

March 26, 2009

Indiana Office of Management & Budget
Attn: Stephanie N Russo
State House Room 215
Indianapolis, IN 46204

Dear Mr. Kitchell & Ruhl,

I have hesitated to write to you about the corruption in Gary, Indiana but decided to since Governor Daniels recently visited the area and I read about his comments made to local officials. The city of Gary has numerous patronage jobs especially in the zoning and planning areas. The following is an example of how patronage and property taxes work in Gary.

A large home on County Line Road in the Miller section of Gary has been built on a small dune. No building permits were posted during the first six weeks of construction on the home. One was posted / obtained after some community pressure was applied. The home according to records at City Hall is to be a two story structure with an above ground basement. (See enclosed photo of what was actually built -- I count four stories).

This home was given five year property tax abatement by the city of Gary. Now, when trending starts next year, all of the people living in the vicinity will have their taxes increased. (This is my understanding at least). Since the home is on top of a dune, County Line Road in the 1200 block was paved and elevated to accommodate the driveway which is used to access the new home and a previously existing home on the same dune.

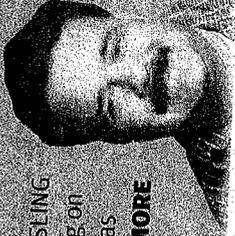
The issue with the paving and road elevation is that the road is owned by the city but now is gated as it is part of the private driveway to the new home. This denies public access to the nearby beach.

Too large of a home on a small lot that denies public access. You have to wonder.

" NO MONEY FOR GARY "

TRANSPARENCY MEETING? YOU CAN'T SEE IT!

TIMES COLUMN: MARK KIESLING
says it's ironic that a meeting on government transparency was closed to the public. **READ MORE ABOUT IT ON PAGE A3.**



Transparency meeting? You can't see it!

THE TIMES
3-27-09

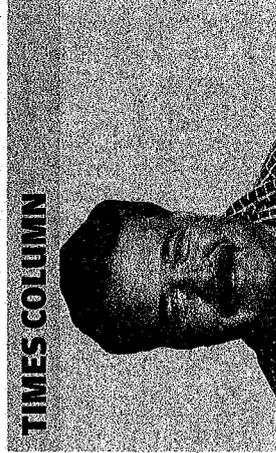
It's more than a little ironic that a meeting Thursday in Gary on government transparency was closed to the public, don't you think?

The meeting was so transparent, in fact, that almost no one saw it.

Last week Gary Mayor Rudy Clay invited about two dozen public and private leaders to meet Thursday and discuss distributing Gary's portion of federal stimulus money under the title "stimulus spending transparency."

"Transparency" is this week's government-speak, a bit of shorthand for no more deals behind closed doors, for public business to be done as much as possible under public scrutiny.

"We want the business community to be involved in the process as it relates to transparency, accountability and spending of stimulus dollars," Clay said. "Use of stimulus funds will be used only for earmarked projects."



TIMES COLUMN

BY MARK KIESLING

That sentence was so filled with government-speak that there is likely no one outside Washington, D.C., who could explain what it means in English, but I digress.

Despite the repeated pledges to transparency and accountability, the doors to the Thursday meeting were unaccountably closed to the public and to the media, an announcement made by city Press Sec-

retary LaLosa Burns.

Not that those invited necessarily knew this.

South Shore Convention and Visitors Authority Executive Director Speros

Batistatos, for instance, said he was not told the meeting was by invitation only.

"That kind of confuses me," he said, given that throughout the meeting he said all he kept hearing was "transparency, transparency."

So let's see. Call together a bunch of people to discuss how to spend a potential \$400 million of public money on 43 different projects that could employ more than 18,000 people. Discuss how to make it "transparent."

Then close the meeting to the public.

In the interest of full disclosure, transparency in government has not always proved profitable for the Clay family.

For example, when it became transparently known this week that the mayor's

son, Rudy Clay Jr., was signed to a \$40,000 annual contract to record meetings of the Gary Sanitary District, there was enough public outrage that his contract vanished.

Questioned earlier about his \$31,000 salary from the GSD as well as his son's contract, the mayor's response was simply, "God is good."

Which may explain why six of the 22 people invited were Gary clergymen.

I believe it was Benjamin Franklin who said "God helps those who help themselves," and thanks to transparency in government, the public found out the Rudy Clay family was helping itself, all right.

To your money.

The opinions are solely those of the writer. He can be reached at mark@nwtimes.com or (219) 933-4170.

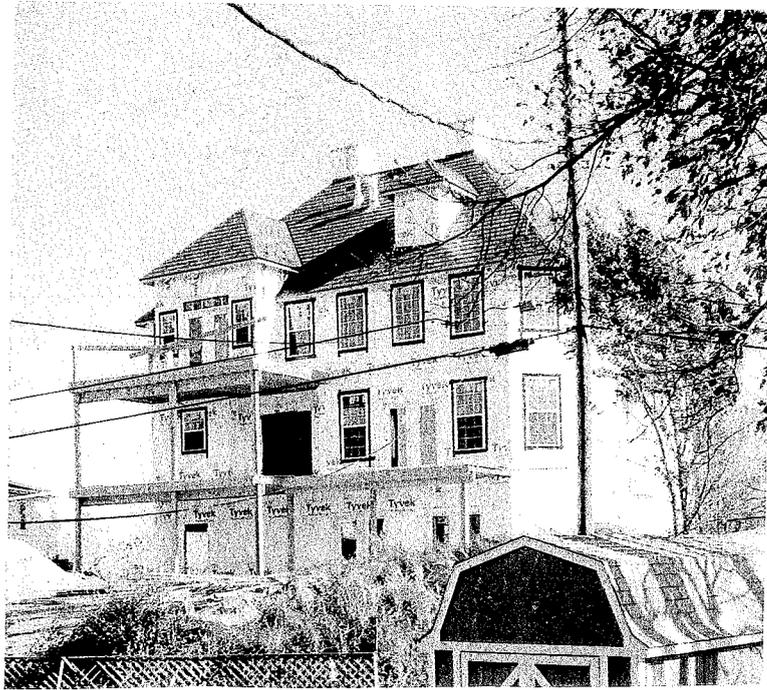
www.post-trib.com

3-27-09



Quickly's Neighbors

All of Mayor Clay's actions have been absolutely deplorable. We citizens of Gary would be absolute fools to continue allowing him to help with the continuous downfall of this city. We need to get him out of office and start looking now, within ourselves, to upgrade this city and elect someone with the city's best interests — not their own — at heart.



Russo, Stephanie

From: nglenn [nglenn@netnitco.net]
Sent: Monday, March 30, 2009 7:45 PM
To: Russo, Stephanie
Subject: Fw: Re: Fw: Firstation in Miller

Importance: High

----- Original Message -----

From: Barbara Leek
To: Nora Glenn
Sent: Monday, March 30, 2009 12:08 PM
Subject: Fw: Re: Fw: Firstation in Miller

--- On Fri, 3/27/09, Bruce Gregory <gregory2768@sbcglobal.net> wrote:

From: Bruce Gregory <gregory2768@sbcglobal.net>
Subject: Re: Fw: Firstation in Miller
To: "Barbara Leek" <leekfirstdistrict@yahoo.com>
Date: Friday, March 27, 2009, 8:56 AM

This is a true statement from the fire fighter who served you. This situation occurs more often than it should. Our Gary fire engines have been responding to 911 Ambulance calls, having to wait for an ambulance due to not having enough ambulances available. Gary EMS Ambulance 407 (Miller Station) has been down for some time now due to mechanical problems leaving this "Great City" with just three ambulances covering the entire City of Gary. We need more staffed Ambulances. At the present time, Gary EMS is understaffed with personnel still layed off from work however, this "Great City" has somehow found the money to hire overtime for personnel shortages? Why not bring the layed off ambulance personnel back to work? Thanks for your inquiry.

--- On Wed, 3/25/09, Barbara Leek <leekfirstdistrict@yahoo.com> wrote:

From: Barbara Leek <leekfirstdistrict@yahoo.com>
Subject: Fw: Firstation in Miller
To: "Bruce Gregory" <gregory2768@sbcglobal.net>
Date: Wednesday, March 25, 2009, 2:01 PM

--- On Tue, 3/24/09, nglenn <nglenn@netnitco.net> wrote:

From: nglenn <nglenn@netnitco.net>
Subject: Fw: Firstation in Miller
To: Undisclosed-Recipient@yahoo.com
Date: Tuesday, March 24, 2009, 5:20 PM

----- Original Message -----

From: Juanita Vlaud
To: nglenn@netnitco.net

Cc: [juanita viaud](#)

Sent: Tuesday, March 24, 2009 3:49 PM

Subject: Firstation in Miller

I was at Kipp school today they called a ambulance because a child got sick, after about 15min or more the fire fighter would said he was from 1st res-ponce, and that the station in miller did not have a working ambulance and that they had to come from 5Th ave. We pay too much taxes to not to have that service up and working in Miller. they were in a firetruck and had to take the child out in a chair and she had passed out.

