

REGULAR MEETING - JUNE 5, 2000

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday, June 5, 2000, at the hour of 9:00 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City, Indiana - a regular meeting room of this Board.

The meeting was called to order by Anthony Metzcus, who presided.

Noted Present: Mayor Sheila Brillson, Anthony Metzcus, and City Controller Charles Oberlie (3).

Absent: None (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Department of Water Works Superintendent Randy Russell
Sanitary District Assistant Manager Al Walus
Traffic Department Cpl. Al Green
Emergency Management Director Don Siddall
City Engineer Boyd Phelps
City Planner John Pugh
Deputy City Attorney John Espar
Central Services Superintendent Jim Elwell
Street Department Foreman Terry Farmer
Sanitary District Superintendent Jim McCarty
Vector Control Director Dave Morlan
Fire Chief Ralph Martin
Deputy Fire Chief C. J. Neulieb
Deputy Fire Chief Mark Donaldson
Clerk Thomas Fedder
Deputy Clerk Pat Larsen

Deborah Sederburg, News Dispatch

First Ward Councilman Chuck Lungren

APPROVAL OF MINUTES

Mayor Brillson moved the minutes of the Regular Meeting of May 15, 2000, be approved as printed. The motion was seconded by Mr. Oberlie and carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

TRAFFIC STUDY REQUEST

Mark Espar, 1501 Washington Street, requested study of Washington Street near Ann and Ripley Streets, with goal of FOUR WAY stops. Referred to Planning and Traffic.

Mr. Pugh and Cpl. Green made preliminary reports, using a diagram prepared by the Planning Department. Mr. Pugh said there hadn't been much change since a report made recently. No accidents were reported in 1999 or 2000. Visibility is clear; a 15 MPH WHEN CHILDREN PRESENT sign is posted. He saw no justification for a change at this time. Although there is a school at that intersection, it is well-marked.

Cpl. Green said speed checks do not show excessive speeding in this area. The radar trailer showed the average speed of 35-37 MPH.

Mr. Pugh said they are scheduled to come back on August 7 on the entire length of Wabash and Washington Street. Mr. Oberlie moved to table the matter to the August 7 meeting when the Wabash corridor in its entirety is presented to the Board. Mayor Brillson seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

REQUEST FOR TREE REMOVAL

Councilman Charles Lungren requested removal of a tree at 606 Dickson Street.

Mr. Pugh said several City agencies looked at the situation and they have no problem with the removal of this tree. The homeowner has confirmed that he will build a sidewalk. The tree is starting to show signs of deterioration. Possibly, after removal, the Tree Board could assist in replacing the tree for him.

Mr. Walus said a check of the records shows no problems at this address. He said they have no recommendation. Mr. Lungren said the owner is hiring his own people to rout out the area.

Mayor Brillson moved the Board instruct the Street Department to look at the tree, decide whether the Street Department can remove it themselves or whether it needs to be contracted out, and then proceed with the job. Mr. Oberlie seconded the motion, which carried by the following vote: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

PARKING ON WABASH

Tom Wilson, 1303 Wabash, requested that parking be allowed only on east side between Eleventh and Williams Streets. Referred to Traffic, Planning, and Engineering.

Mr. Phelps said the street is too narrow, according to the manual, to allow parking on both sides. Another problem is that the street is not striped and no one knows where the center line is. He recommended eliminating parking on the west side, especially in the one block just south of Eleventh Street, and striping of the entire street.

Speaking from the public were Terry Beckinger (owner of 1101 and 1107 Wabash), Sue Warnke (1223 Wabash), Tom Wilson (1303 Wabash), Flossie McNally (1307 Wabash), and Councilman Lungren.

Mayor Brillson moved to grant the request and eliminate parking on the west side of Wabash Street from Eleventh Street to Williams Street, that the Street Department check to be sure signage is correct, and that the street be striped from Eleventh Street to Barker Avenue. Mr. Oberlie seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

STREET LIGHT TIMING

Norman Chinski, 627 Tremont, complained that traffic light on Ripley Street at Franklin (going east and west) is too short. Referred to Traffic and Planning.

Mr. Pugh said they looked at this and found no problem with the light. It is a part of the new street light system which allows parking to move more freely on Franklin. He suggested laying the matter over so they could monitor it and call the design engineer to have him check this and other intersections.

