

CITY OF WHITING – JANUARY 5, 2021

**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, January 5, 2021 at 6:30 p.m. with Mayor Spebar presiding.

Mayor Spebar read the Notice of Publication sent to the Times on December 31, 2020 regarding the scheduled meeting of the Common Council on January 5, 2021.

This is to notify you that the January 5, 2021, 6:30 PM meeting of the Common Council will be held at Whiting City Hall, 1443-119th Street, Whiting, Indiana, via teleconference. No entry into City Hall will be permitted.

Dial in access number: 866-866-2244
Participant Code: 1641958#

Mayor Spebar stated that this meeting is pursuant to suspension of the meeting statutes of the executive order issued by Governor Holcomb as a result of the coronavirus pandemic. The allowance of virtual meetings has been approved. Part of the rules for an electronic meeting is that there will need to be a roll call on every vote.

Mayor Spebar asked if there was any media or public on the phone call. Paul Czapkowicz from The Times was on the phone call.

I. ROLL CALL

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

Councilmember Zubeck made a motion to suspend the rules to address the election of officers and for the Public Hearing on Ordinance No. CC-2020-2034. Councilmember Michniewicz seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Zubeck moved that Councilman Sarvanidis be appointed President Pro Tem of the Whiting Common Council for 2021. Seconded by Councilmember Michniewicz. Mayor Spebar asked three times for other nominations. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously. There were no other nominations, so Councilman Sarvanidis was elected by acclamation.

Councilman Zubeck moved that Councilman Sarvanidis be appointed Chairman of the Whiting Common Council Ordinance Committee for 2021. Seconded by Councilmember Turpin. Mayor Spebar asked three times for other nominations. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously. There were no other nominations, so Councilman Sarvanidis was elected by acclamation.

Councilman Sarvanidis moved that Councilman Zubeck be appointed Chairman of the Whiting Common Council Finance Committee for 2021. Seconded by Councilmember Michniewicz. Mayor Spebar asked three times for other nominations. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously. There were no other nominations, so Councilman Zubeck was elected by acclamation.

Councilmember Zubeck, under suspension of the rules, opened the Public Hearing for Ordinance No. CC-2020-2034, an ordinance appropriating money in the various funds of the City of Whiting, Indiana from unappropriated funds for the year 2021.

Clerk-Treasurer Haynes read the Legal Notice for this Public Hearing which was published in The Times on December 18, 2020 and was posted at City Hall.

Mayor Spebar asked three times for any comments or discussions about Ordinance No. CC-2020-2034. With there being no further comments, Mayor Spebar closed the Public Hearing.

Mayor Spebar returned to the regular order of business.

II. MINUTES

Mayor Spebar asked for consideration of the minutes from the December 15, 2020 Regular Common Council meeting. Councilmember Michniewicz made a motion to accept the minutes from December 15, 2020 as submitted. Councilmember Sarvanidis seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Mayor Spebar asked for consideration of the minutes from the December 29, 2020 Special Common Council meeting. Councilmember Turpin made a motion to accept the minutes from December 29, 2020 as submitted. Councilmember Michniewicz 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 Spebar reported that Adi Cruz was sworn in as Park Superintendent the morning of Monday, January 4, 2021.

V. STANDING COMMITTEES

Councilmember Zubeck advised the Council he will be presenting Ordinance No. CC-2020-2034, an ordinance appropriating monies in the various funds from unappropriated funds for the year 2021 for a 2nd and 3rd readings; Ordinance No. CC-2021-2035, which is an amendment to Ordinance No. CC-2020-2033 to add an additional level of salary to general – temporary laborer classification; Ordinance No. CC-2021-2036, an ordinance amending all applicable subsequent amending ordinances to revise the City of Whiting fee schedule for various departments.

VI. REPORT OF THE CLERK-TREASURER

None.

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-2020-2034, an ordinance appropriating monies in the various funds from unappropriated funds for the year 2021.

Councilmember Zubeck stated that this ordinance was explained in further detail and read for a 1st reading at the previous Common Council meeting on December 15, 2020.

