

# REGULAR MEETING - JULY 1, 2002

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, July 1, 2002, 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 and Anthony Metzcus (2).

**Absent:** Controller Charles Oberlie (1).

## A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Espar, City Attorney and Board Counsel  
Ron Plencner, Code Inspector  
Terry Farmer, Director, Street Department  
Cpl. Al Green, Traffic Commander  
John Pugh, City Planner  
Bill Phelps, City Engineer  
Mike Hoffman, Collection System Superintendent, Sanitary District  
Walter Gipson, Director, Municipal Coach  
Jim Elwell, Superintendent, Central Services  
Tom Fedder, City Clerk  
Pat Larsen, Deputy Clerk  
  
Richard Roderick, News-Dispatch  
Ron Miller, Radio Station WEFM

## APPROVAL OF MINUTES

Mayor Brillson moved the minutes of the Regular Meeting of June 17, 2002, and the Special Meetings of June 17, 2002, June 21, 2002, and June 24, 2002, be approved as printed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0).**

## AWARDING OF BIDS - Tree Removal

Bids received:

Jon's Tree Service, 1631 North 625 East, Michigan City	\$13,850.00
Superior Tree & Landscape, 9858 North Old Buffalo Road, LaPorte	10,425.00
Tony Woodruff & Son Services	26,300.00
A-1 Loggins Tree Services, 1620 East Michigan Boulevard, Michigan City	14,600.00
Knoll & Sons Tree Service, 1414 Ohio Street, Michigan City	20,275.00
The Tree Mann, Inc., 2367 North U. S. Highway 35, LaPorte	13,275.00

Mr. Metzcus noted that all of the bidders are EEO compliant.

Mr. Elwell recommended awarding the bid to the lowest bidder - Superior Tree & Landscape. Mayor Brillson moved to accept the recommendation and award the bid to Superior at \$10,425.00. The motion, seconded by Mr. Metzcus, carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0).**

## OPENING OF BIDS

One bid was received:

Midwest Transit Equipment, Inc., Kankakee, IL	\$96,478.73
---	-------------

Mayor Brillson moved to refer the bid to Mr. Gipson, Mr. Phelps, and Mr. Espar, to be reported back at the next meeting. The motion, seconded by Mr. Metzcus, carried by the following vote: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0).**

**DEMOLITION HEARING CONTINUANCE – 1321 Michigan Boulevard - Myong T. Choe F/K/A Myong T. Castillo**

This matter was continued from June 3 meeting. Mr. Plencner stated he had received no contact from anyone with interest in this property since that time. He recommended that bids for demolition be solicited.

Mayor Brillson moved to accept the recommendation, seconded by Mr. Metzcus. The motion carried by the following vote: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0).** Bids will be received at the August 5 meeting.

Mr. Metzcus, at the suggestion of Mr. Espar, moved to declare the building an unsafe structure and move ahead with demolition as soon as possible. Mayor Brillson seconded the motion, which carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0).**

**DEMOLITION REPORT**

Mr. Plencner gave the following report:

<b>Demolition - Status Report</b>	<b>Week Ending 6 - 28 - 2002</b>
1424 Michigan Blvd 127 E. 9 <sup>th</sup>	Demolition still on-going progress being made, will monitor until completed Waiting for performance bond and or letter of credit. Talked with owner and contractor, should have this week is what I'm told
216 W. 5 <sup>th</sup> 1321 Michigan Blvd	Demolition by owner about 90% completed, will monitor to insure compliance Demolition hearing continued from June 3 <sup>rd</sup> meeting, had no contact with anyone holding interest in this property to date
637 N. Carroll 400 N. Karwick Rd.	Board of Works approved advertising for demolition bids, bids due July 15 <sup>th</sup> ( Old Fire Station ) Awaiting title work, preparing paper work for demolition hearing. Contacted owner, no response, property posted and secured
405 Gardena	Order title work preparing all paper work for demolition hearing, joint inspection with Health Dept. and Adult Protective Services. This property unfit for occupancy. Rehab not an option
<b>Demolition completed by City 2002</b>	
1027 W. 9 <sup>th</sup> 1021 W. 9 <sup>th</sup> 915 W. 9 <sup>th</sup> 1129 W. 9 <sup>th</sup> 1111 Garfield 312/317 White Oak	
<b>Demolition completed by property owners 2002</b>	
1017 W. 9 <sup>th</sup> 216 W. 5 <sup>th</sup>	Demolition by the Housing Authority

