

Roll Call showed a vote of 8 ayes 0 nays (see * pg. 6). The Chair declared this motion duly passed.

C.P.O. 10-65

AN ORDINANCE APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT OF THE CITY OF GARY, INDIANA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010 INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller, Department of Community Development

Councilwoman Brown moved for passage of **C.P.O. 10-65** (Second Hearing) with a Public Hearing set for October 5, 2010 and a Committee Hearing set for September 28, 2010 at 5:30 p.m. It was seconded by Councilwoman Rogers.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this motion duly passed.

C.P.R. 10-10

A RESOLUTION ADOPTING THE LAKE COUNTY MULTI-HAZARD MITIGATION PLAN. Sponsored by: Mayor Rudolph Clay City of Gary

Councilwoman Brown moved for passage of **C.P.R. 10-10** (Second Hearing) with a Public Hearing set for October 5, 2010 and a Committee Hearing set for October 4, 2010 at 5:30 p.m. It was seconded by Councilwoman Robinson.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this motion duly passed.

REPORTS/QUESTIONS OF CITY OFFICIALS

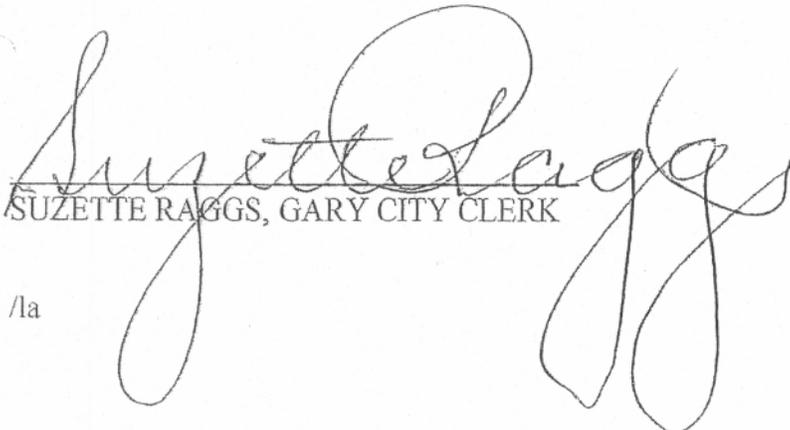
None

PUBLIC COMMENTS:

- Robert Leonard
- Ray Robinson
- Jim Nowacki
- Willie Wallace
- Kendra Johnson

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMON COUNCIL, THE CHAIR DECLARED THIS MEETING OF **SEPTEMBER 21, 2010** ADJOURNED AT 9:00 P.M. SO ORDERED.

RONIER SCOTT
PRESIDING OFFICER


SUZETTE RAGGS, GARY CITY CLERK

/la

**SPECIAL MEETING
OFFICIAL BUSINESS OF THE
GARY COMMON COUNCIL
OF THE CITY OF
GARY, INDIANA**

**MINUTES OF
SEPTEMBER 28, 2010**
GARY COMMON COUNCIL CHAMBERS
401 BROADWAY, GARY, INDIANA 46402

THE HONORABLE RONIER SCOTT
Councilman 6th District, **Common Council President**

THE HONORABLE KIMBERLY K. ROBINSON
Councilwoman 5th District, **Common Council Vice-President**

THE HONORABLE MARILYN D. KRUSAS
Councilwoman 1st District

THE HONORABLE SHIRLEY A. STANFORD
Councilwoman 2nd District

THE HONORABLE MARY BROWN
Councilwoman 3rd District

THE HONORABLE CAROLYN D. ROGERS
Councilwoman 4th District

THE HONORABLE KYLE W. ALLEN
Councilman-At-Large

THE HONORABLE RAGEN HATCHER
Councilwoman-At-Large

THE HONORABLE ROY N. PRATT
Councilman-At-Large, **Parliamentarian**

THE HONORABLE RUDOLPH CLAY, MAYOR, CITY OF GARY
THE HONORABLE SUZETTE RAGGS, GARY CITY CLERK

BE IT REMEMBERED, that the Common Council of the City of Gary, Lake County, Indiana met in Special Session pursuant to the Laws and Rules of the Common Council of the City of Gary, Indiana in the Municipal Building, 401 Broadway, on the 28TH Day of **SEPTEMBER 2010** at **6:30 p.m.** with the Honorable Ronier Scott presiding and the following members present/absent:

PRESENT

THE HONORABLE KYLE W. ALLEN
THE HONORABLE MARY BROWN
THE HONORABLE RAGEN HATCHER
THE HONORABLE MARILYN KRUSAS
THE HONORABLE ROY N. PRATT
THE HONORABLE KIMBERLY ROBINSON
THE HONORABLE CAROLYN D. ROGERS
THE HONORABLE RONIER SCOTT

ABSENT

THE HONORABLE SHIRLEY A. STANFORD

The Meeting was opened with a Moment of Prayer by Virgil Moore and followed by the Recitation of the Pledge of Allegiance.

The Chair asked for Roll Call.

Roll Call showed 8 Present 1 Absent (Stanford). The Chair declared this duly a quorum in order to conduct business in the City of Gary.

The Chair asked the Clerk to read the Call of the Meeting.

The Clerk read Call of the Meeting. (see attachment)

The Chair asked for Council Pending Ordinances & Resolutions on Third and/or Final Reading.

COUNCIL PENDING ORDINANCES & RESOLUTIONS ON THIRD AND/OR FINAL READING:

C.P.O. 10-57

AN ORDINANCE APPROVING SALARIES FOR EMPLOYEES OF THE CITY OF GARY FOR THE CALENDAR YEAR 2011. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

Councilwoman Brown moved for adoption of **C.P.O. 10-57**. It was seconded by Councilman Pratt.

Roll Called showed a vote of 6 ayes 2 nays (Hatcher, Rogers). The Chair declared this Council Pending Ordinance duly **ADOPTED**.

C.P.O. 10-58

AN ORDINANCE APPROVING SALARIES FOR THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF GARY FOR THE CALENDAR YEAR 2011. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

Councilwoman Brown moved for adoption of **C.P.O. 10-58**. It was seconded by Councilman Allen.

Councilman Pratt spoke in regards to **C.P.O. 10-58**.

Councilwoman Brown stated that there were amendments to **C.P.O. 10-57**.

The Chair stated that the Council would return to **C.P.O. 10-57** after the completion of **C.P.O. 10-58**.

Councilman Pratt stated that the motion should be to reconsider **C.P.O. 10-57**.

Councilwoman Brown moved to reconsider **C.P.O. 10-58**. It was seconded by Councilman Pratt.

Roll Call on the reconsideration showed a vote of 8 ayes 0 nays. The Chair declared this motion duly passed.

Councilwoman Brown moved to amend by substitution **C.P.O. 10-58**. It was seconded by Councilman Pratt.

Roll Call on the amendment showed a vote of 7 ayes 1 nay (Hatcher). The Chair declared this motion duly passed.

Councilpersons Hatcher, Brown, Allen, Krusas, Rogers, Robinson, & the Chair spoke in regards to **C.P.O. 10-58**.

Roll Call on the motion as amended showed a vote of 6 ayes 2 nays (Hatcher, Rogers). The Chair declared this Council Pending Ordinance duly **ADOPTED**.

Councilwoman Brown moved to reconsider **C.P.O. 10-57**. It was seconded by Councilwoman Krusas.

Roll Call on the reconsideration showed a vote of 5 ayes 0 nays (Councilpersons Allen & Hatcher temporarily left the Council meeting*) (Councilwoman Rogers left the Council meeting **). The Chair declared this motion duly passed.

C.P.O. 10-57
AN ORDINANCE APPROVING SALARIES FOR EMPLOYEES OF THE CITY OF GARY FOR THE CALENDAR YEAR 2011. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

Councilwoman Brown moved to amend by substitution **C.P.O. 10-57**. It was seconded by Councilwoman Krusas.