Cpl. Green stated he talked to Mr. Chinski several times and contacted Midwest Electric. They checked the lights and found a problem the second time and corrected it. Mr. Chinski has been notified.

NO PARKING SIGN REMOVAL

Martha Leatherman, 3919 Jackson Street, complained of NO PARKING sign recently placed in front of her home. Referred to Traffic, Planning, and Street Departments.

Mr. Pugh said they found this sign was illegally placed and the Street Department removed it; he thanked Mr. Farmer for his prompt response. Mr. Farmer and Cpl. Green both advised Mrs. Leatherman.

SIDEWALKS

Mr. Reeves, 315 East Tenth Street, requested replacement or repair of sidewalks at 11th and Cedar Streets, done under Sidewalk Program - alleging poor concrete. Referred to Engineering and Planning.

Mr. Phelps reported that Mr. Deutscher has agreed it was inferior concrete and will replace it this year. Mr. Reeves has been informed.

CONTRACTS TO BE EXECUTED

Crowe Chizek - Consulting and Financial Advisory Services for North End Redevelopment Area

Mr. Oberlie explained the contract (the funds will come out of the Boyd Fund - extra dollars negotiated specifically for economic analysis and planning) and moved for its execution, seconded by Mayor Brillson. The motion carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

Catalyst Marking Innovations LLC - Web Site Design and Maintenance Agreement

Mr. Oberlie and Mayor Brillson explained the contract. Mrs. Brillson moved, seconded by Mr. Oberlie, that the contract be executed. The motion carried by the following vote: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

A. K. SMITH PROJECT

Transfer of property to school building trades council.

Mayor Brillson advised that she and Mr. Pugh have been working with the A. K. Smith Center to try to find a piece of City-owned property to be donated for construction of a house by the building trades classes. This would be another example of good partnership between the City and the schools.

Mr. Pugh reported that there are several City-owned lots on Meer Road and a full title search confirmed the City does indeed own those lots. The Building Trades Council was going to select one.

Mayor Brillson moved to table this to the next meeting, with Mr. Pugh to contact the A. K. Smith Center to select a lot, and authorize the Attorney's office to proceed with appraisals (it may require Council action, depending on the value of the property). Mr. Metzcus seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

EXTRAS TO JOB

Midwest Construction Services, Inc.
GAF Plant - Railroad Track Construction \$22,718.15

Mr. Oberlie explained the matter, said the change order has been approved by the Engineer on site (employed by GAF) and GAF has been informed of the change order. These costs are their costs; there are no local dollars in this project. He moved to approve, seconded by Mayor Brillson. The motion carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

CHANGE ORDER

Gariup Construction - Operations Center Building \$40,724.63

Mr. Oberlie explained the change order and moved to approve. Mayor Brillson seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

SPEEDING ON CARROLL AVENUE

Sara Raymer, owner, Toddle Town Daycare Center, wrote on May 23, 2000, as follows:

I am writing to bring your attention to the serious problem of speeders on Carroll Avenue.

I am the owner/operator of the state-licensed Toddle Town Daycare Center at 519 South Carroll Avenue. On any given day I have between six and ten toddlers under my supervision.

While the heavy traffic on Carroll Avenue is bothersome, the *speed* of the cars is a greater concern not only to myself but also to the parents of the children. There have been several close calls of cars almost being rear-ended while waiting to turn left into our driveway and of parents having difficulty turning in either direction when exiting the driveway.

The 30-mph speed limit on this street is a joke. It is never enforced and is routinely ignored by many of the drivers on this street. While there is a stop sign at the intersections at Greenwood and at Carroll Avenue, there is not one on Carroll at the intersection with Barker Avenue. This gives drivers a straight shot down Carroll Avenue at excessive speeds past the daycare center, creating a very dangerous situation.

To mitigate this problem, I am requesting that the city install stop signs on Carroll Avenue at the Barker Avenue intersection. This will slow the cars passing Toddle Town, and ease the difficulty of cars accessing the driveway.

I am confident you share the same concern for the children's safety as do I, and will seriously consider implementing this request before there is a traffic accident, or worse, a child is injured. I invite you to observe the driving habits of the motorists on Carroll Avenue and see for yourself the depth of my concern. Feel free to contact me at 219-878-9839 should you have any questions or need further information.