Concerning 127 East Ninth Street, Mayor Brillson moved to instruct the Clerk's office to contact the owners and request they appear at the next Board meeting to advise where they are in the process of renovation. Mr. Metzcus seconded the motion, which carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0).**

Mr. Plencner stated that, with reference to 504 North Woodland, the family is reviewing their options.

**FRANKLIN STREET PROJECT UPDATE**

Chuck Wildt (American Consulting, Inc.) gave an update on the project.

Ron Miller (Radio Station WEFM) and Richard Delco (2951 West 850 North) spoke and asked questions. Mr. Phelps gave the following response to a request from Mr. Delco at a previous meeting:

Subject: Response to Mr. Richard Delco's request to eliminate pods at intersections of Tillotson Ave. and May Ave. with Franklin St.

The pod at the southwest corner of Franklin and Tillotson needs to be maintained as designed. The elimination of this pod would not gain another parking space. The space would be too close to the east and west crosswalk and consequently would be a "No Parking" area.

The pod at the northwest corner of Franklin and May needs to be maintained as designed. The elimination of this pod would not gain another parking space. Although there will not be a marked east and west crosswalk at this point, the parking space when occupied would interfere with the sight distance for drivers turning onto Franklin from May and consequently would be a "No Parking" area.

There is ample space on the south side of Tillotson for angle parking.

The pods were designed not only as a safety feature, but also as a beautification facility for the rehabilitated Franklin Street Corridor. Contained within these pods at Tillotson and May will be an ornamental street light and landscape plantings consisting of Royal Beauty Cotoneasters, Princess Spireas and Pfizer Junipers.

Mr. Delco has also stated that because of the pods, snow plowing is more difficult and the curbs will be damaged. There are other pods along Franklin Street, other areas of the City and in other communities in the Midwest. The Street Department will naturally have to use caution when plowing these areas.

Mayor Brillson moved to accept Mr. Phelps' recommendation and continue with the project as designed. The motion, seconded by Mr. Metzcus, carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

#### **REQUEST TO BUILD MAIL/PAPER BOX**

Ronald L. Day, 3732 Lexington Road — Held over from June 3 meeting

Mr. Day was present to repeat his request.

Mr. Pugh stated the Planning Department does not recommend allowing this request. They are concerned with liability connected with a brick structure with a footing on the City right-of-way. This has not been allowed in the past. Mr. Phelps and Cpl. Green concurred.

Mayor Brillson moved to deny the request, seconded by Mr. Metzcus. The motion carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

John Nichols (701 Spring Street) complained of a structure on the right-of-way at 312 East Seventh Street - the Root Funeral Home. The matter was referred to Planning, Traffic, and Engineering.

#### **APPOINTMENT OF COORDINATOR**

Donald L. Babcock, Director, Energy Services, NIPSCO, wrote as follows on June 21, 2002:

RE: Tree Planting on Kentucky St.

Confirming our meeting yesterday with you and Bill Phelps. NIPSCO will follow through on our commitment to plant trees on the west side of Kentucky Street between 11th Street and Barker Avenue. Our plan is to plant clustered groupings of flowering crabapples of two varieties, 'sugar tyme' with white blossoms and 'prairie fire' with pink blossoms. We left a sketch at your office with the proposed 22 locations. Of course we will work with you on the exact placement and would like a confirmation on the actual number to be planted in the near future. NIPSCO will be covering the \$8000 expense. Planting will be in the spring of 2003 for optimum success.