Roll Call on the amendment showed a vote of 6 ayes 1 nay (Hatcher) (see ** pg. 3). The Chair declared this motion duly passed.

Councilwoman Brown moved to adopt **C.P.O. 10-57** as amended. It was seconded by Councilwoman Krusas.

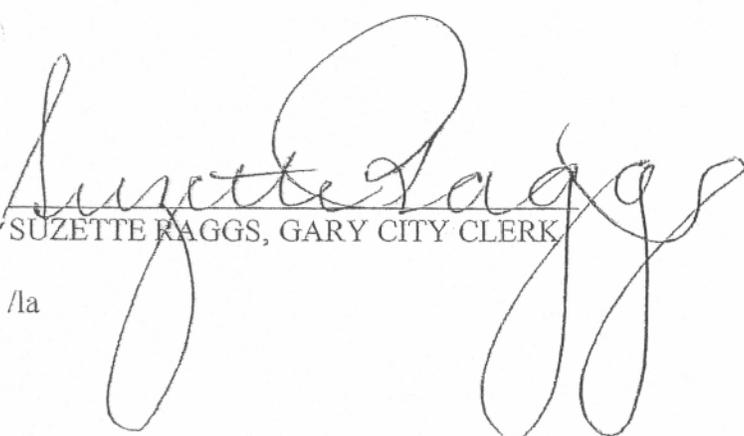
Roll Call on the motion as amended showed a vote of 6 ayes 1 nay (Hatcher) (see ** pg. 3). The Chair declared this Council Pending Ordinance duly **ADOPTED**.

The Chair acknowledged the presence of Gary City Clerk, Suzette Raggs & Gary City Judge, Deidre Monroe at the Council meeting.

Mayor Rudolph Clay spoke in regards to the Council passage of the 2011 budget.

THERE BEING NO FURTHER BUSINESS BEFORE THE COMMON COUNCIL, THE CHAIR DECLARED THIS MEETING OF **SEPTEMBER 28, 2010** ADJOURNED AT 7:20 P.M. SO ORDERED.

RONIER SCOTT
PRESIDING OFFICER


SUZETTE RAGGS, GARY CITY CLERK

/la



Criminal Division

555 Polk Street
Gary, Indiana 46402
(219) 881-1263
Fax (219) 881-1182

Civil Division

555 Polk Street
Gary, Indiana 46402
(219) 881-1354
Fax (219) 881-1439

**Gary City Clerk
Suzette Raggs**

Memo

To: The Gary Common Council
From: Gary City Clerk Suzette Raggs
Date: 9/23/2010
Re: Call of Special Meeting

In accordance with policy and procedure, this memorandum serves as official notification that members of the Gary Common Council do hereby call a Special Meeting of the Gary Common Council, on Tuesday, September 28, 2010 at 6:30 p.m. The meeting will be held in the Common Council Chambers, 401 Broadway, Gary, Indiana.

The nature, object and purpose of Tuesday's meeting will be to present the following legislation for final Council action:

- C.P.O. 10-57 AN ORDINANCE APPROVING SALARIES FOR EMPLOYEES OF THE CITY OF GARY FOR THE CALENDAR YEAR 2011. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller
- C.P.O. 10-58 AN ORDINANCE APPROVING SALARIES FOR THE POLICE AND FIRE DEPARTMENTS OF THE CITY OF GARY FOR THE CALENDAR YEAR 2011. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

**OFFICIAL BUSINESS OF THE
GARY COMMON COUNCIL
OF THE CITY OF
GARY, INDIANA**

**MINUTES OF
OCTOBER 19, 2010**

GARY COMMON COUNCIL CHAMBERS
401 BROADWAY, GARY, INDIANA 46402

THE HONORABLE RONIER SCOTT
Councilman 6th District, **Common Council President**

THE HONORABLE KIMBERLY K. ROBINSON
Councilwoman 5th District, **Common Council Vice-President**

