

CITY OF WHITING – MARCH 20, 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, March 20, 2007, at 6:30 p.m. with Mayor Stahura presiding. The Pledge of Allegiance was recited, followed by the invocation from Mayor Stahura.

I. ROLL CALL

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

Councilman Sarvanidis was unable to attend the meeting.

II. MINUTES

Mayor Stahura asked for consideration of the minutes of the March 6, 2007, regular Common Council meeting.

Councilman Jennings moved to approve said minutes, as submitted. Councilman Zubeck 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 will be in Indianapolis on business tomorrow.

V. STANDING COMMITTEES

Councilman Spebar stated that the following items will be presented tonight for Council consideration:

- Possible third reading on Ordinance No. CC-2007-1766, which concerns the Planned Unit Development on Center Street.
- First reading on Ordinance No. CC-2007-1767, which abolishes the Civil Defense Department and creates a corresponding division within the Whiting Police Department.
- First reading on Ordinance No. CC-2007-1768, which makes the Budget modifications to parallel the changes from Ordinance No. CC-2007-1767.

Councilman Spebar stated that Councilwoman Unate will be presenting Resolution No. CC-2007-04 and Resolution No. CC-2007-05, which concern tax abatement for new homes on New York Avenue.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Drewniak presented Civil City Accounts Payable Vouchers #956 - #1034 inclusive for approval.

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

VII. REPORT OF THE CITY ATTORNEY

No report was given.

VIII. SPECIAL COMMITTEES

No report was given.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCES AND RESOLUTIONS

Councilman Spebar stated that Ordinance No. CC-2007-1766 concerns the Planned Unit Development on Center Street. The Plan Commission, during preliminary review, granted minor modifications to Unit 2, Block 3, reducing the density of use in that development by increasing lot size from 26' to 39'. The area in question extends from the parking lot across from the Whiting High School Football Field north to 117th Street. This Ordinance approves, as a Planned Unit Development district, the property described in the exhibits attached to the Ordinance. The Whiting Plan Commission will be authorized to conduct primary review of the district and make minor modifications as needed, and grant primary approval. The Plan Commission may make such modifications without Public Hearing as long as the use of the property does not change, and the density of the use does not increase. Modifications to the existing covenants recommended by the Whiting Plan Commission and approved by the Board of Public Works and Safety for Unit 2, Block 3 include the following:

- Size of homes was increased from a minimum of 1,500 sq. ft. to 2,000 sq. ft.
- Bi-level, tri-level and quad-level homes are prohibited.
- Landscaping requirements were stipulated.
- Maximum height of the buildings was set at 45 feet.

There being no questions, Councilman Spebar moved to pass Ordinance No. CC-2007-1766 to third and final reading. Councilwoman Greer seconded the motion. Roll Call: Councilmembers Greer, Jennings, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 6 ayes, no nays, no abstentions. Motion carried unanimously.

Clerk-Treasurer Drewniak stated that Notice of Intent to Consider Planned Unit Development for this property was published in The Times.

Councilman Spebar read Ordinance No. CC-2007-1766 by title only for third and final 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 LAKEFRONT COMMONS UNIT 2 PLANNED UNIT DEVELOPMENT WHITING, INDIANA

Councilman Spebar stated that Ordinance No. CC-2007-1767 and Ordinance No. CC-2007-1768 will be presented tonight for first reading only, with detailed description of each Ordinance to accompany said Ordinances when presented to the Common Council for second reading.

Councilman Spebar stated that Ordinance No. CC-2007-1767 abolishes the Department of Civil Defense in accordance with State statute, and adds a corresponding new division to the Whiting Police Department called Emergency Management.

There being no questions or comments, Councilman Spebar read Ordinance No. CC-2007-1767 by title only for first reading.

AN ORDINANCE TO REPEAL ORDINANCE NO. CC-1306 AND ORDINANCE NO. CC-2005-1740 SECTION 1 REGARDING A CIVIL DEFENSE COUNCIL AND TO ESTABLISH A DIVISION OF EMERGENCY MANAGEMENT IN THE POLICE DEPARTMENT IN ACCORDANCE WITH I.C. 10-14-3-17

Councilman Spebar stated that Ordinance No. CC-2007-1768 makes budget modifications to eliminate the Civil Defense Department and transfer all appropriated funds to the proper Police Department line items, in accordance with Ordinance No. CC-2007-1767.

There being no questions, Councilman Spebar read Ordinance No. CC-2007-1768 by title only for first reading.

AN ORDINANCE TO AMEND ORDINANCE NO. CC 2006-1757 (2007 SALARY ORDINANCE) TO DELETE THE CIVIL DEFENSE DEPARTMENT AND TO ADD A NEW POSITION TO THE POLICE DEPARTMENT OF EMERGENCY MANAGEMENT SECRETARY; AND TO AMEND ORDINANCE NO. CC-2006-1756 (2007 CIVIL CITY BUDGET) TO ELIMINATE THE CIVIL DEFENSE DEPARTMENT AND TO TRANSFER ALL APPROPRIATED FUNDS TO THE POLICE DEPARTMENT

Councilwoman Unate presented Resolution No. CC-2007-04, approving Form SB-1 Statement of Benefits for tax abatement on the property at 1933 New York Avenue.

