

# REGULAR MEETING - AUGUST 6, 2007

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, August 6, 2007, 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 July 16, 2007, 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.**

Also noted in attendance:

John Espar, City Attorney and Board Counsel  
Bill Phelps, City Engineer  
Jim Elwell, Superintendent, Central Services  
Dave Lamb, Fire Chief  
Sgt. Mark Krauklis, Traffic Division  
Jack Kahn, Street Director, Central Services  
Al Walus, General Manager, Sanitary District  
Joe Siegel, Zoning Administrator, Planning Department  
Russ Hatfield, Code Inspector  
Charlie Cate, Superintendent, Central Maintenance  
Ta-Tanisha Clark, Executive Director/EEO Officer

Thomas Fedder, City Clerk  
Carla Adams, Deputy City Clerk

Ron Miller, Radio Station WEFM  
Andre Steele, Access La Porte County

## STATUS REPORTS

### **330 Peru Street - Emergency Demolition, Luella D. & Ocie L. Watts.**

Russ Hatfield, Michigan City Code Inspector, stated this property was in very poor condition. Vector Control could not properly secure the property and children were observed running in and out of the structure. The building is a safety hazard. Inspector Hatfield stated in July a demolition bid was accepted from Phelps Excavating in the amount of \$2,460.00. The property has been backfilled, seeded and is now complete.

### **1110 Michigan Boulevard - Clarence Davis, owner.**

Inspector Hatfield stated that new owner Clarence Davis plans to demolish the fire damaged structure and proceed to fill and seed the lot. Mr. Hatfield stated there is a dumpster on the site and the project should be under way next week.

### **127 W. Williams and 1806 Manhattan**

Inspector Hatfield stated that these properties have changed owners and were purchased by Lakeland Group. Lakeland Group is renovating homes on Michigan Boulevard and in the Combs Street area. They are quite eager in purchasing and revitalizing other private properties within the City. A dumpster is in place at 127 W. Williams and upon completion of that property they will move on to their next property.

### **509 E. 9<sup>th</sup> Street**

Inspector Hatfield stated this property was destroyed by fire in February, 2007. The insurer of the property deemed this fire suspicious and an arson investigation has been ongoing. An Order to Repair on this property will be issued this week.

**1212 W. 9<sup>th</sup> Street**

Inspector Hatfield stated that this property was also destroyed by fire in March, 2007 and is being investigated for possible arson. Detectives have completed their investigation and an Order to Demolish this property will be issued this week.

**REQUEST TO DEMOLISH UPDATE**

**314 Willard Avenue** – Wayne Miller, owner

Bernie Adams, 324 Willard Avenue, and Olivia Butler, 1035 West 8<sup>th</sup> Street, are requesting demolition of the structure located at 314 Willard Avenue. They state the house is a hazard and an eyesore to the neighborhood. Inspector Hatfield contacted Wayne Miller and Mr. Miller stated that health problems have prohibited him in repairing the property. Inspector Hatfield told Mr. Miller that progress must be made on this property. Inspector Hatfield will update the Board at the September 17, 2007 Board Meeting.

**AWARDING OF BID**

**319 West 8<sup>th</sup> Street** (Property in Receivership)

- Bid #1 – Cinnamon Creek Excavating. No bid security in package.
- Bid #2 – TRI. Bid package is in order. The bid is in the amount of \$17,500.00.
- Bid #3 – Andy Salat. The bid package is in order. The bid is in the amount of \$25,450.00.
- Bid #4 – Phelps Construction. The bid package is in order. The bid is in the amount of \$20,840.00.
- Bid #5 – Piper Excavating. The bid package is in order. The bid is in the amount of \$22,841.00.

Mayor Oberlie made a Motion to refer the bids to the Inspection, Planning Department and EEO Departments for review. The Motion is seconded by Mr. Metzcus. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**SIGN REQUEST**

Weldon Harvey, 120 Faulknor Street, requests a handicapped parking sign be placed in front of his residence. (Matter held over from the July 16<sup>th</sup> meeting.)

A notice was submitted to the Board Members by the Planning Director to approve a handicapped parking sign be placed in front of his home. Mr. Schaefer made a Motion to approve the Planning Director's recommendation. The Motion is seconded by Mr. Metzcus. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**RESIGNATION NOTICE**

Captain Teddy Rebac has submitted his letter of resignation from the Michigan City Fire Department effective July 23, 2007. Captain Rebac has been with the Fire Department for 31 years. The Notice was presented to the Board by Chief Dave Lamb.

**ANNUAL TOWER RUN**

Ryan A. Bos, Race Director, requests permission to use approximately a mile of Lakeshore Drive for the 15<sup>th</sup> Annual Tower Run. (Tower Run requests the closure of Lakeshore Drive between 8:30 a.m. and 9:30 a.m. on Sunday, September 16, 2007.)

