

# REGULAR MEETING – FEBRUARY 16, 2010

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Tuesday morning, February 16, 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:

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division  
Russ Hatfield, Code Enforcement Officer  
Joe Siegel, Zoning Administrator  
Al Walus, General Manager, Sanitary District  
John Pugh, Director Planning & Inspection Departments  
Dave Lamb, Fire Chief, M.C. Fire Department  
Jack Kahn, Director, Street Department  
Jim Elwell, Director, Central Services

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

## APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of February 1, 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.**

## DEMOLITION STATUS

5406 Harvey Court – Russ Hatfield, Code Enforcement Officer addressed the Board stating for their information that Phelps Construction has completed the demolition per bid requirements and has satisfied the contract with the City of Michigan City.

1111 E. 8<sup>th</sup> Street, 310 Lafayette Street, and 824 Grand Avenue – Russ Hatfield, Code Enforcement Officer addressed the Board stating for their information that Smith & Sons Excavating, Inc. has completed the demolition per bid requirements and has satisfied the contract with the City of Michigan City.

**Note:** For Informational purposes only.

## ORDERS TO DEMOLISH

### 217 Willard Avenue, Wayne Miller – owner

Russ Hatfield, Code Enforcement Officer reported to the Board the status of the structure and requested approval to issue a Notice to Bidders. There was discussion between Mr. Hatfield, Mayor Oberlie and Mr. Metzcus regarding proper notification and type of foundation.

Mayor Oberlie made the motion to find the structure unsafe for human occupancy, presents a nuisance pursuant to the statues of the State, and authorize the department to proceed with the bidding for demolition of the structure. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

#### **404 E. 6<sup>th</sup> Street, Unknown Heirs or Devisees of Steve Bush**

Russ Hatfield, Code Enforcement Officer reported to the Board the status of the structure and requested approval to issue a Notice to Bidders.

Mr. Neil Kienitz, 423 E. 10<sup>th</sup> Street addressed the Board stating he is in support of this demolition as it is in the Redevelopment Area.

Mayor Oberlie made the motion to find the structure unsafe for occupancy, a nuisance pursuant to the statues, and authorize the department to proceed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

#### **1702 Manhattan Street, Estate of Madeline K. Mason**

Russ Hatfield, Code Enforcement Officer addressed the Board asking for an extended 30 days to bring this back in front of the Board. Mr. Hatfield has spoken with the demolition contractor who is signing a private contract with the current owner to demolish.

Mayor Oberlie made the motion to continue for 30 days. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

#### **125 Patrick Street, Leatrice Nuredeen, owner**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the status of this structure, stating that Vector Control as well as the Michigan City Police Department have been called to this location numerous times due to lack of maintenance and vandalism. Mr. Hatfield asked for the Board's approval to issue a Notice to Bidders. Mr. Hatfield stated he supplied Ms. Nuredeen a copy of the Orders to Demolish, which she signed for. Mr. Hatfield advised Ms. Nuredeen of the steps to take to request the Board grant her a reprieve on the Orders to Demolish or have it modified or rescinded.

Ms. Nuredeen addressed the Board stating her intent to rehabilitate the structure. There was discussion between Ms. Nuredeen, Mayor Oberlie and Mr. Metzcus regarding the time frame for the repairs.

Mayor Oberlie made the motion to grant 30 days continuance, and to work with the Inspection Department on a schedule to repair. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

**1715 Tennessee Street, Thomas Antonowicz, Douglas Ball & Heirs of Walter Antonowicz – owner**

Russ Hatfield, Code Enforcement Officer addressed the Board stating the status of the structure, and that the Code Enforcement Team and Vector Control have visited this property on numerous time during the past three (3) years. Mr. Hatfield informed the Board that attempts to contact parties that hold substantial interest in this property have gone unanswered; with no persons stepping forward to take responsibility for the dilapidated and unsafe structures on this property, the Inspection Department has no alternative but to pursue demolition. Mr. Hatfield asked for the Board’s approval to issue a Notice to Bidders. There was discussion between Mayor Oberlie, Mr. Metzcus and Mr. Hatfield regarding the status of the structure.

Mayor Oberlie made the motion to find the structure unsafe for occupancy, a nuisance pursuant to the statues, and authorize the department to proceed. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

**PUBLIC HEARING – Application for Certificate of Public Convenience (Taxi)**

Mayor Oberlie explained to the Board the purpose of the hearing is to determine a public need for the service, allowing for the public to respond.

