

# REGULAR MEETING – February 17, 2009

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Tuesday morning, February 17, 2009, 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 Counsel  
Sgt. Jeff Loniewski, Traffic Division, M.C.P.D.  
Russ Hatfield, Code Inspector  
Bill Phelps, City Engineer  
John Pugh, Director, Planning and Inspection  
Jim Elwell, Superintendent, Central Maintenance  
Monique Cook, Office Manager, Central Maintenance  
Al Walus, General Manager, Sanitary District

Ron Miller, WEFM

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

## APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of February 2, 2009 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 - 223 Willard Avenue, Willie Hammonds - owner

Russ Hatfield, Code Enforcement Officer, addressed the Board regarding this property stating an Emergency Demolition was done on February 9, 2009 by Smith & Sons Excavating after the Code Enforcement Team was summoned to the location due to the unsafe condition of the front wall detaching from the structure and leaning toward the street. Mr. Hatfield informed the Board that the clean up of the demolition will now go through the standard Demolition process. Mr. Hatfield supplied the Board with pictures of the structure, and informed them of the final cost for the demolition - \$2,500.00.

Mayor Oberlie moved to authorize to proceed with the clean up operation, get the quotes and clean the site. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

### **CONTRACT TRANSMITTAL – Michigan City Gateway Park**

John Pugh, Director, Planning and Inspection addressed the Board regarding concept design, phase I environmental and survey for the new Gateway Park. Mr. Pugh presented the Board with the finalized amended agreement.

Mayor Oberlie asked what the timeline is for the project.

Mr. Basil Souder of Lohan Anderson responded stating for the conceptual design starting with the survey, should take approximately two (2) weeks to one (1) month. Mr. Souder proposed that he be allowed to come back before the Board in mid April to present the concept designs at that time, with descriptive drawings and a cost estimate for both concepts. Mr. Souder stated that based on the approval by the Board for one (1) of the concepts, working drawings would be developed for bid to start the project in the summer and finish in the fall. Mr. Souder also stated that this project will also require close coordination with the redevelopment of Michigan Blvd.; through Structure Point.

Tony Childers, 205 Douglas Avenue, addressed the Board asking if the new Gateway Park would be located at the previous Harborside Homes site? Will it include any of Blocksom's property at this point?

Mayor Oberlie responded stating that it is the previous Harborside Home site.

Dave Fennell, 201 Superior Street, inquired of the Board if this project would include cleaning out the "turning basin" and any pollution that would be present in that?

Mr. Souder explained that the scope of work at this time does not include the "turning basin".

Mayor Oberlie explained that the former Harborside site does not touch the basin. Mayor Oberlie made the motion to approve. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

### **TRANSFER OF PROPERTY – Resolution to Accept Transfer of Excess Property from the LaPorte County Board of Commissioners to the City of Michigan City**

John Espar, Corporate Counsel, explained the following Resolution to the Board:

RESOLUTION 2796

**RESOLUTION TO ACCEPT TRANSFER OF  
EXCESS PROPERTY FROM THE LA PORTE COUNTY  
BOARD OF COMMISSIONERS TO THE CITY OF MICHIGAN CITY**

**WHEREAS**, La Porte County acquired various parcels of property in Michigan Township within the corporate limits of the City of Michigan City as a result of tax deeds; and

**WHEREAS**, La Porte County has found such parcels to have no value to La Porte County; and

**WHEREAS**, the City of Michigan City intends to use or transfer such parcels in a manner that would develop and dispose of such parcels and allow them to begin to become part of the tax roles of La Porte County; and

**WHEREAS**, such transfers would be pursuant to IC 36-1-11-8; and

**WHEREAS**, under Resolution No. 2009-01, the La Porte County Board of Commissioners passed a substantially similar resolution authorizing the transfer of those parcels identified under Exhibit A which is attached hereto and incorporated herein.

**NOW, THEREFORE**, be it Resolved by the Michigan City Board of Public Works and safety that the real estate identified under Exhibit A shall be accepted by the City of Michigan City upon the execution and recording of a deed of conveyance by the Board of Commissioners.

