

# REGULAR MEETING – March 16, 2015

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, March 16, 2015 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 Steve Janus, who presided.

**Noted present:** Steve Janus, Michael Palmer and Mayor Meer (3). **Absent:** none (0).

## A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber LaPaich, Corporate Counsel  
Russ Hatfield, Code Enforcement Officer  
Terry Borolov, Code Enforcement Officer  
Skyler York, Assistant Planning Director  
Charles “Spike” Peller, City Engineer  
Lt. Jeff Loniewski, M.C.P.D. Traffic Division  
Chief Mark Swistek, M.C. Police Department  
Chief Ronnie Martin, M.C. Fire Department  
Frank Seilheimer, City Forester  
Kalon Kubik, Mayor’s Administrator  
Shelley Dunleavy, Personnel Director  
Arber Himaj, Engineer, Sanitary District  
Craig Phillips, City Planner  
Michael Kuss, General Manager Sanitary District  
Judy Pinkston, Director Community Development Block Grant  
Robin Tillman, Director M.C. Transit Department  
Andy Matanic, Information Technology Manager  
Bob Zondor, Superintendent Central Services/Central Maintenance

Gale Neulieb, City Clerk  
Kim Sliwa, Deputy City Clerk

## APPROVAL OF MINUTES

President Janus asked if there were any corrections to the minutes of the Regular meeting of March 2, 2015; the Executive Session Minutes of March 2, 2015 and the Executive Session Minutes of March 9, 2015.

Mayor Meer made the motion to approve the minutes from the regular meeting of March 2, 2015; the Executive Session Minutes of March 2, 2015 and the Executive Session Minutes of March 9, 2015. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS** Janus, Palmer and Meer (3). **NAYS: None** (0). Motion carries.

**OPENING OF BIDS – 2015 Landscape Project – Franklin Square**

President Janus asked if there was anyone present who wished to submit a bid at this time.

Vice-President Palmer made the motion to close the acceptance of bids for the 2015 Landscape Projects. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

Corporate Counsel Amber Lapaich addressed the Board; opening the bids as follows:

Servicescape LLC – Franklin Square	\$42,020.00
Michigan Boulevard	\$24,577.67
Itemized watering as needed	\$ 760.00
Franklin Street-Coolspring Ave. to 11 <sup>th</sup> St.	\$23,660.00

Caretaker Landscaping & Lawn LLC –	
Franklin Street-Coolspring Ave. to 11 <sup>th</sup> St.	\$16,433.00
Michigan Boulevard	\$49,807.00
Franklin Square	\$16,275.00

DeLau Landscape Maintenance, Inc. –	
Michigan Boulevard	\$38,565.00
Franklin Street-Coolspring Ave. to 11 <sup>th</sup> St.	\$19,195.00
Franklin Square	\$28,915.00

Lakeshore Seasonal Services Inc. –	
Michigan Boulevard	\$56,700.00
Franklin Square	\$24,900.00
Franklin Street-Coolspring Ave. to 11 <sup>th</sup> St.	\$22,757.00

Mayor Meer made the motion to refer the bids to the City Forester and Planning Department for review, tabulation and recommendation at the next Board of Public Works and Safety meeting. Mayor Meer also asked that Mr. Seilheimer look very closely at the responsiveness of the specifications of each one of the bids so that the Contractors are actually meeting the standards that the City has set as there have been some issues in the past, particularly last season. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**AWARDING OF BIDS – One (1) Fire Aerial Fire Truck**

The following correspondence was received in the City Clerk’s Office on March 10, 2015 from Fire Chief Ronnie Martin:

It is the recommendation of the Michigan City Fire Department truck committee that Rosenbauer is awarded the bid for the new Articulating Aerial Platform Fire Truck.

Fire Chief Ronnie Martin, Michigan City Fire Department addressed the Board advising Rosenbauer was the recommendation from the truck committee and that they be awarded the bid.

Discussion ensued between Corporate Counsel Amber Lapaich and Fire Chief Ronnie Martin regarding the company name being Rosenbauer and not Sentinel Emergency Solutions. Fire Chief Martin stated the name of the company is Rosenbauer.

Vice-President Michael Palmer made the motion to award the bid to Rosenbauer for the Articulating Aerial Platform in the amount of \$1,311,487.00. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3).** **NAYS: None (0).** Motion carries.

**REQUEST FOR SLOW PEDESTRIAN SIGNS – Robert L. Moulton III is requesting two (2) SLOW Pedestrian signs be erected on Barker Avenue**

The following correspondence was received in the City Clerk's Office on March 6, 2015 from Robert L. Moulton III:

Dear Board, I would like to ask the board for two SLOW Pedestrian signs to be erected on Barker Avenue in Michigan City Indiana, between Esther Street and Woodland Avenue. I live in the Queen's Park apartments in 1810B. I am not sure what these apartments were called before as we just moved to Michigan City on March 1<sup>st</sup> of 2014. The apartments are directly across the street from the Queen of all Saints Catholic Church on Barker Avenue. My seven year old son attends Queen of All Saints Catholic School and we walk across the street together, to and from, three out of every five school days. We also attend church at Queen of all Saints parish every weekend and I attend daily mass three times a week. I am disabled. I can walk but unfortunately very slow. I also do not have the ability to scurry which makes crossing the road a bit challenging. The main reason for this request is looking left from the north side of the street the west bound traffic is not visible because the street has an abrupt lane shift 200 feet before the main entrance of Queen of All Saints Church and school. There is a fenced box about five feet tall right in that nook where the lane shift happens. This puts the westbound traffic out of sight for around 30 seconds looking from the north west side of the street. As a pedestrian, I am totally out of westbound traffic's view until they emerge from behind the knook. There is little room for error on the driver and the pedestrian's parts. That margin for error, of course, becomes much smaller when the pedestrian is me. I think a sign indicating SLOW pedestrian installed on both sides of the block between Esther and Woodland could be beneficial to all parties involved. I appreciate your time and consideration in this matter.

Lt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating he has looked at the area and currently on Barker Avenue there is one (1) School speed limit sign that says 15 mph installed for westbound traffic on Barker Avenue; there is also already two (2) pedestrian crossing signs for westbound traffic, which are all located between Carroll Avenue and Woodland Avenue. Lt. Loniewski advised the only deficiency he sees is that there is no crossing signs for eastbound traffic on Barker Avenue near the school, as the closest one is down by Butler Street. Lt. Loniewski recommended the Board approve the installation of one (1) pedestrian crossing sign just east of the stop sign on Barker Avenue east of Woodland Avenue.

Mayor Meer made the motion to approve having the Street Department install the signs as recommended by Lt. Loniewski. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3).** **NAYS: None (0).** Motion carries.