Kerry Clear, President, Blue Ribbon Taxi, South Bend, IN – appeared before the Board stating his intentions and the service that would be provided to the residents of Michigan City and LaPorte County if granted a Certificate of Public Convenience (Taxi Cab License).

Mr. John Schaaf, 813 Franklin Street addressed the Board indicating this is needed in Michigan City as the bus service is not available on a 24 hour/7 days a week schedule.

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

**OPENING OF BIDS**

**LEASING SIGN SPACE ON CITY BUSES**

One ( ) bid was received, as follows:

Swanson Center ..... \$6,570.00 for 1 year

Mayor Oberlie moved to refer the bid to the Municipal Coach Department, Attorney’s Office and Controller’s Office for tabulation; and for reporting back at the next meeting. 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 February 9, 2010 by Corneilus Wright Sr., 440 Pleasant Avenue:

I, Corneilus Wright Sr. am a disabled citizen. I have multiple conditions in my body that prevent me from traveling too far [walking]. I have Rheumatoid Arthritis, Diabetes, I had a heart attack in 2008 and I had a total knee replacement.

I have to park my car across the street from my home. It is hard for me when others are parked in front of my house and I have to park a half [1/2] a block and walk home, especially when I have gone to the store.

Now that it is bad outside, I really need to be close to the house as possible so that I don't slip and fall. My family keeps that space clear for me so that there is not much snow there.

These are the reasons that I need a permanent handicap parking sign so that space is available for me to have access without stress.

John Pugh, Director Planning and Inspection Department asked the Board for a two week continuance to formalize their report. Mr. Pugh stated the M.C.P.D. Traffic Division has been informed of the request.

Mayor Oberlie made the motion to formally refer the request to the M.C.P.D. Traffic Division, Planning and Engineering for report at the Board's next meeting. The motion was seconded by Mr. Schaefer 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 February 9, 2010 by Councilman Richard Murphy:

Based on concerns expressed to me by residents and visitors of Sheridan Beach and Beachwalk, I would like to request that the Planning/Engineer/MCPD Departments investigate the implementation of an improved pedestrian crossing at Stop 7 and Lake Shore Drive. As you know, this crossing leads to the boardwalk that spans over the dune to Sheridan Beach.

During our months of warmer weather, the intersection of Stop 7 and Lake Shore Drive can rival pedestrian volume of the zoo. On top of pedestrians many of which are children, the crossing buzzes with strollers, wagons, coolers on wheels, bicycles, and scooters. On a summer weekend day, we estimate that a thousand or more pedestrians can cross there and back again.

One idea that has been brought up is treat the crossing similar to that of the zoo entrance with raised lines painted on the street approaching the crossing that alerts drivers to the crossing AND seasonal signage.

We request that this idea be looked and welcome any other ideas that come from your analysis with the goal of improving safety for our residents. With this email, I have provided five photos and a photo key of the Stop 7 crossing and the Zoo crossing

Thank you for your consideration of my request.

Councilman Murphy supplied the Board with pictures of the area discussed as well as possible improvements currently used on Lakeshore Drive.

Mayor Oberlie made the motion to refer the item to the M.C.P.D. Traffic Division, Engineering and Planning for a report back at the next meeting. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

**MAINSTREET PROPOSAL**

Mr. John Schaaf, through dh2w, 813 Franklin Street, representing the Michigan City Mainstreet Association for this project addressed the Board stating the intentions of the Association with regards to the implantation of a Way-finding Kiosks system for Franklin Street. Mr. Schaaf asked the Board what the process is to get this type of project started. Mr. Schaaf noted that the Michigan City Mainstreet Association has potential funding through the Michigan City Redevelopment Commission.

Mayor Oberlie advised Mr. Schaaf to start with the Planning Department, the City Engineer and the M.C.P.D. Traffic Division as they would provide the Board with specific locations for the Board's approval. The Mayor advised that the Board would need to know more about the management side; who would own the sign, who's going to insure it, who's going to maintain it, etc. Mr. Schaaf agreed that there would need to be language prepared to cover these areas of concern.

**Note:** For Informational purposes only.

**DISPOSITION OF GRIEVANCE**

Mr. Metzcus advised the Disposition of the Grievance will be held over until the next meeting on March 1, 2010.

**CLAIMS AND PAYROLL**

Mr. Schaefer, 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:

Page	Date	Amount
1 of 4	02/16/2010	\$851,276.57
1 of 1	02/15/2010	\$31,219.27

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

Page	Date	Amount
1 of 7	02/12/2009	\$392,870.45

**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 9:45 a.m.).

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Thomas F. Fedder, City Clerk