

CITY OF WHITING – APRIL 3, 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, April 3, 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 Jennings, Sarvanidis, Spebar, Stolman, and Unate were present. Also present were Clerk-Treasurer Drewniak, City Attorney Sejna and interested citizens.

Councilwoman Greer and Councilman Zubeck were unable to attend the meeting.

II. MINUTES

Mayor Stahura asked for consideration of the minutes of the March 20, 2007, regular Common Council meeting.

Councilman Jennings moved to approve said minutes, as submitted. Councilman Stolman seconded the motion. Roll Call: Councilmembers Jennings, Spebar, Stolman, and Unate voted aye. Councilman Sarvanidis abstained from voting, due to his absence at said meeting. Vote: 4 ayes, no nays, 1 abstention. Motion carried.

III. COMMUNICATIONS, PETITIONS, MEMORIALS OR REMONSTRANCES

None.

IV. REPORT OF THE MAYOR

Mayor Stahura reported that a new Liability and Casualty insurance policy was signed for the City, at a savings of almost \$75,000.00 over last year's premium costs. The Mayor noted that it was good to see the cost of insurance being reduced, and noted that the City Safety Committee and new employee safety policies contributed to this sizable reduction.

Mayor Stahura announced that a body was discovered at the lakefront last weekend; the official cause of death is drowning. Toxicology tests are being conducted while the matter is under further investigation, but there seem to be no signs of foul play.

Mayor Stahura informed the Council that the City of Whiting is working with NIRPC to secure a grant to extend the Lake George bike trail in Hammond to the Whiting Lakefront. At the County-wide meeting to receive all applications for the grant money, Whiting's application was ranked first. The City has applied for \$750,000.00 for the bike trail project, and should receive news about their application within a few weeks.

Mayor Stahura stated that, since he will be out of his office for several weeks in May, he plans to begin work on the 2008 Civil City Budget in April. He asked the

Councilmembers to notify him of any special issues or requests to be considered while drafting this Budget.

Mayor Stahura stated that negotiations on a new Teamsters contract have begun; the current contract will expire at the end of this year. The Mayor would like a four-year contract; Councilman Spebar will assist him in the negotiations.

Mayor Stahura reported that the Standard Avenue/Front Street/121st Street Reconstruction Project is well underway, bringing traffic problems due to street closures and increased construction workers traveling through the City. Traffic has been rerouted to help deal with street closures and public safety issues during shift change.

Mayor Stahura stated that the final paving for various street and alley projects, including the area around the new Walgreens development, should be completed in the next few weeks.

Mayor Stahura informed the Councilmembers that the parking improvement projects around the Whiting Community Center and Whiting High School Football Field should begin shortly. Final funding is being secured for the Ohio Street/118th Street Water Main Projects, which will begin once that is accomplished.

Mayor Stahura reported that the bids for the Whiting Community Center roof repair and exterior building improvements were opened at yesterday's Board of Public Works and Safety meeting. The bids were higher than expected, and are under review by the City engineering department and engineering consultant for recommendation to the Board.

V. STANDING COMMITTEES

Councilman Spebar stated that the following items will be considered tonight by the Common Council:

- Ordinance No. CC-2007-1767, which abolishes the Civil Defense Department and creates a corresponding new division in the Whiting Police Department;
- Ordinance No. CC-2007-1768, which makes the Budget modifications to parallel the changes in Ordinance No. CC-2007-1767;
- Ordinance No. CC-2007-1769, which makes appropriations to various funds of the City of Whiting.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Drewniak reported that the 2007 Lake County Community Development Block Grant Public Hearing has been scheduled for the next Common Council meeting in April. Ideas for using the grant money can be discussed at that time.

Clerk-Treasurer Drewniak asked all Councilmembers to add Accounts Payable Voucher #1110 to their list of claims, payable to Ticor Title Insurance Company, in the amount of \$2,273.00, to be paid from the Redevelopment Standard Avenue Bond fund.

Clerk-Treasurer Drewniak presented Civil City Accounts Payable Vouchers #1035 - #1110 inclusive for approval.