**REQUEST FOR LANE CLOSURE – Dave Pfeiffer, St. Paul Lutheran Church and School is requesting to utilize the parking lanes on the north side of 9<sup>th</sup> Street between Franklin and Pine Streets on Friday, March 20, 2015 from 4:00 p.m. to 7:00 p.m. for “drive up” pick up lane for Annual Fish Fry**

The following correspondence was received in the City Clerk’s Office on March 2, 2015 from Dave Pfeiffer, St. Paul Lutheran Church and School:

I am requesting to have an item placed on the agenda for the board of works next regular meeting. St. Paul Lutheran Church and School will be holding their annual Fish Fry on March 20<sup>th</sup>, 2015 from 4 to 7 p.m. at the church property located at 9<sup>th</sup> & Franklin Streets. I am requesting for approval to utilize the left lanes (north side) of 9<sup>th</sup> Street between alley parallel to and east of Franklin Street to the intersection of Pine St. for our to go order pick up. This lane is already used for student pick-up during the week. This is the same procedure we’ve used in previous years. We used traffic cones to divide the lane. Also, this time as in previous years, myself and other E.M.A. will be working traffic for the event as well as church members. This procedure has been well received and we’ve had no complaints or opposition. Thank you for your time and consideration.

Dave Pfeiffer, St. Paul Lutheran Church and School addressed the Board regarding the request; explaining the lane closure, and asked the Board for their approval.

Mayor Meer made the motion to approve the request for the Annual Fish Fry parking lane restriction. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**REQUEST TO USE WESTCOTT PARK – Bennie Edwards, Director Patch Harborside Heritage Organization is requesting to have the 12<sup>th</sup> Annual Patch Harborside Celebration on August 8, 2015 from 9:00 a.m. to 9:00 p.m.**

The following correspondence was received in the City Clerk’s Office on March 9, 2015 from Bennie Edwards, Director Patch Harborside Heritage Organization:

Re: Patch Harborside 12<sup>th</sup> Annual Celebration  
Dear Mayor Meer and the Michigan City Board of Works,  
It’s that time of year again, when the Patch-Harborside Heritage Organization will be asking for permission to conduct our 12<sup>th</sup> Annual Patch Harborside Celebration on August 8, 2015. This event will be held on the former “Patch & Harborside home location” now known as the “Charles R. Westcott Park”. Over the past eleven years, the Patch Harborside Heritage Organization has welcome back hundreds of visitors in celebrating our long Heritage of the Patch & Harborside Area. We continue to serve our community with activities and community services. We feel strongly about our on-going relationship with the City and the opportunity to serve our community with activities and community services. We feel strongly about our on-going relationship with the City and the opportunity to conduct an event in one of our prestigious Parks. We have worked very closely in the past with the Michigan City Parks Department and the Michigan City Police Traffic Control in making this event enjoyable and safe.  
In order for a successful day the following is requested:

1. Utilizing parking spaces in the Park and Michigan Blvd.
2. Picnic tables (40) Park Dept.
3. Barbecue/Cooking on grounds
4. Electricity Use
5. Bands Permitted/DJ on site
6. Garbage Cans (Park Dept.)
7. Four Port-A-Pots (has been provided by the City)
8. Grass-Cut
9. Alcohol beverage permitted on grounds (No Sale of Alcohol)
10. Starting Time: 9:00 a.m. to 9:00 p.m.

11. Tents for shelter provided by family members in attendance.
12. Dance floor provided by Park Department. Note: The Park Department placed last year dance floor in storage to be used in 2015.

Mayor Meer addressed the Board stating he received the request from Mr. Edwards who asked that the item be placed on the Board of Public Works and Safety Agenda and the Park Board Agenda for this traditional event.

Lt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating he has reviewed the request, and the last couple of years it has run real smooth out there and would recommend approval of the request. Lt. Loniewski advised there will be approximately three (3) to four (4) officers there and they will be closing one of the west-bound lanes of Michigan Boulevard.

Mayor Meer stated Mr. Edwards would need to be contacted regarding the Certificate of Liability Insurance needed for the event.

Mayor Meer made the motion to approve the request for the 12<sup>th</sup> Annual Patch Harborside Celebration on August 8, 2015 from 9:00 a.m. to 9:00 p.m. contingent on the insurance certificate received in the City Clerk's Office prior to the event. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**TRAFFIC SAFETY CONCERN – Roger Willoughby, 401 E. 7<sup>th</sup> Street is requesting the curbing on Michigan Boulevard at the intersection of E. 7<sup>th</sup> Street be painted at least 20 feet further from the intersection for safety**

The following correspondence was received in the City Clerk's Office on March 10, 2015 from Roger Willoughby, 401 E. 7<sup>th</sup> Street:

Mr. Meer – I have taken the time to share with you a picture of the issue I have brought to your attention on many occasions – The yellow line needs to be extended by the church BY at LEAST 20 ft...It is a significant hazard ... cars constantly cheat the parking zone – and you cannot make the turn in your own lane with a car parked where it shouldn't be.. The Yellow curb line needs to be extended – I am fully aware its winter – but at first thaw it needs to be changed --- in the interim there should be a no parking sign – and I also requested last fall that no parking signs be reinstated in front of my residence – due to the yellow line is covered when it snows --- the road is not wide enough for people to park where they see fit

Lt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board advising he has looked at the request and there is actually a fire hydrant at that intersection to, and he doesn't believe the yellow curbing even extends the distance to that as people are parking too close to the fire hydrant. Lt. Loniewski recommended approval of the request.

Mayor Meer addressed Bob Zondor, Superintendent of Central Services and the Street Department, to look at the quality of the paint that is being used as it seems to be chipping off in one (1) season.

Mayor Meer made the motion to approve the requested alterations at the intersection of Michigan Boulevard and 7<sup>th</sup> Street. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**REQUEST TO SOLICIT BIDS – Asst. Chief Tim Richardson, Michigan City Police Department is requesting to solicit bids for nine (9) 2015 Ford Police Interceptor Utility Vehicles – AWD Ford Option Package (K8A)**

The following correspondence was received in the City Clerk’s Office on February 25, 2015 from Asst. Chief Tim Richardson, Chief of Operations, Michigan City Police Department:

Re: Solicitation of Bids

Board Members: The Michigan City Police Department respectfully requests that you approve the solicitation of bids for:

Nine (9) 2015 Ford Police Interceptor Utility Vehicles – AWD Ford Option Package (K8A)  
Funding has been approved in the 2015 Police Department Budget.

We ask that this request be placed on the agenda for your regularly scheduled meeting of the Board of Works on March 15, 2015. Thank you.

Chief Mark Swistek, Michigan City Police Department, addressed the Board stating he is here this morning to seek the approval of the Board to solicit bids for nine (9) 2016 Ford Interceptor AWD vehicles. Chief Swistek advised the Board would note on the Agenda this morning it states “2015”, but they will be missing the cut off to order 2015 so therefore these units will be “2016” models. Chief Swistek stated in addition to that the 2016 offers a back-up camera, which a majority of their accidents are from backing unfortunately and this will be a benefit to the department as well; and at the recommendation of Mayor Meer and the City Council they have reduced the number of vehicles they will be purchasing this year to that of nine (9) vehicles; all will be fully marked and assigned to the uniform patrol division.

Vice-President Palmer made the motion to approve the request for the solicitation of bids for nine (9) 2016 Ford Interceptor Utility vehicles. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**REQUEST TO SOLICIT BIDS – Chief Mark Swistek, Michigan City Police Department is requesting to solicit bids for the New Michigan City Police Facility**

The following correspondence was received in the City Clerk’s Office on March 3, 2015 from Chief Mark Swistek, Michigan City Police Department:

Please place us on the B.O.W. Agenda for Monday, March 16<sup>th</sup> for the approval to solicit bids for the new Michigan City Police Facility.

