

CITY OF WHITING – OCTOBER 16, 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, October 16, 2007, at 6:30 p.m. with Mayor Stahura presiding. The Pledge of Allegiance was recited, followed by the invocation from Councilman Jennings.

I. ROLL CALL

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

Councilman Sarvanidis was unable to attend the meeting.

II. MINUTES

Mayor Stahura asked for consideration of the October 2, 2007, regular Common Council meeting.

Councilwoman Greer 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 reported on the following City projects:

- The New York Avenue Reconstruction Project is progressing well; infrastructure improvements will be completed soon, with street lights, sidewalks and street work beginning the first or second week of November.
- Standard Avenue is open except for about 100 yards where BP is still working on underground pipelines. Work on Front Street is going fast, with most sewer/water lines complete near the City Garage and progressing toward 119th Street. The project is expected to be finished by the end of the year.
- Ohio Avenue is being paved, and the finish coat of asphalt should be applied this week. The Ohio Street and 118th Street Water Main Project was more complicated than originally thought, but has worked out well.

- The Whiting Community Center roof project is well underway; the old clay tiles are being removed quickly, and this project will include new fascia, painting, gutters and downspouts.
- The City Hall renovations are complete except for punchlist items. The transition back to the downstairs office spaces will take place one office at a time, and should begin within two weeks.

Mayor Stahura announced that this year's final Cruise Night will be held tomorrow. The annual October Fest will be held this weekend, and will include a hayride and pony rides as well as street vendors all along 119th Street.

Mayor Stahura informed the Council that he and several members of his staff attended the annual IACT Conference, at which Whiting was presented with an award for its alley recycling program. A video about Whiting's recycling program was produced for this event, and Recycling Director Mark Harbin and Mayor Stahura accepted the award on behalf of the City.

Mayor Stahura reported that there has been no definite word on when tax bills will be sent out, with estimates ranging from sometime this month until late December. He complimented Clerk-Treasurer Drewniak on the fine job she has been doing handling the reduced City cash flow, and stated that the City will probably have to go out for one last set of Tax Anticipation Warrants to cover operating expenses through the end of this year.

Councilman Jennings asked if the trucks have ceased coming down the road adjacent to the railroad tracks out of the steel mill. Mayor Stahura stated that, unfortunately, that is the only route that Mittal Steel allows the trucks to take because of the ongoing strike. Levy Trucking has been allowed a 90 day extension to find an alternate route; after that time, their trucks will be ticketed if they travel down Whiting residential streets. Councilman Jennings commented that the truck traffic does seem to be reduced.

V. STANDING COMMITTEES

Councilman Spebar stated that the following four items will be presented tonight:

- Possible third reading on Ordinance No. CC-2007-1777, which fixes salaries for elected officials for the coming year;
- Introduction of Ordinance No. CC-2007-1780, which would establish a stand-alone fence ordinance;
- Resolution No. CC-2007-24, which approves a Statement of Benefits for the property at 1636 Center Court; and
- Resolution No. CC-2007-25, which transfers funds within the various departments of the General Fund.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Drewniak presented Civil City Accounts Payable Vouchers #2249 - #2343 inclusive for approval.

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

VII. REPORT OF THE CITY ATTORNEY

City Attorney Sejna advised the Council that an Amended Agreement with Lake-Park Development for the Center Street Project was signed at yesterday's Board of Public Works and Safety meeting. After diligent negotiation, Parcel 1 (condominiums north of 117th Street) and a portion of Parcel 3 (Senior Citizen Complex) were eliminated from the Agreement, and a deadline of August 31, 2009, was set for reasonable completion of this development. Language governing acceptable porch types was included, and Lake-Park has agreed to use a realtor to assist them in their marketing efforts. The realtor chosen has access to Chicago clientele, which will hopefully boost sales.

City Attorney Sejna reported that she received a petition for a Planned Unit Development from BP Products North America, Inc., which will go before the Plan Commission in October with a Public Hearing scheduled for the following meeting. If approved, an Ordinance will be presented to the Common Council for their approval. This PUD is for a new tank at the water purification facility BP operates at the lakefront. BP presented drawings indicating that they have complied with City setback requirements, and will be addressing fencing, security and landscaping issues.

Councilman Jennings asked if the City will be sending out Request for Proposals on those parcels that are no longer part of the Center Street Development through Lake-Park. Mayor Stahura stated that it would be in the City's best interest to wait on condominium plans until there are definite development plans for the Whiting lakefront. The City is negotiating with Lake-Park on the Senior Complex plans, which will be separate from the Center Street development. City Attorney Sejna informed the Council that Lake-Park has requested an additional survey to verify ownership on certain parcels in the development. Because of railroad and telecommunications easements, some of the titles are unclear.

Mayor Stahura thanked City Attorney Sejna and Economic Development Director Kark for all their work on amending the original agreement with Lake-Park. Thanks to the new agreement, all homes must be completed by October 2009, and many financial details have been finalized. Now that the Amended Agreement has been signed, Lake-Park also has permission to develop

the lots west of the new parking lot on Center Street. Overall, the terms of the agreement are much more favorable to the City, and performance standards have been set.