Russo, Stephanie

From: nglenn [nglenn@netnitco.net]
Sent: Thursday, April 02, 2009 4:28 AM
To: Russo, Stephanie
Subject: Fw: Garbage collection bills

----- Original Message -----

From: Ted Prettyman

Sent: Wednesday, April 01, 2009 11:06 AM
Subject: Garbage collection bills

Greetings:

Please advise your friends and neighbors that MCC continues to pursue the issue of the illegal garbage collection fees foisted upon the citizens. In addition to the initial suit we have engaged Rep. Charlie Brown to request the attorney general to issue an opinion on the matter. We are awaiting a response from the attorney general.

So far we have expended several thousands of dollars in legal fees and court costs. When the City files its appeal it will cost us another \$20,000.00, plus, to go through the Court of Appeals.

This is a fight to rein in the administration's errant concept of oppressive, dictatorial government which sees that it can do what it will, when it will, ignoring the law and due process. So far, despite claims to the contrary, the City administration has done nothing to curtail its wild spending and continues its pursuit of additional revenues to support its gluttonous appetites.

We are asking for money from any who can afford it; checks to be mailed to MCCLDF, 607 S. Lake St., Gary, IN 46403.

I would appreciate your, and any friends and acquaintances, responding to our appeal with a check and spreading the word.

Thank you,

TedP

Russo, Stephanie

From: AYoung7550@aol.com
Sent: Monday, April 06, 2009 9:32 AM
To: Russo, Stephanie
Subject: "I know nothing!"

To quote Sgt. Schultz from Hogan's Heroes:

"I know nothing!"

It would appear that here are three jobs that could be cut immediately, for an annual savings of \$127,165.00, without any adverse effects being felt.

Critics: City law on hiring oversight

Recommend
Comments

April 6, 2009
By Jon Seidel

Post-Tribune staff writer

GARY -- With federal stimulus dollars for construction projects possibly on the horizon, an at-large member of the City Council asked a seemingly straightforward question last month.

"I'm trying to find out, first of all, who our compliance officer is on construction jobs," Ragen Hatcher said.

Turns out Gary has three such workers whose combined salaries are \$127,165. But more than two weeks after asking her question, Hatcher said she still didn't have an answer.

Of particular concern, she said, is whether contractors are following local laws pertaining to the hiring of Gary residents for tax-funded projects.

"Nobody's doing anything for the citizens that live here," Hatcher said.

Local law requires two-thirds of workers on tax-funded jobs to be Gary residents. The person responsible for making sure that happens for city projects turns out to be employed by the Gary Sanitary District, according to Luci Horton, its director.

Felicia Wallace, GSD's assistant compliance officer, is charged with making sure vendors comply with all local, state and federal laws, according to a job description provided by GSD.

Wallace, whose budgeted 2009 salary is \$36,004, didn't return calls for comment this week.

That task was once assigned to Tammi Davis, GSD's former compliance officer. She resigned in March 2008 and was replaced by Shirley Stanford, who is also a member of the City Council. Stanford is budgeted to earn \$55,161 at her GSD job this year.

Because of her elected position, Stanford said her responsibilities strictly relate to the monitoring of GSD projects. She said contractors on the jobs she watches make an effort to hit the local employment mark through subcontractors.

"They generally use Gary residents or Gary companies," Stanford said.

A third person, Deloria Hudson, is also involved in watching local projects. Under a contract with the City Council worth \$36,000 this year, Hudson is responsible for monitoring "local and minority contractor participation in infrastructure improvement of streets, sidewalks and curbs."

Hudson said she has no enforcement power, and she reports only to members of the City Council.

"Any special assignment they ask me to do," Hudson said.

Several residents are critical of the city's efforts to monitor local projects, though, including regular community activist Dwight Taylor. He and a fellow activist were arrested nearly two years ago for disrupting a construction project on Grant Street because of an apparent lack of Gary workers.

"It was a predominantly white work crew in a city that's 90 percent black," Taylor said. "That should not happen."

Taylor's frustration continues, despite meetings with Mayor Rudy Clay and others. He said he plans more protests if Gary residents aren't hired for local jobs.

But Stanford challenged whether local hiring can be determined by driving by a construction project.

"How can you tell who lives where?" Stanford said.

Alex Gariup, co-owner of Gariup Construction, said he hasn't been familiar with Gary's compliance officers since Davis resigned. One reason for that, he said, is that there's little to monitor in the city right now.

"The work in Gary is very, very minimal," Gariup said.

However, he said, the Gariup family has been in business locally for nearly 90 years, so he's familiar with plenty of Gary workers who can be hired to meet the local hiring requirement.

"Whether or not there's a compliance officer on the street, I'm doing my own due diligence," Gariup said.

Contact Jon Seidel at 881-3148 or jseidel@post-trib.com. Comment on this story at www.post-trib.com.

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Russo, Stephanie

From: andrea basarich [abasarich@sbcglobal.net]
Sent: Wednesday, April 08, 2009 7:43 AM
To: Russo, Stephanie
Subject: Fw: Keeping an eye on "Eye on Gary"

--- On Wed, 4/8/09, nglenn <nglenn@netnitco.net> wrote:

From: nglenn <nglenn@netnitco.net>
Subject: Fw: Keeping an eye on "Eye on Gary"
To: Undisclosed-Recipient@yahoo.com
Date: Wednesday, April 8, 2009, 6:48 AM

What are we doing to prepare for the Olympics? ng

----- Original Message -----

From: Beach46403@aol.com
To: nglenn@netnitco.net
Sent: Tuesday, April 07, 2009 10:37 AM
Subject: Keeping an eye on "Eye on Gary"

It turns out the City of Gary, instead of cutting their video-production budget, has very recently embarked on producing a new show which is being shown on public access television. The show is called, "Eye on Gary." Essentially, it is a self-produced, self-aggrandizing, propaganda piece that makes a very, very feeble attempt to justify the "work" being done by the featured department heads. It struggles to convince its viewers that the featured personnel and departments are doing something useful--that they are doing important work. It fails miserably at its goal.

And one interesting little factoid that slipped out as the Department of Redevelopment was trying to support having such a large staff, was that the City of Gary actually owns over 9000 parcels of property. That is up from previous estimates.

It seems that what the DOR has in fact become, is a development company, albeit a failing one, that is able to hold onto property indefinitely--as they have no tax liability--and use it to instead impede development. Not only are they an abject failure AS a development company, or a development agency, but unfortunately, they are entirely successful at their real mission, which is deterring any market development from occurring. They of course fail, but their sheer existence causes everything else to fail. So they've accomplished their mission, which is failure. So then, have they actually succeeded? It's all so confusing!

Another featured department in this program's debut broadcast is the Department of Community Development. This department is under the watchful eye of Jackie Drago-Hunter. If that name seems familiar, its probably because you were just reading about her in an article in connection with some type of mortgage scam. It's always nice to know that our henhouses are being "safely" guarded by a pack of foxes.

The City is supposed to be finding ways to save money--to cut costs wherever and whenever possible. How can creating new ways to spend money--new ways to waste money--be getting them any closer to this goal? They do not take this seriously. They have every intention of continuing with "business as usual". There has not been even the tiniest indication that they are cutting their budget of their own accord. Only as they repeatedly get caught with their hand in the cookie jar, do they begrudgingly cut costs. But they really don't cut costs, they just move them around. They all missed their calling. They should have been sideshow magicians, because they are all quite adroit at sleight-of-hand.

And just remember one thing; government doesn't have any of their own money, it's all our money! It is their job to spend it wisely in OUR best interests. How would you rate this administration's performance?

And back to the Eye on Gary. Not only have they managed to find the money and resources necessary to create this worthless pat-on-the-back fest, but evidently they must have needed to cut some time off of all the public meetings to

make enough airtime to broadcast it. If you'll notice, while watching any public meeting, you can plainly see that public comment has been censored from nearly all recent broadcasts of public meetings. They must really be feeling the heat. They are obviously getting quite desperate if they have to resort to this! It is only under despotic, fascist, autocratic rule that governments resort to tactics such as impeding citizens' free speech and attempt to suppress public opinion in such an overt manner.

And if the entire concept of this propaganda show wasn't amply ridiculous, and if the City's in-house video crew actually had some spare time with which to experiment with this crazy notion, it would have been bad enough. But they had to hire out to get this drivel made! This production is so lame that it makes the "Banana Splits Show" look good! And our tax dollars footed the bill! Now how do you like "Eye on Gary"?

