

# REGULAR MEETING – APRIL 7, 2008

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, April 7, 2008, at the hour of 9:00 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City, Indiana - a regular meeting room of this Board.

The meeting was called to order by Anthony Metzcus, who presided.

**Noted Present:** Anthony Metzcus, President; Mayor Charles Oberlie, Member; and John Schaefer, Member (3).

**Absent:** None (0).

**A QUORUM WAS NOTED PRESENT.**

## APPROVAL OF MINUTES

Mr. Schaefer moved the Minutes of the Regular Meeting of March 17, 2008, be approved as printed. The motion was seconded by Tony Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

Also noted in attendance:

John Espar, Corporate Council  
Jennifer Evans, City Attorney  
Sgt. Jeff Loniewski, Traffic Division, M.C.P.D.  
Al Walus, General Manager, Sanitary District  
John Pugh, Director, Planning & Inspection  
Joe Siegel, Zoning Administrator, Planning Department  
Jack Kahn, Street Director, Central Services  
Bill Phelps, City Engineer  
Dave Lamb, Fire Chief, M.C.F.D.  
John Kintzele, Deputy Chief, M.C.P.D.  
Joe Doyle, M.C. Parks and Recreation

Jason Miller, The News Dispatch

Thomas Fedder, City Clerk  
Kim Sliwa, Assistant Deputy City Clerk

## AGREEMENT FOR RELOCATION OF ADVERTISING BILLBOARDS

Jennifer Evans, City Attorney, addressed the Board regarding the revised agreement between the City of Michigan City, Indiana, and Outdoor One, Inc.; with regards to the relocation of two billboards. Ms. Evans has prepared two separate agreements; one for

each relocation. Attorney Evans advised the Board as to what had transpired with the other billboard that was located at Cleveland Avenue and US Hwy 20.

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

#### **LETTER OF UNDERSTANDING**

Mr. Schaefer addressed the Board to explain how capital projects are paid. The letter of understanding clarifies that the Board of Public Works and Safety is only responsible for the amount of money specified, if costs rise then the Airport will have to find another revenue source to pay the difference.

Mayor Oberlie made the motion to accept the Letter of Understanding; the motion was seconded by John Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

#### **PHYSICAL FITNESS TESTING**

Deputy Chief Randy Novak, Michigan City Fire Department, wrote the following on April 1, 2008:

RE: Physical Fitness Testing

This is to notify the Board of Public Works & Safety that the Michigan City Fire Department will be conducting Physical Fitness testing during the month of April. The testing will be between the hours of 8:00 am until 12:00 noon, Monday thru Friday at all stations.

Please feel free to call our Training Officer Larry Butcher at 873-1452 if you would like to attend the testing.

Fire Chief Dave Lamb, Michigan City Fire Department, addressed the Board explaining that this letter is in accordance with the contract that the City has with the Firefighters Local 475.

#### **REQUEST TO RECEIVE BIDS**

Asst. Chief John Kintzele addressed the Board to request that the upcoming purchase of fifteen (15) new police cars be put out to bid.

There was a discussion between Mayor Oberlie and Asst. Chief Kintzele to explain why there are more cars being purchased than being traded in.

Mr. Schaefer made the motion to authorize the Police Department to take bids for fifteen (15) police cars; the motion was seconded by Tony Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

## CHURCH FESTIVAL

The following correspondence was received from David C. Bays with the Queen of All Saints Committee:

Once again the Queen of All Saints Committee respectfully requests that the Board approve the closing of Barker Avenue between Ester Street and Woodland Avenue during our annual parish festival.

The Parish Festival dates and times are as follows:

Wednesday, June 18, 2008	from	5:00 p.m. to 10:00 p.m.
Thursday, June 19, 2008	from	5:00 p.m. to 10:00 p.m.
Friday, June 20, 2008	from	5:00 p.m. to 12:00 p.m.
Saturday, June 21, 2008	from	1:00 p.m. to 12:00 p.m.
Sunday, June 22, 2008	from	1:00 p.m. to 10:00 p.m.

