

SPECIAL MEETING - DECEMBER 28, 2001

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in SPECIAL SESSION on Friday morning, December 28, 2001, 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:

City Attorney John Espar, Board Counsel
City Planner John Pugh
City Engineer Boyd Phelps
Fire Chief Ralph Martin
Deputy Fire Chief John Hardacker
Traffic Commander Cpl. Al Green
Economic Development Director Tony Rodriguez
City Clerk Thomas Fedder
Assistant Deputy Clerk Carla Adams

APPROVAL OF MINUTES

Mr. Oberlie moved the minutes of the Regular Meeting of December 17, 2001, be approved as printed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

INSURANCE ISSUES

Mike Miley, Gibson Insurance Group, appeared once again to discuss insurance matters. He explained he went back to the two agencies and asked for clarification of various issues. After having received their responses, he recommended the City of Michigan City move their insurance to General Insurance Agency, using ACE USA as the primary carrier.

Mr. Miley stated that the terrorism exclusion would be applied only to general liability; it would not apply to property coverage. There would be no terrorism exclusion on the St. Paul policy. He explained other criteria that led him to recommending General Insurance Agency.

Mr. Miley addressed the issue of workers compensation insurance; only one quote was received – from the expiring carrier, IPEP. It was a good quote at the market price today and he recommended continuing coverage with them.

Concerning the blanket bond, Mr. Miley encouraged increasing the money and securities coverage to \$200,000 and the employee dishonesty coverage to \$500,000 – the additional premium should not be very expensive.

Mayor Brillson moved to accept the recommendation of the consultant, move our coverage to General Insurance and ACE USA, and empower Mr. Miley to contact the agency, making sure that all of the appropriate documents are thoroughly reviewed and carried forth; also including IPEP for workmans comp. Mr. Oberlie seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

AWARDING OF DEMOLITION BIDS

915 East Michigan Boulevard – Hezkiah Bush, owner

Lake side Construction Company, Inc., LaPorte,	\$12,500.00
Woodruff & Sons, Inc., Michigan City	20,494.00
Wagoner Excavating, LaPorte	16,895.00
Andy Salat Excavating & Construction, Michigan City	13,500.00
G. E. Marshall, Inc., Valparaiso	16,400.00

Mr. Pugh stated that the Planning Department recommended awarding the bid to the low bidder - Lakeside Construction Company, Inc., LaPorte, at \$12,500.00. Mr. Metzcus noted that the bids have been reviewed by EEO and found in compliance.

Mr. Oberlie moved to accept the recommendation, seconded by Mayor Brillson. The motion carried by the following vote: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

1021 West Ninth Street – Delmer A. Edlen, Jr., owner

Lakeside Construction Company, Inc.	\$15,500.00
Woodruff & Sons, Inc.	18,233.90
Wagoner Excavating	11,850.00
Andy Salat Excavating & Construction	12,500.00
G. E. Marshall, Inc.	12,000.00

Mr. Pugh recommended awarding the bid to Wagoner Excavating, the amount of \$11, 850.00. Mr. Oberlie moved to accept the recommendation, seconded by Mayor Brillson. The motion carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

1424 East Michigan Boulevard – Jerusalem Missionary Baptist Church, owner

Woodruff & Sons, Inc.	\$83,317.00
Wagoner Excavating	48,000.00
Andy Salat Excavating & Construction	69,750.00

Mr. Pugh said he spoke to Rev. Bogan; their preference is to allow the Church to do this demolition.

Rev. Bogan advised that the Church has signed a contract to do the demolition themselves; they said they found someone who would finance it if they went with Hooter’s Tree Service. They planned to begin demolition immediately – that day or the following day. Portions of the walls will be retained for new construction.

Mayor Brillson inquired of Mr. Pugh and Mr. Phelps what their opinion is of leaving the walls. Mr. Pugh said they would need an engineer’s report when they come in for building permits for the new construction. He is not sure the wall will survive demolition, but they are willing to allow the church to try. Mr. Phelps agreed. He thought the wall would collapse but stated they might be able to brace it.

Mr. Oberlie moved to reject the bids and return the security deposits. Mayor Brillson seconded the motion, which carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

At this time, Attorney Espar entered the meeting.