Approving the initial Form SB-1 must occur before construction begins. Resolution No. CC-2007-05 approves Form SB-1 for the property at 1945 New York Avenue. Councilwoman Unate thanked Mayor Stahura, City Attorney Sejna and the Redevelopment Commission for creating this opportunity for development on New York Avenue.

Councilwoman Unate read Resolution No. CC-2007-04 by title only.

A RESOLUTION APPROVING FORM SB-1 STATEMENT OF BENEFITS, FOR LOT 2, 1933 NEW YORK AVENUE, AS DESCRIBED IN THE DEVELOPMENT AGREEMENT BETWEEN THE BOARD OF PUBLIC WORKS AND SAFETY, THE WHITING REDEVELOPMENT COMMISSION AND HENNESSEY HOMES

Councilwoman Unate moved to adopt Resolution No. CC-2007-04, seconded by Councilman Jennings. Roll Call: Councilmembers Greer, Jennings, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 6 ayes, no nays, no abstentions. Motion carried unanimously.

Councilwoman Unate read Resolution No. CC-2007-05 by title only.

A RESOLUTION APPROVING FORM SB-1 STATEMENT OF BENEFITS, FOR LOT 6, 1945 NEW YORK AVENUE, AS DESCRIBED IN THE DEVELOPMENT AGREEMENT BETWEEN THE BOARD OF PUBLIC WORKS AND SAFETY, THE WHITING REDEVELOPMENT COMMISSION AND HENNESSEY HOMES

Councilwoman Unate moved to adopt Resolution No. CC-2007-05, seconded by Councilman Stolman. Roll Call: Councilmembers Greer, Jennings, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 6 ayes, no nays, no abstentions. Motion carried unanimously.

Mayor Stahura noted that the Forms SB-1 submitted with these Resolutions did not appear to be filled out properly. Discussion ensued as to amounts listed on said forms.

Councilman Spebar moved to allow the City Attorney and Administration to review the Forms SB-1 submitted with Resolutions No. CC-2007-04 and 05, for 1933 and 1945 New York Avenue, and to modify them as needed to make sure the tax abatement for each is proper. Councilwoman Greer seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

XI. NEW BUSINESS

City Attorney Sejna reported that the City of Whiting is in the process of applying for a matching funds grant to extend the bike path from Robertsdale into Whiting. She noted that it is important to solicit public comment on the proposed grant application and to receive Common Council approval of said application.

Mayor Stahura informed the Council that there is currently Federal money available to be distributed through the State of Indiana to extend bike trails in Indiana. The bike trail around Wolf Lake through Robertsdale past George Lake currently terminates at Indianapolis Boulevard. It was always planned to extend that trail into Whiting to the Lakefront Park. There are now monies available to fund a study to plan and construct a bike path. Mayor Stahura invited comments, pro or con, on this project. He noted that up to \$1 million in funding is available for this project, and a bike path loop could be created to connect the existing Chicago and Robertsdale paths with a new one in Whiting.

Bryan Ciers of 1237-121st Street stated that extending the Robertsdale bike path, which he currently uses, would be an excellent idea.

Don Owens of 1518-121st Street said a bike path would be a great project for Whiting.

Brian Lowry of 1812 Sheridan Avenue, voiced support for a bike trail, which would enhance quality of life in the community and add value to the City.

Councilman Jennings noted that he uses the bike trail near George Lake, and supports extending it into Whiting.

Councilman Jennings moved to support a grant application to create a bike trail in Whiting to connect with the existing bike trail in Robertsdale. Councilman Zubeck seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

XII. PUBLIC DISCUSSION

Councilman Jennings noted that many trucks have been driving down 121st Street, and asked if that is permitted. The Mayor informed the Council that, beginning Monday, there will be reroutes of truck traffic to allow work on 121st Street. The temporary truck route will go down Schrage Avenue to 119th Street east to Front Street. Signs have been posted, and the change will be communicated to residents.

Mayor Stahura informed the Council that signs will be posted on 119th Street westbound, prohibiting left turns onto Schrage Avenue and White Oak Avenue between 3:00 p.m. and 4:00 p.m. This will discourage BP traffic from traveling south to Indianapolis Boulevard using those two streets. He noted that this will be a challenge for the next few years, during the new construction phase at BP refinery. Traffic experts will be hired to analyze the situation and make recommendations. At this point, the NO TRUCKS TRAFFIC signs have been removed along the temporary truck route to reduce confusion.

Councilman Spebar noted that all the old truck traffic signs have been removed, and the new truck route signs will be installed by tomorrow.

XIII. ADJOURNMENT

Councilwoman Unate moved to adjourn the meeting a 6:55 p.m., seconded by Councilwoman Greer. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

MARGARET DREWNIAK, Clerk-Treasurer