Chief Mark Swistek, Michigan City Police Department, addressed the Board stating he would also solicit the approval of the Board to request bids for the new Police facility allowing their project management team, American Structure Point, to release the bids on March 28<sup>th</sup>, 2015; and opening the bids in the month of May; requesting the Board’s permission to move forward with this.

Mayor Meer made the motion to allow the engineering/design firm and police department to solicit bids for construction of the new police station. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**REQUEST TO SOLICIT BIDS – for the 2015 Street and Sidewalk paving program**

The following correspondence was received in the City Clerk’s Office on March 10, 2015 from Mayor Ron Meer:

Dear Board of Works: I am requesting solicitation for bids for the 2015 Street and Sidewalk paving program.

Charles “Spike” Peller, City Engineer, addressed the Board requesting that this Board approve the solicitation of bids for the 2015 Street and Sidewalk program; they will be advertising this Friday so that the contractors can pick up the plans and specifications; monies for this program is being funded through the Council’s appropriation for streets and sidewalks.

Discussion ensued between the Board and Mr. Peller regarding when the bids would be opened. Mr. Peller informed the Board that bids would be opened at the April 20, 2015 meeting.

Vice-President Palmer made the motion to approve the request for the solicitation of bids for the 2015 Street and Sidewalk Paving program. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0).** Motion carries.

**REQUEST TO INSTALL MONITORING WELLS – Zachary Heine, Director of Operations, Amereco, Inc. is requesting to install two (2) groundwater monitoring wells on May Avenue near the intersection of Franklin Street and May Avenue**

The following correspondence was received in the City Clerk’s Office on March 10, 2015 from Zachary Heine, Director of Operations, Amereco, Inc.:

Dear Board Members: Amereco has been contracted to conduct a sub-surface investigation in association with the property located at 2107 Franklin Street, Michigan City, IN. As approved by the Indiana Department of Environmental Management (IDEM), Amereco is requesting permission to advance two (2) vertical soil borings and install two (2) groundwater monitoring wells in May Avenue, near the intersection of May Avenue and Franklin Street. A site plan depicting the approximate location of the soil borings and wells has been attached. Additionally, a proposed monitoring well design has been attached. All site activities will be conducted by an Indiana licensed Well Driller.

This project should not require the full closure of May Avenue and will be completed in one day. The project is anticipated to be conducted on or about March 24, 2015, weather permitting. Amereco will utilize a flagman to direct traffic as necessary and all personnel will don high-visibility attire.

Prior to any site activities, Amereco will be utilizing Indiana 811 to locate utilities. Additionally, a 3<sup>rd</sup> Party underground locate contractor (GPRS, Inc.) will be utilized to utilize ground penetrating radar in the area of site activities. Indiana Code 8-1-26 will be adhered during all site activities.

Therefore, Amereco is requesting the City’s permission to access May Avenue for the purposes of a sub-surface environmental investigation.

Steven Travis with Amereco Engineering addressed the Board regarding the request; explaining the intended work; asking the Board for their approval.

Discussion ensued between the Board and Mr. Travis regarding what the facility was. Mr. Travis explained there used to be a printing company at this site.

Vice-President Palmer made the motion to approve the request to install two (2) ground monitoring wells on May Avenue and Franklin Street as long as they put the property back to its original condition when the project is finished.

Corporate Counsel Amber Lapaich addressed the Board advising that she has drafted a License Agreement for the use of this property, and she anticipates that it would be no more than sixty (60) days.

The motion was seconded by Mayor Meer and carries as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**REQUEST FOR MINOR SERVICE CHANGE – Robin Tillman, Director Michigan City Transit Department is requesting a minor service change to Route #2 to provide service to the Bureau of Motor Vehicles in Evergreen Plaza**

The following correspondence was received in the City Clerk's Office on March 3, 2015 from Robin Tillman, Director, Michigan City Transit Department:

Michigan City Transit Director respectfully requests to be heard on March 16, 2015. Michigan City Transit Department requests approval for a minor service change to Route #2, in accordance with Department Policy #305, System Service Change II. (B) Minor Service Change. The change would take effect 30 days after date of approval.

The proposed minor service change would provide service to the Bureau of Motor Vehicles in Evergreen Plaza expanding the fixed route service.

Currently Route #2 provides direct service to Meijer's, along with Route #3 and #4.

Proposed Change: Route #2 would travel to Marquette Mall allowing passengers to transfer at no additional cost to Route #3 within minutes continuing service to Meijer's. Route #2 would then travel via US Hwy 20 – Cleveland Ave. – Pahs Rd. – High School – Pahs Rd. – Woodland Ave. – US Hwy 20 – Bureau of Motor Vehicles – US Hwy 20 – Woodland Ave. continuing existing route.

Robin Tillman, Director, Michigan City Transit Department addressed the Board explaining the request for the minor service change to provide service to the Bureau of Motor Vehicles in Evergreen Plaza; asking the Board for their approval. Mrs. Tillman further explained the change would be for Route #2 – 12 times a day (hourly).

Discussion ensued between the Board and Mrs. Tillman regarding monitoring the route change to see how effective it is and if it isn't working out it could be cut back.

Mayor Meer made the motion to approve the request for the minor service change for Route #2 with the Michigan City Transit Department. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**ENGINEERING/CONSULTANT REQUEST – Craig Phillips, City Planner requests approval of the Redevelopment Commission seeking the services of Consultants for engineering and design of the Pine/Washington/9<sup>th</sup> Street Two-way Street Conversion Project**



The following correspondence was received in the City Clerk's Office on March 2, 2015 from Craig Phillips, City Planner:

On behalf of the Redevelopment Commission, please place a request for approval of the Redevelopment Commission seeking the services of consultants for engineering and design of the Pine/Washington/9<sup>th</sup> Street Two-way Street Conversion Project for the March 16 Board of Works meeting. If you have any questions, please let me know. Thank you.

Craig Phillips, City Planner addressed the Board regarding the request; explaining the Redevelopment Commission would like to make a formal request to move forward with the process of seeking a consultant and solidifying the scope of services and contracts for the Pine/Washington/9<sup>th</sup> Street Two-way Conversion Project. Mr. Phillips stated they have not yet had their scoping meeting and first contract negotiation meeting, but that's scheduled for later this week, and so he just wanted to get this on the agenda to ultimately get an approval from the Board of Works to move forward on this project, so this would be the first step in that action. Mr. Phillips stated any questions the Board may have for him at this point he would be happy to entertain.

Mayor Meer made the motion to approve the request as presented by Mr. Phillips. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**STREET CLOSURE – NICTD is planning track and asphalt replacement on 11<sup>th</sup> Street from the east side of Washington Street to the west side of Tennessee Street starting July 20, 2015**

The following correspondence was received in the City Clerk's office on March 3, 2015 from Christopher Beck, Chief Engineer: Track & Structures, Northern Indiana Commuter Transportation District:

The District is planning track and asphalt replacement in 11<sup>th</sup> Street from the east side of Washington Street to the west side of Tennessee Street. We are planning this work to take place starting July 20, 2015 and completing around September 13, 2015. The work involves removing and replacing approximately thirty six inches of asphalt outside of the rails, on each side of the tracks, along with the asphalt between the rails.

