

REGULAR MEETING – April 20, 2009

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, April 6, 2009, at the hour of 9:00 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City, Indiana - a regular meeting room of this Board.

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

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

Absent: None (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Espar, Corporate Counsel
Sgt. Jeff Loniewski, Traffic Division, M.C.P.D.
John Pugh, Director, Planning and Inspection
Jim Elwell, Superintendent, Central Maintenance
Jack Kahn, Director, Street Department
Al Walus, General Manager, Sanitary District
Dave Lamb, M.C.F.D.
Charlie Cate, Central Maintenance
Walter Gipson, M.C. Transit

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

APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of April 6, 2009 be approved as printed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

REQUEST TO PURCHASE EQUIPMENT

This item was tabled from the April 6, 2009 meeting – the M.C. Transit Department requests approval for the purchase of one (1) 2009 Ford/Supreme Senator 14 passenger bus with handicap accessibility. Walter Gipson, Director of Michigan City Transit addressed the Board explaining the procedure of the Grant Application process. Mr. Gipson stated the Transit Department is requesting the Boards approval to purchase the vehicle when it's time to submit the Grant (Grant # IN/90/X006 – 100% funding). Mr. Gipson also explained that on the FTA web site, there is a special section for the American Recovery and Reinvestment Act (ARRA).

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

OFFER TO DONATE PROPERTY

The following correspondence was received in the Clerk's Office on April 7, 2009 by Dawn R. Kmak, 1451 N. 425 E., Michigan City:

Dear Board of Public Works and Safety: I would like to give these two lots to the City of Michigan City. Parcel # 42-01-31-238-002. I am a widow with an 8 year old and live in Porter County. The taxes have always been paid. My child and I live on Social Security. Please accept these and relieve us from the hardship they are causing us. Thank you.

John Pugh, Director, Planning and Inspection addressed the Board with regards to this property, stating that the parcel # matches up to one (1) lot, on West 10th Street. Mr. Pugh informed the Board that this property is adjacent to one (1) of the lots that the County has designated as being on the list to eventually transfer to the City; this would give the City two (2) adjoining lots. Mr. Pugh distributed an aerial photo of the property, explaining there will be some extensive clean up necessary. Mr. Pugh's recommendation was to do some title work to determine what it would cost the City to clean up the property.

Mayor Oberlie made the motion to refer this to the Planning Office, the Attorney's Office and the Park Department and Sanitation Departments for review and recommendations. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

TAXI-CAB LICENSE APPLICATION

Richard Niess, President, Shamrock Energy Services, LLC., submitted an application for a Certificate of Public Convenience (Taxi).

Mr. Niess was present and stated his intention to start a Taxi service in Michigan City.

Mayor Oberlie noted that the Ordinance requires this Board to hold a public hearing on the need for the public conveyance certificate. The Mayor moved to authorize the Clerk's Office to advertise pursuant to the code; and asked the M.C. Traffic Division to work with the applicant in regards to some technical issues in terms of vehicle identification numbers.

Corporate Counsel, Attorney John Espar addressed the Board and the applicant regarding the particulars involved in this process. Attorney Espar noted that once a Certificate of Convenience is issued, the individual drivers must acquire a Taxi Cab Driver's License issued by the City of Michigan City in addition to their CDL License, Chauffeur's License and the Certificate of Convenience.

Mr. Niess and Attorney Espar discussed the process further; insurance application must be completed in full, licenses, etc... Attorney Espar advised Mr. Niess that his office can provide any information that he needs for this process; he also stated that the Board cannot grant licenses or a certificate of convenience until insurance is secured.

The Mayor motioned to authorize the Clerk’s Office to advertise pursuant to the code. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

CHURCH FESTIVAL – 2009 Security plans

The following correspondence was received in the Clerk’s Office on April 8, 2009 by the Queen of All Saints Festival Committee:

Dear Michigan City Board of Works: On behalf of the Queen of All Saints Festival Committee and Queen of All Saints Parish, I would like to thank you for granting our request for the closure of Barker Avenue during the Festival hours. It was brought to our attention that there were some concerns raised during the Board of Works meeting. As a result of these concerns, members from the Queen of All Saints Festival Committee and the security team which includes an off duty Michigan City police officer met on Monday, March 23, 2009 to discuss the 2009 security plan.

