

**CITY OF WHITING – JUNE 4, 2019**

**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, June 4, 2019 at 6:30 p.m. with Mayor Stahura presiding.

**I. ROLL CALL**

Mayor Stahura, Councilmembers Michko, Michniewicz, Sarvanidis, Turpin, and Zubeck were present, constituting a quorum. Also, present, were Attorney Sejna and Clerk-Treasurer Haynes.

**II. MINUTES**

Mayor Stahura asked for consideration of the minutes from the May 21, 2019 Regular Common Council Meeting. Councilmember Michko made a motion to accept the minutes from the May 21, 2019 meeting as submitted. Councilmember Turpin 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 the following:

- The staff is gearing up for the summer events that will be taking place.
- The Induction Ceremony at the Mascot Hall of Fame will be June 14-16, 2019 with festivities happening all weekend long.

**V. STANDING COMMITTEES**

Councilmember Zubeck advised he will be presenting Resolution No. CC-2019-06, a resolution dealing with the transfers of cash from various funds within the City.

Councilmember Sarvanidis advised he will be presenting Ordinance No. CC-2019-2006, an ordinance authorizing the issuance and sale of environmental facilities refunding revenue bonds.

**VI. REPORT OF THE CLERK-TREASURER**

Clerk-Treasurer Haynes presented Civil City Check #338E, 340E, 10035-10102 & May Payroll total amount of \$862,986.91. Clerk-Treasurer Haynes amended the claims to include claims for Paint on Me, Inc. for \$350.00, The Bounce House Company for \$1,540.00, Chad Clifford Music, Inc. for \$1,500.00, and Elleh, LLC for \$360.00. Councilmember Michniewicz moved to approve the Accounts Payable Voucher Checks as amended. Councilmember Turpin seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

**VII. REPORT OF THE CITY ATTORNEY**

Attorney Sejna reported that the Ordinance that Councilmember Sarvanidis mentioned before is a refund of a 2014 Series BP Bonds. There was a mandatory tender and then they will refund and refinance the project. The project is already completed. Attorney Sejna has already reviewed the

loan agreement, the trust indenture, the bond purchase agreement, the letters of representation and identification, and the preliminary official statement. They are all in substantially final form and are all apart of the Ordinance and the Council approves them as part of the Ordinance. The Council will receive the \$10,000.00 issuance fee that the City is entitled to per the statute.

**VIII. SPECIAL COMMITTEES**

None.

**IX. UNFINISHED BUSINESS**

None.

**X. ORDINANCES AND RESOLUTIONS**

Councilmember Zubeck introduces Resolution No. CC-2019-06, a resolution that transfers appropriations within funds of the City.

Councilmember Zubeck read Resolution No. CC-2019-06 in title only;

**RESOLUTION TRANSFERRING FUNDS WITHIN VARIOUS FUNDS OF THE CITY OF WHITING, INDIANA**

Councilmember Zubeck made a motion to adopt Resolution No. CC-2019-06. Councilmember Michko seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Sarvanidis introduced Ordinance No. CC-2019-2006.

In an effort to promote environmental responsibility, and in doing so, earn additional revenue for the City, Indiana state statute provides municipalities with the authority to issue Environmental Facilities Revenue Bonds (EFRB) as a vehicle for financing certain industrial environmental projects (basically pollution control & prevention).

The process allows for tax exempt bonds to be sold and the proceeds to be used for these projects.

In ordinance 2019-2006, we would be authorizing the issuance and sale of Environmental Facilities REFINANCING Revenue Bonds to RE-finance acquisition, construction and installation of environmental facilities that have already been completed at the BP Whiting Refinery.