Thank you for your consideration and speedy resolution of this dangerous situation.

The matter was referred to Traffic, Planning, and Engineering, to be reported back at the next meeting.

FORM APPROVAL

Demolition Request Form submitted by Planning Department for review and information.

Mr. Pugh stated that Mr. Plencner has developed the form in order to speed up the demolition process. He also enclosed an update on demolitions this year - those in process and those completed. He intends to transmit the information weekly to keep the Board informed.

Mayor Brillson requested that Mr. Plencner attend all Board of Works meetings to give an update on demolitions.

Mr. Oberlie said that, in the section for Heating/Electrical/Plumbing, all of these should be separate and that it go into detail concerning failures of the systems. Under remarks, the department should limit itself to providing analysis of the structural aspects, which is what the Board is pursuing - not the examples shown.

There was further discussion of the reasons for delays in bringing demolition requests to the Board.

Mr. Oberlie requested that, when the reports come in, the Board would like to see the chronological file on the property in its entirety, from date of first notice.

Mr. Espar suggested that, under remarks, the department expand upon it to direct attention to the condition which creates the immediate and urgent necessity to move in an expedited fashion.

412 LINCOLN AVENUE

Mr. Pugh reported that the bid on this property was awarded on May 5 to Wagoner Excavating. Mr. Wagoner has had surgery and the demolition will be delayed. They are attempting to get in touch with him to see when he can come back.

Mr. Oberlie moved to authorize the Inspection Department to proceed with the next bidder in the demolition of 412 Lincoln Avenue and that the bid documents from Wagoner be referred to the Attorney's Office for pursuing as security. Mayor Brillson seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

PARADE APPROVAL

David A. Squires, Officer in Charge, U. S. Postal Service, and Sharon Krick, Oncology Service Line Manager, St. Anthony Memorial Health Centers, wrote on May 23 as follows:

Requesting your permission for a Breast Cancer Awareness Parade to be held on June 23, 2000.

The parade will start at 3:30 p.m. at St. Anthony Memorial Health Center and travel north on Wabash Street to the Michigan City Post Office. It should take approximately 30 to 45 minutes. Expected numbers for the parade are 200 to 250 people, a post office vehicle, and hospital van.

The people in the parade will be wearing white T-shirts with the Breast Cancer Research stamp on the front. The public will be invited to participate and the first 200 people will receive a free T-shirt.

The purpose of the parade is to bring awareness to the issue of breast cancer, promote the Breast Cancer Research Stamp from the Postal Service, and promote the Open House on June 25th of the Breast Cancer Treatment Center of the St. Anthony Memorial Health Center.

Mr. Squires was present and reiterated his request, responding to questions from Board members. Cpl. Green said there should be no problem with this.

Mayor Brillson moved to approve the request, working with Traffic to make certain all of the walkers are safe. Mr. Oberlie seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).** They were urged to use the sidewalks as much as possible.

SHORTFALL OF FUNDS

The following letter was written by Randy Russell, Superintendent, Department of Water Works, on May 24, 2000.

This will confirm our discussion, whereby I will be asking the Board of Works consideration relating to the short fall of funds within Department of Water Works.

We are requesting the Board to cover the full cost of the Woodlawn Avenue/County Line Road water main project in the amount of \$468,155.00 out of the \$650,000.00 the Board has allocated for Year 2000 for improvements to our Grid System.

Based on the Department's estimate of labor, our portion of this total cost would be \$119,832.00.

Due to the commitments the Department has taken (i.e., engineering cost for the new Hitchcock Street Tank and our Phase II Improvement at the Plant), we currently do not have the funds available to cover the \$119,832.00 at this time.

As you are aware, the Department is seeking a rate increase, and once that has been approved by the Indiana Utility Regulatory Commission, we will be in a position to replenish our Improvement Fund, and also repay this \$119,832.00 back to the account, which will again be used for the other planned projects.

We would appreciate this consideration, so we can then continue to keep the other projects to be completed on schedule for the 2000 Year.