The asphalt outside of these limits between Washington Street and Tennessee Street, along 11<sup>th</sup> Street, is in poor condition throughout most of this area. If the City has any plans on paving this area in 2015 we think it would be in both our interests if this work is coordinated with our proposed work. We propose that the City install new surface asphalt up to our rails, on both side of the track. This would result in a smooth asphalt surface for motorists. If the City does not have any plans to do any paving work outside of our rails, the District plans to replace the asphalt, within our work area, with cast-in-place concrete pavement.

Additionally, there is a sanitary manhole between our rails at Ohio Street. As part of this project, we would like to see the City relocate this item but could you please copy this letter to the appropriate person?

We look forward to hearing from the City regarding this project.

Discussion ensued between the Board, Craig Phillips Planning Director and Shem Khalil of Global Engineering regarding the Redevelopment Commission working with this project to take the paving all the way from Tennessee Street to Spring Street in coordination with NICTD. Mr. Khalil advised this project was to be addressed under the Paving project for

2015 at a cost of approximately \$580,000.00 and the Redevelopment Commission is actually adding to this project all the way to Spring Street for beautification along the 11<sup>th</sup> Street corridor.

Further discussion ensued between the Board, Mr. Phillips and Mr. Khalil regarding the funding for this project now being funded by the Redevelopment Commission not to exceed \$850,000.00, and will not come out of the Paving budget/Riverboat funds. Mr. Phillips explained the project will include the paving and some street-scaping along 11<sup>th</sup> Street from about Pine Street to Wabash Street.

Discussion continued between the Board, Mr. Phillips and Mr. Khalil regarding the scope of the project not continuing/extending to Michigan Boulevard. Mr. Khalil explained they use the Pacer Manual for assessing the pavement, and the reason they are not going beyond Franklin Street is due to the pavement being in pretty good shape with the street-scape continuing on to Spring Street; the project coinciding with the NICTD project; sidewalks will be addressed only if there is a damaged area of sidewalk. Mr. Phillips explained some of the street-scape improvements could include decorative light poles, benches, planters and pedestrian way-finding signage.

Mayor Meer made the motion to approve the request of the Redevelopment Commission. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**SANITARY DISTRICT UPDATES – Michael Kuss, General Manager Michigan City Sanitary District to update the Board on 1) Lake Henry; 2) Lake Kai; 3) Karwick Nature Park**

Michael Kuss, General Manager Michigan City Sanitary District addressed the Board advising he has received the Army Corp of Engineers permit to dredge Lake Henry and they have started the work last week and are making considerable progress, and have opened up the channel and will be working on the landscaping. Mr. Kuss provided the Board with photos of the area prior to the work and after; explaining the work that was performed and the work that will be done to complete the project.

Discussion ensued between the Board and Mr. Kuss regarding the material that was removed from the area. Mr. Kuss advised the Board that the debris would be taken to a land fill as denoted on the application to the Army Corp of Engineers. Mr. Kuss stated they are looking into using the dirt and clay that was removed in other areas, but not in the Lake Henry area. Mr. Kuss explained the Sanitary District would get all the costs together on this and then he will come back to the Board to decide how they will be paid as the Board of Public Works and Safety at a previous meeting approved the Sanitary District moving forward with this project. Mr. Kuss addressed the Board and provided them with a Request for Qualifications and Proposals (RFQ&P) for Lake Henry Limnology Study; explaining the study is about lakes and what happens to them over time. Mr. Kuss explained there is no cost associated with this right now as it is just a “Request for Proposals” that he wanted to get out today and have the proposals come back to the Sanitary District for them to make a recommendation to the Board. Mr. Kuss asked the Board for their approval to send out the RFQ&P.

Vice-President Palmer made the motion to approve the request by Mr. Kuss to seek proposals for the Lake Henry Limnology Study. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

Mr. Kuss addressed the Board regarding Lake Kai explaining the Board of Public Works and Safety approved the Sanitary District to install additional ground water monitoring wells; reporting that work is done now and the results are in. Mr. Kuss advised they are working on finalizing the report, as they found approximately the same results in that the eastern most well towards Long Beach and the City line was the highest, and they believe the water is going out to Lake Michigan; a final report should be ready by next week or so. Mr. Kuss stated they have gone to the State of Indiana regarding this matter on two (2) separate occasions with regards to the long term pollution issues with molybdenum and nickel in the ground water in the area of Criterion Catalyst. Mr. Kuss explained the folks that are responsible for this now want to enter into what is called a “volunteer remediation program”, and the State has some concerns about them doing that and they have issued a “proposed agreed order”; they are also working with a company called Cytech, who is the company responsible for the clean-up to possibly pump that water that’s in the ground into the sanitary sewer for treatment at the Sanitary District to try to stop the migration of the pollutants off site.

Mr. Kuss addressed the Board regarding the Karwick Nature Park explaining the Sanitary District has a draft site characterization report that basically is a whole comprehensive characterization of what’s at the Karwick Nature Park; further explaining what has been found at the site, and steps to be taken for the clean-up, which could involve putting a “leacha” collection system in and cap the whole site; however the consultant believes, along with the State, that it would be better off to leave some of the sand cover there as the dump is still creating some methane gas and incorporating the “leacha” collection system to collect some of the pollutants and pump that into the Sanitary District for treatment, cap some of the areas and ultimately turn it back into a nature park. Mr. Kuss advised they are having the State look at the draft report, which could take approximately thirty (30) days and then make that draft report available to the public.

#### **POLICY RENEWAL – General Insurance-Employee Benefits Plan Renewal**

Craig Menne, General Insurance Services addressed the Board regarding the Employee Benefits Plan Renewal; explaining the benefits are self-funded with a variety of parts to the plan; advising we currently have Anthem serving as the administrator of the plan and Optum is the name of the Stop Loss Insurance provider (Optum is a division of UnitedHealthcare). Mr. Menne further explained the three (3) deductibles on the plan; the recommended renewal to continue on with both Anthem and Optum, and selecting “Alt 2” for the specific deductible; advising the costs associated with the plan.

Mayor Meer advised the Board that a meeting took place with himself, the City Controller and Personnel Director where the plans were discussed in more detail.

Discussion ensued between the Board and Mr. Menne regarding funding for the plan, with the Cobra rate seeing an increase.

Mayor Meer made the motion to approve the renewal of the benefit plan for employees with “Alt 2”. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**I.T. STORAGE REFRESH PROJECT – Andy Matanic, Information Technology Director**

Andy Matanic, Information Technology Director addressed the Board advising the status of the I.T. Storage Refresh Project, and asking for the Board's consideration of approving the purchase of new storage equipment. Mr. Matanic stated this is Phase II of VI in the process. Mr. Matanic recommended the EMC storage and VMware selection for the technology refresh project. Mr. Matanic stated this will cover all city locations including the Police Department, City Hall and Central Services. Mr. Matanic further explained the components with the system and what they are used for; the use of this equipment by much larger municipalities; RoundTower Technologies implementing this part of the project; the storage availability lasting approximately five (5) years; equipment life of approximately ten (10) years; replacement of parts/pieces; this being our archiving system as well; the time frame for implementation – being approximately mid-July of this year; money for this being funded from the funding received in 2013; 36 months of support.

