

CITY OF WHITING – SEPTEMBER 25, 2007

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

The Common Council of the City of Whiting met in regular rescheduled session on Tuesday, September 25, 2007, at 6:30 p.m. with Councilman Sarvanidis presiding as President Pro Tem. The Pledge of Allegiance was recited, followed by the invocation from Councilwoman Greer.

I. ROLL CALL

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

Mayor Stahura was unable to attend the meeting due to a prior commitment.

Clerk-Treasurer Drewniak read aloud in its entirety Notice of this Rescheduled Regular Meeting, which was faxed to The Times, the Post Tribune and WJOB Radio on August 28, 2007.

Councilman Spebar moved for suspension of rules to conduct a Public Hearing on Resolution No. CC-2007-18; 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.

Clerk-Treasurer Drewniak presented two Proofs of Publication of Notice of this Public Hearing on Resolution No. CC-2007-18, which was advertised in The Times and the Post Tribune on September 13, 2007. Clerk-Treasurer Drewniak read pertinent sections of the advertisement aloud.

Councilman Spebar explained that Resolution No. CC-2007-18 concerns the property at 1424 Fischrupp Avenue, which was rebuilt after a fire. Tax abatement for the property was not filed at the commencement of rebuilding. Resolution No. CC-2007-18 will grant a waiver of non-compliance so a Statement of Benefits for tax abatement can be presented to the Common Council. This possible waiver is in accordance with State statutes, as the Council has determined that this property is in a Revitalization Area and would be eligible for the tax abatement had the Statement of Benefits been timely filed. The improvements to the property enhance the value of surrounding properties; the estimate of the value of the rehabilitation is reasonable; and the totality of benefits to the City justifies the deduction and waives the non-compliance issue. The Council has granted a previous waiver to a property that met similar requirements.

President Pro Tem Sarvanidis opened the Public Hearing and asked a first time for public comment on Resolution No. CC-2007-18. No comments were made.

President Pro Tem Sarvanidis asked a second time for comments. No one spoke.

President Pro Tem Sarvanidis asked a third and final time for public comment on Resolution No. CC-2007-18. Hearing none, President Pro Tem Sarvanidis closed the Public Hearing on said Resolution and returned the meeting to the regular format of the Common Council.

II. MINUTES

President Pro Tem Sarvanidis asked for consideration of the minutes of the September 4, 2007, regular Common Council meeting.

Councilman Stolman moved to approve said minutes, as submitted. Councilwoman Greer seconded the motion. Roll Call: Councilmembers Greer, Jennings, Spebar, Stolman and Zubeck voted aye. Councilwoman Unate abstained from voting, due to her absence at said meeting. Vote: 5 ayes, no nays, 1 abstention. Motion carried.

President Pro Tem Sarvanidis asked for consideration of the minutes of the September 13, 2007, special Common Council meeting.

Councilman Jennings moved to approve said minutes, as submitted. Councilwoman Unate seconded the motion. Roll Call: Councilmembers Jennings, Spebar, Stolman, Unate and Zubeck voted aye. Councilwoman Greer abstained from voting, due to her absence at said meeting. Vote: 5 ayes, no nays, 1 abstention. Motion carried.

III. COMMUNICATIONS, PETITIONS, MEMORIALS OR REMONSTRANCES

None.

IV. REPORT OF THE MAYOR

Due to the absence of Mayor Stahura, no report was given.

V. STANDING COMMITTEES

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

- Ordinance No. CC-2007-1774, the 2008 Civil City Budget Ordinance, for possible third reading; and
- Resolution No. CC-2007-18 and Resolution No. CC-2007-19, both of which concern tax abatement for the property at 1424 Fischrupp Avenue.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Drewniak presented Civil City Accounts Payable Vouchers #2137-#2202 inclusive for approval.

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

VII. REPORT OF THE CITY ATTORNEY

No report was given.

VIII. SPECIAL COMMITTEES

None.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCES AND RESOLUTIONS

Councilman Spebar explained that Ordinance No. CC-2007-1774 is the Civil City Budget for 2008. The Budget absorbs the cost of a 3% raise for most City employees and increases in insurance costs. Two administrative positions have been eliminated through attrition. The City does not know at this time if its tax levy will be frozen by the State due to the failure to implement a County income tax.

Hearing no questions or comments, Councilman Spebar moved to pass Ordinance No. CC-2007-1774 to third and final reading. Councilman Zubeck 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.

Councilman Spebar read Ordinance No. CC-2007-1774 by title only for third and final reading.

ORDINANCE FOR APPROPRIATIONS AND TAX RATES

Councilman Spebar stated that Resolution No. CC-2007-18 was described in detail at tonight's Public Hearing. It concerns the waiver of non-compliance for the property at 1424 Fischrupp Avenue.

Hearing no questions, Councilman Spebar read Resolution No. CC-2007-18 by title only.

A RESOLUTION AUTHORIZING A WAIVER PURSUANT TO I.C. 6-1.1-12.1-11.3 REGARDING NON-COMPLIANCE WITH THE REQUIREMENT OF FILING A STATEMENT OF BENEFITS IN A TIMELY FASHION PURSUANT TO I.C. 6-1.1-12.1-3

Councilman Spebar moved to adopt Resolution No. CC-2007-18; seconded by Councilwoman Greer. Roll Call: Councilmembers Greer, Jennings, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 6 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Spebar stated that Resolution No. CC-2007-19 approves the Statement of Benefits concerning tax abatement for the property at 1424 Fischrupp.

Hearing no questions, Councilman Spebar read Resolution No. CC-2007-19 by title only.

**A RESOLUTION APPROVING FORM SB-1, STATEMENT OF BENEFITS,
FOR 1424 FISCHRUPP, AND ESTABLISHING THIS AS A RESIDENTIALLY
DISTRESSED LOT FOR WHICH TAX ABATEMENT IS AVAILABLE.**

Councilman Spebar moved to adopt Resolution No. CC-2007-19; seconded by Councilwoman Unate. Roll Call: Councilmembers Greer, Jennings, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 6 ayes, no nays, no abstentions. Motion carried unanimously.

XI. NEW BUSINESS

None.

XII. PUBLIC DISCUSSION

None.

XIII. ADJOURNMENT

Councilwoman Unate moved to adjourn the meeting at 6:43 p.m.; seconded by Councilwoman Greer. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

MARGARET DREWNIAK, Clerk-Treasurer