

January 3, 2012

The Common Council of the City of LaPorte met in regular session in the Council Chambers on Tuesday, January 3, 2012 at 7:00 p.m.

Pledge

Councilman Mrozinske led the Pledge of Allegiance.

Present: Mrozinske, Schmitt, Hammons, McAtee, Kirkham, Galloway and Luscomb

Absent: None

Minutes

As each Council member received an advance copy of the minutes from the previous meeting, Mayor Milo stated they would dispense with the reading of same and asked if there were any corrections or additions.

Approval of Minutes

Councilman Mrozinske moved to approve the minutes as submitted; motion seconded by Councilwoman Hammons and unanimously carried.

Petitions & Comments

Bob Pointon, Freemont Street, came forward and stated this is the Council's meeting not the Mayor. The Mayor's meeting is the Board of Public Works and Safety. He stated as LaPorte is a third class City, the Mayor is only present at the Council meeting to maintain decorum. Mr. Pointon stated the Council will be electing a President of the Council who will chair meetings when the Mayor cannot be present. The President of the Council in Michigan City chairs their meetings, because Michigan City is a second class City and their Mayor is not required to attend their meetings. Mr. Pointon stated the City Attorney is there to protect the Mayor, not the Council. He stated the Council has the right to hire their own attorney. Mr. Pointon encouraged all Council members to hold ward meetings. If they don't, then you won't know what the people who elected you want. He stated the Council needs to decide if they are going to do what benefits the people who elected them or do the Mayor's bidding.

Schedule of 2012 Council Meetings

Mayor Milo reported a memo was forwarded to the Council notifying them that three regularly scheduled Council meetings, which normally are held on the first and third Monday of each month, fall on holidays. She is proposing those meetings be moved to Tuesday, as this has been the past practice of the Council. The dates are as follows:

January 16, 2012	move to	January 17, 2012	Martin Luther King Day
February 20, 2012	move to	February 21, 2012	President's Day
September 3, 2012	move to	September 4, 2012	Labor Day

Motion/Vote – 2012 Council Meeting Schedule

Councilman Kirkham moved to accept the change of dates for the 2012 Council meetings; motion seconded by Councilman Mrozinske and unanimously carried.

Liaison Appointments

The Mayor reported a list of proposed Council liaison appointments was forwarded to the Council for the review prior to tonight's meeting. The liaison appointments are as follows:

Airport Authority	Steve Luscomb* Dave Schmitt
BID District	Sherrie Hammons*
Finance Sub Committee	Steve Luscomb Roger Galloway Joe Mrozinske
Fire Department	Joe Mrozinske
Historic Preservation	Ron McAtee
Mayor's Veteran's Committee	Roger Galloway
NewPorte Landing	Cary Kirkham
Park & Recreation	Cary Kirkham* Sherrie Hammons Steve Luscomb
Plan/Zone Commission	Roger Galloway Ron McAtee
Police Department	Steve Luscomb*
Public Improvements/Code Enforcement By-Laws/Ordinance	Ron McAtee* Dave Schmitt
Redevelopment Commission	Sherrie Hammons*
Sewer/Water	Joe Mrozinske* Steve Luscomb Cary Kirkham

Streets & Alleys/Street Lighting

Sherrie Hammons*
Roger Galloway
Dave Schmitt

School Board Liaison

Joe Mrozinske*
Ron McAtee

Traffic Commission

Cary Kirkham
Roger Galloway
Dave Schmitt

Tree Commission

Dave Schmitt

*Denotes chair

Mayor Milo asked if there were any comments or changes. As there were none, the appointments stand as read.

President Pro-Tem

Mayor Milo stated every year the Council must elect a President Pro-Tem. She asked if there were any nominations.

Councilman Galloway moved to nominate Councilman McAtee; motion seconded by Councilwoman Hammons and unanimously carried.

Introduction of a Resolution to Transfer Funds Within the 2012 Budgets

Councilman Luscomb moved to introduce a Resolution; motion seconded by Councilwoman Hammons and unanimously carried. Councilman Luscomb read a Resolution to Transfer Funds Within the 2012 Budgets in its entirety.

Mayor Milo explained the reason for this Resolution and the following Ordinance is to transfer funds in the City Attorney budget to cover the cost of hiring an Assistant City Attorney. The fund is entirely within the City Attorney budget; it is just moving the appropriation from one line item to another. She advised the City Attorney, Don Baugher, has agreed to take a pay cut in order to supplement the salary of the Assistant City Attorney while the assistant is learning more of municipal law while providing additional needed legal services. The Mayor explained this would be for one year only.

Councilman Luscomb asked Mr. Baugher if reducing the professional services line item will have an adverse affect on the Law Department. Mr. Baugher explained over the past three and a half years, the full amount of \$39,000 that is budgeted has not been used. He advised the majority of that appropriation is there should the City need to hire outside legal services, such as was the case with the Sidewalk Litigation. Mr. Baugher stated frankly if the City would find it necessary to hire an outside attorney it would be for a Federal case and the amount currently appropriated would not be nearly enough.

Councilman Kirkham inquired how this money is replenished in the professional services line item. Mr. Baugher stated they would operate with whatever funds are left after the transfer, which he feels would be adequate.

Motion/Vote – Adopt Resolution R-1-2012

Councilman Luscomb moved to adopt the Resolution as presented; motion seconded by Councilman Mrozinske and unanimously carried.

**RESOLUTION R-1-2012
RESOLUTION TO TRANSFER FUNDS WITH THE 2012 BUDGET
(General)**

Introduction of an Ordinance Amending Ordinance 17-2011, of the City of LaPorte, Indiana, to Establish a Salary for a New Employee Position

Councilman Kirkham moved to introduce an Ordinance; motion seconded by Councilman McAtee and unanimously carried. Councilman Kirkham read an Ordinance Amending Ordinance 17-2011, of the City of LaPorte, Indiana, to Establish Salary for New Employee Position in its entirety.

Councilman Luscomb questioned whether the Ordinance should reflect this is a one-year temporary position. Mr. Baugher stated that could be done, however when the Salary Ordinance for 2013 is drafted, the position of Assistant City Attorney will be listed or not. Councilman Luscomb stated it can be done during the 2013 budget process. Mr. Baugher stated that is correct.

Second and final reading of this Ordinance will take place at the next regular Council meeting.

Other Business

Mayor Milo reported at the next meeting, the Council will need to make appointments to the Redevelopment Commission and Plan Commission. The Council's current appointments to the Redevelopment Commission are Mark Krentz and Laura Cutler. Both have indicated they would like to continue to serve. The term is for one year.

Also, the Council will need to appoint someone to the Plan Commission. The current appointment is Jerry Jackson. The appointment must be an elected or appointed official or employee of the City. This is a four-year term. The Council does select two other people, which are to be held by Council member representatives.

Both items will be placed on the next agenda.

Mayor Milo stated today is Councilman Kirkham's birthday and asked Councilman Galloway if he would lead everyone in singing Happy Birthday.

Councilman McAtee announced he will be holding a Third Ward meeting on January 23rd at 7:00 p.m. at the LaPorte Public Library. He stated anyone can attend.

Adjourn

There being no further business, Councilman Kirkham moved to adjourn; motion seconded by Councilman Mrozinske and unanimously carried.

Approved: _____
Blair E. Milo, Mayor

Attest: _____
Teresa L. Ludlow, Clerk-Treasurer

Approved: January 17, 2011