DATED this 17<sup>th</sup> day of February, 2009

THE CITY OF MICHIGAN CITY,  
By and THROUGH THE BOARD OF  
PUBLIC WORKS AND SAFETY

/s/ Anthony Metzcus, President

/s/ John Schaefer, Member

/s/ Charles Oberlie, Member

Mayor Oberlie introduced the Resolution to the Board, and explained in further detail what the Resolution means to Michigan City. Mayor Oberlie made the motion to accept the Resolution, and offered a motion to the Planning Office, requesting the preparation of a map with the identified properties, that shows the adjoining property owners, with their proper mailing addresses so the process can begin to initiate public notice to those adjoining owners. The motion was seconded by Mr. Schaefer and carried as follows:

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

#### **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:

Page	Date	Amount
1 of 7	02/13/2009	\$389,299.60

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

Page	Date	Amount
1 of 4	02/17/2009	\$540,340.83

Dennis Methany, 6757 W. 450 N. Rd., addressed the Board regarding the posted speed limit signs on the North side of 400 N. Rd., asking the Board to expedite the changing of the signs.

Mayor Oberlie replied to Mr. Methany's request, stating that due to snow removal the crews have been very busy. The Mayor stated that it's just a matter of having the time to do it.

#### **LETTER OF UNDERSTANDING – Letter of Understanding between the Michigan City Board of Public Works & Safety and the Sanitary District of Michigan City Regarding I.T. Network Management**

Al Walus, General Manager, Sanitary District, presented the Board with a Letter of Understanding for the I.T. Network Management of City Hall's computers. Mr. Walus explained the proposed agreement, stating that he worked with Personnel Director, Shelley Dunleavy and City Controller, John Schaefer. Mr. Walus asked for the Board's approval.

Mr. Schaefer addressed the Board and explained further how the City's I.T. issues have been handled in the past and stated the current situation is not cost effective. Mr. Schaefer made the motion to approve the Letter of Understanding. The motion was seconded by Mayor Oberlie and carried as follows: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

Tony Childers, 205 Douglas Avenue, addressed the Board regarding the boat ramps at Washington Park and the "trailer" parking problem in that area. Mr. Childers asked if the new ramp will be above the turn bridge on Trail Creek, and will that be the ramp offered to city residents?

Mayor Oberlie replied that the Washington Park ramps are just a temporary measure while other alternatives are being pursued for a more permanent long term solution. The Mayor went on to explain that the Port Authority has obtained the permits to allow

for the dredging, and for the extension of the ramps. The Mayor reiterated that this is only a temporary measure; this is not the long term solution.

### **A.L.C.O. – Proposal and Operating Plan for MC channel 99**

Bart Lombard, Executive Director, Access LaPorte County, addressed the Board as a follow up to a workshop that was held in December 2008. Mr. Lombard presented a proposal on how Channel 99 would be ongoing. Mr. Lombard explained the proposal to the Board in detail, stating that this was just a starting point.

Mayor Oberlie asked Mr. Lombard for more specifics/breakdown of fees under the “other services and charges” area of the proposal.

Mr. Lombard broke down the fees for the Board. Mr. Lombard stated that included in the proposal packet is a copy of the Michigan City Public Library’s operating expenses when they ran the public access channel from the library.

Mayor Oberlie asked that copies be distributed to the Common Council, and then arrangements can be made for a workshop with them to discuss their concepts. The Mayor stated that after the workshop the Board can come back and meet with the representatives of A.L.Co., and negotiate something from there. The Mayor made the motion to share the information with the City Council, and go from there. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

Dave Fennell, 201 Superior Street, addressed the Board regarding the boat launching ramp. Mr. Fennell asked the Board if they were expecting the Michigan City residents to use the Lakefront launching ramp for this summer.

Mayor Oberlie replied to Mr. Fennell question, stating that the objective was to make the boat launch usable so that it compliments the existing facility at the Trail Creek Marina now; so the objective is to have two (2) facilities available this summer.

Mr. Fennell asked if a location has been chosen for the Michigan City residents for boat launching. Mr. Fennell asked about the dredging of the creek from the launching ramp down to the lake.

Mayor Oberlie explained that currently negotiations are ongoing with the private property owner at this time. The Mayor explained to Mr. Fennell that he would be better to direct these questions to the Port Authority, as the Board of Public Works and Safety has no jurisdiction there. The Mayor advised Mr. Fennell that the Corps of Engineering has plans to do summer dredging in the upper stream areas this year from E Street down toward the old Second Street Bridge.

### **OTHER COMMENTS FROM THE BOARD**

Mayor Oberlie advised for record keeping purposes, that the Clerk’s Office has provided the Board with Ordinance No. 4043, which relates to the Code of Ethics

Of the City; and acknowledges that the Board has received it. Mayor Oberlie advised that the Board is aware of the annual filing of May 1<sup>st</sup>.

### **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 9:40 a.m.).

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Thomas F. Fedder, City Clerk