

# REGULAR MEETING – May 1, 2017

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, May 1, 2017 at the hour of 8:30 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, Richard Murphy and Virginia Keating (3)

**A QUORUM WAS NOTED PRESENT.**

Also noted in attendance:

Amber Lapaich, City Attorney  
Sue Downs, Code Enforcement  
Charles “Spike” Peller, City Engineer  
Craig Phillips, City Planner  
Lt. Jeff Loniewski, M.C.P.D. Traffic  
Shannon Eason, Administrative Director, Park Dept.  
Bob Zondor, Superintendent, Central Services  
Chief Mark Swistek, M.C.P.D.  
Chief Randy Novak, M.C.F.D.  
Kyle Kazmierczak, M.C.F.D.

Gale Neulieb, City Clerk  
Jennifer Clouse, City Clerk Secretary

## **APPROVAL OF MINUTES**

President Janus asked if there were any corrections to the minutes of the Regular meeting of April 17, 2017.

Virginia Keating made the motion to approve the minutes as presented. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

## **OPENING OF BIDS – Fire Station 3 & 4 Pavement Replacement Project**

President Janus asked if anyone present wished to submit a bid at this time, there was no response.

Vice-President Murphy made the motion to close the acceptance of bids for the Fire Station 3 & 4 Pavement Replacement Project. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

Corporate Counsel Amber Lapaich addressed the Board stating there were two (2) bids received and they are as follows:

Walsh and Kelly Inc.	\$121,832.25 Base Bid
	\$ 93,169.50 Alternate 1
	\$ 35,134.00 Alternate 2
	\$121,382.25 Alternate 3
Total Cost – Base Bid and all Alternates	\$371,518.00

Rieth-Riley Construction Co., Inc.	\$126,761.50 Base Bid
	\$102,711.10 Alternate 1
	\$ 34,256.20 Alternate 2
	\$127,544.75 Alternate 3
Total Cost – Base Bid and all Alternates	\$391,333.55

Virginia Keating made the motion to refer the bids for the Fire Stations 3 & 4 Pavement Replacement Project to the City Engineer and City Attorney for review and tabulation and report back at the May 15, 2017 meeting. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**OPENING OF BIDS – One (1) Tandem Dump Truck for Central Services**

President Janus asked if anyone present wished to submit a bid at this time, there was no response.

Vice-President Murphy made the motion to close the acceptance of bids for the One (1) Tandem Dump Truck for Central Services. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

Corporate Counsel Amber Lapaich addressed the Board stating there were two (2) bids received and they are as follows:

Trans Chicago Truck Group	\$202,373.00 Total Net Price Minus Trade
Pozzo Truck Center, Inc.	\$199,402.00 Total Net Price Minus Trade

Virginia Keating made the motion to refer the bids for the One (1) Tandem Dump Truck for Central Services to the Superintendent of Central Services and the City Attorney for review and tabulation and report back at the May 15, 2017 meeting. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST FOR FOOD AND BEVERAGE SALES – Kyle Kazmierczak, Michigan City Fire Department, is requesting permission to conduct food and beverage sales at the intersection of Franklin Street and Barker Avenue on Saturday, July 1, 2017 during the “Big Parade”**

The following request was received in the City Clerk’s Office on April 17, 2017 by Kyle Kazmierczak:

The Michigan City Fire Department would like to request your permission to conduct food and beverage sales; during the parade on July 1, 2017 at the intersection of Franklin Street and Barker Avenue. If granted permission this intersection is already slated for road closure as part of the “Big Parade”, thus not creating any further discrepancies. The Michigan City Fire Department intends to sell hot dogs, cotton candy, pop and water as part of our on-going fundraiser that off-sets cost for food baskets and scholarships. If you have any questions regarding this matter, you can contact me; Kyle Kazmierczak at (219)898-1263. Thank you, Kyle Kazmierczak, Fire Marshal, Michigan City Fire Department

Kyle Kazmiercak, Fire Marshal Michigan City Fire Department addressed the Board explaining this is a fundraiser for the annual food baskets and scholarships; advising this would be from 10:00 am to 2:00 pm during the “Big Parade” on Saturday, July 1, 2017 and the streets would already be blocked off advising that was why the Fire Department was asking for this location; Mr. Kazmiercak explained they would be located on the west side of Franklin Street and have tents that have the Fire Department’s logo on them that will be used; asking for approval.

