

REGULAR MEETING – May 18, 2009

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, May 18, 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 Chuck Oberlie, Member;
And John Schaefer, Member (3).

Absent: None (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Espar, Corporate Counsel
Al Walus, General Manager, Sanitary District
Bill Phelps, City Engineer
John Pugh, Director, Planning & Inspection
Dave Lamb, Chief, M.C. Fire Department
Jim Elwell, Superintendent, Central Services
Jack Kahn, Street Director, Central Services
Monique Cook, Office Manager, Central Services
Walter Gipson, Director, M.C. Transit Department
Yvonne Hoffmaster, Deputy City Controller
Cpl. Ken Havlin, M.C.P.D. Traffic Division

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

APPROVAL OF MINUTES

Mayor Oberlie moved the minutes of the Regular Meeting of May 4, 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.**

AWARDING OF BID – Josam Clean-up Project

John Pugh, Director, Planning & Inspection addressed the Board reporting that the bids have been reviewed; Mr. Tom Stevenson the consultant is here with a recommendation.

Tom Stevenson, Environmental Incorporated, addressed the Board stating this bid is for the Indiana Brownsfield Assessment Grant for the former Josam Foundry. Mr. Stevenson explained the reason for the two (2) bids being they are required by the grant; one (1) is for Laboratory Services – the bid went to Envision Laboratories of Indianapolis, IN, the other is for Drilling Services – the bid went to Enviro-Dynamics of Hebron, IN.

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

UPDATE – Karwick Bridge Project

John Pugh, Director, Planning & Inspection addressed the Board to introduce the Engineering Consultant, Mr. John Pavy of Haas & Associates.

Mr. Pavy addressed the Board explaining that the bids are still being reviewed; they also have verbal agreements on all construction access easements – these are in the process of getting the correct signatures.

Mayor Oberlie asked if the awarding of bids would be taking place at the next meeting.

Mr. Pavy acknowledged this and is in the hopes the awards will be ready for the next meeting.

Corporate Counsel, Attorney Espar, stated that he has prepared temporary construction easements for the project, to be signed by the Board if approved relative to GAF and South Shore Freight. Attorney Espar explained that NIPSCO has their own right of entry permit, which he has reviewed and finds acceptable.

Mayor Oberlie made the motion to authorize the President to sign on behalf of the Board of Public Works & Safety the right-of-entry and easements for the construction of the bridge. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

MEMORANDUM OF UNDERSTANDING – Installation of a Bus Shelter between Radislav, LLC and the City of Michigan City

Corporate Counsel, Attorney Espar addressed the Board stating this is in connection with the bus shelter placement at Franklin Street and Barker Road at the Ivy Technical School location. Attorney Espar stated that he has prepared a Memorandum of Understanding for the installation of the shelter which has been signed by the owner; and asked the Board for their approval.

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

MEMORANDUM OF UNDERSTANDING – Installation of a Bus Shelter between Edward Rose of Indiana, LLC and the City of Michigan City, Indiana

Corporate Counsel, Attorney Espar addressed the Board stating this is in connection with the bus shelter placement at Normandy Village on Normandy Drive. Attorney Espar stated that he has prepared a Memorandum of Understanding for the installation of the shelter which has been signed by the owner; and asked the Board for their approval

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

APPROVAL OF CONTRACTS – with Pierce Company for Fire Truck refurbish, repair, and additional Change Order Job

Dave Lamb, Chief, M.C. Fire Department, addressed the Board explaining the contract and additional change order job to the Board. Chief Lamb asked for the Board's approval stating the Common Council has already given approval.

Mayor Oberlie made the motion to approve both contracts. 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 CLOSE STREET – St. Joseph Young Men's Society, Inc.

The following correspondence was received in the Clerk's Office on May 12, 2009 from Michael Wozniak, Vice President, St. Joseph Young Men's Society, Inc.:

St. Joseph Young Men's Society, Inc. would like to withdraw the request of the Franklin Street sidewalk closure on June 26, 2009 and June 27, 2009. As an alternate, St. Joseph Young Men's Society, Inc., would like to request the closing of the North side Tilotson Street sidewalk. In addition to Tilotson Street sidewalk being vacated, we are also request that Tilotson Street be vacated as well. This request is for the two day period beginning June 26, 2009 and June 27, 2009. Your help regarding this matter is most appreciated.

