

REGULAR MEETING – JANUARY 16, 2007

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, January 16, 2007, 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 and Controller John Schaefer, Mayor Charles Oberlie (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
Sgt. Mark Krauklis, Traffic Division
Jim Elwell, Superintendent
Thomas Fedder, City Clerk
Joe Siegel, Zoning Administrator
Boyd Phelps, City Engineer
Gale Neulieb, Asst. Deputy City Clerk
Amanda Haverstick, News-Dispatch

APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of January 2, 2007, 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).**

STOP SIGN

Anna Krueger, 328 Hendricks Street, wrote the following on January 9, 2007

We are asking that the City of Michigan City please put a three way stop sign at the corner of Hendricks and Francis Street. This intersection is a bus stop for Mullen Elementary School. Cars use Hendricks Street as if it was a race track. The bus driver lets the children off on Francis Street forcing the children to cross Hendricks Street without any protection from oncoming traffic. We have filed two complaints with the bus transportation for the schools, asking that the bus driver please turn onto Hendricks Street and put her stop sign out before releasing the children off the bus. However, nothing has been done to correct this dangerous area. We have pictures showing the bus letting children off the bus and the children having to cross the street with cars present and no source of protection.

We will be presenting these pictures to the administration of schools in hopes that they can have the bus driver Block traffic while children cross. Please put a stop sign on Hendricks and Francis Street and help us protect our children.

Anna Krueger, 328 Hendricks Streets informed the Board reasons for her request.

Mayor Oberlie moved to refer this matter to the Traffic Division, City Engineer, and Planning Department for traffic analysis. The motion was seconded by Mr. Metzcus, was carried by the following vote: **AYES: MEMBERS Schaefer, Metzcus and Oberlie (3).** **NAYS: None (0).**

STATUS REPORT

1214 E. Michigan Boulevard - Vasilios and Trudy Karallas, owners

President Metzcus stated that he and Mr. Schaefer went through the property at 1214 E. Michigan Blvd., escorted by Vasilios Karallas, owner, after the last Board meeting, January 2, 2007. Mr. Metzcus commented on the status and condition of this property at that time and that Mr. Karallas was advised to contact Mr. Metzcus to make sure the property was habitable before this meeting. Mr. Metzcus stated, the only call he received was from Mrs. Karallas advising him that a large amount of garbage had been dumped at 1214 E. Michigan Blvd.

Tyler Tarpley, Code Inspector, wrote the following January 16, 2007:

Re: Work completed at 1214 East Michigan Boulevard

Nearly all the required work has been completed. Problems that are still outstanding are being addressed presently. The workmanship and quality of the repairs is poor, but the condition of the house is improved.

Remove animals from structure and make necessary repairs to prevent re-entry (36-7-9-5(a)(3)).

Complete.

Remove all trash, debris, and fire hazardous material from premises (36-7-9-5(a)(4)).

Complete.

Repair interior and perform maintenance required for human habitation (36-7-9-5(a)(5)).

A) Scrape overspray from windows

60% complete.

B) Finish painting exterior walls, trim, soffit, and fascia

90% complete.

C) Repair leaks in roof

Complete.

D) Repair damaged ceiling and flooring in both kitchen areas

Complete.

E) Repair kitchen cabinets and install sinks in both kitchen areas

Complete.

F) Repair ceiling and wall in first floor bathroom

Complete.

G) Repair damaged and molding plaster in first floor bedroom

Complete.

H) Clean all rooms to create a sanitary living space

25% complete.

I) Ensure that all electrical, plumbing, and heating systems can function properly

Unknown, owner states that all function properly.

Improve exterior including new siding or paint, roof, windows and doors (36-7-9-5(a)(8)(B)).

A) Siding or paint

90% complete.

B) Roof

Complete, REQUIRED repairs are complete.

C) Windows and doors

Complete.

Continue maintenance and upkeep of building and premises (36-7-9-5(a)(8)(C)).

Property has been maintained.

Code Inspector Tarpley presented pictures of 1214 E. Michigan Blvd. that had been taken just before the Board meeting. Inspector Tarpley commented on the work completed and not completed on this property.

President Metzcus and Inspector Tarpley discussed decisions made at the last Board meeting regarding what actions would be taken if the "Order to Repair" was not completed. Inspector Tarpley stated that the owner is close to having everything completed so the property would be habitable.

Mayor Oberlie and Inspector Tarpley discussed the status and condition of the pictures taken by Inspector Tarpley that morning. Inspector Tarpley responded to Mayor Oberlie that there are other properties that need to be addressed along with 1214 E. Michigan Blvd that belong to the Karallas'.

Joe Siegel, Zoning Administrator stated that the building is structurally solid, but does need some work. Mr. Siegel commented there is a case of bad time management on Mr. Karallas' part, that he spoke to Mr. Karallas several times regarding the work that needed to be finished at 1214 E. Michigan Blvd.

