

REGULAR MEETING – August 17, 2009

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, August 17, 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
Russell Hatfield, Code Enforcement Officer
Joseph Siegel, Zoning Administrator
Cpl. Ken Havlin, M.C.P.D. Traffic Division
Dave Lamb, Fire Chief
Jim Elwell, Superintendent Central Services
Jack Kahn, Street Director

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

APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of August 3, 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.**

ORDERS TO DEMOLISH – 425 Ogden Avenue, Ronald Landtroop - owner

Russ Hatfield, Code Enforcement Officer addressed the Board regarding the property at 425 Ogden Avenue stating that an “Order to Demolish” was put into place on this property; and originally the Inspection Department was going to recommend the “Orders to Demolish” be followed through with, but Mr. Landtroop was present and requested to speak before the Board.

Joseph Siegel, Zoning Administrator informed the Board that the Inspection Department had originally met with Mr. Landtroop back in 2007 and an “Order to Repair” was issued at that time with no response; ultimately Mr. Landtroop did file for a building permit, but a year has lapsed so its time to start the process again so the repairs can be made based on his presentation to the Board today.

Mr. Charles Gaber, Attorney for Mr. Landtroop addressed the Board regarding his client's property, and asked the Board to consider modifying the existing order to allow Mr. Landtroop an additional 60 days to continue to make progress at rehabilitating the structure.

Ronald Landtroop, owner of the property presented to the Board documentation substantiating his willingness and collateral to do the necessary repairs to make the structure habitable again.

Discussion ensued between Mayor Oberlie, Mr. Hatfield, Mr. Metzcus, and Mr. Landtroop regarding the time needed to do the repairs; the plumbing, heating and electric have not been thoroughly inspected yet and due to the amount of time the structure has been vacant those services will need to be updated if not in compliance.

Councilwoman Patricia Boy, 218 Southwood Drive addressed the Board stating it was a cute house and if the work could be done in 60 days to save the house, it would be a great thing for the neighborhood.

Mayor Oberlie made the motion to modify the "order" to allow the 60 day extension for the renovation to be completed; report back to the Board in 30 days, with a final action on October 19, 2009. 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 Sidewalk Program – Mr. Phelps reported that an additional 2,304 linear feet of 4" for "trip and fall" areas have been constructed since the last report; that gives us a total for the year of 24,882 linear feet (which happens to be 4.71 miles of sidewalk).

Coolspring Avenue Reconstruction – Mr. Phelps reported to the Board that the first series of barricades are being placed on Coolspring Avenue; Area 3-B on Coolspring Avenue will be closed from the east side of west Mall Court to the west side of Woodland Avenue, and also starting at the east side of Woodland Avenue about 400 feet to the east. Mr. Phelps stated they will start milling out the asphalt pavement, and storm sewer construction shall follow; local traffic will be permitted in the area.

CSX Crossings – Mr. Phelps reported that the Ohio Street crossing has been completed, and Tilden Avenue is under construction.

Walker Street Improvements – Mr. Phelps reported to the Board the lowest bidder was Reith-Riley Construction in the amount of \$186,226.60; Mr. Phelps recommended the bid be awarded to Reith-Riley Construction for this project, and that the E.E.O. Office has approved them for the bidding process.

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

Dennis Metheny, 6757 W. 450 N., Coolspring Township Trustee, addressed the Board stating that the residents of Coolspring Township and himself appreciate Coolspring Avenue being resurfaced.

Walker Street Improvements – Mr. Phelps informed the Board he had a contract that he recommended the Board approve with Haas & Associates for the construction/engineering phase of the project.

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

Village Green Subdivision – Mr. Phelps informed the Board of the tabulation of bids for pavement rehabilitation; the lowest bidder for the project is Walsh & Kelly in the amount of \$324, 962.70, and recommended the Board award the contract to them.

Mayor Oberlie mentioned the background of the study being done by the City Engineer on the road system in the Village Green area with respect to the costs to replace concrete streets; implementing an 8 to 10 year program.

Mr. Phelps explained to the Board a “test case” that was done in that area two years ago. Mr. Phelps also informed the Board of a contract with Lawson-Fisher Associates P.C. for construction/engineering services, and he recommends execution of the contract.