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

PARKING REQUEST

The following correspondence was received in the Clerk's Office on May 8, 2009 from Henry L. George Jr., Chairman, the Juneteenth Celebration Committee:

I am requesting permission to appear at the next Board of Works meeting to request permission for parking around Pullman Field at our Juneteenth Celebration on June 20th and 21st. Thank you.

Mr. Henry L George Jr., addressed the Board stating he represented the NAACP and also the Juneteenth Committee, and is before the Board to request parking permit around the Pullman Field on June 20th and 21st. Mr. George Jr. also asked the Board for permission to park cars along the "No Parking" side of Willard Avenue as overflow parking.

Cprl. Ken Havlin, M.C.P.D. Traffic Division, addressed the Board stating there are no objections to the street parking for the event. However, Cprl. Havlin did caution about parking on the grass; and that anything inside the park would have to go before the Park Board.

Chief Dave Lamb, M. D. Fire Department, informed the Board that he has had meetings with Mr. George Jr. and has explained to him that on Willard Avenue there has to be a parking spot open, in case a fire truck has to get in, of approximately 15 to 20 feet of the Willard Avenue area.

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.**

REQUEST FOR DUSK TO DAWN LIGHT

The following correspondence was received in the Clerk's Office on May 13, 2009 from Derrick Dircks, 436 E. 8th Street:

I am requesting a dusk to dawn light in the 400 block of E. 8th Street, more specifically 436 E. 8th Street. This particular area in the evening has no lighting and as a result of that has become a gathering place known in the neighborhood as the "Country Club". Low visibility has created situations of our property being damaged, late night drinking, and theft. Police have been called and have responded with positive results, however, its my belief that if the proper lighting is present it would be a benefit not only to the Police, but it would also curb the potential for damage and other situations to occur. Your consideration of this matter would be greatly appreciated.

Councilman Richard Murphy, 217 Beachwalk Lane, addressed the Board stating the reason he is before the Board today is to support the request of Derrick and Karen Dircks for the placement of a dusk to dawn light in the alley of east 8th Street. Mr. Murphy stated there is enough documented call for service to support the request.

Mr. Derrick Dircks, 436 E. 8th Street addressed the Board requesting the Board approve the installation of a dusk to dawn light.

Cprl. Ken Havlin, M.C.P.D. Traffic Division, presented handouts to the Board; and stated the Police Department would be in support of putting a light in this alleyway as this is a heavily traveled area.

Mayor Oberlie stated that based on the recommendation of the Police Department and recognizing the uniqueness of the alleyway itself, moved 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.**

REQUEST TO PLACE BANNER

The following correspondence was received in the Clerk's Office on May 13, 2009 from John R. Fanson, 1681 N. Summit Drive, LaPorte, IN 46350:

I, John R. Fanson, represent the "Summer of Art" show July 18th and 19th. I am asking for permission to place signs, in the form of a banner, four feet long by twelve inches wide supported by poles, in the area of Franklin Street and Ninth Street and on the corner of the City Hall property (Michigan and Pine Street).

The "Summer of Art" show is being sponsored by fifteen area artists, along with Prince Gallery, Southern Shore Art Association, and the Michigan City Art League. The show will be held in the building owned by Arnold Besse, 722 Franklin Street.

I would like to place these signs from June 1st thru July 19th. I will have the sign company place and remove the signs. Thank you for your consideration.

Mayor Oberlie made the motion to refer the matter to Roy Romine, Superintendent of the City Hall building who is responsible for the placement of signs; with the authority to act. The Mayor stated the general policy is there can only be one (1) sign on the lawn at a time. 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 CLOSE STREET

The following correspondence was received in the Clerk's Office on May 14, 2009 from Damieon Coppage, 647 Donnelly Street:

I, Damieon Coppage would like to address the Board of Public Works & Safety. I would like a street closure on May 30, on the corner of Carlon Court and Donnelly Street from 2pm to 7pm for a birthday party for John Garner, my father.

Cprl. Ken Havlin, M.C.P.D. Traffic Division, addressed the Board stating the Traffic Division had not received the request before the meeting. Cprl. Havlin stated that this particular area of Donnelly Street goes down to one (1) lane.