Vice-President Palmer made the motion to approve the purchase from RoundTower Technologies of \$86,077.54 for Phase II software, amending the motion to include the \$631,906.67 for Phase II hardware. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**SAFETY CONCERN – Intersection of Lakeshore Drive and Krueger Hill**

Vice-President Palmer addressed the Board regarding concerns he has with this intersection being the intersection was changed when the 4-way stop was implemented due to the Franklin Street bridge work, and that they have not been removed yet; also that the Traffic Division was asked to do a crash study for that intersection; that neighbors are pleased with the slower traffic in that area; the speed around that curve of roadway not being monitored during the summer months and trying to slow down the traffic for pedestrians; installation of "cross traffic does not stop" signs at that intersection.

Lt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating the Traffic Division has concerns for when the additional stop signs are removed that the vehicular traffic would not be aware the signs were removed; therefore the Board recommended and approved the installation of "cross traffic does not stop signs". Lt. Loniewski advised the Board that there were only three accidents since 2008.

Vice-President Palmer asked that Superintendent of Central Services, Bob Zondor remove the two (2) temporary signs, as well as the provisional signs be posted before the temporary stop signs are removed.

**ORDERS TO DEMOLISH – 1024 E. Michigan Boulevard**

Russ Hatfield, Code Enforcement Officer addressed the Board advising 1024 E. Michigan Boulevard is also known as the old "Flamingo Record Shop"; stating he did have correspondence with the owner Mrs. Deloris Batchelder, and she does agree that the property is in bad shape and the structure is unsafe/unsound and does need to come down. Mr. Hatfield advised that he has tried to work with her to voluntarily do this on her own, but she is financially incapable of being able to do that; so the demolition will have to go through the city, but she is not going to oppose the demolitions.

Vice-President Palmer addressed Corporate Counsel Amber Lapaich regarding this being an administrative hearing and needs to be opened for such.

President Janus opened the administrative hearing on this property.

Mr. Hatfield reiterated that this is the old “Flamingo” property, and in the title search it shows that taxes are unpaid and delinquent; explained the inspections report – structure is impaired and the structural condition makes it unsafe to property or persons; it is a hazard to public health; public nuisance; dangerous to persons or property because of the violations of the statute or ordinance concerning the building condition and/or maintenance; its vacant and not maintained in a matter that would allow human habitation. Mr. Hatfield continued to explain the condition of the structure and the safety concerns.

Discussion ensued between the Board and Mr. Hatfield regarding the adjoining property being donated to the City by the Bank, which is currently being use for Fire and Police Training and that he will be working in conjunction with this demolition to get the entire area cleaned.

President Janus inquired if there was anyone present who wished to address this property. There was no response, and asked to close the administrative hearing.

Vice-President Palmer made the motion to close the administrative hearing. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

Mayor Meer made the motion to move forward with the demolition of 1024 E. Michigan Boulevard. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

#### **ORDERS TO DEMOLISH – 1214 E. Michigan Boulevard**

President Janus opened the administrative hearing on this property.

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the property at 1214 E. Michigan Boulevard stating the property is owned by Vasilios and Trudy Karallas; advising that according to the title search there are taxes that are unpaid and delinquent; further advising the Board of the inspection summary on the property that he provided copies to the Board to review; also advising there have been long standing issues with the property and at one time they did register under the “Vacant Properties” ordinance and submitted a plan for the maintenance and upkeep of the property and they failed with that plan. Mr. Hatfield explained after they failed with that plan he issued a citation, and continued to work with the owners to bring the structure into compliance and when they failed on that agreement there was a judgement set on 05/07/2014 for damages in the amount of \$500.00. Mr. Hatfield further explained the condition of the structure and that the previous Code Enforcement Officer had issued orders to repair sometime in 2006, but those requirements were met at that time according to the documentation he found. Mr. Hatfield continued to explain the condition of the property; permits issued on the property for roofing and siding on 09/23/2013; roof, siding and windows were to be completed by 11/30/2013 according to the timeline that was submitted by the owners. Mr. Hatfield requested that the Board allow him to continue on with the demolition and remove this unsafe structure.

Trudy Karallas, owner 1214 E. Michigan Boulevard addressed the Board apologizing for the eyesore of the building; explaining when the permits were issued in 2013 they had every intention of completing the work within the timeframe that was set, and that they put up a new garage door and within three (3) days someone broke the door down, and that it has been a continuous assault of vandalism; further explaining circumstances for why the work was not completed and that they have every intention of completing the work to make the property up to code and livable; that they are behind with the property taxes and why; stating structurally the building is sound, but does need cosmetic work; not knowing if they had clear title to the property, which they now have; asking the Board to give them time to figure out the tax issue; completion of the roof with a week if not sooner; asking the Board to continue with the hearing until they get an update on the taxes and at that time she will tell the Board what their plans are.

Mr. Hatfield addressed the Board stating regardless of their tax issue there is no reason for the property to look this way; and this is the second round that the Inspection Department has worked with them to get this property into compliance.

Discussion continued between the Board, Corporate Counsel Amber Lapaich, Mr. Hatfield and Mrs. Karallas regarding the property's status; documentation of the judgement that was ordered; construction along Michigan Boulevard that hindered the progress of the repair work; their property tax dilemma; timeline for the project completion; structural integrity of the building; the judgment that was set regarding the property; vandalism of the property. Mrs. Karallas invited the Board and all the City Inspectors to come out to the property to see it is still structurally sound.

Mr. Hatfield addressed the Board asking that they allow every inspector to meet there and go through the structure thoroughly, and if Mrs. Karallas claims are correct he will advise this Board to allow them the time to complete the project, but if the other inspectors find issues he will also bring those reports back to the Board and he will request to continue on with the demolition.

Further discussion ensued between the Board and Mrs. Karallas regarding the completion of the project and a timeline moving forward.

President Janus advised the hearing would be held over until the next meeting; with the request that the Planning and Inspection Departments coordinate with Mr. and Mrs. Karallas to do an inspection within the next seven (7) days, and will then be addressed at the next Board of Public Works and Safety meeting when the hearing continues.

#### **ORDERS TO DEMOLISH – 312 Willard Avenue**

President Janus advised the Public Hearing on this demolition was now open.

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the property at 312 Willard Avenue stating the owner is listed a Yatta, Inc., and that his research for this corporation has been dissolved and the only two (2) names associated with Yatta, Inc. are Molly Palmer and Samuel Mitchell; advising Samuel Mitchell passed away last year and that was the only listed address he has for Yatta, Inc. and Samuel Mitchell. Mr. Hatfield reviewed the inspection report with the Board; advising the taxes are unpaid and delinquent; utility disconnect dates; that this property was the old liquor store located on the alleyway in the

300 block of Willard Avenue; conditions of the property; that he cannot find anyone who is willing to take responsibility to bring this property back up to code.

President Janus inquired if there was anyone present who wished to speak on this property. There was no response and President Janus closed the Public Hearing at this time.

Mayor Meer made the motion to move forward with the solicitation of bids for the demolition of 312 Willard Avenue. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

#### **DISPOSITION OF GRIEVANCES**

President Janus advised that Grievances were heard on March 2, 2015 and March 9, 2015.

