

CITY OF WHITING – DECEMBER 18, 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, December 18, 2007, at 6:30 p.m. with Mayor Stahura presiding. The Pledge of Allegiance was recited, followed by the invocation from Councilman Stolman.

I. ROLL CALL

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

II. MINUTES

Mayor Stahura asked for consideration of the December 4, 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 wished all present and their families a very Merry Christmas.

Mayor Stahura predicted a wild Indiana legislative session in 2008. A lot of changes will take place as our legislators debate and possibly implement property tax and local government restructuring as recommended by the Commission on Local Government Reform commissioned by Governor Daniels.

V. STANDING COMMITTEES

Councilman Spebar stated that the following Ordinances will be presented tonight:

- Possible third and final reading on Ordinance No. CC-2007-1783, which allows BP to develop a parcel of land zoned Planned Unit Development; and
- First and possible second reading on Ordinance No. CC-2007-1785, which amends the 2008 Salary Ordinance.

Councilman Sarvanidis stated that the following Ordinances would be introduced for Council consideration:

- Ordinance No. CC-2007-1782, which grants a special zoning exception for the property at 1831 LaPorte Avenue; and
- Ordinance No. CC-2007-1786, which amends Whiting Municipal Code to reflect changes in State law regarding meetings of the Common Council.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Drewniak presented Civil City Accounts Payable Vouchers #2585 - #2661 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 reported that Notice of Intent regarding Ordinance No. CC-2007-1783 was properly advertised in the local News Media.

VIII. SPECIAL COMMITTEES

None.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCE AND RESOLUTIONS

Councilman Spebar stated that BP Products North America, Inc. has petitioned to build a Surge Tank to expand the company's wastewater treatment capability at the Whiting refinery. On November 27th, after a Public Hearing on the matter, the Whiting Plan Commission gave a favorable recommendation to that petition. The provisions of this Ordinance were described in detail at the last Common Council meeting.

Hearing no further questions or comments, Councilman Spebar moved to pass Ordinance No. CC-2007-1783 to third and final reading. Councilwoman Greer seconded the motion. Roll Call: Councilmembers Greer, Jennings, Sarvanidis, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 7 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1783 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 LOCATED AT THE INTERSECTION OF 121ST STREET AND STANDARD AVENUE IN WHITING, INDIANA

Councilman Spebar explained that Ordinance No. CC-2007-1785 amends the 2008 Salary Ordinance by the following:

- Adjusts the Board of Zoning Appeals Secretary salary to the current salary;
- Adds two new monthly stipends to reflect additional duties taken on by individuals due to a reduction by attrition in City staff;
- Creates two salary levels for Police and Fire pension secretary positions; and
- Adjust salaries of the employees of the City Garage, as negotiated in their Teamster contract.

There being no questions, Councilman Spebar read Ordinance No. CC-2007-1785 by title only for first reading.

AN ORDINANCE TO AMEND ORDINANCE NO. CC-2007-1775, THE 2008 SALARY ORDINANCE FOR EMPLOYEES OF THE CITY OF WHITING, INDIANA TO CORRECT ERRORS, TO PROVIDE STIPENDS FOR CERTAIN ADMINISTRATIVE POSITIONS, TO ADD ANOTHER LEVEL TO PENSION SECRETARY POSITIONS AND TO ADJUST TEAMSTER SALARIES IN ACCORDANCE WITH THE ARTICLES OF AGREEMENT

Hearing no questions, Councilman Spebar moved to pass Ordinance No. CC-2007-1785 to second reading. Councilman Stolman seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2007-1785 by title only for second reading.

AN ORDINANCE TO AMEND ORDINANCE NO. CC-2007-1775, THE 2008 SALARY ORDINANCE FOR EMPLOYEES OF THE CITY OF WHITING, INDIANA TO CORRECT ERRORS, TO PROVIDE STIPENDS FOR CERTAIN ADMINISTRATIVE POSITIONS, TO ADD ANOTHER LEVEL TO PENSION SECRETARY POSITIONS AND TO ADJUST TEAMSTER SALARIES IN ACCORDANCE WITH THE ARTICLES OF AGREEMENT

Councilman Spebar stated that the Council will consider third reading of this Ordinance at its year-end meeting.