Vice-President Murphy made the motion to approve the Fire Department’s request for food and beverage sales at the intersection of Franklin Street and Barker Avenues on Saturday, July 1, 2017 during the “Big Parade”. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST FOR INSTALLATION OF STOP SIGNS – Terrence Ellis, 201 N. Calumet Avenue, is requesting the installation of stop signs at the intersection of Monroe Street and Calumet Avenue**

The following request was received in the City Clerk’s Office on April 18, 2017 by Terrence Ellis:

Requesting a stop sign at the intersection of Monroe and Calumet Ave due to safety concerns at daycare.

Lt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board providing a crash analysis; advising the board that the analysis went back to 2003 and there was a total of nine (9) accidents in the area; further explaining four (4) of the accidents were at the intersection of Monroe Street and Calumet Avenue; Lt. Loniewski explained the reasoning for these four (4) accidents which were 1) sanitation truck traveling west on Monroe ran off the road while attempting to turn left onto Calumet Ave 2) 1 eastbound vehicle disregarded stop sign, colliding with northbound vehicle 3) 1 westbound driver had his view blocked by a parked vehicle and pulled into path of northbound vehicle and 4) 1 eastbound bicyclist failed to yield the right of way and was struck by northbound vehicle; Lt. Loniewski stated he was unable to locate any accidents that were due to unsafe speeds that would require additional stop signs; Lt. Loniewski further advised he would defer this request to the Board and the City Engineer.

Charles “Spike” Peller, City Engineer addressed the Board stating Monroe Street does have a stop sign and Calumet Avenue is a through street; advising he does not believe more stop signs will alleviate the problem; further advising he would defer this request to the Board.

Vice-President Murphy made the motion to deny the request for installation of stop signs at the intersection of Monroe Street and Calumet Avenue. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST FOR CURB MARKINGS – Douglas & Cynthia Reeser, 820 & 818 Wabash Street, is requesting yellow curb markings where needed along Wabash Street from 11<sup>th</sup> Street to Route 12**

The following request was received in the City Clerk’s Office on April 24, 2017 by Douglas & Cynthia Reeser:

“Random Parking” along Wabash Street, as documented by the enclosed pictures continues to occur by drivers who ignore parking spaces and obstruct driveways and/or alley entrances.

Douglas Reeser, 820 Wabash Street addressed the Board explaining the parking issues along Wabash Street between 11<sup>th</sup> Street to Route 12; advising the yellow curb markings are missing in some areas and vehicles have difficulty pulling into and exiting driveways and alleys as other vehicles park along Wabash Street; asking for approval of the yellow curb markings to stop vehicles from parking so close to driveways and alleys.

Charles “Spike” Peller, City Engineer addressed the Board recommending signage along with the yellow curb markings advising that when winter comes, the snow will pile up on the curbs and vehicles will not be able to see the yellow curbs.

Vice-President Murphy made the motion to approve yellow curb markings and No Parking signage where needed along Wabash Street from 11<sup>th</sup> Street to Route 12. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST TO PLACE SCULPTURE – Judy Kovalcik, Class of 2017 Sponsor, is requesting to place sculpture in the Uptown Art District as approved by the Michigan City Art Committee**

The following request was received in the City Clerk’s Office on April 24, 2017 by Judy Kovalcik:

The Michigan City High School Class of 2017 would like to donate a sculpture representing MCHS to Michigan City. They would like this to be the Class of 2017 Legacy Gift & they will assume all construction and installation cost. Class officers and their sponsors presented this idea to the Michigan City Public Art Committee at their April 20, 2017 meeting and they are in support of the proposal.