Councilmember Zubeck made a motion to take Ordinance No. CC-2020-2034 to a 2nd reading. Councilmember Michko seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Zubeck read Ordinance No. CC-2020-2034 in title only;

AN ORDINANCE APPROPRIATING MONIES IN THE VARIOUS FUNDS OF THE CITY OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS FOR THE YEAR 2021

Councilmember Zubeck made a motion to take Ordinance No. CC-2020-2034 to a 3rd and final reading. Councilmember Michko seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Zubeck read Ordinance No. CC-2020-2034 in title only;

AN ORDINANCE APPROPRIATING MONIES IN THE VARIOUS FUNDS OF THE CITY OF WHITING, INDIANA FROM UNAPPROPRIATED FUNDS FOR THE YEAR 2021

Councilmember Zubeck introduced Ordinance No. CC-2021-2035, an ordinance amending the 2021 Civil City salary ordinance to add an additional level of salary to general – temporary laborer classification.

Councilmember Zubeck explained that the Common Council previously adopted Ordinance No. CC-2020-2033 to set salaries for the employees of the Civil City for 2021. The Mayor has requested that an additional salary levels be added to the Part-time Laborers/Maintenance

Workers position in the General – All Departments & Funds Category. Therefore, the Ordinance No. CC-2020-2033 is hereby amended as follows:

SECTION 1. New salary levels are added as follows to **GENERAL – ALL DEPARTMENTS & FUNDS:**

<i>Position</i>	<i>Level</i>	<i>Hourly</i>
<i>Part-time Laborers/ Maintenance workers</i>	<i>Level 7</i>	<i>\$16.90 per hour</i>
	<i>Level 8</i>	<i>\$18.25 per hour</i>

Councilmember Zubeck read Ordinance No. CC-2021-2035 in title only;

**AN ORDINANCE TO AMEND ORDINANCE NO. CC-2020-2033
THE 2021 CIVIL CITY SALARY ORDINANCE TO ADD AN ADDITIONAL LEVEL
OF SALARY TO GENERAL – TEMPORARY LABORER CLASSIFICATION**

Councilmember Zubeck made a motion to take Ordinance No. CC-2021-2035 to a 2nd reading. Councilmember Turpin seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Zubeck read Ordinance No. CC-2021-2035 in title only;

**AN ORDINANCE TO AMEND ORDINANCE NO. CC-2020-2033
THE 2021 CIVIL CITY SALARY ORDINANCE TO ADD AN ADDITIONAL LEVEL
OF SALARY TO GENERAL – TEMPORARY LABORER CLASSIFICATION**

Councilmember Zubeck introduced Ordinance No. CC-2021-2036, an ordinance amending all applicable subsequent amending ordinances to revise the City of Whiting fee schedule for various departments.

Councilmember Zubeck explained that the Common Council enacted Ordinance No. CC-2004-1666 to establish a schedule of fees to be charged for permits, licenses, and specific services rendered by different departments, commissions, and boards in the City of Whiting. The City administration is requesting an increase in certain fees and the establishment of new fees based on the current operation and philosophy of the city animal shelter. Therefore, Ordinance No. CC-2004-1666 and all subsequent applicable amending ordinances are hereby amended as follows:

A. Building Department - Permits

1. Improvement Location Fee shall be increased to \$20.00.
2. Electrical fees are deleted in the entirety and replaced with the following:
 - a. Electrical – Same as Building Permits
 - b. Temporary Pole – Early Service - \$25.00
 - c. Appeal meeting of Electrical Commission - \$25.00

3. **Licenses:** Electrical License annual renewal shall be increased to \$100.00.

B. Fire Department

1. Copies for Fire Reports shall be increased to \$15.00.
2. Hourly rates for Response Personnel shall be revised to read as follows:
Hourly equivalent rate per the Salary Ordinance in effect at the time of response.

C. Park Authority

1. Parking fees for Whiting Lakefront Park, Whihala Beach and surrounding designated areas are revised pursuant to Resolution BPW 2020-09.

D. Planning and Zoning

1. Improvement Location Fee is increased to \$20.00

E. Streets and Sanitation

1. Fees for dump truck rental, dumpster rental and equipment billing rates have been increased pursuant to Resolution W-2021-728.

