore' clause, the attached plat (Exhibit A) was updated to reflect a more accurate property description.

City Attorney Sejna stated that, under the statute, the City is required to give notice of this vacation to any abutting landowners; in this case, BP Products North America, Inc. is the abutting landowner on both sides, as was determined by the title company. Notice was sent by Certified Letter to Attorney Catherine O'Connell of BP Products in Warrenville; Attorney Ron Nicholls at the BP Whiting Refinery; and Attorney Karen England, who is working for BP on this project. City Attorney Sejna reported that three cards indicating receipt of those Certified Letters were returned to her office.

Mayor Stahura stated that the portion of road in question was given to BP for use after a plant maintenance project. In return for transfer of ownership of that road to BP, the City

will receive a section of BP road that has been in use as a public roadway since the maintenance project. This section of road will be included in the City's Standard Avenue Reconstruction.

Mayor Stahura opened the Public Hearing on Ordinance No. CC-2007-1763, and asked a first time for public comment.

Tom Keilman, Director of Public and Government Affairs for the BP Whiting Refinery, spoke in favor of this Ordinance. Mr. Keilman noted that the BP maintenance project requiring closure of a section of Dickey Road began in 2001. After September 11th of that year, it became advantageous to keep that road closed to public access for plant security purposes. This change will also facilitate parking lot safety for refinery employees.

Mayor Stahura asked a second time for public comment. No one spoke.

Mayor Stahura asked a third and final time for public comment on Ordinance No. CC-2007-1763. Hearing none, Mayor Stahura closed the Public Hearing and returned the meeting to the regular format of the Common Council.

II. MINUTES

Mayor Stahura asked for consideration of the minutes of the January 16, 2007, regular Common Council meeting.

Councilman Zubeck moved to approve said minutes, as submitted. Councilwoman Unate seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

III. COMMUNICATIONS, PETITIONS, MEMORIALS OR REMONSTRANCES

None.

IV. REPORT OF THE MAYOR

Mayor Stahura informed the Council that he intends to travel to Indianapolis early tomorrow morning to attend various committee meetings and meet with State legislators. He will return Thursday evening.

Mayor Stahura announced that two bids were awarded at yesterday's Board of Public Works and Safety meeting. Walsh & Kelly was awarded the contract for the Standard Avenue/Front Street Reconstruction Project; Notice to Proceed will not be issued until some minor property issues are resolved. The contract for the City Hall Renovation Project was awarded to Hasse Construction; that project will begin as soon as possible. The renovation will create more office space in City Hall and resolve some ADA issues.

Mayor Stahura stated that he is working on his annual State of the City Address, which should be ready for presentation at the next Common Council meeting.

Mayor Stahura reported that the City is working with Valdez Engineering so that Valdez can begin construction of a new office complex on Schrage Avenue on part of the former Globe Building Materials property.

Mayor Stahura stated that he and several City Hall staff members attended the Good Government Initiative seminar held last week. The Mayor noted that Whiting fared well in that study, and comments indicated that everyone felt Whiting had done their part to cut costs of providing government service to its residents.

Mayor Stahura informed the Council that, as part of the Good Government Initiative study, it was decided to put recycling totes in the alley to increase efficiency. The year-end totals for 2006 show the following

- Recycling tonnage increased 37%, or 150 tons. This is the highest recycling tonnage in City history.
- Solid waste totals decreased 12% as a result of increased recycling, which reduces solid waste removal costs.

The Mayor noted that Whiting may be the only city in Indiana that provides a dedicated bin in the alley for recycling, and added that these numbers are well beyond his highest expectations for the program's success.

V. STANDING COMMITTEES

Councilman Sarvanidis stated that Ordinance No. CC-2007-1763, to vacate a portion of Dickey Road, will be presented for third and final reading tonight. Ordinance No. CC-2007-1765, which classifies certain lands as a Planned Unit Development, will be presented for Council consideration. This Ordinance will help pave the way for the proposed Valdez Engineering office development.