Judy Kovalcik, 2017 Class Sponsor and Kaitlyn Steinhiser, Class President addressed the Board explaining what the sculpture would look like advising it would consist of a metal base with a wolf reading from a podium with “Exceed Expectation” inscribed on it; advising they would cover all the cost involved in construction and installation; asking for approval.

Shannon Eason, Treasurer of the Michigan City Public Art Committee, addressed the Board explaining the committee is very much in favor of this gift to the City; the committee will assist the group in finding a proper location if the donation is accepted and would bring the location back to the Board of Works for approval.

Judy Kovalcik addressed the Board regarding safety with the sculpture stating there would be no sharp edges on the sculpture; advising the Board the sculpture would be about 7-8 feet tall so that it would stand out; Mrs. Kovalcik also invited the Board to stop by the A.K. Smith Center to see the artwork in progress.

Counsel Lapaich recommended to the Board conditionally accepting the donation of the sculpture subject to the Public Art Committee supervising the project as well as the Planning Department and City Engineer becoming involved due to location, size and dimensions.

Vice-President Murphy made the motion to accept the donation of a sculpture from the MCHS Class of 2017 subject to the Michigan City Public Art Committee supervising the project as well as the Planning Department and City Engineer and returning to the Board of Public Works and Safety asking for approval of the sculpture location. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**VENDOR LICENSE – Joseph Munari, Hero’s Hospitality dba Hero’s Hot Dogs, is requesting a Mobile Food Vendor License**

Joseph Munari, owner of Hero’s Hospitality addressed the Board asking if there were any questions regarding his Mobile Food Vendor License.

Discussion ensued between President Janus and Mr. Munari regarding the location in which Mr. Munari would wish to operate; Mr. Munari stated he has several locations he has picked out, advising he has property immediately across from Ames Field, Mr. Munari advised the Board he is also in the process of getting permission from Lowes of Michigan City, advising they have a third party that manages all their vendor applications, however he stated it is a process; President Janus stated that the Board cannot approve the application without knowing the location of operation adding the Police Department needs to know where the vendors are located at all times, hours of operation and days of the week the vendor will be operating.

Counsel Lapaich added that Lowes would need to provide a Letter of Consent.

Mr. Munari stated that if the Board needed a location, he would use 2303 Wabash Street which is his personnel property, this is located directly across from Ames Field.

Counsel Lapaich suggested the Board refer this vendor license request to the Planning Department as Skylar York, Assistant City Planner has been involved with this.

Discussion ensued between Counsel Lapaich and Mr. Munari regarding the dimensions of the hot dog cart and the vacant lot in which Mr. Munari would operate out of on Wabash Street; Counsel Lapaich also stated that the Certificate of Insurance needed to be amended as well naming the City of Michigan City as the certificate holder.

Vice-President Murphy made the motion to refer the vendor license for Hero’s Hospitality dba Hero’s Hot Dogs to the Planning Department and report back at the May 15, 2017 meeting. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST FOR PARADE & STREET CLOSURE – Sgt. Chris Yagelski is requesting approval to hold the 3<sup>rd</sup> Annual Kiddie Parade on Friday, June 30, 2017; with the closure of Franklin Street from 8<sup>th</sup> Street north to 4<sup>th</sup> Street from 3:00 pm – 7:00 pm**

The following request was received in the City Clerk’s Office on April 26, 2017 by Sgt. Chris Yagelski:

The Michigan City Police are requesting to host the 3<sup>rd</sup> Annual Kiddie Parade. This event is to take place on Friday, We are requesting to CLOSE Franklin Street from 8<sup>th</sup> Street north to 4<sup>th</sup> with restricted parking from 3:00 pm to 7:00 pm. We will additionally like to close 7<sup>th</sup> Street and 4<sup>th</sup> Street from Pine to Washington as this will be the parade line-up route, judging area, and food and awards area as last year. All businesses on 7<sup>th</sup> Street have been contacted and HealthLinc, Fagan Pharmacy, First United Methodist, and the Library not only give permission but are also participants in the event. The line up and judging will begin at 5:15 pm with the parade itself starting at 6:00 pm. The route will be from 7<sup>th</sup> Street north to 4<sup>th</sup> Street ending at the Michigan City Library where food will be served along with the awards presentation. We are predicting to be finished by 7:00 pm. Sgt. Chris Yagelski

Lt. Jeff Loniewski addressed the Board stating he recommends approval of this request advising Sgt. Yagelski always does an excellent job organizing this event.

