

REGULAR MEETING - DECEMBER 18, 2006

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, December 18, 2006, 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: Anthony Metzcus, Mayor Charles Oberlie, and Controller John Schaefer (3).

Absent: None (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Pugh, City Planner
Bill Phelps, City Engineer
Tyler Tarpley, Code Inspector
Shelly Dunleavy, Personnel Director
Sgt. Mark Krauklis, Traffic Division
Charles Cate, Central Maintenance Superintendent
Jack Kahn, Street Director, Central Services
Jim Elwell, Superintendent
Sgt. Chris Yagelski, Police Department
Thomas Fedder, City Clerk
Gale Neulieb, Asst. Deputy City Clerk

Amanda Haverstick, News-Dispatch

APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of December 4, 2006, be approved as printed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0).**

STATUS REPORT

1214, 1224, 1226 E. Michigan Boulevard and 109 and 111 Combs Street - Vasilios and Trudy Karallas, owners

Tyler Tarpley, Code Inspector, wrote the following December 18, 2006:

There has been little progress made on 1214 Michigan Blvd. since the *Order to Repair* was issued approximately six weeks ago. I have contacted the owners multiple times and they have repeatedly assured me that the work would be completed in the required time.

Last week, the owner was working on the roof of the house and garage nearly every day. He is not making the type of progress that would allow him to finish the work in the allowed time but he is making much more progress than previous weeks. A fire occurred just over a week ago at 109 Combs. I spoke with the property manager two days after the fire and he was in the process of starting the claim with the insurance company.

Mr. Tarpley reported the status and condition of 111 Combs Street, 1214, 1224, 1226 E. Michigan Boulevard.

City Attorney John Espar advised if the *Order to Repair* is not completed at 1214 E. Michigan Blvd. with the exception of minor trim work, that the Board's position is going to be demolition. Attorney Espar stated that all of the properties will be up for demolition action at the same time. Mr. Tarpley stated he will send a certified letter to the owners advising them of the Board's decision.

Tyler Tarpley reported on the damages of the recent fire at 109 Combs Street. Mr. Tarpley and Mayor Oberlie discussed the status of the insurance claim, Mayor Oberlie advised Mr. Tarpley to set a deadline with the insurance company for plans and specification for repair and or demolition.

Debra Williams, owner of 1210 E. Michigan Boulevard, stated she agreed that there hasn't been much work done and that they wouldn't be able to finish in the sixty (60) day time frame. Mrs. Williams thanked the Board for moving so quickly on this matter.

David Spencer, 123 Vail Street commented on the fire at 109 Comb Street and the status and condition at 1214 E. Michigan Blvd.

910 Green Street - James and Millie Gast, owner

Tyler Tarpley, Code Inspector, wrote the following on December 15, 2006:

I have not been contacted by the owners with a schedule for completing the required work. This was required by today's meeting for the owners to receive a reprieve from demolition proceedings. I have attempted to contact them three times in the last week with no success.

Tyler Tarpley, Code Inspector, reported that he hasn't been able to contact the owners and no work has been done to the property. Mayor Oberlie and Mr Tarpley discussed the status and will award the bid for demolition at the December 28, 2006 Board meeting.

(Note: Demolition Hearing was held October 16, 2006.)

DEMOLITION HEARING**1011 Ohio Street - Donald Tracy, owner**

Tyler Tarpley, Code Inspector, wrote the following on December 15, 2006

The current condition of the house is as follows:

Foundation - foundation needs minor repairs
 Exterior walls - siding and trim is repairable
 Roof - Poor condition, interior is damaged by rain water
 Interior walls - fair condition, except where water or fire damaged
 Interior floors - fair condition, except where fire damaged
 Windows and doors - Many need replacement

The exterior of the house is in fair condition. The foundation appears to be in fair condition, but does need some repairs to maintain its integrity. The vinyl siding is newer but damaged in multiple areas; it can be repaired. The soffit and fascia can be salvaged but multiple areas need repair to become weather tight. Windows and doors that are not broken seem to be old but useable. The roof is in extremely poor condition, it appears to have four layers that are all bad.

