

REGULAR MEETING – November 20, 2007

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday Evening, November 20, 2007, at the hour of 7:30 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 7:30 p.m. by Council President Willie Milsap, who presided.

The Pledge of Allegiance to the Flag and a short period of silent prayer were observed.

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

PRESENT: COUNCIL MEMBERS Evelyn D. Baker, Patricia Boy, Angelo Corley, Joseph Doyle; Phillip Jankowski, Virginia Martin; Ronald Meer, Willie Milsap, Paul Przybylinski (9).

ABSENT: None (0)

A QUORUM WAS NOTED PRESENT.

APPROVAL of MINUTES

President Milsap inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of November 7, 2007, and, hearing none, the minutes were approved as printed.

REPORTS of STANDING COMMITTEES

There were no standing committee reports

REPORTS OF SPECIAL OR SELECT COMMITTEES

Councilman Jankowski reported the Redevelopment Commission is holding a public hearing, December 10, 2007 at 5:00 p.m. for the north end reuse plan.

Councilman Jankowski advised the Lohan Anderson presentation is available on Access LaPorte County website.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

John Schaefer, City Controller advised the Council they should have received a copy of the 2007 budget order that was received from the State.

PETITIONS

There were no petitions.

COMMUNICATIONS

There were no communications

RESOLUTIONS

There were no Resolutions.

ORDINANCES

The Clerk read on second reading by title only, **ADDITIONAL APPROPRIATION ORDINANCE**, introduced by Phillip Jankowski (**DECREASE** Aviation Fuel Fund, Unappropriated, **\$45,000.00** and **INCREASE** Aviation Fuel **\$45,000.00**.) (News Dispatch ad November 4, 2007 – formal public hearing to be held December 4, 2007.)

Council President Milsap asked if there were any comments or questions by the Council or public and hearing none, the Ordinance was then laid over for third reading.

ORDINANCE

The Clerk read on second reading by title only, **AN ORDINANCE ESTABLISHING SALARIES FOR THE FIRE DEPARTMENT OF THE CITY OF MICHIGAN CITY FOR THE CALENDAR YEAR 2008.**

INTRODUCED BY: Phillip Jankowski

Council President Milsap asked if there were any comments or questions by the Council or public and hearing none, the Ordinance was then laid over for third reading.

ORDINANCE

The Clerk read on second reading by title only, **AN ORDINANCE ESTABLISHING SALARIES FOR THE POLICE DEPARTMENT OF THE CITY OF MICHIGAN CITY FOR THE CALENDAR YEAR 2008.**

INTRODUCED BY: Phillip Jankowski

Council President Milsap asked if there were any other comments or questions by the Council or public and hearing none, the Ordinance was then laid over for third reading.

ORDINANCE

The Clerk read on second reading by title only, **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA TO AMEND ORDINANCE 2560 AND ALL SUBSEQUENTLY ENACTED AMENDING ORDINANCES THERETO, ALL COLLECTIVELY KNOWN AS THE FIRE MERIT ORDINANCE OF THE MUNICIPAL CODE OF THE CITY OF MICHIGAN CITY, INDIANA ALSO KNOWN AS THE MICHIGAN CITY MUNICIPAL CODE SECTION 54-173(1) ET. SEQ.**

INTRODUCED BY: Phillip Jankowski

Council President Milsap and Attorney Meyer discussed the amendments submitted to the Council.

Council Attorney Meyer reported on the meeting held with the various attorneys representing the City and himself regarding suggested amendments. Attorney Meyer stated he e-mailed the latest draft to the Council. Attorney Meyer suggested that an Executive Session be scheduled before the next Council Meeting (December 4, 2007).

Councilwoman Boy asked the Clerk's Office to send a copy of the Consent Decree and Ordinance 2297 to each Council member.

Councilman Przybylinski motioned to "TABLE" this Ordinance and schedule an Executive Session, second by Councilman Corley.

Council President Milsap asked if there were any questions or comments by the Council and hearing none the Clerk was directed to call for the vote: **AYES: COUNCIL MEMBERS Meer, Milsap, Przybylinski, Boy, Corley, Doyle, Jankowski, Martin (8). NAYS: COUNCIL MEMBER Baker (1).**

Council President Milsap advised that the Ordinance is TABLED until the next Council Meeting (December 4, 2007) and that an Executive Session will be scheduled prior to this meeting.

Council Attorney Meyer advised Joan Chumley, 832 Pine Street, representing the NAACP, legally the Executive Session is not for public attendance. Attorney Meyer stated that amendments could be made when the Ordinance is brought to the Council.

UNFINISHED BUSINESS

There was no Unfinished Business

NEW BUSINESS

Councilwoman Boy commented on the Redevelopment Appointment the Council appoints.

Council President Milsap advised any person interested should submit a Resume' to the Clerks Office.

Council President Milsap advised Councilwoman Martin that this matter will be brought up at the December 18, 2007 meeting.

COMMENTS FROM THE COUNCIL

Councilman Przybylinski requested a report of account balances that the City controls or contributes to from the Controllers Office before the next Council meeting (December 4, 2007)..

Councilman Przybylinski complimented the various Veteran Associations that participated in the ceremonies celebrating Veterans Day.

Councilman Przybylinski stated his concerns regarding the re-appointment n the Redevelopment Commission. Mr. Przybylinski commented in regards to the present appointments to the Water and Sanitary Boards.

Councilman Przybylinski reported on the status of the Regional Development Authority.

Councilman Meer thanked Councilman Przybylinski for bringing up the Veteran's Day ceremonies, that all American's need to put pressure on our government regarding the better medical care for our veteran's.

Councilman Meer commented on the draft of the 2007 Equal Employment Opportunity & Affirmative Action Report Examining Departmental and Occupational Minority and Female Utilization. Mr. Meer stated that a work shop should be scheduled to review this matter.

Councilman Meer welcomed George and Ruby Edwards to the Third Ward, they recently opened a restaurant at 401 Chicago Street and encouraged everyone to visit their establishment.

Councilman Meer wished everyone a Happy Thanksgiving and a safe holiday.

Councilwoman Martin reported her concern on the figures in the (draft) 2007 EEO & Affirmative Action Report.

Mayor Oberlie advised that this report is a draft and was given to each Department Head to begin the editing process and to review statistics. Mayor Oberlie commented that he is waiting for the workforce analysis report from NIRPC.

COMMENTS FROM THE PUBLIC

Beryle Bergwald , 1914 Greenwood Avenue stated his concerns and comments regarding amendments to the original Fire Merit Ordinance and Ordinance 2297 (An Ordinance to Assume a Program of Affirmative Action in City Government).

Council Attorney Meyer by President Milsap's request explained the meaning of "quota" from the Ordinance 2297, (An Ordinance to Assume a Program of Affirmative Action in City Government).

Wesley Scully, 508 Pinetree Drive, Trail Creek, commented on Mr. Bergwald's statements regarding the Consent decree and the hiring of minority firefighters.

Cranston Harris, 301 Gardena Street agreed with Mr. Scully's comments and explained that discrimination has been a part of his entire life, that it has taken longer for him to achieve goals at his job than others due to him being a minority.

Councilwoman Martin stated that the Council Attorney should not debate anyone during public comment.

Ryan Fly, 243 Pleasant Avenue agreed with Wesley Scully's comments. Mr. Fly stated that he's a minority owned company and feels he should be getting more contracts for City projects.

ADJOURNMENT

On motion by Councilwoman Martin, supported by the majority of the Council, and there being no further business to transact, President Milsap declared the meeting **ADJOURNED** (approximately 8:20 p.m.).

Thomas F. Fedder, City Clerk