

CITY OF WHITING – DECEMBER 17, 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, December 17, 2019 at 6:00 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 December 3, 2019 Regular Common Council Meeting. Councilmember Michniewicz made a motion to accept the minutes from the December 3, 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:

- Meetings are happening on a regular basis regarding the 119th Street Project.
- A College Tuition Reimbursement Program was established for full time and regular part time employees working more than 20 hours a week. They can receive a maximum of \$3,000.00 per year.
- Mayor Stahura petitioned the Fire Merit Commission to authorize the creation of a hiring list for new Firefighters to limit the application process to current full-time city employees and regular part time city employees.

V. STANDING COMMITTEES

Councilmember Zubeck advised he will be presenting Ordinance No. CC-2019-2022, which is an amendment to Ordinance No. CC-2015-1933 regarding the general penalty provision for parking violations; Ordinance No. CC-2019-2020, an ordinance appropriating monies in the various funds from unappropriated funds for the year 2020.

Councilmember Sarvanidis advised he will be presenting Ordinance No. CC-2019-2021, an ordinance to amend Ordinance No. CC-2011-1851 to grant a special exception for property located at 1454 Fred Street to permit a two-family dwelling in an area zoned as residential – single family.

VI. REPORT OF THE CLERK-TREASURER

Clerk-Treasurer Haynes presented Civil City Check #10, 382E, 11109-11119, 11208-11272 total amount of \$72,400.72. Clerk-Treasurer Haynes amended the checks to add a claim for the donation money receipted during Paint the Town Pink to the Pink Ribbon Society for

\$17,099.81. Councilmember Michko 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

None.

VIII. SPECIAL COMMITTEES

None.

IX. UNFINISHED BUSINESS

None.

X. ORDINANCES AND RESOLUTIONS

Councilmember Zubeck introduced Ordinance No. CC-2019-2020, an ordinance appropriating money in the various funds from unappropriated funds for the year 2020.

Councilmember Zubeck went on to explain the ordinance and all the different funds that they will be appropriating the money in funds that were not appropriated during the 2020 budgeting process.

Councilmember Zubeck read Ordinance No. CC-2019-2020 in title only;

AN ORDINANCE APPROPRIATING MONIES IN THE VARIOUS FUNDS OF THE CITY OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS FOR THE YEAR 2020

Councilmember Zubeck made a motion to take Ordinance No. CC-2019-2020 to a 2nd reading. Councilmember Sarvanidis seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Zubeck read Ordinance No. CC-2019-2020 in title only;

AN ORDINANCE APPROPRIATING MONIES IN THE VARIOUS FUNDS OF THE CITY OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS FOR THE YEAR 2020

Councilmember Zubeck requested to have Clerk-Treasurer Haynes to advertise in the newspaper for a public hearing on January 7, 2020 at 6:30 p.m.

Councilmember Zubeck introduced Ordinance No. CC-2019-2022, which is an amendment to Ordinance No. CC-2015-1933 regarding the general penalty provision for parking violations.

Section 17-375 Penalty shall now read as follows:

Any vehicle deemed in violation of any provision of this division may be towed pursuant to the authority of a city police officer. Any violation of a provision of this division is subject to a fine of Fifty Dollars (\$50.00) unless a different fine is specified for that specific violation. A violator shall have thirty (30) days to either pay the ticket or contest the ticket in writing with the Office of the City of Whiting Clerk-Treasurer. A late fee of Twenty-Five Dollars (\$25.00) may be added after thirty (30) days of non-payment from the original date of issuance of the violation.

Councilmember Zubeck read Ordinance No. CC-2019-2022 in title only;

AN ORDINANCE OF THE CITY OF WHITING, LAKE COUNTY INDIANA,
AMENDING ORDINANCE NO. CC-2015-1933 AND WHITING MUNICIPAL CODE
CHAPTER 17, ARTICLE XI, REGARDING THE GENERAL PENALTY PROVISION
FOR PARKING VIOLATIONS IN THE CITY OF WHITING

Councilmember Zubeck made a motion to take Ordinance No. CC-2019-2022 to a 2nd reading. Councilmember Michniewicz seconded the motion. Roll Call: (Voice) All Councilmembers voted aye.

Councilmember Zubeck read Ordinance No. CC-2019-2022 in title only;

AN ORDINANCE OF THE CITY OF WHITING, LAKE COUNTY INDIANA,
AMENDING ORDINANCE NO. CC-2015-1933 AND WHITING MUNICIPAL CODE
CHAPTER 17, ARTICLE XI, REGARDING THE GENERAL PENALTY PROVISION
FOR PARKING VIOLATIONS IN THE CITY OF WHITING

Councilmember Sarvanidis introduced Ordinance No. CC-2019-2021, an ordinance granting a special exception for the property located at 1454 Fred Street to permit a two-family dwelling in an area zoned as residential – single family.