Corporate Counsel Amber Lapaich addressed the Board advising Mayor Meer was not in attendance at the Executive Sessions and will be abstaining from voting on these grievances.

#### **DISPOSITION OF GRIEVANCE – AFSCME Local 228**

Vice-President Palmer addressed the Board regarding the matter of Mike Williams date of corrective notice 01/13/2015; advising Mr. Williams was given a written warning for his actions, and asked that this stay in his file; also, the corrective action with the suspension on 01/13/2015, asking that it be changed to a one (1) day suspension and stays in his file, and pay is reinstated for the other (second) day; modifying his second corrective action notice, instead of two (2) days receiving one (1) day. Vice-President Palmer stated that was his motion. The motion was seconded by President Janus and carried as follows: **AYES: MEMBERS Janus and Palmer (2). ABSTAIN: Meer (1). NAYS: None (0). Motion carries.**

#### **DISPOSITION OF GRIEVANCE – AFSCME Local 228**

Vice-President Palmer addressed the Board regarding the matter of Donna Hudson regarding her grievance for over-time pay on 01/08/2015, 01/09/2015, 01/11/2015 and 01/12/2015; making the motion to deny the request. The motion was seconded by President Janus and carried as follows: **AYES: MEMBERS Janus and Palmer (2). ABSTAIN: Meer (1). NAYS: None (0). Motion carries.**

#### **DISPOSITION OF GRIEVANCE – AFSCME Local 228**

Vice-President Palmer addressed the Board regarding the matter of Donna Hudson regarding the written warning she received on 02/02/2015; making the motion that it stays in her file as written, but modify the corrective action on 02/03/2015; requesting that the Board modify the suspension and that this action be removed from her file and she return her pay for those three (3) days that she was suspended. The motion was seconded by President Janus and carried as follows: **AYES: MEMBERS Janus and Palmer (2). ABSTAIN: Meer (1). NAYS: None (0). Motion carries.**

**DISPOSITION OF GRIEVANCE – ASFCME Local 228**

Vice-President Palmer addressed the Board regarding the matter of Charles Anderson; stating the date of his corrective action notice of 02/03/2015; requesting the Board modify to a written warning that stays in his file and that he receive his pay for 02/09/2015 and 02/10/2015. The motion was seconded by President Janus and carried as follows: **AYES: MEMBERS Janus and Palmer (2). ABSTAIN: Meer (1). NAYS: None (0). Motion carries.**

**DISPOSITION OF GRIEVANCE – ASFCME Local 228**

Vice-President Palmer addressed the Board regarding the matter of Eric Walker; stating the date of his corrective action notice of 02/03/2015; requesting the Board modify to receive a written warning that stays in his file and be allowed to return to work, and to be paid for the five (5) days he was suspended without pay. The motion was seconded by President Janus and carried as follows: **AYES: MEMBERS Janus and Palmer (2). ABSTAIN: Meer (1). NAYS: None (0). Motion carries.**

**NEW ITEM – Sculpture purchase**

Corporate Counsel Amber Lapaich addressed the Board stating she received news that the Redevelopment Commission has agreed to purchase the sculpture in front of the amphitheater in Washington Park known as the “DUET” for the City; the Redevelopment Commission has agreed to pay \$15,000.00 for the sculpture so it will become a permanent fixture in Washington Park. Counsel Lapaich explained the artist had valued that property at \$18,000.00 and has agreed to reduce the price to \$15,000.00 for us; advising she has drafted a Purchase Agreement for this Board, acknowledging that the City will now be the owners of said sculpture if that is the Boards desire, and she has also contacted General Insurance Services who advised it will cost the City nothing at this time to insure this sculpture under the City’s policy. Counsel Lapaich asked the Board for their approval and signature on accepting this sculpture.

Vice-President Palmer made the motion to approve the acceptance of the sculpture from the Redevelopment Commission, who’s paying for it, and putting it in the City’s inventory; and allowing the President of the Board to sign the agreement. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**CLAIMS AND PAYROLL**

Vice-President Palmer 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 Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (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	03/06/2015	\$379,968.58

Allowance of claims as set forth in the Register of Claims for the Board of Public Works and Safety and the Department of Redevelopment (which Register is in the possession of the City Controller) as follows:

Page	Date	Amount
1 of 4	03/11/2015	\$1,000,112.22
1 of 1	03/18/2015	\$10,520.97
1 of 1	03/18/2015	\$156.31

**UNFINISHED BUSINESS – Pending Items**

**Pending Item – Request to Utilize Alleyway between Warren Building and 711 Franklin Street-Maple City Ventures**

Corporate Counsel Amber Lapaich addressed the Board regarding the request by Maple City Ventures to utilize the alleyway between the Warren Building and 711 Franklin Street; advising last time she reported that Mr. Purze had requested that she contact Mr. Beige. Counsel Lapaich stated she did contact Attorney Beige and has yet to hear back from him on how to resolve this.

President Janus stated the item would be held over until the next meeting.

**Pending Item – Honorary Street Sign-Toni Simpson/Joan Chumley requesting McClelland Avenue be named Becky Williams Boulevard**

Mayor Meer addressed the Board regarding the request for the Honorary Street Sign from Toni Simpson and Joan Chumley regarding changing McClelland Avenue to Becky Williams Boulevard; stating there has been communication with Mr. Zondor, Superintendent Central Services, with regard to the installation of the signs, and will be called Becky Williams Avenue; with signs to be located at Hwy 12 and McClelland Avenue, and W. 7<sup>th</sup> Street and McClelland Avenue in front of the old Park School which is now the H.O.P.E. program facility; and the signs are being ordered now.

**Pending Item - 111 Franklin Street**

Craig Phillips, Planning Director addressed the Board regarding the property at 111 Franklin Street stating since the last Board meeting the Planning and Inspection Staff has had the opportunity to meet on a couple different occasions and have had conversations of various

nature with the new owner of the property. Mr. Phillips advised the Board that the new owner has provided them with a great deal of information with regards to the proposed completion of the property; presenting the Board with a schedule/timeframe for the improvements, which they have reviewed. Mr. Phillips stated the proposal is to complete the remainder of the work that needs to be done on the property between now and approximately the first week of September, 2015. Mr. Phillips reiterated that the Planning and Inspection Department has reviewed this and feel it is a reasonable request in terms of the timing involved and all the steps necessary to complete the project; they have been on site and inspected the work that has been done to date and feel this is in line with what needs to be done to complete the project, and also addressed his concerns previously with regard to the site improvements that need to be made to the property; in addition they have been presented with a business plan, proposed menu and floor plans that indicate the changes that would need to be made to the property to carry out the desire of the new owner for the completion of the project. Mr. Phillips stated this will be a restaurant and should no longer be referred to as the "Ice Cream Parlor", and should be referred to as 111 Franklin Street. Mr. Phillips reviewed the timeline with the Board as presented by the owner, Tom Adams. Mr. Phillips advised the scheduled demolition was to happen today, but his office did speak with them and they know of the information that has been presented to the Planning and Inspection Department and based on the review of all the information they have been provided the understanding of what needs to be done going forward, the Planning and Inspection Staff would request that the Board rescinds the Order to Demolish at this time and allow them the time between now and the next meeting to modify the Orders to Repair and work with the new owner to do a "Agreed Order to Repair". Mr. Phillips stated at this point they feel that once the financing is obtained for this the likelihood of the project being completed is very high and would be their desire to see this project completed as the facts and details associated with this issue have changed dramatically since the process started; and a "modified order to repair" is ultimately an appropriate action for the Board to take after the Order to Demolish has been rescinded.