If it wasn't bad enough that this administration has taken such deliberate steps toward censorship of the public's opinion, it is all the more damaging that they are replacing the censored material with their own propaganda in an attempt to distort the public's perception of reality. They are at the end of their rope--as they deserve to be--as they'd be expected to be after the dismal performance they've turned in. All the more reason that the citizens not follow them down the drain. The citizens have been more than patient with these goofs. They have given them far more benefit of the doubt than they ever deserved. They blew it! And there is NO amount of propaganda that could successfully obscure that fact from any rational individual.

This whole city is being driven into the ground by one individual more concerned with feeding his insatiable ego than doing the first act which would be beneficial to the city and its citizens. While his ego gets hungrier and hungrier, and as there is less and less to feed it with, he will have to go to more and more extraordinary and creative lengths to satisfy its cravings. This is the road to destruction to be sure. He seems hell-bent on driving the bus over the cliff. Thankfully, there is still time to get off before it reaches its fated last stop at the bottom of the chasm. (But not much, as he has the pedal to the metal!)

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Indiana State Budget Agency
200 W. Washington St., Room 212
Indianapolis, IN 46204

Dear Sir / Madam:

Please see that the Distressed Unit Relief Board receives the following article.

The Gary Sanitary District and the City of Gary are petitioning for additional funds when they can hire 3 compliance officers to oversee hiring on construction projects. As the article notes, there is little construction currently in Gary.

Thank you,

An Infuriated Resident

Critics: Gary lax on hiring oversight

By JON SEIDEL

Post-Tribune staff writer

GARY — With federal stimulus dollars for construction projects possibly on the horizon, an at-large member of the City Council asked a seemingly straightforward question last month.

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Turns out Gary has three such workers whose combined salaries are \$127,165. But more than two weeks after asking her question, Hatcher said she still didn't have an answer.

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"Whether or not there's a compliance officer on the street, I'm doing my own due diligence," Gariup said.

Russo, Stephanie

From: AYoung7550@aol.com
Sent: Friday, April 10, 2009 10:52 AM
To: Russo, Stephanie
Subject: What transparency?

The following article describes what took place at the City's second meeting regarding the proposed use of federal stimulus money. Although the meeting was advertised to be open to the public, when the public arrived, they were prevented from participating. They were kept in a separate room with the door adjoining the rooms closed for most of the time.

The mayor was quoted as stating that they didn't expect that many people to show up. How could they not? In a city of nearly 100,000, with a meeting advertised to the general citizenry, concerning the possible distribution of hundreds of millions of sorely needed dollars, how could anyone possibly be shocked that 40 members of the public would show up? I am shocked that a thousand people didn't show up!

There has never been more of an effort to be less transparent. This administration is going to extraordinary lengths to exclude the public from this particular process. There must be some reason that they continue to talk about transparency, yet act only with opacity.

For some in Gary, no transparency on stimulus

[Recommend \(2\)](#)
[Comments](#)

April 10, 2009
By Jon Seidel

Post-Tribune staff writer

GARY -- Mayor Rudy Clay invited everyone in Gary to a meeting about his "transparent" pursuit of federal stimulus money Thursday, but anyone who couldn't fit into his City Hall conference room was shown the door.

As Nobel Prize winner and Gary native Joseph Stiglitz shared his thoughts by telephone on his hometown's best chances for landing precious dollars, about 40 people clamored outside demanding a chance to participate.

"They will not have the support of the people of this community," Douglas Grimes, president of the Miller Citizens Corp., could be heard telling Gary press secretary LaLosa Burns as Stiglitz spoke.

A news release from City Hall described Thursday's event as an "inaugural public meeting" meant to gather feedback about Gary's plans.

It turned out to be a meeting of the "stimulus transparency advisory committee," which adopted its mission statement and decided to form subcommittees that will pursue specific grants.

Stiglitz suggested the group look at grants for weatherization and telecommunications, pointing out the large telecommunication firms might be shying away from that money for fear of government intervention.

"This is a real opportunity for some small firms to get in," Stiglitz said.

The state has about \$182 million in discretionary stimulus funds, Clay said, some of which could potentially land in Gary. State and federal officials stressed that an open process is essential, Clay said.

"All they're saying is, 'accountability, transparency,'" Clay said.

Some attendees, including members of the media, were escorted into the mayor's conference room just before the meeting began. Others were told to wait in the Gary Room, connected to the conference room by a small hallway, where larger gatherings such as news conferences are often held.

"We didn't expect this great number of people," Burns told the group.

Among those allowed into the conference room was Calumet Township Board member Ron Matlock. When Matlock tried to bring a representative of Calumet Township Trustee Mary Elgin into the conference room, Burns told him, "she's not on the list."

Elgin's representative never made it into the meeting.

Burns said the "list" was provided by Deputy Mayor Geraldine Tousant.

The group of disgruntled citizens in the Gary Room formed its own alliance, "Citizens for Gary," and complained to the mayor's staff about not being allowed into the conference room.

When a city employee noticed a Post-Tribune reporter was taking notes on their complaints, he closed the door. A Gary police officer stood in the hallway for most of the meeting.

When asked if the people in the Gary Room would be able to participate in the Stiglitz phone call, Burns said they'd be able to hear him through the hallway "if they're quiet."

The mayor did take questions after the meeting from members of the public who decided to stick around.

He and cabinet members said they are planning a Web site that can be used to track Gary's stimulus cash.

He also acknowledged the conference room was too small to hold everyone who wanted to attend the meeting.

"We've got to have a bigger space," Clay said.

Contact Jon Seidel at 881-3148 or jseidel@post-trib.com. Comment on this story at www.post-trib.com.

Related Blog Posts

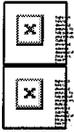
[Stiglitz: Geithner Plan "Badly Flawed"](#)

From TalkLeft: The Politics of Crime

[Stiglitz: Geithner Plan "Badly Flawed"](#)

From TalkLeft: The Politics of Crime

The views expressed in these blog posts are those of the author and not of the Post-Tribune.



[Unable to display image]

wildkard1 wrote:

Although the last thing I am surprised by Lil Rue and the Crew's actions, I am proud of the citizens for sticking together. Keep the pressure on him and the administration by lighting up his phones and those of the governors office in an effort to force their hand to spend the money for Lil Rue before he gets a chance to get his thieving hands on it. The state can mandate where the money goes and how it is spent. The state already had records of the cities financial issues, there is no reason they cannot force the spending in areas the city needs like public safety, roads, schools, jobs and so on.

4/10/2009 9:04 AM CDT on post-trib.com

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all in this together wrote:

Did we really expect anything different from the Clay administration?

Rudy the rat has played these types of shell games his entire political career. He'll say one thing and do another!

[Unable to display image]

This is another example of total incompetence by a grossly inept administration. Just think about what Rudy's spokesperson said, ""We didn't expect this great number of people,"

Heck! You announce and invite the entire city to a meeting and then hold it in your small conference room.

Duh... Please!!! Rudy's PHD from Gary Roosevelt is showing how smart he really is.

Rudy the rat is an embarrassment to the good people of Gary and must go!

4/10/2009 5:58 AM CDT on post-trib.com

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millerbeach wrote:

[Unable to display image]

Isn't this how things were done in Communist Russia? Not much transparency here folks, nothing to see...move along.

4/10/2009 4:26 AM CDT on post-trib.com

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From: Beach46403@aol.com
Sent: Sunday, April 12, 2009 9:18 AM
To: Russo, Stephanie
Subject: Keeping an eye on "Eye on Gary"

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The City is supposed to be finding ways to save money--to cut costs wherever and whenever possible. How can creating new ways to spend money--new ways to waste money--be getting them any closer to this goal? They do not take this seriously. They have every intention of continuing with "business as usual". There has not been even the tiniest indication that they are cutting their budget of their own accord. Only as they repeatedly get caught with their hand in the cookie jar, do they begrudgingly cut costs. But they really don't cut costs, they just move them around. They all missed their calling. They should have been sideshow magicians, because they are all quite adroit at sleight-of-hand.

And just remember one thing; government doesn't have any of their own money, it's all our money! It is their job to spend it wisely in OUR best interests. How would you rate this administration's performance?

And back to the Eye on Gary. Not only have they managed to find the money and resources necessary to create this worthless pat-on-the-back fest, but evidently they must have needed to cut some time off of all the public meetings to make enough airtime to broadcast it. If you'll notice, while watching any public meeting, you can plainly see that public comment has been censored from nearly all recent broadcasts of public meetings. They must really be feeling the heat. They are obviously getting quite desperate if they have to resort to this! It is only under despotic, fascist, autocratic rule that governments resort to tactics such as impeding citizens' free speech and attempt to suppress public opinion in such an overt manner.

And if the entire concept of this propaganda show wasn't amply ridiculous, and if the City's in-house video crew actually had some spare time with which to experiment with this crazy notion, it would have been bad enough. But they had to hire out to get this drivel made! This production is so lame that it makes the "Banana Splits Show" look good! And our tax dollars footed the bill! Now how do you like "Eye on Gary"?

