

REGULAR MEETING – October 16, 2007

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday Evening, October 16, 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; Angelo Corley, Joseph Doyle; Phillip Jankowski, Virginia Martin; Ronald Meer, Willie Milsap, Paul Przybylinski (9).

ABSENT: Patricia Boy (1).

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 October 2, 2007, and, hearing none, the minutes were approved as printed.

REPORTS of STANDING COMMITTEES

There were no reports.

REPORTS OF SPECIAL OR SELECT COMMITTEES

There were no reports.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

There were no reports.

PETITIONS

There were no petitions.

COMMUNICATIONS

Council President Milsap directed the Clerk to read the following letter submitted by Brian Payne, Airport Manger, Michigan City Municipal Airport;

The Aviation Association of Indiana would like the opportunity to be presented at the October 16th meeting of the City Council to present an award to the City of Michigan City and the Michigan City Municipal Airport. They are requesting to be placed on the agenda toward the beginning of the meeting as they are flying back to Indianapolis that evening.

Thank you and if you should have any additional questions please feel free to contact me at the Airport.

Brian Payne, Airport Manager introduced Bart Geisler of the Aviation Association of Indiana. Mr. Geisler stated at the Annual Indiana Aviation Association Conference, Michigan City was selected as the 2007 Airport of the Year. Mr. Geisler presented the application received to the Council explaining the process of selecting the Airport of the Year.

Mr. Geisler present to Mayor Oberlie the 2007 Airport of the Year Award plaque, a street sign stating the airports accomplishments and a \$1000.00 check to be given to the charity of their choice.

Councilman Przybylinski commented on the award and Congratulated Brian and the Airport staff for doing an excellent job.

Councilman Doyle commended the Airport on a job well done and that it is well deserved recognition.

Mayor Oberlie stated what an admirable job Brian, his staff and the board has brought together. Mayor Oberlie stated our airport helps serve businesses in our community, to help them grow, maintain clients, get materials shipped and received. Mayor Oberlie commented on the roll the airport has in regards to the Young Eagles, which consist of youth from our community getting involved in flying and procedures at the airport for their future. Mayor Oberlie commented on the safety sector interim of understanding the airport itself.

President Milsap and Councilman Meer congratulated the airport for a job well done.

Council Attorney Meyer reported on the meeting held October 9, 2007 to discuss the status of compliance with the 1978 Federal Court Consent Judgment regarding hiring and promotion in the City of Michigan City, specifically regarding minority hiring and promotion.

Councilman Przybylinski responded that there is a deficiency by the administration and legal staff concerning the Consent Judgment that governs the Fire Department with additional issues within the City.

Council Attorney Meyer addressed Councilman Przybylinski concerns.

Greg Wilson, 803 Spring Street, commented on concerns and issues of the Federal Court Consent Judgment and the compliance of the hiring and promotions within the City of Michigan City.

Council President Milsap stated that within thirty (30) days there should be statistics of the past hiring and promotions done within the City Departments along with plans for future hiring and promotions.

Larry Silvestri, 414 Coolspring Avenue, advised the Council to solve the compliance issue by creating an Ordinance requiring firefighters to live in the City limits. Mr. Silvestri stated in the language of the Ordinance to grandfather the firefighters on the job.

Council President Milsap advised that all issues are being explored.

RESOLUTIONS

The Clerk read by title only, there being no objections,

RESOLUTION NO. [4370](#)

A RESOLUTION FOR INCREASING AND DECREASING CERTAIN APPROPRIATIONS WITHIN THE BUDGET OF RIVERBOAT, IN RIVERBOAT FUND #9000 FOR THE YEAR 2007, IN MICHIGAN CITY, INDIANA

WHEREAS, there exist certain circumstances within the budget of the City of Michigan City which require the increasing and decreasing of appropriations for the year 2007.

Section 1. It is deemed advisable and necessary, in order to meet the circumstances facing said Riverboat Fund of the City, that the Common Council make the following transfer of appropriations, as listed, to-wit:

RIVERBOAT FUND #9000

DECREASE:	A/C #9000 0000 01 411.001	
	Salaries and Wages	\$240,000
	A/C #9000 0000 01 413.002	
	PERF	\$ 60,000
	TOTAL	\$300,000

INCREASE	A/C #9000 0000 03 431.001	
	Legal	\$ 50,000
	A/C #9000 0000 03 439.011	
	Contractual Services	\$250,000
	TOTAL	\$300,000

Section 2. This Resolution shall be in full force and effect after passage approval by the Mayor.