The condition of the interior of the home is unsafe and uninhabitable. There is extensive fire damage in the kitchen with a large section of floor joists, flooring, and exterior wall destroyed. There is also significant water damage to the roof framing and stairs wall coverings.

Attached are approximate costs according to *Means Residential* estimating methods. The total cost of making repairs necessary for habitation with economy grade materials is \$74,514.

1011 Ohio Estimate

EXTERIOR Item		Materials		Labor	
		Quantity	Unit price Total	Unit price	Total
Soffit and Fascia	lin ft 50				
	demo and install		\$3.32 \$166.00	\$2.40	\$120.00
Siding	sq 3				
	remove and install		\$92.00 \$276.00	\$180.00	\$540.00
Windows	units 6				
	remove and install		\$230.00 \$1,380.00	\$79.20	\$475.20
Doors	units 3				
	remove and install		\$219.00 \$657.00	\$169.00	\$507.00
Roof	sq 20				
	remove and install		\$43.90 \$878.00	\$213.15	\$4,263.00
Foundation Brick	sq ft 100				
	tuckpoint		\$0.47 \$47.00	\$4.26	\$426.00
			\$3,404.00		\$6,331.20

INTERIOR Item		Materials		Labor	
		Quantity	Unit price Total	Unit price	Total
Demoli-					
	strip interior, clean, and remove debris	2342		\$2.92	\$6,833.96
Interior Finish	sq ft 2342				
	Drywall, taped and painted; painted trim and hollow doors; 80% carpet, 20% asphalt tile		\$8.36 \$19,579.12	\$10.52	\$24,637.84
Special-	sq ft 2342				
	6 lin ft economy grade kitchen		\$1.11 \$2,599.62	\$0.56	\$1,311.52

	cabinets, laminate countertop, 30 gallon electric water heater				
Mechanical	sq ft 2342				
	1 lavatory, 1 water closet, 1 bath tub, gas fired forced air	\$2.93	\$6,862.06	\$2.45	\$5,737.90
Electrical	sq ft 2342				
	100 amp service, romex, incandescent fixtures, switches, receptacles	\$0.67	\$1,569.14	\$1.06	\$2,482.52
			\$30,609.94		\$34,169.78

**TOTAL
\$74,514.92**

Tyler Tarpley, Code Inspector reported that the property was brought to his attention six weeks ago by Dave Morlan, Vector Control Director asking to secure the building. Mr. Tarpley, Mayor Oberlie and City Attorney Espar discussed the status and uninhabitable conditions of the property. Mayor Oberlie moved to proceed with demolition. The motion, seconded by Mr. Metzcus, and carried by the following vote: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0).**

2021 Buffalo Street - Ahi Jian Jiang and Hui Yue, owner

Tyler Tarpley, Code Inspector, wrote the following on December 15, 2006

This house has been under investigation for arson since it became a hazard August of 2006. The fire department finished their work approximately two months ago. Since that time, I have been in contact with the insurance company representative handling the claim, John Ulmer, and the owners' attorney, Steven Snyder.

In November, Mr. Snyder wrote a letter requesting that demolition hearing be held until the middle of December to allow the insurance company to complete their investigation. The insurance company was still taking statements as of December 1, 2006. The owners, their attorney, and the insurance representative have all received notice of today's hearing.

Extensive damage has been done to the structure by the fire. It has created obviously unsafe structure by all definitions of the unsafe building code. The building does not appear to have any chance of rehabilitation.

There have been multiple reports of unauthorized people entering the building. This structure and the surrounding debris cause an immediate hazard to the community. Action must be taken at the earliest opportunity remedy this problem.

Tyler Tarpley, Code Inspector reported that he received a letter from the owners' attorney, Steven C. Snyder requesting a continuance of this hearing until late January.