The safety of not only the Parish community but also the Michigan City area community is our number one goal. We will be adding two additional off duty Michigan City police officers as an outside security team. These two officers will be assigned to patrol on foot and by golf cart the surrounding neighborhood around the festival grounds. In addition to this, we will be staggering the off duty Michigan City officers hours so that upon the closing of the festival four of these security team members will be reassigned to patrol the surrounding neighborhoods on foot and by golf cart.

If there are any issues that should arise in the future, please contact us as soon as possible so that we can address and correct them. Thank you for your time and all you do to serve us in Michigan City.

Mr. Joe Doyle, member of the Queen of All Saints Festival Committee addressed the Board regarding the letter sent to the Board; asking if the Board had any further questions regarding the security for the festival.

Mayor Oberlie thanked Mr. Doyle and the Festival Committee for their quick response to the Boards concerns. **Note:** This is for informational purposes only.

CLAIMS AND PAYROLL

Mr. Schaefer, moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

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

Page	Date	Amount
1 of 8	04/08/2009	\$410,928.45
1 of 1	04/17/2009	\$50,143.76

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

Page	Date	Amount
1 of 5	04/20/2009	\$579,105.30

ADDITIONAL BUSINESS - Request for Dusk to Dawn Light

John Pugh, Director Planning and Inspection addressed the Board regarding the request by Ms. Rosemary Hill of 603 N. Woodland Avenue for a Dusk to Dawn Light; Mr. Pugh submitted the following report:

STREET LIGHT REQUEST' 04101108

Citizen requesting an overhead street light installed in back yard.

Existing Conditions:

- *Intersection Grand St. and Woodland Ave.; Northeast corner, NIPSCO pole # 9591791 lamped, however, large tree overgrowth.*
- ***Intersection Railroad tracks and Pleasant Ave.; Northeast corner, NIPSCO pole # 218/097 lamped.***
- *Intersection Rose St. and Woodland Ave.; NIPSCO pole # 9561043 Tamped.*
- *Intersection Walker and Woodland Ave.; NIPSCO pole # 9551861 lamped.*
- *Noticed lighting outlet on exterior of garage.*

Suggestions:

- *Request NIPSCO to examine lamps functions.*
- *Trim tree limbs.*
- *Install pole and lamp at intersection Pleasant and Grand.*

Suggest property owner examine electrical outlet above garage doors.



Mayor Oberlie made the motion to have the Planning Department follow up with NIPSCO with regards to pole location for northwest corner of Grand and Pleasant Avenue, to get an idea of where the electricity/power would come from and what the cost would be. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

REQUEST FOR STREET CLOSING-Duneland Lutheran High School

Laurie Rockensuess, Principal/Administrator, Duneland Lutheran High School, 617 Franklin Street addressed the Board regarding their request to have Franklin Street closed between alleyway between Duneland Lutheran and Pubco, up to 7th street to provide room for the school's fundraiser/festival that will take place on Saturday, May 23, 2009 from 11:00 a.m to 11:00 p.m.; Ms. Rockensuess went on to explain to the Board what will be taking place that day. Ms. Rockensuess stated that she has been in contact with Sgt. Jeff Loniewski of the Michigan City Police Department's Traffic Division regarding this request.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating that Ms. Rockensuess has informed him that she has obtained permission to use the vacant lot located at 7th & Franklin Streets. Sgt. Loniewski also stated the Traffic Division has no problem with closing Franklin Street for the pedestrian safety.

Mayor Oberlie made the motion to approve the request to close Franklin Street for this event, pending the Clerk's Office receiving their Certificate of Liability Insurance. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

ADJOURNMENT

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, declared the meeting ADJOURNED (approximately 9:25 a.m.).

Thomas F. Fedder, City Clerk