Trudy Karallas, owner, advised the Board concerning the hours spent and work that has been completed in the past several days. Mrs. Karallas stated that she feels everything has been completed that was on the "Order to Repair".

Debra Williams, 1210 E. Michigan Blvd. commented on State Codes that need to be addressed and brought up to code standards at 1214 E. Michigan Blvd. before it can be habitable. Mrs. Williams asked the Board to have the Building, Electrical and Plumbing Inspectors, inspect this property. Mrs. Williams advised the Board that it has been since September 19, 2006 trying to make this property habitable.

Nathaniel Williams, 1210 E. Michigan Blvd. advised the Board regarding how inspections are done on the Michigan City Fire Department and how they are complied.

Vasilios Karallas, owner, stated that he has complied with the list that Inspector Tarpley gave him. Mr. Karallas advised the Board that all electric and plumbing is in working condition. Mr. Karallas stated the reason he doesn't furnish appliances to his tenants.

Mayor Oberlie advised the Board that the *Order to Repair* was issued October 30, 2006 for 1214 E. Michigan Blvd. Mayor Oberlie suggested that the Board assess Vasilios and Trudy Karallas a \$3,000.00 fine, stay an execution for (2) two weeks. He advised that if the work is not completed at that time, the city will advertise for demolition bids and impose the fine.

President Metzcus recommended each city Inspector at the invitation of Mr. Karallas to inspect his property by the end of this week. Mr. Metzcus stated that this will give the Board time before the next Board meeting (February 6, 2007) to make any necessary decisions.

Mr. Schaefer reported the status and condition of 1214 E. Michigan Blvd. when he went there on January 2, 2007. Mr. Schaefer commented that he agreed with the Mayor, that demolition should be the last resort, that having the property habitable is the goal of the city.

Mayor Oberlie moved impose a \$3,000.00 fine, stay an execution for (2) weeks to allow for the final completion. The motion seconded by Mr. Metzcus.

Mrs. Karallas commented on the imposed fine, tax credits for landlords, ways to help landlords improve there properties and tax exemptions.

City Attorney Espar and Wayne Miller, 113 Dole Street discussed the procedures of the \$3,000.00 fine regarding 1214 E. Michigan Blvd. if approved by the Board.

President Metzcus asked if there were any comments from the Board or general public, there being none the vote was carried as followed: **AYES: MEMBERS Oberlie, Schaefer, and Metzcus (3). NAYS: None (0).**

STATUS REPORT

314 Willard Avenue – Mary Cooks, Patricia Blumenfeld, Wayne Miller, owners

President Metzcus stated that at the last meeting the Board requested the Clerk’s office to provide the minutes of the regular meeting of June 5, 2006 which presented the status and condition of the property at 314 Willard Ave. Mr. Metzcus commented that was the last time the property had been brought before the Board.

Code Inspector Tyler Tarpley presented pictures taken January 12, 2007 to the Board showing the condition of 314 Willard Ave. Inspector Tarpley stated that he hasn’t been in the house to report to the Board the condition, but that the garage has rotted rafters and is in nescience to the community.

There was a discussion among Inspector Tarpley, President Metzcus and Mayor Oberlie regarding 314 Willard Ave.

Mr. Miller agreed with Mayor Oberlie to let the city Inspectors inspect this property and report back to the Board by the next Board meeting.

Mayor Oberlie moved that this matter be referred to inspection to make an interior analysis and report back at the next Board meeting (February 6, 2007). The motion was second by Mr. Metzcus and carried by the following vote: **AYES: MEMBERS Metzcus and Schaefer (3). NAYS: None (0).**

OPENING OF BIDS – 2021 Buffalo Street – Zhi Jian Jiang and Hui Yue, owners

Bids were received as follows:

Phelps Construction.....	\$11,940.00
Residential Construction.....	\$10,296.00
Dillabaugh, Inc. (bid not completed).....	
Andy Salat Excavating.....	\$10,500.00
G. E. Marshall, Inc.....	\$11,750.00

OPENING OF BIDS – 1011 Ohio Street – Donald Tracy, owner

Residential Construction.....	\$ 8,150.00
Dillabaugh, Inc. (bid not completed).....	
Andy Salat Excavating.....	\$ 6,590.00
Phelps Construction.....	\$ 8,790.00
G.E. Marshall, Inc.....	\$10,850.00

OPENING OF BIDS- 1028 E. 2nd Street – Zhi Jian Jiang and Hui Yue, owners

G.E. Marshall, Inc.....	\$10,475.00
Residential Construction.....	\$ 7,380.00

Dillabaugh, Inc. (bid not completed).....	
Andy Salat Excavating.....	\$ 9,750.00
Phelps Construction.....	\$ 8,685.00

Mr. Oberlie moved to refer the bids to Inspection and EEO for tabulation, to be reported back at the next meeting. Mr. Metzcus seconded the motion, which carried as follows: **AYES: MEMBERS Schaefer, Metzcus, and Oberlie (3). Nays: None (0).**

