

CITY OF WHITING –OCTOBER 20, 2015

**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 20, 2015, at 6:30 p.m. with Mayor Stahura presiding.

I. ROLL CALL

Mayor Stahura, Councilmembers Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman and Zubeck were present, constituting a quorum. Also present were Clerk-Treasurer Haynes, City Attorney Sejna and interested citizens.

II. MINUTES

Mayor Stahura asked for consideration of the minutes October 6, 2015 regular Common Council Meeting.

Councilwoman Michko made a motion to accept the minutes from the October 6, 2015 meeting. Councilman Stolman seconded the motion. Roll Call: (All) Councilmembers Jennings, Michko, Murzyn, Sarvanidis, Stolman and Spebar voted aye. Councilman Zubeck abstained since he was absent. Vote: 6 ayes, no nays. Motion carried unanimously.

III. COMMUNICATIONS, PETITIONS, MEMORIALS OR REMONSTRANCES

None.

IV. REPORT OF THE MAYOR

- Structure Fire at 3am on October 20, 2015 at 1711 119th Street with one fatality. Still awaiting results from the investigation.

V. STANDING COMMITTEES

Councilman Spebar reported the following four Ordinances for possible third reading.

- CC-2015-1942 setting the 2016 Civil City Budget
- CC-2015-1943 setting the 2016 Sanitary District Budget
- CC-2015-1944 setting the 2016 Civil City salaries
- CC-2015-1946 setting the 2016 Elected Official Salaries

Councilman Spebar introduced Ordinance CC-2015-1949 for possible first and second reading. An ordinance establishing and authorizing the Whiting Redevelopment Authority.

Councilman Sarvanidis presented the following Ordinance for possible third reading:

- Ordinance No. CC-2015-1947 is the Ordinance to Amend the Ordinance Violations Bureau.

Councilman Sarvanidis introduced Ordinance CC-2015-1948 for possible first and second reading.

- Ordinance No. CC-2015-1948 is an Ordinance Authorizing Issuance of our Environmental Facilities Revenue Bonds.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Haynes presented Civil City Accounts Payable Voucher Check #s 3282-3284, 3288-3290, 3292-3357, and 94E for approval.

Councilman Stolman moved to approve said Accounts Payable Voucher Checks for payment. Councilman Jennings seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

VII. REPORT OF THE CITY ATTORNEY

None.

VIII. SPECIAL COMMITTEES

None.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCES AND RESOLUTIONS

Councilman Spebar presented Ordinance No. CC-2015-1942 for third reading, Civil City Budget for 2016.

Councilman Spebar made a motion to take Ordinance No. CC-2015-1942 to third and final reading. Seconded by Councilman Jennings. Roll Call: (All) Council members Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman, and Zubeck voted aye. Vote: 7 ayes, no nays. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2015-1942 by title only.

AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES

Councilman Spebar presented Ordinance No. CC-2015-1943 for third reading, Sanitary District Budget 2016.

Councilman Spebar made a motion to take Ordinance No. CC-2015-1943 to third and final reading. Seconded by Councilman Zubeck. Roll Call: (All) Council members Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman, and Zubeck voted aye. Vote: 7 ayes, no nays. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2015-1943 by title only.

AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES

Councilman Spebar presented Ordinance No. CC-2015-1944 for third reading, Salary Ordinance for City Employees 2016.

Councilman Spebar made a motion to take Ordinance No. CC-2015-1944 which fixes the 2016 salaries for city employees to the third and final reading. Seconded by Councilman Murzyn. Roll Call: (All) Council members Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman, and Zubeck voted aye. Vote: 7 ayes, no nays. Motion carried unanimously.

Councilman Spebar read Ordinance No. CC-2015-1944 by title only.

AN ORDINANCE FIXING SALARIES AND COMPENSATION OF OFFICERS AND EMPLOYEES OF THE POLICE AND FIRE DEPARTMENTS AND EMPLOYEES OF THE CITY OF WHITING, INDIANA, EFFECTIVE FIRST PAY IN 2016

Councilman Spebar presented Ordinance No. CC-2015-1946 for third reading, Salary Ordinance for Elected Officials 2016.

Councilman Spebar motioned to take Ordinance No. CC-2015-1946 which fixes the 2016 elected official salaries to the third and final reading. Seconded by Councilman Stolman. Roll Call: (All) Council members Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman, and Zubeck voted aye. Vote: 7 ayes, no nays. Motion carried unanimously.

Councilman Spebar read Ordinance NO. CC-2015-1946 by title only.

AN ORDINANCE FIXING THE ANNUAL SALARY OF ALL ELECTED OFFICERS OF THE CITY OF WHITING, INDIANA EFFECTIVE FIRST PAY IN JANUARY 2016

Councilman Spebar introduced Ordinance No. CC-2015-1949 which establishes and authorizes the Whiting Redevelopment Authority.

Councilman Spebar read Ordinance NO. CC-2015-1949 by title only for the first reading.

AN ORDINANCE ESTABLISHING AND AUTHORIZING THE WHITING REDEVELOPMENT AUTHORITY.

Councilman Spebar motioned to take Ordinance No. CC-2015-1949 which establishes the Whiting Redevelopment Authority in Accordance with State Statue to second reading. Seconded by Councilman Sarvanidis. Roll Call: (All) Council members Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman, and Zubeck voted aye. Vote: 7 ayes, no nays. Motion carried unanimously.

Councilman Spebar read Ordinance NO. CC-2015-1949 by title only.

AN ORDINANCE ESTABLISHING AND AUTHORIZING THE WHITING REDEVELOPMENT AUTHORITY.

Councilman Sarvanidis presented Ordinance No. 2015-1947 for third and final reading.