VIII. SPECIAL COMMITTEES

Councilman Stolman reported on the following items from the September 20th Shared Services Committee meeting:

- Brian Lowry and Dirk Flick presented an impressive plan for addressing the youth council and student engagement in learning more about city government, including on-site learning in various City departments.
- Trees are scheduled to be planted along Oliver after the stumps have been ground of those removed.
- A discussion occurred regarding the water usage at the School Administration Building when water pressure drops. It was suggested that the School adopt a monitoring system to alert their staff when this occurs. Steve Taylor was going to look into the feasibility of this.
- Shared service time will be used to offset the Police coverage for the Homecoming pep rally and dance. The City plans to use up some of its credits by having the school cleaning crews give City Hall a thorough cleaning after the renovation is concluded.

The next Shared Service meeting will be held October 18th at City Hall.

Mayor Stahura informed Councilman Zubeck that one of his constituents was critical of City tree policy, including trees removed when the new Walgreens development was under construction. Mayor Stahura noted that only one tree was removed, and 17 new trees were planted at that location. Four more trees were planted on Community Court in addition to those. Seven trees were planted on Oliver Street to replace those removed for public safety reasons.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCES AND RESOLUTIONS

Councilman Spebar stated that Ordinance No. CC-2007-1777 fixes salaries for Elected Officials for the coming year. As required by law, this Ordinance was published twice, on September 12th and September 19th. This is the first proposed raise for Whiting elected officials in four years. This salary increase is consistent with that given to City employees for 2008.

Hearing no questions, Councilman Spebar moved to pass Ordinance No. CC-2007-1777 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.

Councilman Spebar read Ordinance No. CC-2007-1777 by title only for third and final reading.

AN ORDINANCE AMENDING ORDINANCE NO. CC-2005-1734 FIXING THE ANNUAL SALARY OF ALL ELECTED OFFICERS OF THE CITY OF WHITING, INDIANA, PAYABLE FROM THE GENERAL FUND, EFFECTIVE JANUARY 1, 2008 PURSUANT TO I.C. 36-4-7-2.

Councilman Spebar stated that Ordinance No. CC-2007-1780 re-establishes a stand-alone fence ordinance. The Ordinance regulates fences in residential, commercial and manufacturing districts. On behalf of the Council, Councilman Spebar thanked the Mayor, City Attorney, Zoning Administrator and the Building Commissioner for their work on this Ordinance.

There being no questions, Councilman Spebar read Ordinance No. CC-2007-1780 by title only for first reading.

AN ORDINANCE TO REGULATE FENCES AND LANDSCAPING IMPROVEMENTS IN THE CITY OF WHITING, INDIANA

Councilman Spebar moved to pass Ordinance No. CC-2007-1780 to second reading; seconded by Councilman Jennings. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1780 by title only for second reading.

AN ORDINANCE TO REGULATE FENCES AND LANDSCAPING IMPROVEMENTS IN THE CITY OF WHITING, INDIANA

Councilman Spebar explained that Resolution No. CC-2007-24 approves a Statement of Benefits for tax abatement on the property at 1636 Center Court, which is a new home in the Center Street development.

Councilman Spebar read Resolution No. CC-2007-24 by title only.

A RESOLUTION APPROVING FORM SB-1, STATEMENT OF BENEFITS, FOR UNIT 2, BLOCK 2, LOT 3, COMMONLY KNOWN AS 1636 CENTER COURT, 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

Councilman Spebar moved to adopt Resolution No. CC-2007-24; 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.

Councilman Spebar moved for suspension of rules to consider Resolution No. CC-2007-25; 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.

Councilman Spebar stated that Resolution No. CC-2007-25 transfers monies within various departments of the General Fund, as follows:

<u>Department</u>	<u>Fund</u>	<u>Increase</u>	<u>Decrease</u>	
Police	Salary		\$10,000	
	Animal Control		\$ 5,000	
	Instruction		\$ 5,000	
	Personal Insurance		\$ 6,000	
	Services Contractual		\$ 1,000	
	Improvement other than Building		\$26,000	
	Extra Duty	\$21,500		
	Longevity	\$ 4,500		
	Park Security	\$ 1,500		
	Pension	\$ 5,000		
	Garage & Motors	\$20,000		
	Subscription & Dues	500		
	Total transfer:	\$53,000		\$53,000
	Fire	Salary		\$20,000
Pension			\$15,000	
Personal Insurance			\$10,000	
Equipment			\$20,000	
EMT/ALS		\$ 5,000		
Overtime		\$45,000		
Garage & Motors		\$15,000		
Total transfer:		\$65,000		\$65,000

BPW	Services Contractual		\$27,000
	Equipment		\$10,000
	Personal Insurance	\$26,000	
	Municipal Dues	\$ 1,000	
	Improvement Other than Building	\$10,000	
Total transfer:		\$37,000	\$37,000

Hearing no questions or comments, Councilman Spebar read Resolution No. CC-2007-25 by title only.

A RESOLUTION TRANSFERRING MONIES WITHIN THE VARIOUS
DEPARTMENTS OF THE GENERAL FUND OF THE CITY OF WHITING,
INDIANA

Councilman Spebar moved to adopt Resolution No. CC-2007-25; 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.

Mayor Stahura thanked the Council for these transfers, which eases the financial crunch felt at the end of the year in these various funds.

XI. NEW BUSINESS

None.

XII. PUBLIC DISCUSSION

None.

XIII. ADJOURNMENT

Councilman Jennings moved to adjourn the meeting at 6:58 p.m.; seconded by Councilman Stolman. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

MARGARET DREWNIAK, Clerk-Treasurer