

REGULAR MEETING – May 20, 2008

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, May 20, 2008, at the hour of 6:30 p.m., local time, in the Common Council Chambers, located in the lower level of the City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana.

The meeting was called to order at 6:30 p.m. by Council President Ron Meer.

Roll call was authorized and the following were noted present and/or absent:

PRESENT: COUNCIL MEMBERS Patricia Boy, Marc Espar, Phillip Jankowski, Robert McKee, Ron Meer, Richard Murphy, Joe Doyle, Willie Milsap and Angie Nelson (9).

ABSENT: None (0).

A QUORUM WAS NOTED PRESENT.

APPROVAL of MINUTES

President Meer inquired whether there were any corrections, deletions, or additions to the minutes of the Executive Session and Regular Meeting of May 7, 2008 and hearing none, the minutes were approved as printed.

REPORTS of STANDING COMMITTEES

Councilman Jankowski reported on the Animal Humane Activities Committee Meetings held on May 8th and 15th, 2008.

Councilman Jankowski commented on an outstanding expenditure at the Sanitary District.

Councilman Jankowski responded to Council President Meer advising the Council of the recommendation and findings of the Animal Humane Activities Committee, regarding the proposed Animal Control Ordinance.

REPORTS OF SPECIAL OR SELECT COMMITTEES

There were no reports of special or select committees.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

John Pugh, Planning and Inspection Department, Director advised the Council of the status and schedule for the America In Bloom Program. Mr. Pugh advised the Council that this program/contest is a nationWide, non-profit organization. Mr. Pugh encouraged each Council Member to work with their Wards to get them involved in the program.

Mr. Pugh advised the Council that the Laporte County Habitat for Humanity Program will be starting construction on a house at 121 Schofield Court at the beginning of June of this year.

Tim Frame, Harbormaster of the Port Authority did a presentation for the City Council regarding procedures, improvements made and current events at the Port Authority.

Further discussion ensued among Council Members Jankowski, Nelson, Meer and Tim Frame, Harbormaster.

Alijah Hunter, Animal Control reported on the humane efforts in controlling the feral cat population in regards to the Neuter Scooter Organization that visits the City. Mr. Hunter stated that the Neuter Scooter will be at Memorial Park July 9 & 10, August 20 & 21, and September 17th and 18th, 2008.

PETITIONS

There were no petitions.

COMMUNICATIONS

There were no communications.

RESOLUTIONS

There were no resolutions.

ORDINANCES

Councilman Espar moved to **TABLE** the following Ordinance ; **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING ORDINANCE NO. 2124 AND ALL SUBSEQUENTLY ENACTED AMENDING ORDINANCE THERETO, OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY**, Introduced by: Robert McKee and Co-Sponsored by: Patricia Boy and Joe Doyle (Re: - Animal Control). The motion carried as follows: **AYES: COUNCIL MEMBERS Milsap, Murphy, Nelson, Boy, Doyle, Espar, Jankowski, McKee, and Meer (9).** **NAYS: None (0).**

The Clerk read on second reading by title only, **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING THE MICHIGAN CITY COMPRESHENSIVE ZONING ORDINANCE ALLOWING RESIDENCES ABOVE THE FIRST FLOOR IN A B-1 DISTRICT**, Introduced by: Pat Boy.

Council President Meer asked if there were any comments or questions by the Council and hearing none, the Ordinance was held over for third reading.

The Clerk read on third reading by title only,

ORDINANCE NO. 4023

AN ORDINANCE TO AMEND ORDINANCE NO. 2580

WHEREAS, the Common Council of the City of Michigan City, Indiana, finds that it is in the best interest of the citizens of the City of Michigan City, Indiana, to provide for the

periodic testing of emergency equipment which is used for the immediate safety, health or welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA:

SECTION 1. Section 7.1 - **Emergency Exception** of Article VII - **Exception and Permits** is hereby revoked in its entirety and restated as follows:

Section 7.1. - **Emergency Exception**. Noise caused in the performance of emergency work **and/or in the periodic testing and maintenance of emergency equipment** for the immediate safety, health, or welfare of the community or individuals of the community, or to restore property to a safe condition following a public calamity shall not be subject to the provisions of this ordinance. Nothing in this Section shall be construed to permit law enforcement, ambulance, fire or other emergency personnel to make excessive noise in the performance of their duties when such noise is clearly unnecessary.

The time for the testing and maintenance of emergency equipment shall be restricted to not earlier than 8:00 o'clock a.m., local time and not later than 5:00 o'clock p.m., local time.

SECTION 2. **BE IT FURTHER ORDAINED** that in all other respects Ordinance No. 2580 is hereby ratified, confirmed and remains in full force and effect.

SECTION 3. **BE IT FURTHER ORDAINED** that this Ordinance, after its passage and approval by the Mayor of the City of Michigan City, shall be published once each week for two (2) consecutive weeks in the daily newspaper of general circulation.

Introduced by: Phillip Jankowski

Councilman Jankowski moved to adopt the Ordinance, seconded by Councilman McKee.

Councilman Jankowski advised the council that members of the Water Department were present to answer any questions regarding the proposed Ordinance.

Council President Meer asked if there were any questions or comments from the Council or general public and hearing none, the motion carried by the following vote: **AYES: COUNCIL MEMBERS Murphy, Nelson, Boy, Doyle, Espar, Jankowski, McKee, Meer, and Milsap (9).** **NAYS: None (0).**

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Council President Meer called a Workshop for the Council on Wednesday, May 28, 2008 to discuss the Rules of Order and Procedures.

COMMENTS FROM THE COUNCIL

Councilwoman Boy stated that the Wall Gang and the National Veteran's Awareness Ride arrived this afternoon and had a presentation at the Danny Bruce Memorial in Washington Park. Mrs. Boy invited everyone to be at VFW on Ohio Street at 8:00 a.m. Wednesday morning to see the riders off leaving for Washington D.C. to attend the memorial for vets.

COMMENTS FROM THE PUBLIC

Larry Silvestri, 414 E. Coolspring Avenue stated his concerns regarding the dredging onto City Beaches.

ADJOURNMENT

On motion by Councilman McKee, supported by Councilwoman Boy, and there being no further business to transact, President Meer declared the meeting ADJOURNED (approximately 7:10 p.m.).

Thomas F. Fedder, City Clerk