If it wasn't bad enough that this administration has taken such deliberate steps to toward censorship of the public's opinion, it is all the more damaging that they are replacing the censored material with their own propaganda in an attempt to distort the public's perception of reality. They are at the end of their rope--as they deserve to be--as they'd be expected to be after the dismal performance they've turned in. All the more reason that the citizens not follow them down the drain. The citizens have been more than patient with these goofs. They have given them far more benefit of the doubt than they ever deserved. They blew it! And there is NO amount of propaganda that could successfully obscure that fact from any rational individual.

This whole city is being driven into the ground by one individual more concerned with feeding his insatiable ego than doing the first act which would be beneficial to the city and its citizens. While his ego gets hungrier and hungrier, and as there is less and less to feed it with, he will have to go to more and more extraordinary and creative lengths to satisfy its cravings. This is the road to destruction to be sure. He seems hell-bent on driving the bus over the cliff. Thankfully, there is still time to get off before it reaches its fated last stop at the bottom of the chasm. (But not much, as he has the pedal to the metal!)

A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

Russo, Stephanie

From: KRISeKRIS00@aol.com
Sent: Monday, April 13, 2009 10:12 AM
To: Russo, Stephanie
Subject: Take-home car abuses in Gary

DUAB Board Members:

Please read the two articles that follow. The comments that follow the first article are also interesting.

Take-home cars under scrutiny

Recommend (2) <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>
Comments <http://www.post-trib.com/news/lake/1523035,gcars.article#Comments_Container>

April 12, 2009

By Jon Seidel

Post-Tribune staff writer

GARY -- A perk given to several Gary employees could wind up in the scrap heap as the city looks for more ways to cut costs this year.

Mayor Rudy Clay and controller Celita Green said last week they want to know how much Gary is spending on employees' take-home cars so they can decide if it's time to put them in park.

Who has Gary's take-home cars?

Dorothy Smith, City Council: Ford Windstar Darrell Harvey, City Council: 2000 Ford F-150
Suzette Raggs, City Clerk: 2008 Ford Crown Victoria Rudy Clay, Mayor's Office: 2009 Hummer H3
Mike Hinton, Mayor's Office: 1997 Ford Taurus Arlene Colvin, Mayor's Office: 2003 Ford
Explorer Geraldine Tousant, Mayor's Office: 2003 Ford Crown Victoria Thomas Yancy, Mayor's
Office: 2003 Ford Expedition Celita Green, Finance: 2003 Ford Explorer Nathaniel Williams,
Finance: 1998 Ford Crown Victoria Jacquelyn Drago-Hunter, Community Development: 1998 Ford
Crown Victoria Benjamin Robinson, Building Department: 2000 Jeep Cherokee Deidre Monroe, City
Court: 1999 Chevrolet van Lynn Reese, City Court: 2001 Chevrolet van Harold Washington, City
Court: 1996 Ford Crown Victoria Richard Wood, City Court: 1999 Chrysler van Mary Ann Joiner,
City Court: 2000 Ford Crown Victoria Mary Ann Lacy, City Court: 2001 Dodge truck Diane
Williams-Jones, Vehicle Maintenance: 1998 Ford Taurus Van Taylor, Vehicle Maintenance: 1999
Mercury Grand Marquis Vaness Dabney, Redevelopment: 2000 Ford Crown Victoria Rodney
Sommerville, Environmental Affairs: 1999 Jeep Cherokee Tyrone Rogers, Environmental Affairs:
2000 Ford Explorer Doreen Carey, Environmental Affairs: 1998 Ford Taurus Caren Jones, Park
Department: 1999 Ford Explorer Shirley Walls, Human Resources: 1998 Ford Crown Victoria
LaLosa Burns, Public Information: 1998 Ford Crown Victoria Key Johnson, Public Works: 2000
Jeep Cherokee Jesse Butler, Public Works: 1998 Ford Crown Victoria Vanessa James, Traffic
Department: 2008 Ford F-150 Felix Realeza, Traffic Department: 2003 Jeep Cherokee Quilla
Young, Youth Services: 1999 Ford Explorer Squire Dixon, General Services: 1998 Ford F-250
Kevin Guyson, General Services: 1998 Ford F-250 Herman Goodman, General Services: 1998 Jeep
Cherokee Mike Shell, General Services: 2008 Ford F-250
Ponce Herrera, General Services: 1998 Ford F-250 (see article that follows this one)
Charles Cox, General Services: 2008 Ford F-250

"I'd like it to be done this year," Green said of the study.

Public officials in other cities, including the mayor of South Bend, are starting to give up their wheels as tax revenue runs dry. But Clay, who is provided a 2009 Hummer H3, said it isn't fair to make a comparison between those cities and Gary.

Clay pointed out that Gary faces high rates of poverty and unemployment. And only Gary wound up before the Indiana Distressed Unit Appeals Board, seeking relief from budget woes.

"I only saw one city in the Distressed Unit Board line," Clay said. "That was Gary, Indiana."

City records show 38 civilian employees are assigned to take-home cars in Gary. Nineteen of the cars are at least 10 years old.

City Clerk Suzette Raggs drives a 2008 Ford Crown Victoria, the records show.

Judge Deidre Monroe is assigned to a 1999 Chevrolet van and five other court employees have take-home cars. Monroe said all but one of her employees, whose car is used heavily, have been required to pay for their own gas since about 2004. She also said court cars are available to any court employee during the work day.

"Our cars serve double-duty," Monroe said.

None of the City Council members is listed as having a take-home car, though two cars are assigned to council staffers.

Last year, when it became clear that Gary's cash crunch wasn't going away, Clay told all employees except for police and firefighters to stop filling up at city gas pumps.

A Post-Tribune analysis of gas records revealed that some workers continued to fill up for business purposes, but Clay said last week Gary ended up saving \$150,000 on gas.

"We have been saving gas since we started that program," Clay said.

The city set aside \$1.8 million in its vehicle maintenance fund this year, according to a copy of the 2009 budget, but Green said that money is used to maintain every vehicle in the city's fleet.

And since the city is self-insured, Green said she will have to dig further into the details before determining the potential cost-savings.

In South Bend, controller Catherine Fanello said it became too burdensome for her city to keep track of the difference between personal and business mileage on take-home cars as required by the Internal Revenue Service.

"We just don't have the time to audit all the mileage records," Fanello said.

South Bend has cut back from about 100 take-home cars for civilian employees to about 50 in the last eight months, she said. The process was particularly painful for employees who relied on their city car as a main source of transportation.

That's why Mayor Steve Luecke decided to give up his city-owned car last week.

"Everybody's got to kind of chip in," Fanello said. "We realize it is a hardship on some. We also realize it's everybody's responsibility."

Fort Wayne Mayor Tom Henry also chips in for the cost of his transportation, spokeswoman Rachel Blakeman said, paying half of the cost of his 2008 Chevrolet Malibu.

And as a result of a 2003 study, Blakeman said, just one other Fort Wayne city employee has a permanent take-home car assignment: the Street Department director.

That car, she said, is for business use only.

"We don't believe that the city of Fort Wayne taxpayers expect to fund the personal vehicles of city employees," Blakeman said.

Gary must cut at least \$7 million from its budget this year, Green has confirmed, because of shortfalls in property tax collections.

While layoffs and pay cuts could be on the horizon, Clay continued to defend the use of his Hummer H3 even when asked about the Malibu driven by the mayor of Fort Wayne.

"A Chevy Malibu costs more than a Hummer," Clay said.

The basic price of a 2009 Hummer H3 on Hummer's Web site is \$34,170, while the basic price of a Malibu on Chevrolet's Web site is \$21,605.

Contact Jon Seidel at 881-3148 or jseidel@post-trib.com. Comment on this story at www.post-trib.com.

Related Blog Posts

Gary Sheffield is unemployed...now what? <<http://www.post-trib.com/news/blogentries/index.html?bbPostId=Cz6k9PQeoGggnBCYkk76c2vCKB2QxED6tc8KuB3miX43nB5Ke&bbParentWidgetId=B8j4te2LpaP5zF2wdOIaNTqV>>

From The Hall of Very Good

Gary Sheffield Released by Tigers <<http://www.post-trib.com/news/blogentries/index.html?bbPostId=Cz239qCPE052pBDB8MrImcABYB5LvXZKHVEhnCz9HRN3rrxNoP&bbParentWidgetId=B8j4te2LpaP5zF2wdOIaNTqV>>

From Bless You Boys

<<http://www.blogburst.com/>>

The views expressed in these blog posts are those of the author and not of the Post-Tribune.

