

REGULAR MEETING – July 20, 2009

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, July 20, 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, Corporation Counsel
Bill Phelps, City Engineer
John Pugh, Director, Planning & Inspection
Sgt. Jeff Loniewski, M.C.P.D. Traffic Division
Shannon Eason, Asst. Director Park Department
Debbie Studtman, Secretary Park Department
Jan Orlich, Superintendent Park Department
Charlie Cate, Superintendent Central Maintenance
Jack Kahn, Street Director Central Services
Jim Elwell, Superintendent Central Services
Chuck Greis, Deputy Chief M.C. Fire Department
Kyle Kazmierczak, Fire Marshal M.C. Fire Department

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

Debbie Sederberg, News Dispatch
Ron Miller, WEFM Radio

APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of July 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.**

ALCO PROPOSAL AND OPERATING PLAN

John Espar, Corporation Counsel addressed the Board regarding the contract language and updated proposal figures, and presented them a draft agreement for their consideration and decision at the next schedule meeting of the Board of Public Works and Safety.

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

ENGINEERING DEPARTMENT UPDATES

Bill Phelps, City Engineer addressed the Board and reported the following:

2009 Paving Program – Mr. Phelps reported through July 17, 2009 there has been 9.04 lane miles milled and paved. Mr. Phelps reported that weather permitting, this week they will be completing one (1) block on Elmer; from Cleveland Avenue to Wrobel Avenue, Beverly Court from Oak Street to Maple Street, Avalon from Oak Street to Maple Street, Beverly Court on the North of Coolspring Avenue and West of Tilden Avenue, Garrettson from Boyd Circle to Cleveland Avenue, Garrettson from Cleveland Avenue to Concord, Cleveland Avenue from Garrettson to Coolspring Avenue and Concord from Garrettson to Coolspring. Mr. Phelps reported that this will end the first (1st) segment.

2009 Sidewalk Program – Mr. Phelps reported there has been approximately 16,000 square feet of 4” and 6” sidewalk poured in area’s referred to as “trip and fall”, caused by city trees uprooting the sidewalks. Mr. Phelps reported over 1,031 square feet of rubber sidewalk were placed; and there have been 40 ADA ramps with detectable warning devices poured into the concrete. Mr. Phelps also reported there were 6 ramps that were poured previously where surface applied detectable warning devices were installed.

Coolspring Avenue Reconstruction – Mr. Phelps reported to the Board that there will be a pre-construction meeting today at 1:00 p.m., which will comprise about twenty-five (25) personnel – contractors, sub-contractors, construction engineering consultant, utilities, federal highway administration and various INDOT officials.

Michigan Blvd. Reconstruction – Mr. Phelps reported there will be a public meeting on Tuesday, August 11, 2009 at 7:00 p.m. in the City Council Chambers to provide information to the public on the proposed reconstruction of Michigan Blvd.

Mr. Phelps also requested that the Board allow him to take bids on Village Green reconstruction pavement project on August 10, 2009; and on August 11, 2009 he would like to receive bids on the Walker Street improvement project, this way tabulation of the bids can be compiled and report back to the Board at their August 17th, 2009 meeting.

Mayor Oberlie made the motion to authorize the City Engineer to proceed on the bidding for Walker Street and Village Green as so noted. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

APPROVAL ON AGREEMENT - Supplemental Agreement No. 2 for Design Services of the Singing Sands-Lighthouse Trail

Shannon Eason, Asst. Director Park & Recreation Department addressed the Board regarding the Agreement to do some re-design on the trail due to a 400’ track extension by the South Shore Railroad. Mrs. Eason informed the Board that the Agreement has been reviewed and found acceptable by the City Engineer, Bill Phelps.

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

AWARDING OF BID – Purchase of One (1) Single Axle Dump Truck and equipment

Charlie Cate, Superintendent, Central Maintenance informed the Board of the lowest bidder for the purchase of one (1) Single Axle Dump Truck for Central Maintenance:

Hill Truck Sales, South Bend, IN – Base bid	\$69,956.00
W.A. Jones Equipment, Indianapolis IN – Equipment	\$38,509.00
Lindco Equipment Sales, Inc., Merrillville IN – V-Box	\$10,895.00
Optional Warranties	\$3,050.00
Total purchase price	\$122,410.00
Total budgeted amount for this purchase	\$135,000.00

Mr. Cate reported to the Board that the dump truck purchased in 2008 was \$2,400.00 higher than this bid; and the Truck will be ready in about 4 ½ months.

Mr. Schaefer made the motion to approve the bids as recommended by Mr. Cate. 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 CLOSURE

The following correspondence was received in the Clerk’s Office on July 15, 2009 from Dennis Williams, 204 Belmont Court:

To Whom It May Concern: I would like to request for permission to block off Belmont Court from Boyd Circle to Garrettson Avenue. I would like to do this on Saturday, August 1st from 10:00 a.m. to 10:00 p.m. The reason I would like to do this is for a block/neighborhood party. I can be reached at 879-8440 after 4:00 p.m. My address is 204 Belmont Court. Thank you.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board to inform them that he has not been able to locate or contact Mr. Williams, but did speak with a neighbor who informed him that this is a neighborhood block party. Sgt. Loniewski’s suggestion to the Board, since he has not spoken with Mr. Williams, is to approve the request on the basis that he is able to provide proof of insurance and someone to move the barricades so that people can still access their homes.

Mayor Oberlie made the motion to approve the recommendation of the Traffic Division. 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 OPEN BURN PERMIT

The following correspondence was received in the Clerk’s Office on July 10, 2009 from Zach Krachinski, 200 E. US Hwy 20:

As per our conversation, I am submitting this request for an open burning permit for the property located at 200 E. US Hwy 20, Michigan City. This is the former Wells Chairs factory. As I would like to develop this property I am requesting an open burn permit as a way to clear the land around the property overgrown with vegetation for development. The property has 5.5 acres in total so it will be very easy to clear a safe area as weather permits to burn, away from all surrounding properties. Custom Construction shall be the general contractor of the work to be preformed. As I’m sure you know, Custom Construction is a local Registered and Insured contractor that has a good reputation with the city and community for developing deteriorated and unused property to an asset for the city. Thank you for your time and consideration in this matter.

Kyle Kazmierczak, M.C.F.D. Fire Marshal addressed the Board regarding this request. Fire Marshal Kazmierczak informed the Board he had a chance to see the property and

gave the Board members pictures of the area. Fire Marshal Kazmierczak informed the Board that due to the close proximity of the other area businesses, the Fire Department at this time is denying the request for an open burn. Fire Marshal Kazmierczak also informed the Board that Mr. Krachinski has a very large mound of asphalt on the property that does burn, and that Mr. Krachinski will need to go through I.D.E.M. to get a permit for removal of the asphalt which takes about 30-45 days to get. At this time, Mr. Krachinski does not have a permit from I.D.E.M. for the asphalt.

Mayor Oberlie made the motion to indefinitely **TABLE** until the petitioner receives approval from I.D.E.M. and the Fire Department for the burn. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

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 10	07/01/2009	\$464,219.61
1 of 10	07/15/2009	\$465,253.87

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

Page	Date	Amount
1 of 5	07/20/2009	\$1,983,968.97

DISPOSITION OF GRIEVANCE – AFSCME, Local No. 228 grievance dated May 18, 2009

Corporation Counsel, John Espar presented to the Board for their consideration and recommendation of legal department the Disposition of Grievance of Ben Holtz pursuant to the hearing held on May 18, 2009.

Mayor Oberlie made the motion to accept the recommendation of Counsel Espar. 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 9:35 a.m.).