THE HONORABLE MARILYN D. KRUSAS
Councilwoman 1st District

THE HONORABLE SHIRLEY A. STANFORD
Councilwoman 2nd District

THE HONORABLE MARY BROWN
Councilwoman 3rd District

THE HONORABLE CAROLYN D. ROGERS
Councilwoman 4th District

THE HONORABLE KYLE W. ALLEN
Councilman-At-Large

THE HONORABLE RAGEN HATCHER
Councilwoman-At-Large

THE HONORABLE ROY N. PRATT
Councilman-At-Large, **Parliamentarian**

THE HONORABLE RUDOLPH CLAY, MAYOR, CITY OF GARY
THE HONORABLE SUZETTE RAGGS, GARY CITY CLERK

BE IT REMEMBERED, that the Common Council of the City of Gary, Lake County, Indiana met in Regular Session pursuant to the Laws and Rules of the Common Council of the City of Gary, Indiana in the Municipal Building, 401 Broadway, on the 19TH Day of **OCTOBER, 2010** at **6:00 p.m.** with the Honorable Ronier Scott presiding and the following members present/absent:

PRESENT

THE HONORABLE KYLE W. ALLEN
THE HONORABLE MARY BROWN
THE HONORABLE RAGEN HATCHER
THE HONORABLE ROY N. PRATT
THE HONORABLE KIMBERLY K. ROBINSON
THE HONORABLE CAROLYN D. ROGERS
THE HONORABLE RONIER SCOTT
THE HONORABLE SHIRLEY A. STANFORD

ABSENT

THE HONORABLE MARILYN D. KRUSAS (*pg. 3)

The Meeting was opened with a Moment of Prayer by Virgil Moore and followed by the Recitation of the Pledge of Allegiance.

The Chair asked for Roll Call.

Roll Call showed 8 Present 1 Absent (Krusas). The Chair declared this duly a quorum in order to conduct business in the City of Gary.

Councilman Allen moved to accept the Minutes of the previous meeting (October 5, 2010). It was seconded by Councilwoman Stanford.

Roll Call showed a vote of 8 ayes 0 nays. The Chair declared this motion duly passed.

ASSIGNMENT OF COUNCIL PENDING ORDINANCES & RESOLUTIONS:

C.P.O. 10-68

AN ORDINANCE AMENDING ORDINANCE NUMBER 4070 ESTABLISHING A CUMULATIVE CAPITAL IMPROVEMENT FUND. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

FINANCE COMMITTEE

C.P.O. 10-69

AN ORDINANCE AMENDING TITLE 15 ENTITLED "LAND USAGE" CHAPTER 163 ENTITLED "ZONING CODE" OF THE CODE OF ORDINANCES OF THE CITY OF GARY, INDIANA. Petitioner: William Gibson, 712 206th Street, Dyer, Indiana

Property: 5080 Broadway, Gary, Indiana

PLANNING & DEVELOPMENT COMMITTEE

C.P.O. 10-70

AN ORDINANCE APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE OPERATING EXPENSES FOR GRANTS AND SPECIAL REVENUE FUNDS FOR THE CITY OF GARY FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010 INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

FINANCE COMMITTEE

C.P.O. 10-71

AN ORDINANCE APPROVING SALARIES FOR GRANT AND SPECIAL REVENUE FUND EMPLOYEES OF THE CITY OF GARY FOR THE CALENDAR YEAR 2010. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

FINANCE COMMITTEE

C.P.O. 10-72

A TRANSFER ORDINANCE TO TRANSFER FUNDS FOR THE RECYCLING DEPARTMENT BETWEEN VARIOUS LINE ITEMS AS REQUESTED TO MEET CURRENT OBLIGATIONS. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

FINANCE COMMITTEE

C.P.R. 10-12

A FINAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF GARY, INDIANA CONFIRMING DECLARATORY RESOLUTION NUMBER _____ PURSUANT TO INDIANA CODE 6-1.1-10-44 (h). Sponsored by: Mayor Rudolph Clay, City of Gary

FINANCE COMMITTEE

COMMITTEE MEETINGS:

Councilwoman Brown, Chairperson of the Finance Committee has:

C.P.O. 10-68

AN ORDINANCE AMENDING ORDINANCE NUMBER 4070 ESTABLISHING A CUMULATIVE CAPITAL IMPROVEMENT FUND. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller before it. For the record, Councilwoman Brown, Councilwoman Stanford, Councilwoman Robinson approved C.P.O. 10-68 to be reported out of committee.