Report item as: (required) X <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>
Obscenity/vulgarity Hate speech Personal attack Advertising/Spam Copyright/Plagiarism Other
Comment: (optional)

<http://www.pluck.com/> <<http://www.pluck.com/>>

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Obscenity/vulgarity Hate speech Personal attack Advertising/Spam Copyright/Plagiarism Other
Comment: (optional)

<http://www.pluck.com/> <<http://www.pluck.com/>>

[Unable to display image] impeach clay * wrote:

The only cuts this clown of a mayor wants to make is to public safety, like most criminals he can't stand the police. Come on Dave Capp get the investigation going, I'm tired of waiting! This fool needs to go to jail!

4/12/2009 7:25 PM CDT on post-trib.com

Recommend <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

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[Unable to display image] impeach clay * wrote:

I've noticed 46403 Citizen has not chimed in yet with her unwaivering support of the mayor, must be having Easter dinner with her good friend Rudy "Chops" Clay. Last one out of Gary shut off the lights.

4/12/2009 7:22 PM CDT on post-trib.com

Recommend <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

Report Abuse <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

[Unable to display image] myvoyce wrote:

Although I do agree with comments posted so far, one cannot help but to believe that this is some type of "decoy" that the Mayor and staff are using to stall time just in time for Obama's stimulus money to start rolling in. Does the current administration really think people are stupid? The "issue" of take-home cars is so petty. Where are the real "black holes" of wasteful spending? Business trips, luncheons, fund-raisers, etc. I'm sure other residents will now think of how their tax dollars are being wasted.

4/12/2009 5:41 PM CDT on post-trib.com

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Report Abuse <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

[Unable to display image] precious1 wrote:

Why does a human resource worker need a take home car? All of the "civilians" with take home car and there are police officers who live in the city who don't have take home cars. This doesn't make sense to me. Well, there I go again, not everyone is as intelligent as I am.

4/12/2009 3:18 PM CDT on post-trib.com

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[Unable to display image] precious1 wrote:

Rudy Clay continues to open his mouth and confirm his ignorance. I applaud the Mayors in South Bend and Fort Wayne for putting forth the effort to save their cities money. The fact that Gary is the only city begging, reinforces the fact that it should be the city giving up more. You can ask my 10 year old daughter the following question, which vehicle cost more a Chevy Malibu or a Hummer? She'll give you an intelligent answer. Rudy was dumb enough to say that the Hummer is cheaper. I feel sorry for myself and other Gary residents because he doesn't have clue!

4/12/2009 3:12 PM CDT on post-trib.com

Recommend <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

Report Abuse <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

[Unable to display image] what! wrote:

The Ford Scott King was driving is still in the fleet. Driven by one of Rudy's people. It probably still illegally has police lights in it and a police license plate like the Hummer. Can't have police lights and police plates on and in a vehicle unless it is operated by a "sworn" police officer. Oh wait!!! Rudy just does whatever he wants regardless of law...

4/12/2009 2:29 PM CDT on post-trib.com

Recommend <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

Report Abuse <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

[Unable to display image] keith wrote:

LOL, is there a dumber mayor in the entire U.S.A. than this mophead Rudy Clay? He is a triple threat, dumb, gutless and totally lacking in integrity.

4/12/2009 11:30 AM CDT on post-trib.com Recommend <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

Report Abuse <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

[Unable to display image] soarcub wrote:

this gary mayor which is known as (the ganasta mayor) is a freakin joke and he knows it. they don't list all the take home cars to begin with..like his assistant joel rodriguez which is up his behind kissing it so much, then they have ponce herrera on the payroll, isn't he the county officer that got charged and arrested with some kind of corruption scandal...there is no reason for him to drive a 09 hummer, what happened to the ford excursion that mayor king was driving which was in great shape. clay spends money too much money...the only reason that gary is the only one in the distressed unit board line is cause clay doesn't know how to run a city. gary will see better days once they get a good mayor not this clown they have now.

4/12/2009 11:29 AM CDT on post-trib.com Recommend <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

Report Abuse <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

[Unable to display image] wildkard1 wrote:

Oh I left out 1 thing. They say they hope to have the "study" done that will calculate the cost of the take home car policy by the end of the year. There is no reason it should take longer than a couple weeks at most. Here is the actual formula for calculating this. # of vehicles + maintenance costs for them each month x 12 months = a really big number. Separate maintenance logs are kept for take home vehicles. But I guess that would depend on accurate if any record keeping by the city. They never think before they speak. How ignorant do they think everyone else is to believe this stuff?

4/12/2009 9:20 AM CDT on post-trib.com

Recommend (2) <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

Report Abuse <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

[Unable to display image] wildkard1 wrote:

38 civilian employees with city cars. Well the city chose to leave out the Police Department, Animal Control, The Reserve Police Department and Fire Department at the very least. Heck Mr. "Hook Up" himself Harlan Smith runs vehicle maintenance and has 2 or 3 cars. The traffic Department listed here is not Police related, as a matter of fact I have never heard of the department before today. I know the Police Department has at least that many civilian or non-sworn personnel with take home cars. Funny how they chose to leave that out. Now for the big finish. Is that not just the most IGNORANT thing you have ever read. Hummer H3 vs Malibu ticket price. How did a guy with this level of repeatedly proven ignorance get elected? And Lil Rue and the crew can't understand why people of all kinds are leaving the city. Glad I don't live here anymore. Band together people, only you can kick him out no one else is gonna do it for you.

4/12/2009 9:11 AM CDT on post-trib.com

Recommend (1) <<http://www.post-trib.com/news/lake/1523035,gcars.article#none>>

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1 2 <[http://www.post-](http://www.post-trib.com/news/lake/1523035,gcars.article?plckCurrentPage=1&sid=sitelifepost-trib.com)

[trib.com/news/lake/1523035,gcars.article?plckCurrentPage=1&sid=sitelifepost-trib.com](http://www.post-trib.com/news/lake/1523035,gcars.article?plckCurrentPage=1&sid=sitelifepost-trib.com)> >>

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<[http://www.post-](http://www.post-trib.com/news/lake/1523035,gcars.article?plckCurrentPage=1&sid=sitelifepost-trib.com)

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We already know that the city of Gary has become an employment agency for relatives and cronies, but it seems to be coming more of a halfway house lately.

Suspended Lake policeman guilty of vote fraud

* Story

<http://www.thetimesonline.com/articles/2008/02/11/updates/breaking_news/doc47b080ef34211202241792.txt?>

* Discussion

<http://www.thetimesonline.com/articles/2008/02/11/updates/breaking_news/doc47b080ef34211202241792.txt?showComments=true>

Font Size:

Default font size <javascript:void(0);>

Larger font size <javascript:void(0);>

BY BILL DOLAN

bdolan@nwitimes.com

219.662.5328 | Monday, February 11, 2008 | (24 comment(s))

<http://www.thetimesonline.com/articles/2008/02/11/updates/breaking_news/doc47b080ef34211202241792.txt?showComments=true>

CROWN POINT | A Lake Criminal Court judge placed a suspended county police officer on 90 days probation Monday for vote fraud. Ponciano Herrera, 42, of East Chicago, pleaded guilty Monday to a reduced misdemeanor charge of acquiring a phony ballot in the 2003 East Chicago Democratic primary election.

The plea was part of an agreement in which the prosecutor's office and Indiana Attorney General Steve Carter's office dismissed felony counts against Herrera, making it possible for him to return to his job as a county police officer.

Herrera became too emotional to talk Monday when describing the arc of his life in which he was raised in East Chicago, joined the U.S. Air Force, returned home and worked 15 years as an officer trusted enough by Sheriff Rogelio "Roy" Dominguez to work as a liaison between the sheriff and bereaved families of fallen area soldiers.

Herrera admitted handling a forged absentee ballot in the disputed 2003 primary that was judged to be so corrupt the results in the mayoral election were overturned, and former Mayor Robert Pastrick's long political career ended in a special 2004 election.

Herrera said he has been suspended without pay from his police job by the sheriff since being charged two years ago and said he has had to support his girlfriend and their two daughters by working for the Gary street and sanitation district.

Herrera said he now faces the results of a disciplinary hearing before the County Police Merit Board to determine if he will resume his duties as a police officer.

http://www.thetimesonline.com/articles/2008/02/11/updates/breaking_news/doc47b07fcb8b566183695483.txt

<http://www.thetimesonline.com/articles/2008/02/11/updates/breaking_news/doc47b07fcb8b566183695483.txt>

http://www.thetimesonline.com/articles/2008/02/11/updates/breaking_news/doc47b099c7a61a0961152062.txt

<http://www.thetimesonline.com/articles/2008/02/11/updates/breaking_news/doc47b099c7a61a0961152062.txt>

And yes, this is by no means the extent of the take-home car abuse. There are another 100 or so cars that are being used in ways which would not be deemed appropriate or necessary by any objective criteria.