Mr. Bos stated they have been granted permission from the Michigan City Parks and Recreation Department and Park Board. Mr. Bos also contacted the Michigan City Police Department and Port Authority. Sergeant Mark Krauklis spoke on behalf of the Michigan City Police Department. Sergeant Krauklis approves this request as the Tower Run has been without incident for many years. A Motion is made by and seconded by Mayor Oberlie and seconded by Mr. Schaefer. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**REQUEST TO REMOVE TREE BRANCH**

Ms. Georgia A. Krueger, 448 Boyd Circle, requests removal of a large dead branch from a tree on the east side of Cleveland Avenue. Ms. Krueger states the branch extends over Cleveland Avenue and is concerned it will fall on someone.

Ms. Krueger was not in attendance at the Board Meeting. A Motion was made by Mayor Oberlie and seconded by Mr. Schaefer to forward this request to Municipal Services for review and possible action. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**REQUEST TO HOLD MARCH**

Robert A. Buzolich, President, Hoosier Hikers of South Bend, Indiana, requests approval to conduct a Volksmarch on Sunday, October 7, 2007, on properties administered by the Michigan City Parks & Recreation Board and the City of Michigan City. (The Volksmarch will involve 5 and 13 kilometer non-competitive walks and will be in operation from 11:00 a.m. to 2:00 p.m. It is anticipated that there will be 50 to 150 participants from within and outside the Michiana area.)

Sgt. Mark Karauklis of the Michigan City Police Department stated that this event does not interfere with traffic and they leave and start at different times, so large groups will not be walking at one time. A Motion was made by Mr. Schaefer and seconded by Mr. Metzcus. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**APPROVAL OF BID RECOMMENDATION**

Re: Salt Storage Building/2007 - Bid Results and Recommendation.

Bill Phelps, Michigan City Engineer presented a July 24, 2007 letter of recommendation by Haas and Associates for award of the contract to Weinholt Construction of La Porte. EEO Officer Clark has submitted her letter of approval. Mr. Phelps concurs with Ms. Clark's letter. The bid is in the amount of \$313,860.50. A Motion was made by Mayor Oberlie and seconded by Mr. Schaefer to authorize the bid and officially approve the contract. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**REQUEST TO START AN OUTREACH PROGRAM**

Pastor Jeff Bibb of the House of Refuge in Michigan City requests to start an Outreach Program. Pastor Bibb states he and his wife are professional clowns who would pull to the curbside and put on a clown show, which would consist of: music, face painting, balloon animals, juggling and clown skits or plays. (Insurance documents will be presented upon request.) Pastor Bibb is requesting Sundays as their performance day from 9:00 a.m. until 11:00 a.m.

Pastor Jeff Bibb of the House of Refuge spoke to the Board. Pastor Bibb has taken a 16-foot panel truck and cut a stage on the side. This space would be for puppet shows and performances. The House of Refuge would pull curbside to various areas in the City of Michigan City to promote the gospel, encourage young men and women about a positive attitude and influences.

Attorney Espar was worried about safety and traffic problems. He would like more information on where, when and how the performances will take place. Attorney Espar stated while this is a noble undertaking, the immediate concern of having a truck travel to various public right-of-ways is one of a traffic and safety problem. Until Pastor Bibb can provide more definitive information on where, when and how the performances will take place the Board cannot act on Pastor Bibb's request.

Mayor Oberlie asked Pastor Bibb to meet with the Traffic Department to see if targeted areas can be developed. Mayor Oberlie was worried about children running in the street to view Pastor Bibb's performances. A Motion was made by Mayor Oberlie and seconded by Mr. Schaefer to review Pastor Bibb's request to the Traffic Division for review of safety and traffic issues. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**PUBLIC COMMENT.**

Al Walus of the Michigan City Sanitary District addressed the Board. Mr. Walus stated in December 2006 final design drawings were presented to the Board for Wabash/Washington 2b and 2c projects and the Board entered into a Letter of Understanding with the Sanitary District to construct those projects. The initial approved drawings for the 100 Block of Charles Street included the removal of asphalt and repair of brick. For information purposes, a City-wide map was presented to the Board depicting existing brick streets in Michigan City.

Mr. Walus stated that the 100 Block of Charles Street will remain as a brick street and 'spot' brick repairs will be made in the 200 Block of Charles Street. The condition of the brick under the asphalt in the 100 block of Charles is in good condition and six of seven property owners living in the 100 Block of Charles preferred a brick surface. As an

informational point to the Board, Mr. Walus stated this will offer two continuous blocks of brick street from Franklin Street. A Motion was made by Mr. Metzcus and seconded by Mr. Schaefer to authorize Mr. Walus recommendations to keep the 100 Block of Charles and the 200 Block of Charles as brick streets. **AYES: MEMBERS Metzcus, Oberlie, and Schaefer (3). NAYS: None (0). Motion carries.**

**CLAIMS AND PAYROLL**

Mayor Oberlie 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	7/20/07	\$450,079.54
1 of 3	8/01/07	\$225,961.86
1 of 10	8/03/07	\$464,242.97

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

Page	Date	Amount
1 of 6	8/06/07	\$4,456,071.47

**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 9:40 a.m.)

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Thomas F. Fedder, City Clerk