Mr. Russell was present and explained the request. Mr. Oberlie moved to accept the proposal by the Water Department to loan the project \$119,832.00, which would mean that the Leeds Avenue/Rogers/Golf View/Twin Roads would continue on schedule this Fall. Mayor Brillson seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

HANDICAPPED PARKING

George Rieger, Chairperson, Building and Grounds Committee, First Presbyterian Church, wrote as follows on May 25, 2000:

Upon unanimous resolution of the Session, the First Presbyterian Church requests that the City of Michigan City provide two additional handicapped parking spaces in front of the Church on the north side of Ninth Street. Please add the two new spaces just to the west of the current handicapped parking space, and on either side of the new handicapped curb ramp.

These two additional handicapped parking spaces would provide access to Church facilities for handicapped, elderly members. Please call me if you have any questions, or require a Church representative to present this request at a designated Board meeting.

Your expedited review and favorable action would be greatly appreciated.

Mr. Pugh said he and Mr. Phelps had looked at this. There are presently two handicapped spots and probably is room for one more. They had no objection to adding an additional space.

Mayor Brillson moved to accept Mr. Pugh's recommendation that there is room for one additional handicapped space and instruct the Street Department to paint the area for one additional space, including striping the spaces. Mr. Oberlie seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

Mayor Brillson asked that Mr. Pugh call Mr. Rieger and inform him of the Board's decision.

NAVIGATIONAL SIGNS

Mayor Brillson has requested signage for those departing the city on Washington Street, advising how to get to Highway 421 and a sign on Wabash Street directing shoppers to 421 and I-94.

The matter was referred to Traffic, Planning, Engineering, and the Street Department, to be reported back at the July 17 meeting. The Board would like to see a map indicating proposed locations. Mr. Oberlie noted that we have a color-coordinated sign system put in place when Lighthouse Place was utilizing Sixth and Seventh as a corridor. We might want to complement that existing system rather than just going with standard signs.

STREET VACATION

Attorney Patrick Donoghue has submitted copy of petition by Marquette High School to vacate **Buffalo Street** between Ninth and Tenth Streets.

Mr. Oberlie moved that, if the street is vacated, we go back to a two-way flow on Buffalo between Eighth and Ninth Streets to minimize the impact on the residents of that street. Mayor Brillson seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

REMOVAL FROM INVENTORY

Don Siddall, Emergency Management Director, has submitted a request to remove from inventory and destroy old, obsolete radios and chargers.

Mr. Siddall reiterated his request; Mayor Brillson moved to grant the request, seconded by Mr. Oberlie. The motion carried by the following vote: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

PARKING REQUEST

John J. Stimley, 2102 Ohio Street, wrote on June 1, 2000, as follows:

This request is to ask the Board of Works to allow parking on Garfield Street. The building is one hundred years old, parking has always been there.

Mr. Siegel said if the Board gives us permission to park on Garfield, he will give me a building permit.

Mr. Pugh said they had looked at this location before. The right-of-way at this location runs from building to building (the 4 Stop Bar to this little shop. Both shops have posted unauthorized NO PARKING signs; we have notified them in the past to remove the signs. He said that, in his opinion, Mr. Stimley can have parking on Garfield. Mr. Pugh felt that Mr. Stimley should also provide off-street parking. Mr. Stimley was present. He said he would put three or four parking spaces behind the building.

Mayor Brillson moved to grant the request and that Mr. Stimley work with the Planning Department to be sure parallel parking is provided on the right-of-way, seconded by Mr. Oberlie. The motion carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

SIDEWALK PROGRAM

Mr. Phelps requested the Board set letting and receiving dates for this year's sidewalk program. Mayor Brillson moved that the first meeting in July be held at 9:00 a.m., July 5, and that we receive bids at that meeting for the sidewalk program. Mr. Oberlie seconded the motion and the following Resolution was approved by the Board by the following vote: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

RESOLUTION NO. 2735

A RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS FOR THE 2000 SIDEWALK PROJECT FOR THE CITY OF MICHIGAN CITY, INDIANA

BE IT RESOLVED by the Board of Public Works and Safety of the City of Michigan City, Indiana, that said City solicit bids for the **2000 Sidewalk Project** for the City of Michigan City, in accordance with specifications on file in the office of the Clerk of the City.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause a notice to be published once each week for two consecutive weeks in the News-Dispatch, a daily newspaper of general circulation published in Michigan City, notifying the public that said Board will receive sealed bids for said **2000 Sidewalk Project** until the hour of 9:00 a.m. local time, on the 5th day of July, 2000, at the Clerk's Office, located in the City Hall building, 100 East Michigan Boulevard, Michigan City, IN 46360.