F. All other fees not specifically modified herein shall remain in full force and effect.

Councilmember Zubeck read Ordinance No. CC-2021-2036 in title only;

AN ORDINANCE TO AMEND ORD. NO. CC-2004-1666 AND ALL APPLICABLE
SUBSEQUENT AMENDING ORDINANCES TO REVISE THE CITY OF WHITING
FEE SCHEDULE FOR VARIOUS DEPARTMENTS

Councilmember Zubeck made a motion to take Ordinance No. CC-2021-2036 to a 2nd reading.
Councilmember Michniewicz seconded the motion. Roll Call: (Voice) All Councilmembers
voted aye. Motion carried unanimously.

Councilmember Zubeck read Ordinance No. CC-2021-2036 in title only;

AN ORDINANCE TO AMEND ORD. NO. CC-2004-1666 AND ALL APPLICABLE
SUBSEQUENT AMENDING ORDINANCES TO REVISE THE CITY OF WHITING
FEE SCHEDULE FOR VARIOUS DEPARTMENTS

XI. NEW BUSINESS

Councilmember Sarvanidis indicated that the Common Council received a Collective Bargaining Agreement between the City of Whiting and the Fraternal Order of Police Lodge #68. This agreement will extend their existing bargaining agreement currently in place between the City and the Whiting Police Officers. The previously entered into Collective Bargaining Agreement remained in full force and effect until December 31, 2020. Also, considering the current Covid-19 pandemic, the parties wish to extend the term of the current agreement for one year in order to better understand the impact of the pandemic on future revenues. In consideration of said

extension, the City will agree to a wage increase for the extended term. The details of the extension are as follows:

1. **ARTICLE III – Term of Agreement** shall be amended to extend the term of the agreement to December 31, 2021.
2. **ARTICLE IV – Salaries and Classifications** shall be amended to provide salary increase of One Percent (1%) for 2021 over the 2020 salaries approved by the Whiting Common Council.
3. **ARTICLE VII – COMPENSATORY AND COURT DAYS SECTION 1** shall be amended to add the following: Each police officer in the Detective Bureau shall be entitled to one (1) additional day off per quarter (4 total per officer per year) to compensate for on call duties.
4. All other provisions of the Collective Bargaining Agreement not specifically modified herein shall remain in full force and effect through December 31, 2021.

The agreement is signed by Jacob Wright, President, Andrew Delgado, Vice President, and Edwin Trinidad, Secretary-Treasurer as dated of December 29, 2020. The Board of Public Works and Safety did approve this agreement this morning, Tuesday, January 5, 2021.

Councilmember Sarvanidis made a motion to ratify the collective bargaining agreement. Councilmember Turpin seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.

Councilmember Sarvanidis reported that the Board of Finance meeting will be held at the next scheduled Common Council meeting on January 19, 2021. Councilmember Sarvanidis requested that the Clerk-Treasurer notify the media that the Board of Finance annual meeting will be held within the Common Council meeting on January 19, 2021 and that Clerk-Treasurer Haynes prepare and distribute the necessary documents to the Councilmembers.

Clerk-Treasurer Haynes noted for the record that he received all certifications from the elected officials for nepotism and contracting with a unit.

XII. PUBLIC DISCUSSION

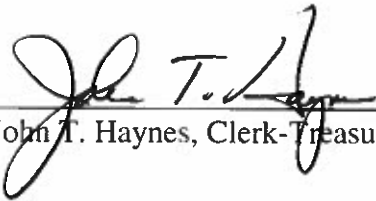
Councilmember Turpin asked if Mayor Spebar could talk to the Police Department about U-Turns taking place on 119th Street. Mayor Spebar informed Councilmember Turpin that the U-Turn issue was among other issues brought up during the contract negotiations.

Councilmember Turpin then extended a thank you to Keith Burke for his help on the Amex issue.

Councilmember Turpin asked if they would be able to amend the ordinance about no dogs walking in the main portion of the park during the off season. During the winter months the crowd level is significantly lower than it is during the summer and fall months. Mayor Spebar informed Councilmember Turpin that he would recommend speaking to the ordinance committee and if there is a consensus among the Council it may be brought to Attorney Sejna for further discussions.

XIII. ADJOURNMENT

There being no further matters to come before the Common Council, Councilmember Sarvanidis moved to adjourn the meeting at 7:04 p.m. Councilmember Turpin seconded the motion. Roll Call: (Voice) All Councilmembers voted aye. Motion carried unanimously.



John T. Haynes, Clerk-Treasurer