Mayor Oberlie made the motion to refer to the M.C.P.D. Traffic Division with the authority to act as necessary. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

CLAIMS AND PAYROLL

Mr. 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 Mr. 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 8	05/08/2009	\$405,960.88

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

Page	Date	Amount
1 of 5	05/15/2009	\$950,826.68

ADDITIONAL BUSINESS

NO PARKING SIGN REQUEST - 111 Thomas Street

John Pugh, Director, Planning Department addressed the Board regarding the May 4, 2009 request for the placement of a Stop sign at 111 Thomas Street, Susan Taylor. The Planning Department along with M.C.P.D. Traffic Division met with her and recommends that the request be changed to a Handicap Parking Sign.

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

ADA REQUIREMENTS – Barker School Driveway

John Pugh, Director, Planning Department informed the Board, that the department and the City Engineer have been working on Barker Road and the Barker School Driveway. Mr. Pugh presented a map/diagram of the area being improved and explained the details to the Board. **Note:** This is for informational purposes only.

BID UPDATE – Coolspring Avenue

Bill Phelps, City Engineer informed the Board that Bids will be received on Coolspring Avenue on June 10, 2009. **Note:** This is for informational purposes only.

USE OF EASEMENT – 1602 Lakeshore Drive

The following correspondence was received in the Clerk's Office on May 15, 2009 from Mitch Feikes of Mitch Feikes Builders, Inc., 96 Prince William Court, LaPorte, IN:

Mitch Feikes Builders Inc will be building a new home at 1602 Lakeshore Drive in Michigan City. We will be removing a blighted existing home and replacing with a new home.

Adjoining to the West of this property is a 50' wide right-of-way owned by the City of Michigan City. We would like to use this right-of-way while constructing the house at 1602 Lakeshore Drive.

It would be our intention to leave the right-of-way better than we found it. Your approval on this would be greatly appreciated.

Mr. Feikes addressed the Board regarding his request.

Mayor Oberlie asked if the City Engineer had an opportunity to review the proposed project. Mr. Phelps stated that he had not. Mayor Oberlie stated there are some issues that need to be cleared up as far as if it is the City's jurisdiction or the Park Department's depending on how the easements were provided out on the beach area. The Mayor made the motion to refer the request to the City Engineer; and asked that Mr. Feikes work with him, and as soon as the City Engineer has a report the Board can make a decision. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

VACANT PROPERTY – Gladys Street

Mr. Stafford Wilson, 710 Gladys Street addressed the Board asking if he could take on the responsibility of maintaining the grounds once the structure is removed at the vacant property next to his, in the hopes of acquiring the property when the City relinquishes it.

The Mayor asked if the owner was known, and since the owner is not known at this time, made the motion to refer the matter to the Planning and Inspection Department so Code Enforcement Officer, Russ Hatfield can work on the issue of determining the owner and to see if there are back taxes due. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

REQUEST FOR ADDITIONAL PARKING – 111 Lake Avenue

The following correspondence was received in the Clerk's Office from Jeanne Kensik-ELK Properties, LP, 1319 W. Wolfram, Chicago IL:

This letter is a request for you to consider removing the two (2) "islands" that are located on Lake Avenue, in Michigan City, IN. The first one is located in front of my property at 111 Lake Avenue and the other is located approximately 50 ft. to the south.

Due to the shortage of parking in the area, we would be gaining approximately 6 parking spaces.

Mr. Charles Morgan, Property Manager addressed the Board with regards to parking on Lake Avenue. Mr. Morgan provided the Board with pictures and a drawing of the area.

Mayor Oberlie made the motion to refer the matter to the Planning and Engineering Offices for their recommendations. 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 DELETE EXCESS EQUIPMENT

Yvonne Hoffmaster, Deputy City Controller addressed the Board regarding the deletion of excess computer equipment. Mrs. Hoffmaster explained the process of the Raffle to the Board. The following ten (10) names were drawn:

- 1) Kristin Jackson, Park Department
- 2) Johnny Martinez, Zoo/Park Department
- 3) Sharon Gay, Park Department
- 4) Darren D. Kaplin, M.C. Police Department
- 5) Chris Walker, Street Department
- 6) Terry Vedron, Refuse Department
- 7) Janet Wilcox, Street Department
- 8) Cranston Harris, Transit Department
- 9) Bryan Maxey, M.C. Police Department
- 10) Dan Olson, Sanitary District

City Controller, John Schaefer explained the winners will be contacted and upon receipt of payment of Fifty dollars (\$50.00), the laptops will be distributed. Mr. Schaefer also stated the computers have been cleaned of city business on the hard drives.

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 9:45 a.m.).

Thomas F. Fedder, City Clerk