Attorney John Espar, Mayor Oberlie and Mr. Tarpley discussed their attorney's request, the condition and status of the property. Mayor Oberlie stated, based on the photographic information provided and personal inspections he moved to seek bids for demolition to 2021 Buffalo Street, sending this information to Ahi Jian Jiang/Hui Yue, owner and their insurance company. Motion was second by Mr. Metzcus and carried by the following vote **AYES: MEMBERS: Schaefer, Metzcus, and Oberlie (3) NAYS: None (0).**

1028 E. 2nd Street - Lucille Webster, owner

The current condition of the house is as follows:

- Foundation - foundation is repairable
- Exterior walls - siding is repairable
- Roof - roof is repairable
- Interior walls - poor condition, most need recovering
- Windows and doors - all need replacement
- Electric - poor condition, unsafe
- Plumbing - poor condition
- HVAC - poor condition, unsafe

The exterior of the house is in fair condition, windows and doors are the only items that need replacement. The foundation is in fair condition, but does need some repairs to maintain its integrity. The siding and trim can be salvaged but multiple areas need repair to remain weather tight. The shingles on the roof look like they have been replaced recently but have some wind damage. Also, the roof framing appears to be damaged from previous problems. Many windows are broken and all windows are beyond repair.

The condition of the interior of the home is poor, unsanitary, unsafe and uninhabitable. The floor framing and stair framing

need extensive repairs. Most wall coverings and all flooring need to be removed and replaced. The electrical and heating systems are in such poor condition that they are unsafe to the occupants of the building.

Attached are approximate costs according to Mean Residential estimating methods. The total cost of making repairs necessary for habitation with economy grade materials is \$54,372.

1028 East 2nd Street Estimate

EXTERIOR Item	Quantity	Materials		Labor	
		Unit price	Total	Unit price	Total
Soffit and Fascia	lin ft 100				
demo and install		\$3.32	\$332.00	\$2.40	\$240.00
Siding	sq 2				
remove and install		\$92.00	\$184.00	\$180.00	\$360.00
Windows	units 26				
remove and install		\$230.00	\$5,980.00	\$79.20	\$2,059.20
Doors	units 2				
remove and install		\$219.00	\$438.00	\$169.00	\$338.00
Roof	sq 2				
remove and install		\$43.90	\$87.80	\$129.15	\$258.30
Foundation Brick	sq ft 200				
tuckpoint		\$0.47	\$94.00	\$4.26	\$852.00
			\$7,115.80		\$4,107.50

INTERIOR Item	Quantity	Materials		Labor	
		Unit price	Total	Unit price	Total
Demolition					
strip interior, clean, and re	sq ft 1560			\$2.92	\$4,552.08
Interior Finish	sq ft 1560				
Drywall, taped and painted; painted trim and hollow doors; 80% carpet, 20% asphalt tile		\$8.36	\$13,041.60	\$10.52	\$16,411.20
Specialties	sq ft 1560				
6 lin ft economy grade kitchen cabinets, laminate countertop, 30 gallon electric water heater		\$1.11	\$1,731.60	\$0.56	\$873.60
Mechanical	sq ft 1560				
1 lavatory, 1 water closet, 1 bath tub, gas fired forced air		\$2.93	\$4,570.80	\$2.45	\$3,822.00
Electrical	sq ft 1560				
100 amp service, romex, incandescent fixtures, switches, receptacles		\$0.67	\$1,045.20	\$1.06	\$1,653.60
			\$20,389.20		\$22,760.40

TOTAL
\$54,372.90

Tyler Tarpley, Code Inspector advised there was a police call on November 3, 2006 at 1028 E. 2nd Street when they contacted the Inspection Department to inspect the condition of the home. Mr. Tarpley stated that the house was in unsafe condition and uninhabitable, it was condemned at that time. Mr. Tarpley said the family asked for a list of repairs and that they were thinking of selling the house.