Virginia Keating made the motion to approve the request for parade & street closure for the 3<sup>rd</sup> Annual Kiddie Parade on Friday, June 30, 2017; with the closure of Franklin Street from 8<sup>th</sup> Street north to 4<sup>th</sup> Street from 3:00 pm – 7:00 pm. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST TO SOLICIT BIDS – Charles Peller, City Engineer, is requesting to solicit bids for the Duneland Beach Drive Resurfacing Project**

Charles “Spike” Peller, City Engineer addressed the Board explaining he has received a number of phone calls from residence about concerns; advising there is money in the budget and the mayor is very much in favor of this project; asking for approval.

Vice-President Murphy made the motion to approve the solicitation of bids for the Duneland Beach Drive Resurfacing Project. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**AMENDMENT – Amendment between the City of Michigan City and Tyler Technologies, Inc. for financial software for Controller’s Office**

Corporate Counsel Amber Lapaich addressed the Board explaining when negotiating the contract the amount of users was increased but was not changed in the contract; advising this is to correct the error; further advising the amendment includes travel expenses; asking for approval.

Vice-President Murphy made the motion to approve the amendment between the City of Michigan City and Tyler Technologies, Inc. to increase the number of users in the contract and to include travel expenses. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**MEMORANDUM OF UNDERSTANDING – Memorandum of Understanding between the Unity Foundation of La Porte County, the City of Michigan City, and the Michigan City Port Authority for the purchase of new lighting and the installation thereof on the catwalk**

Corporate Counsel Amber Lapaich addressed the Board stating the lights are going to be LED lights; advising Current Electric provided the lowest quote; Counsel Lapaich asked the Board to approve two (2) items, 1) being the approval of the Memorandum of Understanding and 2) acceptance of Current Electrics quote in the amount of \$28,442.00; further advising that the Unity Foundation will provide the funding; asking for approval of both items.

Vice-President Murphy made the motion to approve the Memorandum of Understanding between the Unity Foundation of La Porte County, the City of Michigan City, and the Michigan City Port Authority for the purchase of new lighting and the installation thereof on the catwalk along with accepting the lowest quote from Current Electric in the amount of \$28,422.00. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST FOR CHANGE ORDER – Change Order 007 – Michigan City Police Station**

Chief Mark Swistek, M.C.P.D. addressed the Board stating this would be the final change order for the new Michigan City Police Station; advising the amount of the change order is \$4,962.00 and funds are available in the project account; asking for approval.

Vice-President Murphy made the motion to approve Change Order 007 for the Michigan City Police Station in the amount of \$4,962.00. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0).** Motion Carries.

Chief Swistek stated to the Board that there will be a dedication ceremony at Cleveland Park on Saturday, May 20, 2017 from 10:00 am – 1:00 pm; advising this will be a community event.

**AGREEMENT – Agreement between the City of Michigan City and American Pavement Solutions, Inc. for the 2017 Pavement Crack Sealing Project**

Corporate Counsel Amber Lapaich addressed the Board stating the 2017 Pavement Crack Sealing Project was awarded at the May 1, 2017 meeting to American Pavement Solutions, Inc. and this is the agreement in the amount of \$57,304.00 for this project; asking for approval.

Virginia Keating made the motion to approve the agreement between the City of Michigan City and American Pavement Solutions, Inc. for the 2017 Pavement Crack Sealing Project in the amount of \$57,304.00. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0).** Motion Carries.