Councilman Jennings stated that Ordinance No. CC-2007-1764, which appropriates money to the Local Supplemental Adult Probation Services Fund, will be presented tonight for first and possible second reading.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Drewniak presented her letter dated February 2, 2007, to the Board of Finance, requesting that five checks totaling \$1,131.88, which were outstanding and unpaid for a period of two years, be declared cancelled.

Councilman Sarvanidis moved to authorize Clerk-Treasurer Drewniak to write off as cancelled those five checks listed in her letter of February 2, 2007, pursuant to I.C. 5-11-10.5. Councilman Stolman seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Clerk-Treasurer Drewniak presented Accounts Payable Vouchers #644 - #788 inclusive for approval.

Councilwoman Unate moved to approve said Vouchers for payment, seconded by Councilman Jennings. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

VII. REPORT OF THE CITY ATTORNEY

No report was given.

VIII. SPECIAL COMMITTEES

Councilman Stolman reported on the following items of interest from the last Shared Services Committee meeting on January 18, 2007:

- The curb cuts for the parking lot at the School football field will be reconfigured as soon as weather allows.
- School City personnel will assist in completion of the Whiting Community Center door closure repairs.
- The Whiting High School bag tournament will be scheduled for March; the City will arrange for donations of prizes for the winners.
- Memorial Park improvements are scheduled for the spring.
- Reconciliation of Shared Services hours for 2006 will be done next week.
- School Board Member Sue Mills-Groninger stated that the School can now participate in recycling of office paper and catalogs, since the new City totes are emptied on a regular basis. The former method of long-term storage of paper recyclables in a dumpster was discontinued by the State Fire Inspector to prevent danger of spontaneous combustion.
- School officials would like to participate in the City Court Community Service program again. Mr. Stewart will screen workers to select those suitable to remove litter and clean school grounds.
- Steve Taylor suggested that School City workers be used to clear snow from the City Hall parking lot and New York Avenue municipal parking lot to increase snow removal efficiency and increase the School service hours used by the City.
- Economic Development Director Kark asked the School to consider allowing the City to use the grassy area between City Hall and the School Primary Building as a staging area during the City Hall remodeling project.
- The School will network information and resources with the City in an attempt to acquire the Haluska property adjacent to the football field to build a new bus barn.
- Community Development Director Lowry will coordinate a City coloring book project with the School City personnel.

Mayor Stahura stated that the Shared Services Committee meets monthly to find ways for both entities to save money by using each other's resources/services instead of hiring outside contractors.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCES AND RESOLUTIONS

Councilman Jennings stated that the Council annually appropriates monies from Court fees to the Local Supplemental Adult Probation Services Fund. The appropriations in Ordinance No. CC-2007-1764 are as follows:

Salaries	\$ 3,000
Construction	\$ 1,000
Clothing	\$ 500
Medicare	\$ 50
Social Security	\$ 200
Supplies	\$ 1,500
Communications & Transportation	\$ 1,000
Repair & Maintenance	\$ 5,000
Services Contractual	\$ 3,000
Equipment	<u>\$ 1,750</u>
Total	\$17,000

There being no questions, Councilman Jennings read Ordinance No. CC-2007-1764 by title only for first reading.

AN ORDINANCE APPROPRIATING MONIES IN THE LOCAL
SUPPLEMENTAL ADULT PROBATION SERVICES FUND OF THE CITY
OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS

Councilman Jennings moved to pass Ordinance No. CC-2007-1764 to second reading. Councilman Zubeck seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Jennings read Ordinance No. CC-2007-1764 by title only for second reading.

AN ORDINANCE APPROPRIATING MONIES IN THE LOCAL
SUPPLEMENTAL ADULT PROBATION SERVICES FUND OF THE CITY
OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS

Mayor Stahura noted that these funds do not come from tax monies, but are collected through Court fees for the Probation Fund.

Clerk-Treasurer Drewniak informed the Council that there will be a Public Hearing on this Ordinance at the next regular Common Council meeting.

Councilman Sarvanidis stated that Ordinance No. CC-2007-1763 was the subject of today's Public Hearing, and that amendments to this Ordinance were listed earlier at this meeting.