Finally, we would really like to work with the City to coordinate this as part of the annual Arbor Day celebration. It would be great for example, if we could have a class of students, the boys or girls clubs, and local residents join us in the actual planting. We'd do all the heavy work... they could do some of the fill in or watering.

In closing, we look forward to working with you and Michigan City for many years to come... well beyond the items of our Customer Alliance Workshop.

The City is looking more beautiful every day!

Mayor Brillson moved that Kevin Kieft be appointed as coordinator of tree planting. The motion, seconded by Mr. Metzcus, carried by the following vote: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

#### **EXECUTION OF AGREEMENT**

Confirmation of Service Order - Exchange Dedicated Communication Services - Base Rate, Fractional DS1, DS1 and DS3 Services

This is an upgrade to services at the Police Station.

Mayor Brillson moved to approve the Service Order, seconded by Mr. Metzcus. The motion carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

#### **RUN/WALK**

Arnold Bos, President, Tower, Inc., wrote on June 25, 2002, as follows:

The Tower organization would like to be on the agenda for the Board of Works meeting to be held on July 1, 2002. Due to work obligations, it will be appreciated if this request could be placed at the beginning of the agenda. We will ask for permission to use approximately a mile of Lakeshore Drive for a 5K and 10K **Tower Run/Walk**. The area needed will begin at the Sheridan Beach boardwalk and end at the Millennium Park.

The race will take place at 8:00 a.m. Saturday, August 3, 2002. The 5K race will begin on the beach near the Washington Park parking lot one, and head east to the Sheridan Beach boardwalk. The runners will run across the boardwalk to Lakeshore Drive then head west to the WPA Tower going against traffic. They will climb to and around the tower, if possible, back down, cross Lakeshore Drive, and head east through Fedder's Alley to the farthest trail

leading to the beach. Once on the beach, they will head west to the finish. The 10K race will be basically the same route while adding the Beachwalk area, around Kai Lake, back to Lakeshore Drive, to Millennium Park, Lighthouse Museum, around the Yacht Club, back through Washington Park, through Fedder's Alley, and West to the finish on the beach.

Traffic will need to be stopped while runners cross Lakeshore Drive at the boardwalk, if allowed to use the tower, when they come down from the tower to get onto the sidewalk, and by the Monument at the entrance to Millennium Park.

We requested and were granted permission from the Park & Recreation Dept. and Port Authority. We are requesting permission from the Michigan City Police Dept. as well. We would like your cooperation again this year to make the **10th year for the Tower Run/Walk** a success.

This year the race will be coordinated with the Elston Class of 1992 Reunion Committee.

Mr. Bos was present to answer questions. He explained the proceeds would go to their educational fund (grants to teachers and a college scholarship) and answered questions from Mr. Espar concerning safety issues of the run/walk.

Cpl. Green said they have had no problems with this in the past.

Mayor Brillson moved to approve the request, seconded by Mr. Metzcus. The motion carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

### **BLOCK PARTY REQUESTS**

Ron and Jeanne Schoff, 101 Concord Drive, and Clem and Margaret Kniola, 110 Concord Drive, made the following request on June 18, 2002:

We hereby request permission to block Concord Drive at the North and South ends for our annual block party on August 25<sup>th</sup> from 3PM to 7PM.

Attached you will find a copy of the flyer to be delivered to the Concord Drive residents. This should explain our endeavor.

We appreciate your assistance and approval in this matter.

Cpl. Green said there have been no problems in the past. Mayor Brillson moved to approve. Mr. Metzcus seconded the motion, which carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

Terry Woodard and Leonardo Victory and Mrs. Moore request permission to close Grace and Walker and Woodland for Youth Appreciation Day, 8:00 a.m. to 4:00 p.m., Saturday, August 3, 2002.

We would like for you to give us permission to close Grace and Walker and Woodland for this special event (Youth Appreciation Day).

This event will start on Aug.3, 2002 at 8am to 4pm. Which will be on a Saturday.

Please read the information enclosed. We need a response by July 6, 2002. Thank you for your time and consideration.