The Committee feels the closing of Barker Avenue during the festival to automobile traffic provides a benefit to both the patrons and the City by creating a buffer zone between the festival grounds and remote parking lots. In addition, provides for increased safety for small children in and around the proximity of the festival rides. A vacated Barker Avenue also provides a staging area for the city vehicles in the event of an emergency (i.e. fire, police). If you should have any questions regarding this request, please contact us at your earliest convenience.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, reported this is an annual event and there have been no problems in the past.

Mayor Oberlie made the motion to approve the request for the annual Queen's Festival; the motion was seconded by Mr. Schaefer and carried as follows: the motion was seconded by John Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

## NO PARKING SIGN REQUEST

The following correspondence was received in the Clerks Office on March 26, 2008 from Rodney McCormick, 617 Union Street, M.C., IN:

I am writing to request the placement of No Parking signs on Walker Street, in front of the Walker Street Park and Playground.

Granted, the park does not have off-street parking, but the park is intended for neighborhood use, to be used by local residents within walking distance. The street is not designed for parking; however, that is what it is being used for. It is nearly impossible to drive past the park due to the number of cars parked in the street and the people, oftentimes kids, hanging out on and around the parked cars.

The placement of these signs is imperative to the community's safety. It is a well know fact that the majority of these vehicles are being utilized in criminal acts so to bring safety to our community, it is absolutely necessary that the parking be eliminated in front of that playground.

John Pugh, Director of Planning and Inspection, reported to that his office has not had the opportunity to check on this matter.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board stating that he had met with Darrell Garbacik, Superintendent of the Michigan City Park and Recreation Department, regarding this matter. Sgt. Loniewski's recommendation at this time is to be notified of the complaints so the police department can address those issues.

Mayor Oberlie made the motion to refer to the Planning Department to work with the Traffic Division and come back before the Board with their written findings and recommendation; the motion was seconded by Tony Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

### **PARKING SPACES REQUESTED**

The following correspondence was received in the Clerks Office on March 27, 2008:

From Bruce & Sue Randall – We live at 210 N. Lake Avenue in Sheridan Beach. Since we do not have access to our home we have to park on Colfax Ave. which is public parking between North Lake Avenue & California. We have lived at this residence for 5 years and have parked in this one parking space that is closest to our home. New residents moved into 202 N. Lake Ave. last week and knocked on our door and said that we cannot park in that parking space because it belongs to them, even though it is public parking. We are asking for clarifications as to whether the city has changed any of the public parking spaces to private on Colfax Ave. You can contact us at our home. Our telephone number is 219-879-7808 if you have any questions.

Attached is a map of the street and the parking situation on Colfax Ave. between North Ave. and California.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board reporting that he has spoken with both Chris Bohnert of the M.C. Planning Department and the Randall's, along with the owners of the property that is in question. A review of the City plot book shows that this is public parking.

Mayor Oberlie, Jack Kahn, Street Director, Central Services, and Bill Phelps, City Engineer, discussed how soon the paint machine will be available to do the markings.

Ms. Jan Doolittle, 202 N. Lake Avenue, addressed the Board to say Thank You for the efforts of the City to resolve this matter.

Mayor Oberlie moved to accept the recommendation of the Traffic Division and Planning Department; the motion was seconded by Tony Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

### **REQUEST FOR HANDICAPPED SIGN**

The following correspondence was received in the Clerks Office on April 1, 2008 from Jason D. Lambert, 118 E. Williams Street, M.C.:

At this time, I am requesting a Handicap parking sign be placed in front of my home, located at 118 E. William St. in which street parking is very limited. My mother whom resides with me is disabled and just recently received handicap parking decals from the Indiana Dept. of Motor Vehicles, her Disabled

Parking Identification Permit numbers are 20700487 and 2070048 with an expiration date of 11/20/2012. Her disability restrains her from walking long distances due to her lung illness.

Thank you for your consideration in this request.

John Pugh, Director of Planning and Inspection, reported to the Board that his department has not been able to look at this.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, reported to the Board that he and Chris Bohnert, Planning Department, went to the residence and spoke with Mr. Lambert and his mother-they do have a valid handicap placard-the issue is if a handicap parking sign is installed that in order to meet the ADA requirements, the City is required to install curb cuts; the Planning Department is still working on this.