1. The Council has received and reviewed the petition filed by Michael Conley regarding property located at 1454 Fred Street, Whiting, Indiana, which is legally described as follows:

Aug. Scholz 2nd ADD L.4

2. The Council has given Notice of Intent to Consider this ordinance as required by I.C.36-7-4-918.6(d) and in accordance with I.C. 5-14-1.5-5.
3. The Council has reviewed the favorable recommendation and amended order certified by the City of Whiting Board of Zoning Appeals for Case No. WBZA-2019-03 to permit a special exception for a two-family dwelling in an area zoned R-SF and the conditions upon which the recommendation is based, a copy of which is attached hereto and incorporated herein as Exhibit "A".
4. The Council finds as follows:
 - a. The approval of the special exception will not be injurious to the public health, safety, morals, and general welfare of the community;

- b. the use and value of the area adjacent to the property included in the special exception will not be affected in a substantially adverse manner;
 - c. the need for the special exception arises from some condition peculiar to the property involved;
 - d. strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the special exception is sought;
 - e. the approval of the special exception does not interfere substantially with the comprehensive plan adopted by the Whiting Plan Commission.
5. The Council has reviewed the conditions recommended by the Whiting Plan Commission and the Whiting Board of Zoning Appeals and concurs with the imposition of said conditions.
 6. The Council approves the granting of a special exception to permit a two-family dwelling at 1454 Fred Street, Whiting, Indiana, subject to the following conditions:
 - a. Only a two-family residence is permitted, not multi-family;
 - b. All building code issues must be resolved to the satisfaction of all City inspectors;
 - c. Lake County Assessor shall be notified as to change in property homestead status, if applicable;
 - d. Off-street parking requirement is waived; and
 - e. Property must be owner-occupied in at least one (1) unit.

Councilmember Sarvanidis read Ordinance No. CC-2019-2021 in title only;

AN ORDINANCE TO AMEND ORDINANCE NO. CC-2011-1851 TO GRANT A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 1454 FRED STREET 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-2019-03

Councilmember Sarvanidis made a motion to take Ordinance No. CC-2019-2021 to a 2nd reading. Councilmember Zubeck seconded the motion. Roll Call: (Voice) All Councilmembers voted aye.

Councilmember Sarvanidis read Ordinance No. CC-2019-2021 in title only;

AN ORDINANCE TO AMEND ORDINANCE NO. CC-2011-1851 TO GRANT A SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 1454 FRED STREET 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-2019-03

Councilmember Sarvanidis requested that Clerk-Treasurer Haynes prepare a Notice of Intent to Consider be sent to the media, for Ordinance No. CC-2019-2021, at the January 7, 2020 meeting.

XI. NEW BUSINESS

Councilmember Sarvanidis presented Certificate of Appointments of Don Harbin and Paul Progar to the Redevelopment Commission for reappointment beginning on January 1, 2020 and ending on December 31, 2020.

Councilmember Sarvanidis made a motion to reappoint Don Harbin and Paul Progar to the Redevelopment Commission. Councilmember Zubeck seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Sarvanidis presented Certificate of Appointment of Rebeca Unate Michko to the Plan Commission for reappointment beginning on January 1, 2020 and ending on December 31, 2023.

Councilmember Sarvanidis made a motion to reappoint Rebeca Unate Michko to the Plan Commission. Councilmember Michniewicz seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Sarvanidis presented Certificate of Appointment of Mark Murzyn to the Board of Zoning Appeals for reappointment beginning on January 7, 2020 and ending on January 7, 2023.

Councilmember Sarvanidis made a motion to reappoint Mark Murzyn to the Board of Zoning Appeals. Councilmember Michko seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

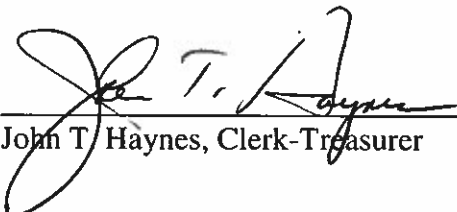
Councilmember Turpin wanted to thank everyone for the Christmas Parade and wished everyone a Merry Christmas.

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 6:20 p.m. Councilmember Michko seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.



John T. Haynes, Clerk-Treasurer