MEMORANDUM OF UNDERSTANDING - Between the Board of Public Works and Safety and the Michigan City Economic Development Corporation

Attorney Espar explained the change in the form of the memorandum of understanding, setting forth in greater detail the nature of the relationship and responsibilities between the two entities. The contract provides for consultation services to the City, including industrial recruiting and plant expansions, the primary objective of which is to retain jobs currently located in Michigan City, provide expansion opportunities to local industry that will result in more jobs to the City, recruit new industry to the City, resulting in an expanded tax base, and increase job opportunities for residents. An added project for the EDC to pursue is infrastructure development – efforts to return vacant, abandoned, depressed land and properties to economic vitality. It also includes tax abatement assistance to the City, promotions, advertising, etc. The maximum allowable claims to the City for services and consultation is \$50,000. The EDC will continue to reimburse the City by reduction of their submitted claims for telephone usage and postal usage. This is a one-year contract, starting January 1, 2002.

Mr. Rodriguez spoke to the contract. He said they have had tremendous success in the past. There has been a downward investment trend in 2001, but they are working aggressively with several manufacturers in town and with several companies considering major expansion into our area. They are paying close attention to the proposed 21st century tax plan put forward by the Governor’s office. Mayor Brillson, as chairman of the EDC, also spoke to the subject.

Kathy Ceperich, 419 Dewey Street, was concerned about the annual reports of the EDC, stating they only put forth the positive side of the issue, not listing the negative concerns. She said more of this information should be available to the public. She also questioned the hiring of the Mayor’s son by the EDC during the previous summer, citing a possible conflict of interest. Mayor Brillson responded. She especially cited the need for confidentiality. She said she would get Ms. Ceperich the requested information on jobs gained and lost.

Mr. Oberlie moved to execute the agreement, seconded by Mr. Metzcus. The motion carried as follows: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

RESOLUTION

Mr. Oberlie introduced the following Resolution,

RESOLUTION NO. **2756**

A RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS FOR THE PURCHASE OF MATERIALS AND SUPPLIES FOR THE CITY OF MICHIGAN CITY, INDIANA, FOR THE YEAR 2002

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 purchase of **MATERIALS AND SUPPLIES** 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 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 materials and supplies until the hour of 9:00 a.m., local time, on the 17th day of January, 2002, at its office located in the City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana.

All bids shall be submitted on prescribed forms which may be obtained from the Office of the City Clerk, containing the usual statutory noncollusion affidavit, and each bidder shall be required to file with each bid a certified check or bidder's bond in an 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. A bidder's bond shall be filed with each bid by a bidder having his principal place of business in Indiana.

Each bidder must submit a written affirmative action program with said bid, which program shall include specific goals and timetables for the employment and training of minorities and of lower-income residents of the project area. Each bidder must ensure that all employees and applicants for employment are not discriminated against because of race, creed, color, sex, or national origin.

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*

Mr. Oberlie explained that this is for gasoline, diesel fuel, cold and hot mix, crushed stone, and fine aggregate. The concrete work, paving work, and supply work is still being put together and will be done at a later time.

Mr. Oberlie moved to adopt the Resolution, seconded by Mayor Brillson. The motion carried by the following vote: **AYES: MEMBERS Brillson, Metzcus, and Oberlie (3). NAYS: None (0).**

APPROVAL OF ENCUMBRANCES

Mr. Oberlie said he would have this report at the first meeting in 2002.

FIRE DEPARTMENT

Chief Martin and Chief Hardacker presented and explained a written report on response times from the four new fire stations. Chief Martin also commented on the fire the previous evening at Southwind apartments and noted that they had learned from the previous fire at that location and handled things in a much better manner.

Mayor Brillson, Mr. Metzcus, and Mr. Oberlie congratulated Chief Martin and his department for the progress made over the past few years and the implementation of the fire study

There was discussion of false alarms. Mr. Oberlie requested from the department a report to give the Board an idea of how many happened more than five times – then perhaps the Board could work with the Mayor and the Council and pursue something legislatively to address the problem.

JOBS FOR YOUTH

Ms. Ceperich inquired of the Mayor concerning jobs with the City for youth with possibility of growth. She was advised to check with Shelley Dunleavy on jobs and pay scales.

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
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697	12-20-01	\$1,118.83
698	12-26-01	\$461,210.89
699	12-26-01	\$2,326.80
700	12-27-01	\$206,824.03
701	12-20-01	\$13,906.02
702	12-21-01	\$29,044.28
703	12-21-01	\$62,512.70
		\$776,943.55

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

Page	Date	Amount
3 of 3	12-27-01	\$2,115,583.82
3 of 3	12-28-01	\$317,195.00
		\$2,432,778.82

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 9:35 a.m.).

Thomas F. Fedder, City Clerk