Councilman Sarvanidis stated that Ordinance No. CC-2007-1782 relates to a special exception recommended to the Common Council by the Board of Zoning Appeals for property located at 1831 LaPorte Avenue. As there are still questions regarding stipulations of this exception, the Ordinance will be read for first reading only.

Hearing no questions, Councilman Sarvanidis read Ordinance No. CC-2007-1782 by title only for first reading.

AN ORDINANCE TO AMEND ORDINANCE NO. CC-2001-1611 TO GRANT A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 1831 LAPORTE AVENUE TO PERMIT A TWO-FAMILY DWELLING IN AN AREA ZONED AS RESIDENTIAL-SINGLE FAMILY (R-SF) AS FAVORABLY RECOMMENDED BY THE WHITING BOARD OF ZONING APPEALS IN CASE NO. WBZA-2007-04

Councilman Sarvanidis stated that Ordinance No. CC-2007-1786 regulates the meetings held by the Common Council requiring the Council to meet on January 1st, as was once regulated by State Statute. That Statute has since changed, and now the Council can meet in January without the stipulation of a specific date. Whiting Common Council January meetings will now follow the same first and third Tuesdays schedule as the rest of the year.

Hearing no questions, Councilman Sarvanidis read Ordinance No. CC-2007-1786 by title only for first reading.

AN ORDINANCE TO AMEND WHITING MUNICIPAL CODE SECTION 2-57 AND ORDINANCE NOS. 1398 AND 1407 TO REFLECT CHANGES IN THE STATE LAW REGARDING MEETINGS OF THE COMMON COUNCIL AND TO DECLARE AN EXTRAORDINARY EMERGENCY

Councilman Sarvanidis moved to pass Ordinance No. CC-2007-1786 to second reading; seconded by Councilwoman Unate. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilman Sarvanidis read Ordinance No. CC-2007-1786 by title only for second reading.

AN ORDINANCE TO AMEND WHITING MUNICIPAL CODE SECTION 2-57 AND ORDINANCE NOS. 1398 AND 1407 TO REFLECT CHANGES IN THE STATE LAW REGARDING MEETINGS OF THE COMMON COUNCIL AND TO DECLARE AN EXTRAORDINARY EMERGENCY

Councilman Sarvanidis moved for suspension of rules to consider Ordinance No. CC-2007-1786 for third and final reading. Councilman Spebar seconded the motion. Roll Call:

Councilmembers Greer, Jennings, Sarvanidis, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 7 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Sarvanidis moved to pass Ordinance No. CC-2007-1786 to third and final reading. Councilman Zubeck seconded the motion. Roll Call: Councilmembers Greer, Jennings, Sarvanidis, Spebar, Stolman, Unate and Zubeck voted aye. Vote: 7 ayes, no nays, no abstentions. Motion carried unanimously.

Councilman Sarvanidis read Ordinance No. CC-2007-1786 by title only for third and final reading.

AN ORDINANCE TO AMEND WHITING MUNICIPAL CODE SECTION 2-57 AND ORDINANCE NOS. 1398 AND 1407 TO REFLECT CHANGES IN THE STATE LAW REGARDING MEETINGS OF THE COMMON COUNCIL AND TO DECLARE AN EXTRAORDINARY EMERGENCY

XI. NEW BUSINESS

Councilman Spebar stated that the Council traditionally has a year-end meeting to approve claims and any pending legislation. Councilman Spebar moved to hold a special meeting of the Common Council on Wednesday, December 26th, 2007, at 6:30 p.m. in the City Hall Conference Room for this purpose. Councilman Stolman seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

XII. PUBLIC DISCUSSION

Mayor Stahura invited all present to attend the swearing-in ceremony for newly elected officials in Council Chambers on January 1, 2008, at noon. He acknowledged Clerk-Treasurer Drewniak for her 37 years of public service, and thanked her for all she has done for the City. All present applauded; Mrs. Drewniak stated that she will miss everyone, and will come to visit.

Bryan Ciers of 1237-121st stated that he was happy to see action taken on Ordinance No. CC-2007-1782 for rezoning his property on LaPorte Avenue, and offered to answer any questions or address any concerns of the Council members.

XIII. ADJOURNMENT

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

MARGARET DREWNIAK, Clerk-Treasurer