All bids shall be submitted on the prescribed forms which may be obtained from the Office of the City Clerk. Each bidder shall be required to file with each bid a certified check or bidder's bond in the amount of \$200.00. A certified check shall be filed with each bid by a bidder not having his principal place of business in Indiana.

Bidders will be required to comply with the Michigan City Equal Employment Opportunity Program in order for the Owner to consider their bid. The Owner will forward all Bidders' Equal Opportunity bid packages to the Equal Employment Opportunity Officer.

The Board of Public Works and Safety herewith reserves the right to waive any formality, informality, or irregularity in any bid or bids received and to reject any and all bids received.

INTRODUCED BY: */s/ Charles E. Oberlie*

711 FRANKLIN SQUARE

Mr. Pugh reported that there have been repeated complaints about the bad roof and fallen debris on this building. It is owned by Park Place Investment, who intend to replace the roof, do interior clean-out, and remove debris. They asked that a dumpster be placed in the alleyway off Franklin Square. The matter of the dumpster was referred to Mr. Phelps, who issues the permits.

CLEVELAND AVENUE

Mr. Pugh reported that the project will be completed on June 30. They are on schedule and making good time.

Mr. Pugh then reported, concerning the Cleveland Avenue traffic study, that detailed studies would not be done until September or October. Mr. Fehribach, of A & F Engineering, would be brought up to do support services. We will continue to monitor speeds with the Police Traffic Division. They do not perceive any problems at this time. Mayor Brillson requested, that since school is up at the end of the week, a counter be placed the remainder of the week and then again in the Fall.

Diane Grams, 702 Garrettson, Chairman of Greater Edgewood Neighborhood Association, felt that we did not need to wait until September for figures because we have figures from when school was let out last year. She said they have noticed problems with traffic since the extension was opened. She asked when a full report would be available. September/October was the target date.

Ms. Grams asked for some solution to the fact that there are no sidewalks along Cleveland Avenue, such as a pedestrian/bike path. Mr. Pugh, Mr. Phelps, and Traffic were asked to look at the area and report back at the next meeting.

MILLENNIUM PLAZA

Mayor Brillson gave an update. She said it is 96% completed. The benches will be turned to face the Creek. A ribbon-cutting will be held in July, when engraved bricks come. In the meantime, the public is able to access the plaza, although there are still guard rails to be placed.

Mrs. Brillson informed Traffic that there have been rollerbladers. She felt that, because it is close to the Creek, we make sure to monitor the plaza so that use is safe and family-oriented. Mr. Oberlie suggested placement of a sign prohibiting roller blades and skate boards. Mrs. Brillson moved to instruct the Street Department to work with her in forming appropriate language (safety) for signs on an interim basis. Mr. Oberlie seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

KARWICK ROAD NATURE PARK

Mayor Brillson reported on the status. This is a partnership between the Michigan City Area Schools, the Park Department, and other entities.

CLAIMS AND PAYROLL

Mayor Brillson moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

The Board signed: Payroll Items in Register of Claims for informational purposes (which Register is in the possession of the City Controller) as follows:

No.	Date	Amount
409	5-15-00	\$1,081.01
410	5-15-00	\$813.29
411	5-15-00	\$61,438.22
413	5-16-00	\$440,890.76
414	5-17-00	\$3,659.73
415	5-22-00	\$117.00
416	5-26-00	\$203,556.33
417	5-26-00	\$1,081.01
418	5-31-00	\$454,352.40
419	5-30-00	\$60,615.63
420	5-30-00	\$1,135.47
421	5-31-00	\$966.40
422	5-30-00	\$28,161.55
		\$1,257,868.80

Allowance of claims as set forth in the Register of Claims as follows:

Page	Date	Amount
1 of 1	5-12-00	\$338,942.89
1 of 1	5-17-00	\$24,973.61
2 of 2	5-17-00	\$262,653.85
2 of 2	5-25-00	\$680,935.99
1 of 1	6-2-00	\$22,933.09
2 of 2	6-2-00	\$324,954.02
4 of 4	6-2-00	\$60,356.50
		\$1,715,749.95

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, declared the meeting ADJOURNED (approximately 10:40 a.m.).

Thomas F. Fedder, City Clerk