C.P.O. 10-70

AN ORDINANCE APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE OPERATING EXPENSES FOR GRANTS AND SPECIAL REVENUE FUNDS FOR THE CITY OF GARY FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2010, AND ENDING DECEMBER 31, 2010 INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller before it. For the record, Councilwoman Brown, Councilwoman Stanford, Councilwoman Robinson approved C.P.O. 10-70 to be reported out of committee.

C.P.O. 10-71

AN ORDINANCE APPROVING SALARIES FOR GRANT AND SPECIAL REVENUE FUND EMPLOYEES OF THE CITY OF GARY FOR THE CALENDAR YEAR 2010. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller Controller before it. For the record, Councilwoman Brown, Councilwoman Stanford, Councilwoman Robinson approved C.P.O. 10-71 to be reported out of committee.

C.P.O. 10-72

A TRANSFER ORDINANCE TO TRANSFER FUNDS FOR THE RECYCLING DEPARTMENT BETWEEN VARIOUS LINE ITEMS AS REQUESTED TO MEET CURRENT OBLIGATIONS. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller Controller before it. For the record, Councilwoman Brown, Councilwoman Stanford, Councilwoman Robinson approved C.P.O. 10-72 to be reported out of committee.

C.P.R. 10-12

A FINAL RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF GARY, INDIANA CONFIRMING DECLARATORY RESOLUTION NUMBER _____ PURSUANT TO INDIANA CODE 6-1.1-10-44 (h). Sponsored by: Mayor Rudolph Clay, City of Gary Controller before it. For the record, Councilwoman Brown, Councilwoman Stanford, Councilwoman Robinson approved C.P.R. 10-12 to be reported out of committee.

Councilman Allen, Chairperson of the Planning & Development Committee has:

C.P.O. 10-69

AN ORDINANCE AMENDING TITLE 15 ENTITLED "LAND USAGE" CHAPTER 163 ENTITLED "ZONING CODE" OF THE CODE OF ORDINANCES OF THE CITY OF GARY, INDIANA. Petitioner: William Gibson, 712 206th Street, Dyer, Indiana Property: 5080 Broadway, Gary, Indiana **before it. For the record, Councilman Allen, Councilwoman Robinson, Councilwoman Stanford approved C.P.O. 10-69 to be reported out of committee.**

REPORTS OF STANDING COMMITTEES:

FINANCE COMMITTEE

Councilwoman Brown reported the following legislation out of Committee: **C.P.O. 10-68, 10-70, 10-71, 10-72 & C.P.R. 10-12.**

PLANNING & DEVELOPMENT COMMITTEE

Councilman Allen reported the following legislation out of Committee: **C.P.O. 10-69.**

Councilman Allen moved to change the next regularly scheduled Gary Common Council meeting date from November 2, 2010 to November 3, 2010 due to the General Primary. It was seconded by Councilwoman Brown.

Roll Call showed a vote of 8 ayes 0 nays. The Chair declared this motion duly passed.

*The Chair acknowledged the arrival of Councilwoman Krusas at the Council meeting.

The Chair acknowledged the presence of Calumet Township Assessor, Booker Blumenberg, and the Democratic Calumet Township Assessor-Elect, Jackie Collins, at the Council meeting.