Discussion ensued between the Board, Mr. Phillips and Russ Hatfield, Code Enforcement Officer regarding notification to Smith & Sons that the demolition would not be taking place; the presented timeline; six (6) months for completion of the project; work that needs to be completed/performed; completion prior to the six (6) month projected deadline; financing for the project; re-visiting the "modified order" should financing fall-through.

Tom Adams, owner 111 Franklin Street, addressed the Board regarding financing for the project; additional investors for the project; monies he has invested, and that he has every intention of completing the project.

Further discussion ensued between the Board and Mr. Phillips regarding what happens if financing falls-through; re-issuing the Order to Demolish.

President Janus advised he would entertain a motion to withdraw the Order to Demolish.

Mayor Meer made the motion to rescind the Oder to Demolish on this property.

Mr. Phillips advised the Board they would also need to rescind the award of the contract for the demolition as two (2) separate actions.

Mayor Meer continued his motion to include: along with rescinding the contract with the demolition company, Smith & Sons, and also to direct Mr. Hatfield to contact them immediately of such. The motion was seconded by Vice-President Palmer and carried as

follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

There was further discussion between the Board, Corporate Counsel Amber Lapaich and Mr. Phillips regarding today being the revocation of the demolition order/demolition contract; and at the next meeting they hope to address the “modification order”; and the last thing that needs to be done is to do the formal order and get it “recorded”.

**Pending Item – Zoological Society requests 2 city owned lots for planting apple trees**

Craig Phillips, City Planner addressed the Board regarding the request from the Zoological Society for two (2) city owned lots for planting apple trees, stating they have identified a couple potential lots and they are in the process of reviewing them further; and did receive recent communication from Mr. Stimley again following up on the request. Mr. Phillips stated he hopes to have some more information on that very soon.

**Pending Item – Two-way Street Conversion**

Craig Phillips, City Planner addressed the Board regarding the Two-way Street Conversion project stating there is a meeting scheduled this Friday at 10:00 a.m. and it is his understanding that President Janus is the representative of the Board of Public Works and Safety for this; and he will follow up with the Board after the meeting on the details of that.

**Pending Item – Distribution of Handbills-Luke Wittwer**

Craig Phillips, City Planner addressed the Board regarding the request to have a cart located on the city sidewalk at the corner of 7<sup>th</sup> and Franklin Streets, and the corner of 11<sup>th</sup> and Franklin Street for the distribution of handbills for the Jehovah Witnesses, stating the Planning Departments concerns with approving the placement of the stand on the city right-of-way and the precedent that would set and the ability for others to come and make the same request; further stating they have no problem with the distribution of the materials according to city ordinance. Mr. Phillips made the recommendation that the Board deny the request due to the concerns about the precedent it would set.

Discussion ensued between the Board and Mr. Phillips regarding the petitioner still being allowed to hand out literature.

Vice-President Palmer made the motion to accept the recommendation by the Planning Department and deny the request to put a stand at 7<sup>th</sup> and Franklin Streets and 11<sup>th</sup> and Franklin Streets, but the petitioner would still be allowed to hand out literature if they so choose. The motion was seconded by Mayor Meer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3). NAYS: None (0). Motion carries.**

**Pending Item – 1110 Washington Street-fire damage**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding 1110 Washington Street, the fire damaged property, supplying the Board with a copy of a correspondence he received from the owner. Mr. Hatfield advised the Board that the owner is still in Texas taking care of some medical issues; stating the owner has hired Mr. Gallant to do the siding

and some of the exterior work that needs to be done to improve the appearance. Mr. Hatfield stated Mr. Gallant is a registered contractor here with the City; further stating the contractor has informed him that the siding and hand railing around the porch area will be done by April 1, 2015. Mr. Hatfield advised the Board that this was just an update on the status of the property; further advising this will be a two (2) unit rental, which previously it was a three (3) unit rental; with the first unit available for occupancy the first of July, 2015. Mr. Hatfield stated he will continue to monitor the project and will report back to the Board in thirty (30) days.

Discussion ensued between the Board, Corporate Counsel Amber Lapaich and Mr. Hatfield regarding the Order to Repair that was formally issued to the owners of the property, and the property owners having ten (10) days from receipt of the Order to Repair to request an administrative hearing.

**Pending Item – Combs Street and Michigan Boulevard – 1214 E. Michigan Boulevard**

Mr. Hatfield stated this was previously discussed in the Demolition hearing.

**Pending Item – 1120 Elston Street**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the property at 1120 Elston Street, stating he did send out the violation notices and they were received by the new owners, but has not received any response from them yet.

**Pending Item – 1204 W. 7<sup>th</sup> Street**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the property at 1204 W. 7<sup>th</sup> Street, stating this will fall under the Property Maintenance Ordinance that will be put into place shortly.

**Pending Item – 1125 W. 8<sup>th</sup> Street**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the property at 1125 W. 8<sup>th</sup> Street, stating the Orders to Repair were sent out, but he has not heard back from the owners.

**Pending Item – 701 Union Street**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the property at 701 Union Street, stating he is trying to have this before the Board next month; he is waiting for all the documentation that is needed to issue those Orders.

**OLD ITEM – Old Chrysler building on Michigan Boulevard**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the old Chrysler building at the intersection of 11<sup>th</sup> Street and Michigan Boulevard stating he is working with Mr. Borolov of his office and will be speaking with the owners to see what their plans are,

and he is also in the process of ordering new title work on the property that is more current and will also be researching to see if there are any environmental remediation's needed.

**New Item – Property across from the Eastport site-banners hanging on city trees**

Russ Hatfield, Code Enforcement Officer addressed the Board regarding a business across from the Eastport property on Michigan Boulevard stating that the signs wrapped around city trees have been removed.

**Other Business**

President Janus stated he wanted to sit down with Mr. Hatfield to discuss what his needs are for the rest of this year as far as demolitions, and possibly go to the Council for an additional appropriation for demolition costs.

Mr. Hatfield advised the Board that he has spoken with Mrs. Pinkston from Community Development and she has offered to include in her budget effective in October 2015 to put \$50,000.00 in her demolition budget for him to utilize.

Judy Pinkston, Director Community Development, addressed the Board stating she is planning on putting \$50,000.00 into "spot" demolition, and she has discussed this with Mr. Hatfield so they can take down more blighted and unsafe structures in Michigan City. Mrs. Pinkston explained the money should be available October 1, 2015 pending approval from H.U.D.

Discussion ensued between the Board and Mrs. Pinkston regarding if the money had to be used for any certain geographical area. Mrs. Pinkston explained the money could be used City wide as long as the structure has been deemed blighted and unsafe.

**PUBLIC COMMENTS**

President Janus asked if there was anyone from the public who wished to address the Board.