Sincerely,
Kris Edwards

The Average US Credit Score is 692. See Yours in Just 2 Easy Steps!
<<http://pr.atwola.com/promoclk/100126575x1221621489x1201450100/aol?redir=http:%2F%2Fwww.freecreditreport.com%2Fpm%2Fdefault.aspx%3Fsc%3D668072%26hmpgID%3D62%26bcd%3DAprilAvgfooterN062>>

Russo, Stephanie

From: andrea basarich [abasarich@sbcglobal.net]
Sent: Tuesday, April 14, 2009 10:48 AM
To: Russo, Stephanie
Subject: Fw: What do the following have in common?

--- On Mon, 4/13/09, Beach46403@aol.com <Beach46403@aol.com> wrote:

From: Beach46403@aol.com <Beach46403@aol.com>

Subject: What do the following have in common?

To: nglenn@netnitco.net

Date: Monday, April 13, 2009, 11:23 AM

- 1) The City of East Chicago under the Pastrick regime
- 2) the Coffee Creek scandal
- 3) the City of Gary under the Clay administration
- 4) Oxford Federal prison
- 5) the newly appointed corporation counsel for the City of Gary, Susan Severtson (who by the way is NOT a Gary resident)

Did you figure it out yet?

Don't peek!

Take a guess!

All right, scroll down a little and see.

Peter Manous!

What kind of direction do you think that the City of Gary's "legal" department will be moving in? Is it possible that Manous' wife, Mrs. Severtson, will not be influenced by her husband, Mr. Manous? It doesn't seem possible. Or has he been rehabilitated? If he has, then why did he make a beeline back to Gary and East Chicago to reunite with all of his former partners in slime?

And now, lucky us, it just so happens that he ordered Rudy to appoint his wife to be lead counsel for the City of Gary. And Rudy complied. Just following orders, though, he didn't have a choice. You know, chain of command and all.

I wonder what the recently dismissed, former corporation counsel, Hamilton Carmouche, has to say about all of this?

It looks like another piece of the Pastrick puzzle is in place. Not too many (if any) more to go! Is it any wonder that Gary is at an all-time low? Not to me! It shouldn't be a surprise to anyone, at least not anyone that's been watching these rats slowly--but quite surely--burrow into town in the dark of night to make their nests. And now City Hall is completely infested with them!

Where's the Pied-Piper when you need him?

How long do you think it will take this latest strain of infection to spread its contamination throughout every nook and cranny of our city's government? As long as the virus can't jump species, that is from the political lowlifes to the good citizens of our city, then I guess, the sooner the organism that is our diseased city government dies, the better!

If you ever wondered what it was like to live in East Chicago under the former oppressive regime, wonder no more! This is what it was like!

The Average US Credit Score is 692. See Yours in Just 2 Easy Steps!

Russo, Stephanie

From: nglenn [nglenn@netnitco.net]
Sent: Wednesday, April 15, 2009 4:28 PM
To: Russo, Stephanie
Subject: Clay gets 75% GSD raise (If he doesn't care, why does he accept the money?)
Importance: High

Sanitary District awards Clay 75% raise

[Recommend \(3\)](#)
[Comments](#)

April 15, 2009

By Jon Seidel Post-Tribune staff writer

GARY — Mayor Rudy Clay's 75 percent pay raise at the Gary Sanitary District became official Tuesday night.

The mayor is now set to make \$54,075 as GSD's special administrator this year. He was originally budgeted to make \$30,888.

Clay also expects to receive \$88,021 for his work as mayor, according to a copy of the city's budget, bringing his total potential gross to \$142,096.

The 2009 GSD salary budget was adjusted by the Sanitary District's board of commissioners in a 4-0 vote.

According to the resolution approved by the board, the adjustment was prompted by a payroll error discovered by the Indiana State Board of Accounts.

In an audit of 2007 spending, the State Board of Accounts found that Clay was underpaid by \$21,837 as special administrator. A Board of Accounts official has said that number was valid as of Dec. 31, 2007, and he declined to comment on further compensation to Clay.

The mayor received \$57,980 in back-pay in December as a result of the Board of Accounts' finding.

"I didn't ask anybody to look into it for me," Clay said last month. "I really didn't care. The State Board of Accounts stated that this should happen."

According to Tuesday's resolution, the time during which a payroll adjustment was required was "during the period of November through December 2008."

After the meeting, Sanitary District Director Luci Horton said the resolution "speaks for itself."

The Gary Sanitary District joined the city in petitioning a state tax appeals board for budget relief. A state report shows it is facing a \$4 million loss in 2009 without that help.

Contact Jon Seidel at 881-3148 or jseidel@post-trib.com. Comment on this story at www.post-trib.com.

Russo, Stephanie

From: nglenn [nglenn@netnitco.net]
Sent: Wednesday, April 15, 2009 5:52 PM
To: Russo, Stephanie
Subject: garbage collection fee plea
Attachments: MCC Garbage Case-Pleadings-4-15.doc

----- Original Message -----

From: D2ogg1@aol.com

Sent: Wednesday, April 15, 2009 4:27 PM
Subject: (no subject)

The attached pleading was filed with the Court today. It directly addresses the garbage collection fee.

Doug

Douglas M. Grimes, P.C.
6941 Ironwood Avenue
Gary, IN 46403-1216
219-939-9511
d2ogg1@aol.com

NOTICE: This message is from the law office of Douglas M. Grimes, P.C. The information contained in this electronic mail transmission and any attachments may contain legally privileged or confidential information and may be protected by legal privilege. This message is intended only for the individual or entity to which it is directed. If you are not the addressee, or if this message has been addressed to you in error, you are not authorized to use, read, copy or distribute this message and any attachments, and we ask that you please immediately delete this message and attachments (including all copies), and notify the sender by return e-mail or telephone at 219-939-9511 so that our records can be corrected. Delivery of this message and any attachments to any person other than the intended recipient is not intended in any way to waive confidentiality or privilege. All personal messages express views only of the sender, which are not to be attributed to Douglas M. Grimes, P.C. and may not be distributed or copied without this statement.

STATE OF INDIANA)	IN THE LAKE SUPERIOR COURT
) SS:	ROOM ONE
COUNTY OF LAKE)	SITTING AT HAMMOND, INDIANA

Thomas Eaton, et al,)	
)	
Plaintiffs,)	
)	
vs.)	Cause No. 45D01-0810-MI-031
)	
CITY OF GARY BY ITS MAYOR,)	
RUDY CLAY, Acting In His Capacity As)	
Mayor And Special Administrator)	
To The Gary Sanitary District, et al,)	
)	
Defendants.)	

VERIFIED MOTION FOR AN ORDER TO APPEAR AND SHOW CAUSE

Come now the plaintiffs, by individual plaintiff Thomas Eaton, by and through counsel undersigned, and move this Honorable Court to issue an Order To Show Cause why the defendants should not be punished for contempt of an Order of this Court. In support of its Motion, the plaintiff states as follows:

1. That this Court, on March 25, 2009, Ordered, by judicial decree, that the City of Gary is not permitted to collect any trash/waste collection fees unless and until an Ordinance imposing the fee is passed by the City of Gary Common Council
2. In its findings, contained in the March 25, 2009 Nunc Pro Tunc Order, the Court further found "3. That the defendant City of Gary by stipulation in its Motion to Dismiss, paragraph

three, that no fee will be collected until it is passed by the common council for the City of Gary.”

3. Therefore, the Court’s order prohibits, by permanent injunction, the billing of the residents of the City of Gary for the illegal waste hauling and disposal fees.
4. The City of Gary common council has not passed any ordinance regarding the imposition of a trash/waste collection fee.
5. Furthermore, the City of Gary is, in fact, charging and collecting the very trash/waste collection fees referenced in the Court’s Nunc Pro Tunc Order of March 25, 2009. (See Invoices attached as Exhibit A).
6. That the defendants, as of the date of this filing, have not followed the Court’s March 25, 2009 Nunc Pro Tunc Order, nor have the defendants petitioned this Court for a stay, as required by Ind. Trial Rule 62. Specifically, in order to stay the effectiveness of court ordered injunctive relief, an aggrieved party must follow the tenets of T.R. 62(C). The defendants have failed to so petition this Court.
7. Moreover, the residents of the City of Gary are being billed for the services performed under the illegal contract as part and parcel to their public utility (water) bills, and have been being so billed since January of 2009. (see Exhibit B). The City has made it abundantly clear that failure to pay the additional charges will result in a forced interruption of their water service. (See Exhibit B). Therefore, the roughly 22,000 households in the City of Gary will be forced to chose between paying an illegal bill and having potable water.

(REMAINDER OF PAGE INTENTIONALLY LEFT BLANK)

WHEREFORE, the plaintiff moves the Court for an Order requiring the defendants to appear and show cause why they should not be held in contempt for violating this Court's March 25, 2009 Nunc Pro Tunc Order.

