

REGULAR MEETING – FEBRUARY 1, 2010

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, February 1, 2010, 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 President, Tony Metzcus, who presided.

Noted Present: Tony Metzcus, John Schaefer, and Mayor Charles Oberlie, (3).

Absent: none (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Espar, Corporation Counsel
Officer Kevin Urbanski, M.C.P.D. Traffic Division
Russ Hatfield, Code Enforcement Officer
Dave Lamb, Fire Chief, M.C. Fire Department
Jack Kahn, Director, Street Department
Jim Elwell, Director, Central Maintenance
Al Walus, General Manager, Sanitary District
Judy Pinkston, Community Development Director

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

APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of January 19, 2010 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.**

AWARDING OF BIDS

Russ Hatfield, Code Enforcement Officer informed the Board that demolition bids have been reviewed by the Inspections Department and the E.E.O. Officer, and recommended that Smith & Sons Excavating be awarded the following bid:

310 Lafayette Street - \$4,000.00

Mayor Oberlie made the motion to accept the recommendation of the Code Enforcement Officer. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

CORRESPONDENCE – 116 Grant Street

The following correspondence was received in the Clerk's Office on January 25, 2010 by Herrbach & Associates:

I have been requested, as the attorney for the John Haynes Estate, which is currently pending in Superior Court, on behalf of the beneficiaries of the estate, to determine whether there is any

interest in the City acquiring title to the property located at 116 Grant Street, Michigan City, IN.

The property is in a dilapidated state and the beneficiaries have no monies with which to repair or raze the structure. They would be willing to gift the property to the City. Please direct your response to the above matter to my attention.

Judy Pinkston, Community Development Director for the City of Michigan City addressed the Board expressing interest in the property located at 116 Grant Street; conditional upon the Environmental Review that is required by H.U.D. Ms. Pinkston explained to the Board that she is looking to possibly work with a non-profit developer to put up a new single family home there.

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

MEMORANDUM OF UNDERSTANDING

Corporate Counsel Espar presented the Board with the Memorandum of Understanding for both the Independent Cat Society and the Michiana Humane Society for their approval.

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

CORRESPONDENCE

The following correspondence was received in the Clerk's Office on January 21, 2010 by Johnny Stimley:

Requesting that Franklin Street to be closed from 10th to 4th Street on Saturday, March 13th from 12:30 to around 2:00 p.m. for the M.C. St. Pat's Day Parade.

Officer Kevin Urbanczyk, M.C. Police Department addressed the Board stating this is a well organized annual event and recommended approval.

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.**

REQUEST FOR TAXI CAB LICENSE

The following correspondence was received in the Clerk's Office on January 26, 2010 by Kerry Clear, President Blue Ribbon Taxi, South Bend, IN:

My name is Kerry Clear, President of Blue Ribbon Taxi, South Bend, IN and Yellow Cab of Berrien County. I am writing to you today to express my interest in becoming a licensed taxi company in Michigan City.

I believe you have already had correspondence with one of my drivers, Obafemi Alalade (Charles). We supported his dream of going to Michigan City and started a corporation with him and his Partners (Blue Ribbon Taxi of LaPorte County). Unfortunately, after securing an office and phone number Charles has made no progress and the phone has been turned off. I am dissolving the corporation with Charles because I truly believe Michigan City is an underserved area for taxicabs and it sees that Charles is making no positive progress.

I have drivers and accounts lined up for Michigan City and am ready to provide a quality, reliable taxi business for your residents. We are members of the St. Joseph County Chamber of Commerce and work hard to be the best. I would like to have the opportunity to service your community just as we have in Berrien County, MI and St. Joseph County, IN.

We have secured and registered DBA's for Blue Ribbon Taxi of LaPorte County and Yellow Cab of LaPorte County with LaPorte County and have Yellow Cab of LaPorte County approved with the State of Indiana and LaPorte County.

We look forward to working with you to provide reliable transportation for Michigan City and LaPorte County.

Kerry Clear addressed the Board stating his intentions to apply for a Taxi Cab License.

Mayor Oberlie informed Mr. Clear that per City Ordinance it is required that a Public Hearing be held. The Mayor made the motion to authorize Corporate Counsel to work with Mr. Clear to set the date for the Public Hearing, coordinate with the M.C.P.D Traffic Division for the inspection of the vehicles, and that the hearing date be set through their offices with the Clerk's Office, with a decision made after the Public Hearing.

Dennis Metheny, 6757 W. 450 N., Coolspring Township Trustee, addressed the Board expressing the need for a taxi service to serve the residents of Coolspring Township.

Officer Kevin Urbanczyk, M.C. Police Department addressed the Board stating the Traffic Division will work with the Taxi service to see that they get approved for the permit.

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

RESIGNATION – M.C. POLICE DEPARTMENT

Officer Joshua R. Samuelson tendered his resignation effective January 31, 2010. Note: This is for informational purposes only.

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). 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:

Page	Date	Amount
1 of 8	01/29/2010	\$416,766.88

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

Page	Date	Amount
1 of 5	01/29/2009	\$919,880.61

ADDITIONAL BUSINESS

Dennis Metheny, 6757 W. 450 N., addressed the Board regarding the process to bid/purchase property given to the City by LaPorte County, to adjoining property owners.

Mayor Oberlie explained the process to Mr. Metheny.

ADDITIONAL BUSINESS

Al Austin, 116 E. Warren Street, addressed the Board regarding his concerns with the Public Access/Government Channel bid packet, including language, the procedure to bid and the equipment.

Corporate Counsel John Espar replied to Mr. Austin's concerns.

Dennis Metheny, 6757 W. 450 N., addressed the Board regarding his concerns with the Public Access/Government Channel bid packet, and asked for a list of the City equipment that is currently being used in the broadcasting process.

Mr. Schaefer advised that all city equipment purchases regarding city equipment for the Public Access/Government Channel are maintained by the Controller's Office.

ADDITIONAL BUSINESS

Mayor Oberlie addressed the Board making the motion to authorize the President to sign a Memorandum with the Indiana Department of Transportation – Local Public Agency Project Coordination Contract (EDS # A249- 10-320988, Des. No. 0801016) for the Michigan Boulevard project. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

DISPOSITION OF GRIEVANCE

Corporation Counsel, John Espar presented the disposition of three (3) grievances; stating the hearing were held on October 19, 2009.

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

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 9:30 a.m.).

Thomas F. Fedder, City Clerk