There being no further questions, Councilman Sarvanidis moved to pass Ordinance No. CC-2007-1763 to third and final reading. Councilman Stolman seconded the motion.

Roll Call: Councilmembers Greer, Jennings, Sarvanidis, Stolman, Unate and Zubeck voted aye. Vote: 6 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Sarvanidis read Ordinance No. CC-2007-1763 by title only for third and final reading.

AN ORDINANCE VACATING PORTIONS OF DICKEY ROAD AND RIGHTS-OF-WAY IN THE CITY OF WHITING, LAKE COUNTY INDIANA AS AMENDED

Councilman Sarvanidis stated that on Tuesday, January 30, 2007, the Whiting Plan Commission held a meeting at which a petition was submitted by Valdez Engineering for development of a new office building on the east side of Schrage Avenue just north of Bizik Glass Block Company. The purpose of this meeting was to determine findings of fact concerning the proposed development; to hold a Public Hearing on the development; and to make a recommendation on the petition. The Plan Commission made a unanimous decision to make a favorable recommendation to the Common Council on this planned development. Councilman Sarvanidis asked if any Council members had questions on the planned Valdez Engineering development; there were none.

Councilman Sarvanidis explained that the land on which the office building will be located must be declared a Planned Unit Development, which is the purpose of Ordinance No. CC-2007-1765.

Councilman Sarvanidis read Ordinance No. CC-2007-1765 by title only for first reading.

AN ORDINANCE CLASSIFYING CERTAIN LANDS IN THE CITY OF WHITING AS PLANNED UNIT DEVELOPMENT IN ACCORDANCE WITH ORDINANCE NO. CC-2001-1611 UNIFIED ZONING AND SUBDIVISION CONTROL ORDINANCE FOR PROPERTY COMMONLY KNOWN AS 2337 SCHRAGE AVENUE, WHITING, INDIANA

There being no questions from the Council, Councilman Sarvanidis moved to pass Ordinance No. CC-2007-1765 to second reading. Councilwoman Greer seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Sarvanidis read Ordinance No. CC-2007-1765 by title only for second reading.

AN ORDINANCE CLASSIFYING CERTAIN LANDS IN THE CITY OF WHITING AS PLANNED UNIT DEVELOPMENT IN ACCORDANCE WITH ORDINANCE NO. CC-2001-1611 UNIFIED ZONING AND SUBDIVISION CONTROL ORDINANCE FOR PROPERTY COMMONLY KNOWN AS 2337 SCHRAGE AVENUE, WHITING, INDIANA

Councilman Sarvanidis moved to authorize Clerk-Treasurer Drewniak to publish Notice of Intent to Consider this Ordinance and Petition by Valdez Engineering for a proposed new development. Councilwoman Greer seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Sarvanidis stated that this office development will provide a huge benefit for the Whiting community. Once the Ordinance is passed, Valdez Engineering will have the opportunity to submit a final plan to the Whiting Plan Commission for approval.

XI. NEW BUSINESS

Councilman Sarvanidis presented a Form CF-1, Compliance with Statement of Benefits, for tax abatement for the Zurawski property at 1920-22 New York Avenue.

Councilman Sarvanidis moved to accept and approve said Form CF-1, as submitted. Councilman Jennings seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

XII. PUBLIC DISCUSSION

Councilman Jennings noted the following items of interest from the Whiting Fire Department year-end summary report:

- 1800 staff hours were spent in training, which is an average of 175 hours per employee
- 132 building inspections were conducted
- Grants totaling \$73,000.00 were secured
- Average emergency fire response time was 2 minutes 55 seconds
- Average emergency ambulance response time was 3 minutes

Councilman Jennings noted that these totals represent outstanding service by highly trained personnel for all Whiting residents.

XIII. ADJOURNMENT

Councilman Stolman moved to adjourn the meeting at 6:59 p.m., seconded by Councilwoman Unate. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

MARGARET DREWNIAC, Clerk-Treasurer