INTRODUCED BY: /s/ Phillip Jankowski

Passed by the Common Council of the City of Michigan City, Indiana, this 16th day of October, 2007.

**/s/Willie Milsap
President, Common Council**

Approved by me, this 17th day of October, 2007.

/s/ Charles Oberlie, Mayor

**ATTEST:
/s/ Thomas F. Fedder, City Clerk**

Councilman Jankowski moved to adopt the Resolution, seconded by Councilman Doyle.

Councilman Jankowski advised the Council that John Schaefer, City Controller was there to answer any questions regarding the appropriation.

Councilman Przybylinski stated reasons the Council should wait to vote on this Resolution.

There was a discussion between John Schaefer, City Controller and Councilwoman Martin regarding how many firefighters could be hired the rest of this year and the financial status if this Resolution would be adopted.

Councilman Przybylinski commented on his concerns and issues regarding the consent decree, financial status and the hiring on the Fire Department for the remainder of the year.

Councilman Przybylinski responded to Councilwoman Martin, stating that by not adopting this Resolution, the Fire Department could reach the compliance required in regards to the Consent Judgment by hiring extra firefighters by the end of 2007 from the list of qualified applicants from the previous year.

Councilwoman Martin addressed Mayor Oberlie regarding the financial status and the hiring on the Fire Department. Mayor Oberlie stated that there would be one (1) vacancy at the end of December and there are none anticipated for next year. Mayor Oberlie commented that the process being used at the present time for hiring doesn't work, that there are issues and concerns that need to be resolved before moving forward.

Councilman Meer stated that this appropriation isn't going to affect any future hiring or what we are dealing with concerning the Consent Judgment. Mr. Meer commented that those issues will be addressed with the administration.

The motion carried and the Resolution was adopted by the following vote: **AYES: COUNCIL MEMBERS Doyle, Jankowski, Martin, Meer, Milsap, and Baker (6). NAYS: COUNCIL MEMBERS Corley and Przybylinski (2).**

ORDINANCES

There were no Ordinances

UNFINISHED BUSINESS

There was no Unfinished Business

NEW BUSINESS

There was no New Business

COMMENTS FROM THE COUNCIL

Councilman Meer stated that he appreciated the gentlemen's comments in regards to the Michigan City residents and Michigan City minority representation, that the Mayor, Council and Human Rights are addressing the issue in full force and it should be resolved in the near future.

Councilman Meer thanked the community and asked the community to continue to support police officer Chris Smith, there is a benefit fund set up at Members Advantage for him. Mr. Meer states that Officer Smith is a fine young man, a dedicated police officer who is just starting his career and is battling cancer. Mr. Meer stated that The Blue Knights and Michigan City Police Department are having pancake breakfast benefit for Chris to help with medical expenses. Mr. Meer on behalf of Officer Smith's family wanted to thank everyone for their support and prayers.

Councilman Przybylinski addressed comments made from the NAACP Chapter, that there are members on the City Council with different opinions of the Consent Judgment. Mr. Przybylinski stated he feels that the judgment should be implemented as read and he wants to see this matter resolved in the next sixty (60) days.

Councilman Przybylinski commented on the status of RDA and that he was happy our City did not get involved in this matter.

Council President Milsap stated that we are on the last chapter regarding the Consent Judgment and after the meeting with the Mayor and the strategies that develop he is confident that the city will be able to put this matter to rest and move forward in the right direction for Michigan City.

COMMENTS FROM THE PUBLIC

Mike Rivera representing the NAACP LaPorte County, commented on the Consent Judgment regarding the job being done by the contract compliance officers is not being enforced in accordance with Consent Judgment.

Council President Milsap advised Mr. Rivera that the compliance officer is part of the strategy.

Glen Wilson, 803 Spring Street, agreed with Mr. Rivera and commented on the status of compliance he saw on City projects contracted through the City.

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