Mayor Oberlie made the motion to TABLE this item until the Planning Department can make their recommendations; the motion was seconded by John Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

**REMOVAL OF STREET LIGHT** – The following correspondence was received in the Clerks Office from Christopher L. Willoughby of Braje, Nelson & Janes, LLP, on April 3, 2008:

RE: Handy Spot, Inc., 2101 E. Michigan Boulevard, Michigan City, Indiana

Please be advised that I represent Handy Spot, Inc., owner of the above-reference property. My client has requested that I sent this correspondence to you on its behalf to respectfully request that you cause the street light pole currently located at the southeastern corner of East Michigan Boulevard and Ester Street to be removed. The underlying reason for this request is that my client has determined that the light pole was originally installed to provide light for the ingress/egress of the previous station. However, my client's plans for its new facility provide for a new entrance and the light pole, as currently situated, will serve no purpose as my client will also be providing its own lighting.

With the above in mind, I respectfully contact my client or me directly with any questions or comments you may have, or in the event you need additional information. Thank you for your time and consideration.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, reported to the Board that he had not received the correspondence and therefore has not had an opportunity to look at it.

John Pugh, Planning Director, addressed the Board stating that he has spoken with Mr. Willoughby and the plan calls for the installation of new lighting at that location. Mr. Pugh reported that the Planning Department is happy to see that the development is under construction and concurs with this plan. Mr. Pugh asked that the Board grant this request; and notifies NIPSCO.

Mayor Oberlie made the motion to approve the recommendation of the Planning Department; the motion was seconded by Tony Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

**WALK-A-THON FUNDRAISER** – The following correspondence was received in the Clerks Office from Gerry H. Jones, Executive Director of the Stepping Stone Shelter for Women, Inc., on March 25, 2008:

This letter is to request permission to utilize city roadways, as described in the attachment, for the Homeward Bound 5K Walk to provide housing and fight homelessness, sponsored by seven programs in LaPorte County, who provide services to citizens who are homeless or in threat of homelessness. Local organizations included in this effort are The Stepping Stone Shelter for Women, Sand Castle Homeless Shelter, Catholic Charities, Michigan City Housing Authority, North Central Community Action Agency, Michigan City Men's Shelter and LaPorte County Habitat for Humanities. The event is scheduled for Saturday, April 12, 2008 from 9:00 am – 11:00 am.

We expect participants from all over Northwest Indiana. The site of Washington Park was chosen because of the beauty of the park area and its spaciousness, along with the fact that a certified walk route has been obtained by The Stepping Stone for its previous, very successful See Jan Run Women and Girls' Athletic Games, which we sponsored in 2002 and 2003.

We have received approval from the Michigan City Parks and Recreation Department to use the Washington Park area. Our insurance rider, as well as the riders of the other participating agencies, provide proper coverage and indemnifies the City of Michigan City and all the event affiliates and volunteers. We anticipate that at least 500 people from Northwest Indiana will support their favorite agencies and participate in this event.

We hope that you are able to honor our request for this exciting, collaborative venture for these agencies. If you have any questions, please contact me at 871-6895.

Ms. Gerry H. Jones, Executive Director, Stepping Stone Shelter for Women, Inc. addressed the Board stating that this is the 4<sup>th</sup> annual Homeward Bound Walk.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, reported to the Board that he did speak with Ms. Jones and that the route being used is the same as last year with the exception of the starting point being at the Amphitheater. The event does not require complete street closure, just intermittent stoppages, therefore the Traffic Division recommends accepting the route submitted by Ms. Jones.

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

**5<sup>TH</sup> ANNUAL PATCH/HARBORSIDE PICNIC**

The following correspondence was received in the Clerks Office by Bennie Edwards, Chairperson for the Patch Harborside Heritage Reunion, on March 28, 2008:

Mayor Oberlie and the Michigan City Board of Works, I would like permission to conduct our "Fifth Annual Patch/Harborside Picnic to be held this August 9<sup>th</sup>. The picnic would begin noon and close at 9:00 pm. Location: Former Patch/Harborside site between 4<sup>th</sup> and 5<sup>th</sup> on Michigan Blvd.

