

# REGULAR MEETING – September 15, 2008

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, September 15, 2008, 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, President; Mayor Charles Oberlie, Member; and John Schaefer, Member (3).

**Absent:** None (0).

## A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Espar, Corporate Council  
Sgt. Jeff Loniewski, Traffic Division, M.C.P.D.  
Jim Elwell, Superintendent, Central Services  
Jack Kahn, Street Director, Central Services  
Dave Lamb, Fire Chief, M.C.F.D.  
John Pugh, Director, Planning & Inspection  
Walter Gipson, Director, M.C. Transit Dept.

Thomas Fedder, City Clerk  
Kim Sliwa, Asst. Deputy City Clerk

## APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of September 2, 2008 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). Motion carries.**

## CORRESPONDENCE –

### Street Closing

The following correspondence was received in the Clerks Office on September 9, 2008, from City Councilman Willie Milsap of 601 S. Dickson Street, M.C.:

I hereby request the closing of Porter Street, from Michigan Boulevard to the alley behind the 5<sup>th</sup> Ward building for the 5<sup>th</sup> Ward Festival on Sunday, October 26, 2008 from 12:00 Noon until 6:00 p.m. Thank you for your consideration.

Councilman Willie Milsap addressed the Board regarding his request.

Sgt. Jeff Loniewski, Traffic Division, M.C.P.D., addressed the Board stating that this is an annual request, and that M.C.P.D. recommends approving the request.

Mayor Oberlie made the motion to approve the request. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

## **CORRESPONDENCE –**

### **Village Green Neighborhood Association – Entrance Signs**

The following correspondence was received in the Clerks Office on September 2, 2008, from George V. Neagu, President - Village Green Neighborhood Association, 3739 Lexington Road, M.C.:

As you know, Village Green Neighborhood Association was officially organized in 2003. One of its goals was to install three attractive Entrance Signs to Village Green: one near Ohio Street and Essex Lane, and one on either end of Broadbrook Lane. (The second one will be installed within the next two weeks.) We are in the process of fund raising for the third and final sign which will be installed at Ohio and Broadbrook. One of the concerns which has arisen has been the issue of legal liability. In exploring liability insurance, we have discovered that it is too exorbitant per year for our organization to meet this kind of obligation. In discussion with the Mayor, we have been advised that we can meet this contingency by offering the signs to the City if it would accept complete legal liability for them. On behalf of the Village Green Neighborhood Association Board of Directors, I am requesting that you accept our three Entrance Signs (one not yet bought) as a gift from Village Green thereby absolving our Board of any legal liability. All the comments we have had from residents regarding the signs have been extremely positive and it has enhanced the attractiveness of our neighborhood thus the City. We would like our Garden Committee to continue responsibility, in line with America In Bloom, for any planting at the signs. Also, we would want to be notified if for any reason the City alters and/or removes any of the signs. If you accept our signs as the community's gift to the City, you will also accept future costs of repairs. I would, of course, be very happy to answer any questions although the Mayor is fully aware of this situation. Thank you for your cooperation.

Mayor Oberlie addressed the Board regarding this request, and the previous agreement with the Village Green Neighborhood Association for the placement of the three (3) signs on the public right-of-way. The Mayor stated that the City accepted liability when they agreed to them being placed on the public right-of-way; and moved to accept the gifts of the community signs and place them on our inventory. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

## **RESOLUTION**

John Pugh, Director, Planning & Inspection Department, addressed the Board stating that the City of Michigan City has submitted an application to the Department of the Interior's National Park Service for the transfer of the ownership of the East Pierhead Lighthouse. Mr. Pugh asked for the Board's support on this Resolution.

Mayor Oberlie made reference as to this being the last time the City will submit an application for the transfer of ownership, and how poorly the National Park Service has responded to our request. The Mayor made the motion to adopt the Resolution. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

**RESOLUTION NO. 2794**

**A RESOLUTION OF THE  
MICHIGAN CITY BOARD OF PUBLIC WORKS & SAFETY  
MAKING A COMMITMENT TO THE PRESERVATION & MAINTENANCE  
OF THE MICHIGAN CITY EAST PIERHEAD LIGHTHOUSE**

**WHEREAS**, the City of Michigan City desires to acquire the Michigan City East Pierhead Lighthouse located in Washington Park from the US Department of Interior under the terms of the National Historic Lighthouse Preservation Act of 2000 (NHLPA); and

**WHEREAS**, the City must demonstrate its commitment to preservation and maintenance.

**NOW, THEREFORE, BE IT RESOLVED**, that the Michigan City Board of Public Works & Safety commits to the Abonmarche Preservation Plan and its schedule of work to be done at the light.

**BE IT FURTHER RESOLVED** that City workers will be used to reduce labor costs for routine maintenance and painting. The City will utilize the work plan as laid out by Abonmarche. Work other than maintenance, as needed, will be performed by outside contractors specifying that the work will meet the Secretary of the Interiors’ “Standards for Rehabilitation”.

INTRODUCED BY: /s/ Mayor Oberlie

**RESOLUTION**

Walter Gipson, Director, M.C. Transit Department, addressed the Board explaining past practices in leasing sign space on the buses to not-for-profit organizations; and how the Transit department would like to change this to generate revenue for the City by leasing sign space to for-profit organizations.

John Schaefer, Board Member, introduced the Resolution, stating that the City cannot establish the rates for the lease of space on the buses; it must be put out to bid. Mr. Schaefer made the Motion to approve the Resolution. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

**RESOLUTION NO. 2795**

**A RESOLUTION AUTHORIZING THE SOLICITATION OF BIDS FOR  
THE LEASE OF SPACE FOR BUS SIGNS  
BY THE MICHIGAN CITY TRANSIT DEPARTMENT 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 lease of space for bus signs by the Michigan City Transit Department 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, Indiana, notifying the public that said Board will receive sealed bids for said bus sign space until the hour of 9:00 am. local time, on the 20<sup>th</sup> day of October, 2008 at the Clerk's Office, located in the City Hall building, 100 East Michigan Boulevard, Michigan City, Indiana 46360.

All bids shall be submitted on the prescribed forms which may be obtained from the office of the City Clerk, containing the usual statutory noncollusion affidavit. Each bidder shall be required to file with each bid a certified check or bidder's bond in an amount equal to ten percent (10%) of the amount of the bid. 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.

The successful bidder shall, as a condition to being awarded such bid, file a performance bond in the amount of one hundred percent (100%) of the bid.

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/ John Schaefer**

**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. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

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

<b>Page</b>	<b>Date</b>	<b>Amount</b>
1 of 9	09/09/2008	\$420,235.32

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

<b>Page</b>	<b>Date</b>	<b>Amount</b>
1 of 5	09/15/2008	\$2,474,848.44

**OTHER BUSINESS**

Mayor Oberlie commended the Police Department, Fire Department, Street Department, Emergency Management Office and the Sanitary District for their diligence in the process of helping the citizens of Michigan City deal with the overwhelming amounts of rain over the weekend. Mayor Oberlie asked for the continued cooperation of the citizens of Michigan City, expressing that it will take more than a couple of days for all the water to dissipate to their former levels.

**ADJOURNMENT**

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 9:15 a.m.).

---

Thomas F. Fedder, City Clerk