**AGREEMENT – Agreement between the City of Michigan City and Rieth-Riley Construction Co., Inc. for the 2017 City Wide Sidewalk Repair Project**

Corporate Counsel Amber Lapaich addressed the Board stating the 2017 City Wide Sidewalk Repair Project was awarded at the May 1, 2017 meeting to Rieth-Riley Construction Co., Inc. however, at that meeting the dollar amount was read incorrectly and the correct amount is \$121,515.00; advising Rieth-Riley Construction Co., Inc. is still the lowest most responsive bidder for this project; asking for approval.

Vice-President Murphy made the motion to approve the agreement between the City of Michigan City and Rieth-Riley Construction Co., Inc. for the 2017 City Wide Sidewalk Repair Project in the amount of \$121,515.00. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0).** Motion Carries.

**AGREEMENT – Agreement between the City of Michigan City and Rieth-Riley Construction Co., Inc. for the 2017 City Wide Pavement Repair Project**

Corporate Counsel Amber Lapaich addressed the Board stating the 2017 City Wide Pavement Repair Project was awarded at the May 1, 2017 meeting to Rieth-Riley Construction Co., Inc. in the amount of \$47,365.00; advising this is a different amount than read due to a mathematical error however, Rieth-Riley Construction Co., Inc. is still the lowest most responsive bidder for this project; asking for approval.

Vice-President Murphy made the motion to approve the agreement between the City of Michigan City and Rieth-Riley Construction Co., Inc. for the 2017 City Wide Pavement Repair Project in the amount of \$47,365.00. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0).** Motion Carries.

**LICENSE AGREEMENT – License Agreement between the City of Michigan City and Horizon Bank for the use of unimproved alley for parking lot spaces for 502 Franklin Street**

Corporate Counsel Amber Lapaich addressed the Board explaining the license agreement which is for the use of an unimproved alley for parking lot spaces; Horizon Bank approached the Board with this request at the May 1, 2017 meeting; asking for approval.

Virginia Keating made the motion to approve the license agreement between the City of Michigan City and Horizon Bank for the use of unimproved alley for parking lot spaces for 502 Franklin Street. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST TO SOLICIT BIDS – Charles Peller, City Engineer is requesting to solicit bids for the 2017 Pavement Marking Project (TABLED at the April 3, 2017 Regular Meeting)**

Charles “Spike” Peller, City Engineer asked that this request remained tabled until the May 15, 2017 meeting.

**CLAIMS AND PAYROLL**

Virginia Keating 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 Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.**

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

Page	Date	Amount
1 of 7	04/28/2017	\$454,584.06
1 of 3	05/01/2017	\$206,370.67

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 3	05/01/2017	\$494,374.71
1 of 1	05/03/2017	\$5,166.00

**UNFINISHED BUSINESS**

**Closure of West 7<sup>th</sup> Street for demolition of 701-705 Franklin Street**



Craig Phillips, City Planner addressed the Board stating the Redevelopment Commission will award the bid at the May 8, 2017 meeting; after that the contractor will ask the Board for street closures for the demolition.

#### Street Light at 629 Warnke Road

Both President Janus and Vice-President Murphy stated they had not had a chance to look at this request; both stated to leave this item on the Pending Items List.

Charles “Spike” Peller, City Engineer addressed the Board recommending the homeowner contact NIPSCO to have a Dusk to Dawn light installed.

#### PUBLIC COMMENT

President Janus asked if there were any Public comments at this time, there was no comment.

#### BOARD COMMENTS

President Janus asked if there were any Board comments at this time.

President Janus commented about the cross walk at Ripley Street and Franklin Street stating it seems to beep constantly.

President Janus also commented that he heard on the radio about emergency sewer work being done on Madison Street; President Janus asked if this was a reoccurrence from a few weeks ago or a new problem.

#### 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 9:05 am). Virginia Keating made the motion to adjourn. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: (0). Motion Carries.**

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Gale A. Neulieb, City Clerk