Councilmember Sarvanidis read Ordinance No. CC-2019-2006 in title only;

**ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ENVIRONMENTAL FACILITIES REFUNDING REVENUE BONDS (BP PRODUCTS NORTH AMERICA INC. PROJECT) SERIES 2019A, OF THE CITY OF WHITING, INDIANA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$300,000,000 FOR THE PURPOSE OF REFINANCING THE COSTS OF ACQUIRING, CONSTRUCTING AND INSTALLING CERTAIN SEWAGE FACILITIES BY REFUNDING SAID CITY'S ENVIRONMENTAL**

FACILITIES REVENUE BONDS (BP PRODUCTS NORTH AMERICA INC. PROJECT) SERIES 2014; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST TO SECURE SAID BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN BP PRODUCTS NORTH AMERICA INC. AND SAID CITY PROVIDING FOR 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 AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT BETWEEN SAID CITY AND BOFA SECURITIES, INC., PROVIDING FOR THE SALE OF SAID BONDS; AUTHORIZING THE ACCEPTANCE OF A LETTER OF REPRESENTATION FROM BP PRODUCTS NORTH AMERICA INC. TO SAID CITY AND BOFA SECURITIES, INC.; AND APPROVING RELATED MATTERS.

Councilmember Sarvanidis made a motion to take Ordinance No. CC-2019-2006 to a 2<sup>nd</sup> reading. Councilmember Michniewicz seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Sarvanidis read Ordinance No. CC-2019-2006 in title only;

ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF ENVIRONMENTAL FACILITIES REFUNDING REVENUE BONDS (BP PRODUCTS NORTH AMERICA INC. PROJECT) SERIES 2019A, OF THE CITY OF WHITING, INDIANA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$300,000,000 FOR THE PURPOSE OF REFINANCING THE COSTS OF ACQUIRING, CONSTRUCTING AND INSTALLING CERTAIN SEWAGE FACILITIES BY REFUNDING SAID CITY'S ENVIRONMENTAL FACILITIES REVENUE BONDS (BP PRODUCTS NORTH AMERICA INC. PROJECT) SERIES 2014; AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST TO SECURE SAID BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN BP PRODUCTS NORTH AMERICA INC. AND SAID CITY PROVIDING FOR 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 AN OFFICIAL STATEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A BOND PURCHASE AGREEMENT BETWEEN SAID CITY AND BOFA SECURITIES, INC., PROVIDING FOR THE SALE OF SAID BONDS; AUTHORIZING THE ACCEPTANCE OF A LETTER OF REPRESENTATION FROM BP PRODUCTS NORTH AMERICA INC. TO SAID CITY AND BOFA SECURITIES, INC.; AND APPROVING RELATED MATTERS.

Councilmember Sarvanidis mentioned that this Ordinance will be taken to a 3<sup>rd</sup> reading at the next Council meeting on June 18, 2019 at 6:00 p.m.

## **XI. NEW BUSINESS**

Councilmember Turpin wanted to thank the City and the library for having the Animal Tales held at Sheridan Plaza. He was also able to attend baseball games a couple times this past weekend at Oil City Stadium which was in great shape. The mass at IC Grotto will be this Sunday. Councilmember Turpin also mentioned that at the Crime Watch meeting it was brought up about White Castle and the 117<sup>th</sup> Railroad Crossing that is in bad shape.

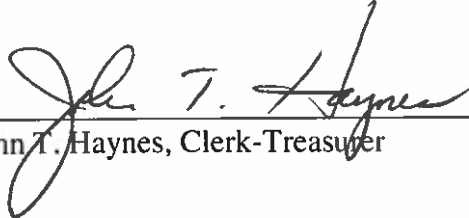
Mayor Stahura mentioned that he personally sent a letter to our director of government affairs from CSX to try to get them to respond faster and he also made a call to the local government affairs personnel and he has not heard back from either department.

**XII. PUBLIC DISCUSSION**

None.

**XIII. ADJOURNMENT**

There being no further matters to come before the Common Council, Councilmember Turpin moved to adjourn the meeting at 6:50 p.m. Councilmember Michniewicz seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

  
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John T. Haynes, Clerk-Treasurer