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

Mr. Phelps informed the Board that he has a contract between the Indiana Department of Transportation and the Board of Public Works and Safety for an “official detour” contract for work that will be done on US Hwy 20; stating the detour would be using US Hwy 35. Mr. Phelps stated that the City’s Corporation Counsel has gone over the paperwork and made his recommendation that it is acceptable.

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

Mayor Oberlie mentioned for clarification that the actual construction is in the “Pines” area, and is a bridge replacement on this side of the Rte. 520 cut-off.

Michigan Blvd. Reconstruction – Mr. Phelps addressed the Board with regards to the “title sheet” for the Michigan Blvd. storm sewer rehabilitation, and requested the Boards approval; stating the City had recently been approved for a grant.

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

MEMORANDUM OF UNDERSTANDING - Between the Michigan City Board of Public Works & Safety and the Michigan City Area Schools – Police/Schools Liaison Officers Agreement

Cprl. Ken Havlin, M.C.P.D. addressed the Board explaining this is an annual agreement.

Mr. Metzcus 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.**

REQUEST TO PURCHASE CITY PROPERTY

The following correspondence was received in the Clerk's Office on August 11, 2009 from Steve Moore, President, Wall Gang Inc.:

My name is Steve "Headdog" Moore and I am the president of The Wall Gang Inc. The Wall Gang is a 501c3 Non-For-Profit Organization that helps Veterans and their families in times of need and educates the community on the price of freedom and the sacrifices our nations Veterans faced. We also help in keeping the POW/MIA Issue alive.

The reason for this letter is The Wall Gang is looking to acquire the property formerly known as 800 Chicago Street. This property has been abandoned for some time and the City maintains it. The property is bordered by Ford Street to the South, Chicago Street to the West and the Amtrak Tracks to the East. The Wall Gang currently owns the land across Chicago Street from said property and with possession of 800 Chicago Street it would be ideal for parking during any event that The Wall Gang may hold at their west side picnic shelter.

Please give this some consideration. I look forward to hearing from you in regards to this matter.

John Espar, Corporation Counsel recommended to the Board that they refer this request to the legal department for consideration and advisement.

Dennis Metheny, 6757 W. 450 N., Coolspring Township Trustee, addressed the Board stating that he is also interested in purchasing that property.

Mayor Oberlie explained the City's involvement with this property.

John Pugh, Director, Planning & Inspection addressed the Board regarding this property.

Mr. Schaefer made the motion to refer the matter to Mr. Espar's office to do the appropriate research, and report back to the Board. The motion was seconded by Mayor Oberlie 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 August 7, 2009 from General Garner, 117 Case Street:

I, General Garner, will be having a Back to School Cookout on August 22, 2009 from 8:00 a.m. to 8:00 p.m. I am requesting that the street corner of Case and Holliday to the alley be blocked off. Thanking you in advance.

Cprl. Ken Havlin, M.C.P.D. Traffic Division addressed the Board stating there were no objections to this closure; and that it was an annual event.

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 NO PARKING SIGN

The following correspondence was received in the Clerk's Office on August 13, 2009 from Robert Cutler, 701 E. 10th Street:

My name is Robert Cutler and I live with my handicap brother at 701 E. 10th Street. I am asking for a "No Parking" sign to be placed in front of my house so the bus can pull up to pick my brother up. Thank you.

Mayor Oberlie made the motion to refer the request to the Planning Department and the M.C.P.D. 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.**

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 9	08/14/2009	\$448,026.04

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

Page	Date	Amount
1 of 4	08/17/2009	\$874,777.97

ADDITIONAL BUSINESS - REQUEST TO CLOSE STREET

Cprl. Ken Havlin, M.C.P.D. Traffic Division addressed the Board regarding a request for a street closure from Ms. Murphy, 504 Monroe Street, requesting Monroe Street be closed between her address and Ashland (for the alleyway) for a family reunion on Friday, August 21, 2009 from 5:00 p.m. to 10:00 p.m. Cprl. Havlin informed the Board that Sgt. Loniewski spoke with Ms. Murphy and stated there are no objections to this closure. Mr. Schaefer made the motion to approve the street closure. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

ADDITIONAL BUSINESS

Chief Dave Lamb, M.C. Fire Department addressed the Board regarding a grievance hearing.

Mayor Oberlie addressed Chief Lamb regarding this process stating hearings are generally set administratively by the Attorney and the Personnel Office, and announced when they coordinate calendars and set a date.

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.).

Thomas F. Fedder, City Clerk