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

VII. REPORT OF THE CITY ATTORNEY

City Attorney Sejna reported that on Thursday, April 26, 2007, at 6:00 p.m., IDEM will be holding a Public Hearing at City Hall to hear comments on a petition from BP Products North America, Inc. to be allowed to discharge waste water into Lake Michigan. The City Attorney noted that this is a renewal permit, and that IDEM has already given their approval.

VIII. SPECIAL COMMITTEES

Councilman Stolman reported on the following items of interest from the March 22nd meeting of the Shared Services Committee at the School City of Whiting Administration Building:

- The Bean Bag Tournament sponsored by the City of Whiting is underway this week. The Championship game will be held Thursday, April 5th, at the High School; prizes will be awarded by the City.
- The School City bus turnaround problem at the Administration Building has been resolved. Since reconfiguring the turnaround would result in the loss of too many parking spaces, especially the handicap spaces, it was decided to allow the buses to enter the Administration Building parking lot from the opposite direction, meaning eastbound. An aide will be present at all times to assist the Kindergarten children as they board/depart the bus, which will turn off its engine during those times.
- The School problems with BP traffic were discussed; the School was informed that a traffic study will be done to seek solutions to deal with the traffic congestion, which occurs at the same time that school is being dismissed.
- The School was asked for ideas for student participation during IACT Municipal Government Week, such as an 'If I Were Mayor' day.
- The School was informed that the City is planning a Wellness Committee, and their participation was invited.
- The Whiting Lakefront Park baseball field should be readied for the 2007 season; a key to the equipment shed will be provided to the School coach.
- The School City of Whiting has arranged for an application of a lawn treatment to discourage geese from landing on the football and softball fields, since their droppings cause a problem for the student athletes. The City was asked if they would be interested in treating the Lakefront Park grass, since the geese will probably go there instead.
- The School City asked to be allowed to write a Shared Service ticket for use of their parking lot on April 26th, to help reduce their hours owed to the City.

Mayor Stahura asked Park Superintendent Jakubowski to find out about the cost of treating the Lakefront Park to discourage geese. Mr. Jakubowski informed him that the treatments would cost around \$800; they will discuss the matter further.

Mayor Stahura informed the Council that an Amendment will be presented before the State House of Representatives that would allow any municipal body with an industry within its boundaries that has taken advantage of pollution control exemptions for property taxes to negotiate payments in lieu of taxes for that lost tax revenue. Although this would be voluntary on the part of the industry, and would not equal the money formerly paid in taxes, this legislation could open the door for municipalities to legally recoup monies for their General Fund, and would assist the School systems as well.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCES AND RESOLUTIONS

Councilman Spebar stated that Ordinance No. CC-2007-1767 abolishes the Civil Defense Department in accordance with State statute, and establishes a new Division of Emergency Management in the Whiting Police Department. Some provisions include:

- The Director of Emergency Management will be appointed by and serve at the pleasure of the Mayor.
- The Director will serve under the supervision of the Police Chief.
- The creation, adoption and implementation of a Disaster Plan for the City of Whiting will be done by the Board of Public Works and Safety under the direction and recommendation of the Police Chief and Fire Chief.
- All Interlocal Agreements regarding Police, Fire, Emergency Management and Mutual Aid will be negotiated by the Police or Fire Chief and approved by the Board of Public Works and Safety and the Common Council if necessary.

There being no questions or comments, Councilman Spebar moved to pass Ordinance No. CC-2007-1767 to second reading. Councilwoman Unate seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1767 by title only for second 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 moved to pass Ordinance No. CC-2007-1767 to third and final reading. Councilman Stolman seconded the motion. Roll Call: Councilmembers Jennings, Sarvanidis, Spebar, Stolman, and Unate voted aye. Vote: 5 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1767 by title only for third and final 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 transfers all appropriated funds to the proper Police Department line item, in accordance with Ordinance No. CC-2007-1767. The new position of Emergency Management Secretary was created at a rate of pay of \$100.00 per month. The appropriations are as follows:

- Emergency Management Secretary \$ 1,200
- Clothing \$ 2,000
- Office Supplies \$ 500
- Operating Supplies \$ 2,000
- Repair & Maintenance Supplies \$ 2,500
- Postage & Travel \$ 500
- Repair & Maintenance \$ 2,500
- Machinery & Equipment \$ 2,500
- **Total Appropriation: \$13,700**