Sgt. Chris Yagelski, Michigan City Police Department reported that they felt this property was a nuisance to the community on November 3, 2006. Sgt. Yagelski stated since 2002 to the present time there has been 58 police calls for service to this residence.

Arthur Simpson, grandson of the owner stated he was there to represent his grandmother (Lucille Webster was present). Mr. Simpson asked the Board to give their family thirty (30) to sixty (60) days to either bring the property to code or possibly sell it.

Mayor Oberlie discussed with Mr Simpson that it is not uncommon for the City to proceed with the bidding process, then using that bid price as bonding requirement for an owner to post to allow for extensions.

Mayor Oberlie moved based on the evidence provided that we seek bids for demolition. The motion, seconded by

Mr. Schaefer, carried by the following vote: **AYES: MEMBERS Oberlie, Schaefer, and Metzcus (3). NAYS: None (0).**

CONTRACT APPROVAL

Shelly Dunleavy, Personnel Department Director, was before the Board to submit Contracts for EAP and eye examination approval for 2007.

Shelly Dunleavy, Personnel Director, submitted for the Board's acceptance a contract renewing services with Nasr Psychiatric Services for 2007 along with an eye examination contract in the amount of \$27.00 with Midwest Eye Consultants.

Mayor Oberlie moved to except the recommendation of the Personnel Director renewing services with Nasr Psychiatric Services along with Midwest Eye Consultants eye examination contract for 2007. The motion was seconded by Mr Schaefer, carried by the following vote: **AYES: MEMBERS Oberlie, Schaefer, and Metzcus (3). NAYS: None (0).**

EMPLOYEE POLICY AND PROCEDURE MANUAL

Shelly Dunleavy, Personnel Director, submitted for the Board's approval two (2) changes in the Policy and Procedure Manual. Ms. Dunleavy stated one effecting the time of payment of "Vacation Bonus", the second is the policy of "Use of Computers and the Internet."

Mr. Schaefer moved to accept the two (2) changes "Vacation Bonus" and "Use of Computers and the Internet" in the Employee Policy and Procedure Manual. The motion, seconded by Mr. Metzcus, carried by the following vote: **AYES: MEMBERS Oberlie, Schaefer, and Metzcus (3). NAYS: None (0).**

CLAIMS AND PAYROLL

Mayor Oberlie 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. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (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:

Page	Date	Amount
1 of 7	12/06/06	\$392,917.09
1 of 5	12/13/06	\$347,299.98

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

Page	Date	Amount
1 of 3	12/18/06	\$2,751,237.15

STREET CLOSING

Sgt. Mark Krauklis, Traffic, Michigan City Police Department stated he received a telephone call from the Indiana State Prison asking to close Willard Avenue today from 2:00 p.m. until 7:00 p.m. between Cooper Street and Park Row. They are having a live nativity scene and they are expecting the media and visitors between this time.

Mayor Oberlie moved to approved their request to close Willard Avenue today from 2:00 p.m. until 7:00 p.m. between Cooper Street and Park Row. The motion, seconded by Mr. Metzcus, carried by the following vote: **AYES: MEMBERS Oberlie, Metzcus, and Schaefer (3). NAYS: None (0).**

SPECIAL MEETING

President Metzcus announced the Board of Works Special meeting will be held on December 28, 2006 at 9:00 a.m. in the Council Chambers

Mr. Metzcus stated the first two (2) meetings of 2007 will be Tuesday, January 2, 2007 and Tuesday, January 16, 2007 at 9:00 a.m.

Mayor Oberlie stated in reference to the Special Meeting on December 28, 2006 that three (3) Memorandum of Understandings with the Sanitary District will be on the agenda: 1) Plan Approval for the Lake Hills sewer improvement project. 2) Phases 2b for Washington Street. 3) Phase 2c for Washington Street.

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 9:47 a.m.).

Thomas F. Fedder, City Clerk