COUNCIL PENDING ORDINANCES & RESOLUTIONS ON THIRD AND/OR FINAL READING:

C.P.O. 10-56

AN ORDINANCE APPROPRIATING MONIES FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE SEVERAL DEPARTMENTS OF THE CITY OF GARY, INDIANA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011, AND ENDING DECEMBER 31, 2011 INCLUDING ALL OUTSTANDING CLAIMS AND OBLIGATIONS AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT. Sponsored by: Mayor Rudolph Clay, City of Gary, Celita Green, City Controller

Councilwoman Brown moved to amend by substitution **C.P.O. 10-56**. It was seconded by Councilwoman Stanford.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this motion duly passed.

City Controller, Celita Green, gave a brief overview of **C.P.O. 10-56**.

The Chair & Councilwoman Krusas raised questions to City Controller, Celita Green, in regards to **C.P.O. 10-56**.

Celita Green responded.

Councilwoman Brown moved for the adoption of the 2011 Operating Budget, **C.P.O. 10-56**, including adoption of the findings related to the objection petitions which are incorporated therein by reference. It was seconded by Councilwoman Stanford.

Roll Call on the motion as amended showed a vote of 7 ayes 2 nays (Hatcher, Rogers). The Chair declared this Council Pending Ordinance duly **ADOPTED**.

C.P.O. 10-59

AN ORDINANCE FOR GRANTING A VACATION OF A PUBLIC WAY. Petitioner: Robert Steven Sutton, 8545 Pine Avenue, Gary, Indiana

Councilman Allen moved to lay **C.P.O. 10-59** on the table. It was seconded by Councilwoman Krusas.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this motion duly passed.

C.P.O. 10-60

AN ORDINANCE AMENDING TITLE 15 ENTITLED "LAND USAGE" CHAPTER 163 ENTITLED "ZONING CODE" OF THE CODE OF ORDINANCES OF THE CITY OF GARY, INDIANA. Petitioner: William Gibson, 712 206th Street, Dyer, Indiana

Property: 5080 Broadway, Gary, Indiana

Councilman Allen moved to lay **C.P.O. 10-60** on the table. It was seconded by Councilwoman Stanford.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this motion duly passed.

C.P.O. 10-66

AN ORDINANCE FOR GRANTING A VACATION OF A PUBLIC WAY. Petitioner: Ivy Tech Community College, 1440 East 35th Avenue, Gary, Indiana

Councilman Allen moved to withdraw **C.P.O. 10-66**. It was seconded by Councilwoman Robinson.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this motion duly passed.

C.P.O. 10-67

AN ORDINANCE AMENDING TITLE 15 ENTITLED "LAND USAGE" CHAPTER 163 ENTITLED "ZONING CODE" OF THE CODE OF ORDINANCES OF THE CITY OF GARY, INDIANA. Petitioner: Beverly Hunter, 613 S. Warrick Street, Gary, Indiana

Property: 2330 Monroe Street, Gary, Indiana

Councilman Allen moved to lay **C.P.O. 10-67** on the table. It was seconded by Councilwoman Krusas.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this motion duly passed.

C.P.R. 10-11

A DECLARATORY RESOLUTION PROVISIONALLY GRANTING SENATE ENROLLED ACT NO. 448 (2009) PROPERTY TAX EXEMPTION TO DUSABLE COMMUNICATIONS INTERNATIONAL LLC. Sponsored by: Mayor Rudolph Clay, City of Gary

Councilwoman Brown moved for passage of **C.P.R. 10-11**. It was seconded by Councilwoman Stanford.

Building Department Director, Ben Clement, gave a brief overview of **C.P.R. 10-11**.

THIS BEING A NIGHT SET ASIDE FOR PUBLIC HEARING, THE CHAIR ASKED IF THERE WAS ANYONE WHO WISHED TO SPEAK FOR/AGAINST THIS COUNCIL PENDING RESOLUTION.

SPEAKING BEFORE THE COUNCIL:

Jayson Reeves
Jim Nowacki
Robert Campbell
Kwabena Rasuli

Councilpersons Allen, Krusas, Rogers, Brown, & the Chair spoke in regards to **C.P.R. 10-11**.

Roll Call showed a vote of 9 ayes 0 nays. The Chair declared this Council Pending Resolution duly **PASSED**.