Duane Parry, 2206 Maple Street, addressed the Board as a member of the City Council and Chairman of the Finance Committee to the Council regarding the earlier award to bid for the one (1) Fire Aerial Fire Truck stating the 2015 budget in which this truck was approved for purchase was clearly stated that the truck was to be a new fire truck and he has been informed that the Fire Department administration intends to purchase a used fire truck that has over 10,000 miles on it. Councilman Parry stated if this information is correct he respectfully requests that the Board withdraw their approval of the award of the bid or make it conditional that the Board's approval is based on the purchase of a new truck considering the wear and tear on the truck already and the reduction in the warranty and that it will be a used vehicle which would be a reduction in public safety or the safety of our firefighters, he requests this action be taken.

Bruce and Sue Randall, 210 N. Lake Avenue addressed the Board regarding the extension of Lake Avenue north of Colfax Avenue; asking if there were any official decisions being made.

Mayor Meer advised Mr. Randall that a decision has not been made to date; advising that there has been extensive research done there with the Planning Department, City Engineer

and Park and Recreation Department, along with the Fire Department; there are concerns with the dunes and trail system that are there, but there has been no decisions made.

Discussion ensued between the Board and Mr. Randall regarding a time frame for the decision; safety concerns for that area; the Planning Department presenting the Board with a recommendation of any action to be taken based on Mr. Randall's request; this being situated near/adjacent to the protected property of the Park Department; retaining wall placement – disturbance of sand dunes and problems arising from that; emergency response vehicle restrictions; summer population in that area/vehicle parking concerns; encroachments in the area; putting the item back on the Pending Item list; notification to the Randall's of what action is being taken; meetings available for viewing on Access LaPorte County and minutes of the meeting available on the emichigancity.com web page.

Vice-President Palmer addressed the Board in response to Councilman Parry's issue stating it would need to be resolved today; asking that Fire Chief Ronnie Martin address the concerns brought before the Board today with regards to the purchase of the new aerial fire truck.

Chief Ronnie Martin, Michigan City Fire Department, addressed the Board and Councilman Parry stating this is a brand new apparatus that is being built to the Michigan City Fire Department's specifications.

Discussion ensued between the Board and Fire Chief Martin regarding the truck not even being constructed yet; the truck being demonstrated before the Fire Department takes delivery of it; cost savings of \$100,000.00 for allowing the truck to be demonstrated on its way here; the actual truck warranty starting upon delivery to the Michigan City Fire Department; that it is a fire truck that will be built according to the specifications on file per the Michigan City Fire Department; and it being a brand new truck.

Paul Neithammer, 125 Lakeshore Drive addressed the Board regarding his concerns with the stairway replacement project that is taking place near his home; the retaining walls that are not being addressed with this project; tree removal in the area of this project; the original concerns that were brought forth by Mr. Deutscher which asked that the trees be removed and the retaining walls fixed; the use of the contractor of the original steps as a platform that the wood sets on.

President Janus addressed Mr. Neithammer directing him to speak with the City Engineer, Charles "Spike" Peller.

Mr. Neithammer stated he has left messages for the City Engineer and has spoken with him, but he is still concerned with the project; the railings being up against the mud where the contractor removed the crumbling retaining walls; the 2 x 6's that were put up in place of spindles under the railings; the crumbling retaining walls with tie-backs being better than just a railing with no braces; and reiterating his main concern that the retaining walls are not being addressed for the homeowner at 202 Hilltop.

Paul Przybylinski, 1716 Washington Street, addressed the Board regarding his request from a few years ago about the plaque that was on a retired fire engine that had his father's and his names on it that he wanted to "charcoal", stating it has been over two (2) years and he

hasn't heard anything back from the Board or anyone from the administration or from the department head; addressing his concerns, and further addressing his concerns with historical items from past administrations that cannot be found to be put on display for public viewing.

Mr. Przybylinski addressed the Board regarding St. Anthony Hospital and when they installed their retaining wall they were also to maintain a safety fence on that retaining wall so that no one from the public could fall over it; advising the lower portion of the safety fence is missing and needs to be checked into.

Mr. Przybylinski addressed the Board regarding the remarks by Councilman Parry on the awarding of the new fire truck, stating the truck is "demo-ing" and is more or less a demo truck and the amount of money that will be compensated for this being truly a fair and equitable amount with the amount of miles, and how many miles will be put on a brand new "demo" truck that the City doesn't even have; asking who negotiated this and should that also be approved by the Board as a rider on a contingency on the bid; asking if this was in writing anywhere.

Mayor Meer advised Mr. Przybylinski that the cost savings is \$100,000.00.

Mr. Przybylinski further expressed his concerns with the usage of the truck and the miles that will be put on it, and an amendment to the bid being in writing.

Councilman Parry addressed the Board stating he was informed by a member of the truck committee that the amount of 10,000 miles was used in one of their meetings.

Fire Chief Ronnie Martin addressed the concerns of Mr. Przybylinski advising that he has searched extensively for the plaque that he is referring to and has not been able to locate it, and that equipment was removed from the department prior to him being appointed as Fire Chief; further stating he is still trying to locate the missing plaque.

Discussion ensued between the Board and Fire Chief Martin regarding the fire truck that was decommissioned prior to this administration; researching for the missing item; other plaques from fire trucks that have been secured.

Fire Chief Martin addressed the concerns of Councilman Parry regarding the new fire truck stating he was not a part of the committee who put together the specifications; reiterating that the truck is a brand new truck built to the specifications that the Michigan City Fire Department has on file.

Further discussion ensued between the Board and Fire Chief Martin regarding the new fire truck; cost savings; using the truck to display its capabilities to other fire departments, and then the Michigan City Fire Department taking delivery.

Paul Przybylinski, 1716 Washington Street addressed the Board regarding the decommissioned fire truck; where it was stored and used as a back-up piece of equipment; reiterating that for the past two (2) years he has heard nothing from the administration regarding his request.

President Janus asked if there was anyone from the public who wished to address the Board. There was no response.

## BOARD COMMENTS

President Janus asked if there were any Board comments.

Vice-President Palmer addressed the Board regarding the authorization the Board gave Tonn & Blank for closing the sidewalk on Franklin Street stating one of the stipulations was they were to provide signage to direct pedestrian traffic and they have not done that; reiterating there needs to be some signs there as he witnessed a pedestrian who was almost hit by a car because there is not much leeway there, or anything that says “Stop watch for cars”, and the gates are almost in the driving lane. Vice-President Palmer stated they are not meeting the requirements set by this Board, and asked the Planning Department or City Engineer to get this taken care of; advising per the Board meeting on February 11, 2015 that requirement was part of the motion.

Craig Phillips, City Planner stated he will contact Dave Albers who is the project manager again and ask that he address that.

President Janus addressed the Board stating a survey will be conducted of all city computers and electronics to see if the Council will need to upgrade/buy City equipment before they do the school system.

President Janus asked if there were any other Board comments. There was no response.

## ADJOURNMENT

President Janus inquired whether there was anything else to be considered by the Board at this time and, there being none, declared the meeting ADJOURNED (approximately 11:15 a.m.). Mayor Meer made the motion to adjourn. The motion was seconded by Vice-President Palmer and carried as follows: **AYES: MEMBERS Janus, Palmer and Meer (3).** **NAYS: None (0).** Motion carries.

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Gale A. Neulieb, City Clerk