For the past four years, you and the board of works have been cooperative in our efforts to bring this worthwhile event to our city. Each year we gain

more enthusiasm from our citizens about the progress the Patch/Harborside event has offered. Over the years, candidates have used this event as a way to promote their primaries, the NAACP and the Indiana Black Expo have shown representation by establishing communication throughout the grounds, live-entertainment from local and surrounding bands have performed, and the food provided during this time has gained a lot of praise. We appreciate the efforts of the Park Department and the Police Department for their continued effort to make things run smoothly.

Though our non-profit organization a scholarship fund was established and also our first golf outing was a success. A lot of positives continue to be produced. We look to have a fun fill weekend this year with your approval. This summer our request include:

1. Electricity for power and some lights: Discussed in 2007
2. Port-A-Pots (4): City paid for in 2007
3. Trash cans (20): Also one big dumpster would help for clean-up
4. Picnic tables (20): Located inside a “snow fenced area”
5. Traffic Control
6. Alcohol beverage by family members: NO Selling Alcohol
7. Tents
8. Live Bands and DJ

As chairperson of this committee I would like to thank you in advance. It is an honor and a privilege to “give-back” to my community. Thank you for helping me keep my dream alive.

Mayor Oberlie stated that this is an annual event and made the motion to refer to Traffic, Planning, Parks and Central Services so everyone is informed of this event; the motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

## DISPOSITION OF GRIEVANCE

Attorney Espar addressed the Board regarding the disposition of the grievance filed by AFSCME, Local No. 228, dated March 28, 2008-stating that he has prepared for the Board’s review and signature the disposition of grievance conforming with the findings of the Board as pronounced at the hearing held on March 28, 2008.

Mayor Oberlie moved to approve the disposition of grievance; the motion was seconded by Tony Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

## CLAIMS AND PAYROLL

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

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

Page	Date	Amount
1 of 3	03/28/2008	\$240,227.47
1 of 8	03/28/2008	\$414,789.79

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

Page	Date	Amount
1 of 5	04/07/2008	\$2,311,588.41
1 of 1	04/07/2008	\$ 8.55

### **STOP SIGN AND STREET LIGHT REQUEST**

John Pugh, City Planner, addressed the Board regarding two (2) prior requests: 1- the Schofield stop sign request at the intersection of Holiday Street and Schofield Court, the Planning Department is recommending the placement of a stop sign at that location; 2- installation of an overhead light at Dickson and Holiday Streets, the Planning Department did check the area and there is an existing pole (#243/400) and recommends that an overhead light be placed on that pole.

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

### **REQUEST TO RECEIVE BIDS FOR THE 2008 SIDEWALK PROGRAM**

Bill Phelps, City Engineer, addressed the Board to request to receive bids on the 2008 Sidewalk Program on April 28, 2008.

Mayor Oberlie moved to approve the request, seconded by John Schaefer. The motion carried by the following vote: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

### **TOWER RUN**

Al Walus, General Manager, Sanitary District, addressed the Board regarding the 16<sup>th</sup> Annual Tower Run. Mr. Walus gave the Board members a copy of a prepared press release, which he read, for the Michigan City Eco-Fit Challenge that will be held on Saturday, September 13, 2008.

**COMMENTS FROM THE PUBLIC**

Richard Harding, 510 Bies Street, addressed the Board to say he's glad the billboards are being moved. He also addressed the vendors that set up at the beach during the summer months regarding their. Mr. Harding also stated that the trees at Streibel Park should be guaranteed by the company who planted them, some of them look dead and need to be replaced. Mr. Harding also addressed the Ruby Woods trail areas that are blocked by the downed trees from the storm two (2) years ago.

Mayor Oberlie asked that the Clerk's Office send a note to the Park Board regarding the request to move the concession vendors; and also to the Park Maintenance Department to clear the trails in Ruby Woods.

**RESTRICTED PARKING**

Mayor Oberlie stated that the new Healthline Clinic, located at 710 Franklin Street, will have their Open House on April 26, 2008. They have asked for restricted parking for the half (1/2) day event and ask that the M.C.P.D. Traffic Division work with them for this event. No motion required.

**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 9:50 a.m.).

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Thomas F. Fedder, City Clerk