Councilman Sarvanidis made a motion to take Ordinance No. 2015-1947 to third reading. Seconded by Councilman Spebar. Roll Call: (All) Council members Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman, and Zubeck voted aye. Vote: 7 ayes, no nays. Motion carried unanimously.

Councilman Sarvanidis read Ordinance No. CC-2015-1947 by title only.

AN ORDINANCE OF THE CITY OF WHITING LAKE COUNTY INDIANA, AMENDING WHITING MUNICIPAL CODE CHAPTER 2, ARTICLE XI, ORDINANCE VIOLATIONS BUREAU AND ORDINANCE NO. CC-2009-1816 TO INCLUDE SEC. 15-4 SNOW REMOVAL AS A DESIGNATED VIOLATION SUBJECT TO THE VIOLATIONS BUREAU

Councilman Sarvanidis presented Ordinance No. CC-2014-1948 which is the actual issuance of the environmental facilities revenue bonds. Indiana State code gives municipalities the authority to issue environmental facilities revenue bonds as a vehicle for financing industrial environmental projects. Process allows for tax exempt bonds to be sold and used for these projects. This Ordinance will authorize issuance and sale of the City's environmental facilities revenue bonds to finance the acquisition, construction, and installation of environmental facilities at the BP Whiting Refinery in Whiting. This program is beneficial to all parties and provides favorable financing fees for all parties. The program also generates revenue for the City of Whiting. Most importantly in section 12 page 4 of the Ordinance, these are limited obligation bonds that do not constitute debt or liability of the bonds to the City. The Council has approved and passed numerous bonds of this kind in the past and have been quite successful.

Councilman Sarvanidis read Ordinance No. CC-2014-1948 by title only for the first reading.

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ENVIRONMENTAL FACILITIES REVENUE BONDS (BP PRODUCTS NORTH AMERICA INC. PROJECT) SERIES 2015 OF THE CITY OF WHITING, INDIANA IN AN AGGREGATE PRINCIPAL AMOUNT NO TO EXCEED \$170,000.000 FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING. CONSTRUCTING AND INSTALLING CERTAIN SEWAGE FACILITIES: AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF THRUST TO SECURE SAID BONDS: AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN BP PRODUCTS NORTH AMERICA INC. AND SAID CITY PROVIDING THE REPAYMENT OF THE LOAN OF THE PROCEEDS OF SAID BONDS: AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX EXEMPTION CERTIFICATE AND AGREEMENT; APPROVING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT BETWEEN SAID CITY AND MORGAN STANLEY & CO. LLC, PROVIDING THE SALE OF SAID BONDS; AUTHORIZING THE ACCEPTANCE OF A LETTER OF REPRESENTATION FROM BP PRODUCTS NORTH AMERICA INC. TO SAID CITY AND MORGAN STANLEY & CO. LLC; AND APPROVING RELATED MATTERS.

Councilman Sarvanidis made a motion to take Ordinance No. CC-2015-1948 to second reading. Seconded by Councilman Stolman. Roll Call: (All) Council members Jennings, Michko, Murzyn, Sarvanidis, Spebar, Stolman, and Zubeck voted aye. Vote: 7 ayes, no nays. Motion carried unanimously.

Councilman Sarvanidis read Ordinance No. CC-2015-1948 by title only.

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ENVIRONMENTAL FACILITIES REVENUE BONDS (BP PRODUCTS NORTH AMERICA INC. PROJECT) SERIES 2015 OF THE CITY OF WHITING, INDIANA IN AN AGGREGATE PRINCIPAL AMOUNT NO TO EXCEED \$170,000.000 FOR THE PURPOSE OF FINANCING THE COST OF ACQUIRING. CONSTRUCTING AND INSTALLING CERTAIN SEWAGE FACILITIES: AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF THRUST TO SECURE SAID BONDS: AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN BP PRODUCTS NORTH AMERICA INC. AND SAID CITY PROVIDING THE REPAYMENT OF THE LOAN OF THE PROCEEDS OF SAID BONDS: AUTHORIZING THE EXECUTION AND DELIVERY OF A TAX EXEMPTION CERTIFICATE AND AGREEMENT; APPROVING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND OFFICIAL STATEMENT AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT BETWEEN SAID CITY AND MORGAN STANLEY & CO. LLC, PROVIDING THE SALE OF SAID BONDS; AUTHORIZING THE ACCEPTANCE OF A LETTER OF REPRESENTATION FROM BP PRODUCTS NORTH AMERICA INC. TO SAID CITY AND MORGAN STANLEY & CO. LLC; AND APPROVING RELATED MATTERS.

XI. NEW BUSINESS

Councilman Sarvanidis made motion to schedule a special meeting for one week from tonight, October 27, 2015 6:30 p.m. in the Council Chambers. Seconded by Councilman Murzyn. Motion carried unanimously.

Councilman Sarvanidis made motion to reschedule the November 3, 2015 meeting to Wednesday, November 4, 2015 at 6:30pm due to Election Day being on November 3, 2015. Seconded by Councilman Jennings. Motion carried unanimously.

XII. PUBLIC DISCUSSION

John Madeka 1234 Davis Avenue in Hammond Indiana expressed concern regarding the possible installation of lights at Whihala Beach trail. Mr. Madeka is requesting the city take into consideration ego friendly lighting along the Whihala Trail. Mayor Stahura advised there is a need for lighting along the trail to create a safer environmental for the public as well as deter vandalism. The city is looking into the option of Bauer style or LED lights. Mayor Stahura indicated he will take Mr. Madeka's concern into consideration when making a final determination on the type of lighting.

XIII. ADJOURNMENT

There being no further matters to come before the Common Council, Councilman Jennings moved to adjourn the meeting at 6:55 p.m. Councilman Sarvanidis seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

John T. Haynes, Clerk-Treasurer