AWARDING OF BID – 2021 Buffalo Street – Zhi Jian Jiang and Hui Yue, owners

Tyler Tarpley, Code Inspector, wrote the following January 16, 2007:

RE: 2021 Buffalo Street
 Zhi Jian Jiang and Hui Yue
 Michigan City, Indiana 46360

The owners’ attorney, Mr. Steven Snyder, requests thirty days to demolish the building privately. I received a message from the insurance company representative, John Ulmer, on January 12th. He stated that they had mailed a check to Mr. Snyder’s office earlier that day in the amount of the lowest bid they had received. If the Board allows the owners to privately contract the work to the company submitting the lowest bid, there is no reason for that process to take any more time than the city awarding the contract today.

Mayor Oberlie requested that the bid tabulations for 2021 Buffalo Street be sent to Attorney Snyder office for them to review to determine if they want to use one of the bids the city received.

Code Inspector Tarpley requested that demolition bid tabulations for 1028 E. Second Street be sent to Steven Hale, attorney for the river boat. Inspector Tarpley stated that Blue Chip Casino closed on the purchase of this property and that they will pursue demolition privately.

MEMORANDUM OF UNDERSTANDING

Al Walus, Sanitary District General Manager presented a Memorandum of Understanding between the Sanitary District of Michigan City and the Michigan City Board of Public Works and Safety regarding the construction of Lake Hills Sewer Separation Project, Division I.

There was a discussion among Mr. Walus, John Schaefer, Mayor Oberlie and Mr. Metzcus.

Motion was made by John Schaefer to accept the Memorandum of Understanding and proceed with the Lake Hills Sewer Project, Division 1 with a \$400,000 not to exceed commitment from the City. The motion was second by Mr. Metzcus and carried by the following vote: **AYES: MEMBERS Oberlie, Schaefer, and Metzcus (3). NAYS: None (0).**

CLAIMS AND PAYROLL

Mr. 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) 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).**

Page	Date	Amount
1 of 7	01/16/07	\$381,777.61

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

Page	Date	Amount
1 of 2	01/16/07	\$4,249,112.32

STREET SIGNAGE

Carolyn Saxton, Lubeznik Center for the Arts wrote the following on January 9, 2007.

Several weeks ago, our building chairman and board member, Tom Edwards, and I met with John Pugh to discuss street signage to promote the Lubeznik Center for the Arts. John provided us with a map of existing signs and encouraged us to determine where we would like our name and directional arrows placed.

Following the conversation, Glenn Lubeznik and Steve Hale who are also members of the board, drove throughout Michigan City and reported on the various sites where we should be added. I have attached that report to this letter

on behalf of the board I am formally requesting that the Lubeznik Center for the Arts be granted approval to have our organization's name and direction added to existing signs listed on the report. You will note that we have also asked to have our names and directional arrow printed in a different color than those already on the existing signs so that we are more easily identified.

Please let us know the next steps in moving this process forward. I look forward to hearing from you and the deliberations of your group.

Thank you for your consideration

Mayor Oberlie moved to refer the matter to Mr. Pugh, Director of Planning and Inspection Department. The motion was seconded by Mr. Schaefer and carried by the following vote: **AYES: MEMBERS Oberlie, Metzcus, and Schaefer (3). Nays: None (0).**

CONTRACT AGREEMENT

Mayor Oberlie presented the annual contract agreement for the Professional Community and Economic Development Services by and between the City of Michigan City and the Economic Development Corporation.

Mayor Oberlie moved to accept the annual contract agreement between the City of Michigan City for the Professional Community and Economic Development Services with the Economic Development Corporation. The motion was seconded by Mr. Metzcus and was carried by the following vote: **AYES: MEMBERS Oberlie, Metzcus and Schaefer (3). Nays: None (0).**

BOARD'S APPROVAL

Gerald R. Hanas, General Manager (NICTD) Northern Indiana Commuter Transportation District wrote the following on December 13, 2007.

Attached is the letter agreement between the City of Michigan City and TranSystems Corporation regarding the Feasibility study and conceptual design for the reroute of the NICTD line through Michigan City.

John Parsons and I met with John Pugh and Bill Phelps along with representatives of TranSystems on December 12, 2006 to review the scope of services. We are in agreement that everything is in order

It is our understanding that Michigan City would execute the agreement and manage the study with our assistance. It is also our understanding that we will provide \$25,000 of the \$75,000 needed for the project.

Please let us know when the letter agreement is executed along with an invoice for our portion of the cost of the Study.

We look forward to working with you on this very important study. Please don't hesitate to call if you have any questions.

Mayor Oberlie moved to accept the letter of agreement between the City of Michigan City and TranSystems Corporation regarding the feasibility study and conceptual design for the reroute of the NICTD line through Michigan City. It was second by Mr. Metzcus and carried by the following vote: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0).**

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 10:27 a.m.).