#### **ATTACHMENT**

(Letter from MLK Executive Director Arthur Payne Jr., dated May 28, 2002)

The Martin Luther King Center in partnership with SHAKA-HAND MAKI FRIEND INC. is sponsoring a Back to School Block Party Aug. 3, 2002 from 8am to 4pm to bring a positive end to another summer in Michigan City and to set a positive tone as we move into another school year. "Youth Appreciation Day Celebration"!

Because the center has a mission of creating a city wide effort that benefit all the young people of Michigan City, there are times when we have to seek support from our friends in business.

We look to have 500 particpance to feed, yet we are keeping the menu simple: hot dogs, hamburgers, chips and drinks. If it is possible for you to assist us we would really appreciate and thank you in advance.

Terry Woodard and Leonard Victory are the MLK Ambassadors for this effort and will be calling on you for your help.

Thank you in advance for your for your assistance.

Mrs. Z. Faye Moore also wrote to request this street dosing.

Again, Cpl. Green said there have been no problems in the past. Mayor Brillson moved, seconded by Mr. Metzcus, to approve the request. The motion carried by the following vote: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

**CURB CUT REQUEST**

In a letter dated June 27, 2002, Cynthia J. Parr and Janet Stefano requested parking relief in front of 211 East Seventh Street as follows:

Whereas, my property lies between two other homes and has no garage, I am requesting in this proposal that you consider creating a Curb Cut in front of my property so that I could have a place to park.

In the past I was able to park in the empty lot across the street. Today, the new Social Security building exists there and the area around it is a "no parking zone". My own street in front of my house, is also a "no parking zone". Whereas, I have begun parking on the grass curb, I've now been told that it is illegal to do this. I hope you can understand my parking problem.

I have attached a few diagrams of the first suggested proposal, as well as two other suggestions that could be considered.

#1 Create a Curb cut in front of 211 E. 7h Street (similar to the curb cuts now in existence in many parts of the historical district)

#2 Allow the Public Works or Street Depart. To create a "runner cut" that would allow me to park on my property. This proposal would result in 1/2 of my porch being taken out and only the front part of the porch being repaired. I am not sure if this would meet with the guidelines of the Historic Board.

#3 Grant a Variance which would lift the parking zone on 11<sup>th</sup> Street, and allow local residence to park in front of their homes if they needed to.

Thank you for your consideration of my problem.

Mayor Brillson moved to refer this to Engineering, Planning, and Traffic, to be reported back at the July 15 meeting.

Mr. Nichols spoke against this request.

Mr. Metzcus seconded the motion, which carried as follows: **AYES: MEMBERS Brillson and Metzcus (2). NAYS: None (0)**

**MISCELLANEOUS**

William Baugher (1116 West Eighth Street) inquired concerning the condition of the South Shore track at Tennessee and Eleventh Streets. Cpl. Green responded that the South Shore will be redoing intersections by the end of the month, after the sewer work is out of the way.

Mr. Nichols spoke concerning the proposed Root Funeral Home expansion, saying that there will be insufficient parking in the area when the business is expanded. Mr. Pugh advised the Historic Review Board has approved the expansion; now it will come before the Plan Commission, where it will be reviewed. Parking is part of the review process. Mr. Nichols was encouraged to attend the Plan Commission meeting.

K. C. Jones (1419 West Eighth Street) complained of a fence being erected at the tot lot on the West side. He alleged the fence (railroad ties) is unsafe. Mayor Brillson said she had passed the complaint on to the Park Board and would take a look at it, herself.

**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 and Metzcus (2). 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
738	6-25-02	\$217,573.48
738-A	6-24-02	\$1,375.17
739	6-25-02	\$528,692.96
		\$747,641.61

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

Page	Date	Amount
6-28-02	2 of 2	\$3,296,661.86
6-28-02	3 of 3	\$524,035.25
		\$3,820,697.11

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 10:20 a.m.).

---

Thomas F. Fedder, City Clerk