Respectfully submitted,

John P. Reed
Attorney No. 20328-45
Abrahamson, Reed & Bills
200 Russell Street
Hammond, IN 46320
219-937-1500

Thomas D. Eaton
Thomas Eaton, Plaintiff

I swear or affirm, under the penalties of perjury that the foregoing statements are true and accurate to the best of my knowledge and belief.

Thomas D. Eaton
Thomas Eaton, Plaintiff

Russo, Stephanie

From: nglenn [nglenn@netnitco.net]
Sent: Wednesday, April 15, 2009 6:22 PM
To: Russo, Stephanie
Subject: Fw: Letter to IURC; Cease and desist order by IURC and IURC Press release
Attachments: IURCOrdertoGSD.pdf

Importance: High

----- Original Message -----

From: D2ogg1@aol.com

Sent: Wednesday, April 15, 2009 5:14 PM

Subject: Letter to IURC; Cease and desist order by IURC and IURC Press release

Exciting news. See attachments

Douglas M. Grimes, P.C.
6941 Ironwood Avenue
Gary, IN 46403-1216
219-939-9511
d2ogg1@aol.com

NOTICE: This message is from the law office of Douglas M. Grimes, P.C. The information contained in this electronic mail transmission and any attachments may contain legally privileged or confidential information and may be protected by legal privilege. This message is intended only for the individual or entity to which it is directed. If you are not the addressee, or if this message has been addressed to you in error, you are not authorized to use, read, copy or distribute this message and any attachments, and we ask that you please immediately delete this message and attachments (including all copies), and notify the sender by return e-mail or telephone at 219-939-9511 so that our records can be corrected. Delivery of this message and any attachments to any person other than the intended recipient is not intended in any way to waive confidentiality or privilege. All personal messages express views only of the sender, which are not to be attributed to Douglas M. Grimes, P.C. and may not be distributed or copied without this statement.

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE INDIANA UTILITY)
REGULATORY COMMISSION'S INVESTIGATION)
OF MATTERS RELATED TO THE DISCONNECTION)
OF CUSTOMERS BY INDIANA AMERICAN WATER,)
INC., FOR NON-PAYMENT OF COMBINED SEWER)
AND TRASH CHARGES PURSUANT TO CONTRACT)
WITH THE GARY SANITARY DISTRICT, PURSUANT)
TO INDIANA CODE §§ 8-1-2-1(A), 8-1-2-58, 8-1-2-69, 8-)
1-2-113, ET SEQ. AND I.C. § 36-9-25-11.5.)

CAUSE NO. 43668

EMERGENCY ORDER
OPENING INVESTIGATION

APPROVED: APR 15 2009

BY THE COMMISSION:

Jeffrey L. Golc, Commissioner
Lorraine Hitz-Bradley, Administrative Law Judge

Based on documentation received by the Indiana Utility Regulatory Commission ("Commission"), the Commission finds it appropriate to investigate the disconnection of customers for non-payment of combined sewer and trash services by Indiana American Water, Inc., ("Indiana American") pursuant to its contract with the Gary Sanitary District ("GSD").

1. **Commission Jurisdiction and Authority to Review.** Indiana American is engaged in the provision of water utility service to the public in numerous communities throughout the State of Indiana, including in and around the City of Gary, Indiana. As such, Indiana American is a public utility as that term is defined in Ind. Code § 8-1-2-1. Indiana American has contracted with GSD concerning the disconnection of customers for non-payment of sewer fees pursuant to I.C. § 36-9-25-11.5.

Ind. Code § 8-1-2-58 provides the Commission with broad authority to investigate public utilities:

Whenever the Commission shall believe...that an investigation of any matters relating to any public utility should for any reason be made, it may, on its own motion, summarily investigate the same, with or without notice.

Further, I.C. § 8-1-2-59 provides the Commission with authority to conduct a formal hearing of a matter it investigates. After such an investigation, the Commission may make such an order as to "fix just and reasonable measurements, regulations, acts, practices, or service to be furnished, imposed, observed, and followed in the future[.]" I.C. § 8-1-2-69.

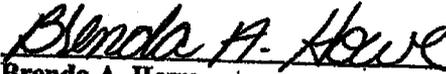
The Commission also may, when it considers it necessary to prevent injury to the business or interests of the people of the State of Indiana, issue an order that temporarily alters or amends existing rates, service, practices, schedules and orders affecting any public utility in the

5. This Order shall be effective on and after the date of its approval.

GOLC, LANDIS, SERVER, AND ZIEGNER CONCUR; HARDY ABSENT:

APPROVED: APR 15 2009

**I hereby certify that the above is a true
and correct copy of the Order as approved.**



**Brenda A. Howe
Secretary to the Commission**

ORIGINAL

STATE OF INDIANA

INDIANA UTILITY REGULATORY COMMISSION

IN THE MATTER OF THE INDIANA UTILITY)
REGULATORY COMMISSION'S INVESTIGATION)
OF MATTERS RELATED TO THE DISCONNECTION)
OF CUSTOMERS BY INDIANA AMERICAN WATER,)
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APPROVED: APR 15 2009

BY THE COMMISSION:

Jeffrey L. Golc, Commissioner
Lorraine Hitz-Bradley, Administrative Law Judge

Based on documentation received by the Indiana Utility Regulatory Commission ("Commission"), the Commission finds it appropriate to investigate the disconnection of customers for non-payment of combined sewer and trash services by Indiana American Water, Inc., ("Indiana American") pursuant to its contract with the Gary Sanitary District ("GSD").

1. **Commission Jurisdiction and Authority to Review.** Indiana American is engaged in the provision of water utility service to the public in numerous communities throughout the State of Indiana, including in and around the City of Gary, Indiana. As such, Indiana American is a public utility as that term is defined in Ind. Code § 8-1-2-1. Indiana American has contracted with GSD concerning the disconnection of customers for non-payment of sewer fees pursuant to I.C. § 36-9-25-11.5.

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Further, I.C. § 8-1-2-59 provides the Commission with authority to conduct a formal hearing of a matter it investigates. After such an investigation, the Commission may make such an order as to "fix just and reasonable measurements, regulations, acts, practices, or service to be furnished, imposed, observed, and followed in the future[.]" I.C. § 8-1-2-69.

The Commission also may, when it considers it necessary to prevent injury to the business or interests of the people of the State of Indiana, issue an order that temporarily alters or amends existing rates, service, practices, schedules and orders affecting any public utility in the

State pursuant to I.C. § 8-1-2-113. Accordingly, this Commission has jurisdiction over Indiana American and the subject matter of this proceeding.

2. **Background.** The Commission received information regarding charges imposed by the GSD for trash and sewer service, and subsequent disconnection of customers by Indiana American for non-payment of those charges. GSD issues a single bill charging consumers for both trash collection and sanitary sewer services, which states prominently that "PAYMENTS ARE APPLIED FIRST TO TRASH COLLECTION FEE AND THEN SANITARY FEE." GSD has contracted with Indiana American, pursuant to I.C. § 36-9-25-11.5, for the disconnection of customers who are delinquent on their sewer bills. Indiana American does not perform the billing function for GSD; Indiana American receives a list of customers to be disconnected from GSD without reference to the service for which payment is delinquent. As a consequence, there is a concern that Indiana American performs customer shut-off based upon any non-payment to GSD, regardless of whether that non-payment is limited to sewer fees.

3. **Inception of Investigation.** Where a municipality has contracted with another utility to perform disconnections, the statute allows for disconnection of a customer upon non-payment of sewer charges, but does not authorize disconnection for non-payment of other, unrelated charges. I.C. § 36-9-25-11.5. The Commission must therefore ensure that any disconnection activity is limited to disconnection for non-payment of sewer services under I.C. § 36-9-25-11.5.

The Commission hereby finds it appropriate to initiate an investigation to review the potential disconnection by Indiana American of GSD sewer customers for non-payment of trash fees. Due to the potential for "injury to the business or interests of the people", the Commission hereby invokes I.C. § 8-1-2-113 to temporarily "alter [or] amend" actions by Indiana American, and orders Indiana American to cease the disconnection of GSD sewer customers until further inquiry by, and Order of, the Commission.

IT IS THEREFORE ORDERED BY THE INDIANA UTILITY REGULATORY COMMISSION that:

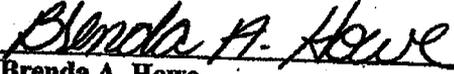
1. An investigation into matters related to the disconnection of customers of Gary Sanitary District by Indiana American Water, Inc. is hereby commenced.
2. Indiana American Water shall immediately cease disconnection of Gary Sanitary District customers until further Order of this Commission.
3. A Prehearing Conference is hereby scheduled in this Cause for May 4, 2009, at 10:00 a.m. EDT in Room 222 of the National City Center, 101 West Washington Street, Indianapolis, Indiana.
4. This Order constitutes Notice of Matters under Investigation pursuant to I.C. § 8-1-2-59.