There being no questions, Councilman Spebar moved to pass Ordinance No. CC-2007-1768 to second reading; seconded by Councilman Jennings. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1768 by title only for second 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

Councilman Spebar moved to pass Ordinance No. CC-2007-1768 to third and final reading. Councilman Sarvanidis seconded the motion. Roll Call: Councilmembers Jennings, Sarvanidis, Spebar, Stolman, and Unate voted aye. Vote: 5 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1768 by title only for third and final 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

Councilman Spebar moved to suspension of rules to consider Ordinance No. CC-2007-1769 for first and possible second reading. Councilman Sarvanidis seconded the motion. Roll Call: Councilmembers Jennings, Sarvanidis, Spebar, Stolman, and Unate voted aye. Vote: 5 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Spebar explained that Ordinance No. CC-2007-1769 appropriates non-property tax revenue to assist in funding capital projects. The appropriations are as follows:

• Local Road & Street fund	\$ 281,726
• Park Non-Reverting Capital fund	\$ 329,679
• Whiting Park Shoreline Improvement	\$ 186,152
• Major Moves Construction	\$ 122,155
• Economic Development Project Innkeepers Tax	\$ 70,381
• Economic Development Commission	\$ 21,501
• Riverboat Fund	<u>\$ 50,000</u>
• Total appropriations	\$1,061,594

There being no questions, Councilman Spebar read Ordinance No. CC-2007-1769 by title only for first reading.

AN ORDINANCE APPROPRIATING MONIES IN THE VARIOUS FUNDS OF THE CITY OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS

Councilman Spebar moved to pass Ordinance No. CC-2007-1769 to second reading; seconded by Councilman Stolman. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1769 by title only for second reading.

AN ORDINANCE APPROPRIATING MONIES IN THE VARIOUS FUNDS OF THE CITY OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS

Mayor Stahura thanked the Clerk-Treasurer and Common Council for getting this Ordinance ready for today's meeting. This Ordinance allows the City to appropriate money for various projects, if needed.

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

Mayor Stahura returned the meeting to the regular format of the Common Council.

Councilman Sarvanidis stated that Resolution No. CC-2007-06 approves Form SB-1 for a new home being built at 1600 Center Street, as part of the City residential tax abatement program.

Councilman Sarvanidis read Resolution No. CC-2007-06 by title only.

A RESOLUTION APPROVING FORM SB-1, STATEMENT OF BENEFITS, FOR UNIT 2, BLOCK 2, LOT 12, COMMONLY KNOWN AS 1600 CENTER STREET AS DESCRIBED IN THE DRAWING OF LAKEFRONT COMMONS, UNIT 2, A PLANNED UNIT DEVELOPMENT TO THE CITY OF WHITING, LAKE COUNTY INDIANA BY TORRENGA ENGINEERING, DATED JUNE 17, 2003 AND RECORDED IN THE OFFICE OF THE LAKE COUNTY RECORDER

There being no questions, Councilman Sarvanidis moved to adopt Resolution No. CC-2007-06, seconded by Councilwoman Unate. Roll Call: Councilmembers Jennings, Sarvanidis, Spebar, Stolman, and Unate voted aye. Vote: 5 ayes, no nays, no abstentions. Motion carried unanimously.

XI. NEW BUSINESS

Councilman Sarvanidis presented Forms CF-1 for the properties at 1722-119th Street, 1612 Center Street, 1632 Center Street and 1628 Center Street. These Forms are filed annually to verify compliance for residential tax abatements already approved.

Councilman Sarvanidis moved to approve Forms CF-1 for the four addresses presented. Councilman Spebar seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Mayor Stahura informed the Council that the developer has contracts to build at least 10 new homes on Center Street this year.

Councilman Jennings noted that the specifications for these new homes are exemplary.

XII. PUBLIC DISCUSSION

None.

XIII. ADJOURNMENT

Councilwoman Unate moved to adjourn the meeting at 6:57 p.m., seconded by Councilman Stolman. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

MARGARET DREWNIAK, Clerk-Treasurer