5. This Order shall be effective on and after the date of its approval.

GOLC, LANDIS, SERVER, AND ZIEGNER CONCUR; HARDY ABSENT:

APPROVED: APR 15 2009

**I hereby certify that the above is a true
and correct copy of the Order as approved.**



**Brenda A. Howe
Secretary to the Commission**

Russo, Stephanie

From: AYoung7550@aol.com
Sent: Wednesday, April 15, 2009 8:51 PM
To: Russo, Stephanie
Subject: Fwd: DUAB - \$ to Gary, IN
Attachments: Fwd: DUAB - \$ to Gary, IN

Great deals on Dell's most popular laptops – Starting at \$479

Russo, Stephanie

From: rwy22n@aim.com
Sent: Wednesday, April 15, 2009 4:07 PM
To: AYoung7550@aol.com
Subject: Fwd: DUAB - \$ to Gary, IN

-----Original Message-----

From: Ted Prettyman <mcctedp@sbcglobal.net>
To: Bill Crawford <h98@in.gov>
Cc: George Rogge <george@roggeinsurance.com>; Gene Ayers <gene@millerbeach.com>; Tom Eaton <mceaton@aol.com>; Chester Dobis <h13@in.gov>; Douglas Grimes <d2ogg1@aol.com>; Travis & Dehue Marshall <dehue@comcast.net>; Maria Sanchez <maria_d_sanchez@hotmail.com>; Fay Braun <crellsmom@aol.com>; Janis Moore <jkmoore12@sbcglobal.net>; Nat McKnight <rwy22n@aol.com>; Wendy Prettyman <wprettyman@sbcglobal.net>; Jim Premeske <cwo4mrp@yahoo.com>; George Janiec <gjaniec@sbcglobal.net>; Larry Blanchard <blanclx@lakecountyin.org>; Christine Cid <cidcx@lakecountyin.org>
Sent: Wed, 15 Apr 2009 10:22 am
Subject: Fw: DUAB - \$ to Gary, IN

Representative Bill Crawford:

It's clear that you do not understand that it's the chronic paucity of political leadership, not money, that constitutes the major problem plaguing our city (Re: Post Tribune, Wednesday April 15, 2009). Any money sent to the city at this point would simply disappear into the abyss of politicians' and their associates' bank accounts with little or not profit to the citizens.

All of Lake County is so "balkanized" that impenetrable turfs exist everywhere and make it nearly impossible to accomplish anything. That is particularly true of Gary, IN. With the 9,000 units of property owned by various departments of the City; the so-called Economic Development Commission continuing to amass property, and doing little or nothing with it, the question arises, "What good would more money do when there are no examples of prudent stewardship of existing funds apparent?"

Some 13,000 properties in the city produce no tax revenue to the various taxing districts (of which there are **many**). At last count 1 in 8 houses in Gary are listed as abandoned. Additional taxes, as suggested by some political savants, would only drive away the **few existing** busiessses we have remaining. Other examples abound.

Bankruptcy and de-certification have emerged as legitimate alternatives to providing additional funds pilfered away.

Our salvation must come from without the area. It's clear that we lack the will and the resolve to help ourselves. Locally good people have exerted considerable effort to improve our situation, only to be met with stonewalling and inaction. We have filed law suits and, while some have worked, they cost the citizens additional monies which many simply cannot afford. And in truth they are nothing more than additional taxes - by whatever other name you wish to apply.

I agreed with the other email, "What are you thinking?"

Ted Prettyman

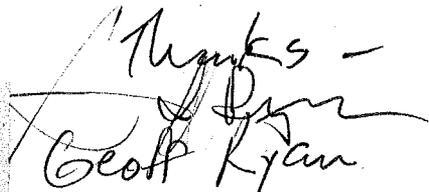
8000 Oak Avenue
Gary, Indiana 46403
219.938.1214

Great deals on Dell's most popular laptops - Starting at \$479

To: Stephanie N. Russo
Ind. Ofc of Mgt & Budget

2 23 09

I write today to ask you to hold firm on the property tax caps. Its the only way we can encourage the smart gov initiative in Lake county. We can only hope they become permanent. My city is ready for reform - this is our chance.

Thanks -

Geoff Ryan
8625 Pine Av
Gary In 46403

Im sorry; this is just so over the top I give up. Wednesday, April 15, 2009 A5
State must take over Gary.

Gary Sanitary District gives Clay 75% pay raise

By JON SEIDEL
Post-Tribune staff writer

GARY — Mayor Rudy Clay's 75 percent pay raise at the Gary Sanitary District became official Tuesday night.

The mayor is now set to make \$54,075 as GSD's special administrator this year. He was originally budgeted to make \$30,888.

Clay also expects to receive \$88,021 for his work as mayor, according to a copy of the city's budget, bringing his total potential gross to \$142,096.

The 2009 GSD salary budget was adjusted by the Sanitary District's board of commissioners in a 4-0 vote.

According to the resolution approved by the board, the adjustment was prompted by a payroll error discovered by the Indiana State Board of Accounts.

In an audit of 2007 spending,

the State Board of Accounts found that Clay was underpaid by \$21,837 as special administrator. A Board of Accounts official has said that number was valid as of Dec. 31, 2007, and he declined to comment on further compensation to Clay.

The mayor received \$57,980 in back-pay in December as a result of the Board of Accounts' finding.

"I didn't ask anybody to look into it for me," Clay said last month. "I really didn't care. The State Board of Accounts stated that this should happen."

According to Tuesday's resolution, the time during which a payroll adjustment was required was "during the period of November through December 2008."

After the meeting, Sanitary District Director Luci Horton said the resolution "speaks for itself."

Russo, Stephanie

From: nglenn [nglenn@netnitco.net]
Sent: Saturday, April 18, 2009 10:36 PM
To: Russo, Stephanie
Subject: Fw: PT article this morning

----- Original Message -----

From: Barb Hansen
To: 'nglenn'
Sent: Friday, April 17, 2009 5:23 AM
Subject: PT article this morning

Quite an interesting article this morning. We need to keep a close eye on this deal.

Mayor on board plan to give up casino license

Recommend
Comments

April 17, 2009
By John Byrne

Post-Tribune staff writer

INDIANAPOLIS -- A land-based casino near the Borman Expressway and a four-year medical school for Indiana University Northwest are prizes lucrative enough to Gary to convince Mayor Rudy Clay to consider relinquishing the city's second casino license.

On Thursday, Clay met with state lawmakers and Don Barden, owner of the Majestic Star I and II casinos in Gary, about ongoing negotiations to reshape the city's gambling landscape.

Clay had been concerned lawmakers were moving too quickly with a late session push to shift one casino within the city and possibly move the other to a location elsewhere in the state.

But after meeting Thursday with Sen. Earline Rogers, D-Gary, the mayor said the two are now "on the same wavelength," at least as far as the possibility of moving a casino south from the lakefront to the Borman is concerned.

"A land-based casino, combined with a four-year medical school for IUN, would be a huge boon for the city of Gary, generating thousands of jobs," Clay said.

A land-based casino in Gary would be the first of its kind in the state, and would require a change in the laws governing gambling facilities.

The move currently isn't part of any legislation the General Assembly is considering, with less than two weeks left in the legislative session.

But legislators confirmed this week that discussions are under way concerning both of Gary's gambling licenses.

Clay said there are still many variables regarding moving Gary's other casino license from the city.

Fort Wayne has been mentioned as a potential suitor, but Clay pointed out officials there want to hold a referendum on gambling in Allen County before agreeing to anything.

"I don't want to get too far ahead of the line on that part," Clay said.

But if a strong enough deal can be worked out with another city, "we'll know it when we see it," Clay said.

House Speaker Patrick Bauer took a dim view of the prospects for any deals involving Gary's casinos prior to the General Assembly's April 29 deadline for action.

Speaking at a Thursday news conference, Bauer, D-South Bend, noted that a relatively modest plan to stop taxing casino gambling coupons temporarily died in the Senate this year.

"And we're going to go from there, that minor change in taxation, to a whole new casino?" he asked.



GARY COMMON COUNCIL

City of Gary

Ronier L. Scott

6th District Councilman

April 16, 2009

Ryan Kitchell, Director
Office of Management & Budget
200 W. Washington Street, Room 212
Indianapolis, Indiana 46204

Dear Mr. Kitchell:

As President of the Gary Common Council, I am requesting on behalf of my colleagues that we are informed and updated on the status and discussion of meetings concerning the City of Gary with the Distressed Unit Appeal Board.

At that time, we will have representatives from our body available to attend those meetings. We look forward to hearing from your agency as it relates to the City of Gary.

Thank you for your consideration.

Sincerely yours,

Ronier L. Scott, President
Gary Common Council

RLS/vw

Gary Sanitary District gives Clay 75% pay raise

By JON SEIDEL

Post-Tribune staff writer

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