

REGULAR MEETING – AUGUST 20, 2007

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, August 20, 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

A QUORUM WAS NOTED PRESENT.

APPROVAL OF MINUTES

Mr. Schaefer moved the Minutes of the Regular Meeting of August 6, 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 Council
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

Thomas Fedder, City Clerk
Andrea Smith, Attorney's Office/Personnel Department

Andre Steele, Access La Porte County

STATUS REPORTS

217 Columbia Street – National City Bank, owner.

Russ Hatfield, Michigan City Code Inspector, stated that National City Bank purchased this property through Sheriff's sale in May of 2006. Inspector Hatfield has been corresponding with Helen Olinski, property Manager for the bank, on the disposition and future of the property. After researching the possibility of the Housing Authority acquiring this parcel, it's been determined the dwelling is beyond repair. National City Bank is taking the responsibility of removing the dilapidated structures from this property and will update Inspector Hatfield by month's end with the demolition project date. Inspector Hatfield received notice today that another party is interested in purchasing this property from the bank.

1110 E. Michigan Boulevard – Clarence Davis, owner.

Inspector Hatfield stated that the owner has this site cleaned up, the structure is down and has been removed.

REQUEST TO DEMOLISH UPDATE

910 Green Street – James and Doris Gast, owners.

An Order to Demolish was placed on this property on October 16, 2006. The owners were granted a reprieve on this Order in December of 2006. On May 5, 2007, Inspector Hatfield spoke with the owners to get an update on this property and was informed that there was a buyer for this property, and he would receive the buyer's information the following week. Inspector Hatfield's recent calls and correspondences with the Gasts have yet to produce any documented proof of the sale of this property. Inspector Hatfield requests the Board allow him to pursue the Order to Demolish.

Mayor Chuck Oberlie stated that there's been no progress made.

John Espar asked if the matter was continued to today's date from the last status proceedings. Inspector Hatfield put this on the agenda to get the Board's permission to start back with the ten (10) day notice to pursue this property. The Board had previously addressed the property under an Order to Demolish, on multiple occasions. Subject to a review of the procedural history of the case, it would appear that the Board could solicit demolition bids. The Board has previously determined the property to be an unsafe structure, in need of demolition or rehabilitation and at the request of the property owner proceedings have been continued. Mr. Espar has a recorded Order to Demolish, dated October 16, 2006. Solicitation of bids can proceed to be received in the next thirty (30) days for demolition.

Mayor Chuck Oberlie moved to authorize and seek bids providing certified notice is sent to the Gasts. 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

319 West 8th Street (Property in Receivership)

This was held over from the August 6, 2007 meeting.

Inspector Russ Hatfield reported that the Inspection Department has reviewed the demolition bids on 319 West 8th Street and requests that the bid be awarded to TRI Incorporated with a bid of \$17,500.00. This bid will cover both clean up of debris and the building, two trees and all surrounding asphalt. Mayor Oberlie moved to authorize. The Motion was seconded by John Schaefer, and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

EMERGENCY DEMOLITION

602 West 9th Street

This item was not on the Agenda. On Friday, August 17, 2007, at 1:00 p.m. there was a fire which destroyed this structure. Due to the extent of the damage caused by the fire, Inspector Hatfield found that the property posed an immediate danger. Inspector Hatfield issued an Emergency Order to Demolish and contacted Mr. Phelps of Phelps Construction, who knocked the structure down. Mayor Oberlie stated that the Statute indicates that emergency access is limited to removing immediate danger, which would be the collapsing of the building and not site clearance. Mayor Oberlie stated that under the Emergency Order the City is limited to what is necessary to secure, which would be the demolition and clearing the walk. Quotes will be needed for the removal of the debris unless the Insured wants to hire his own Contractor to haul away the debris.

Fire Chief Dave Lamb stated there was immediate danger to the street and the house behind this structure; he discussed this with Inspector Hatfield and John Schaefer and it was decided that the Emergency Order be put into effect to demolish the structure.

MEMORANDUM OF UNDERSTANDING

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

This will cover the school year beginning 2007 to 2008 with the school paying \$4,400.00 toward the cost of providing each officer. This is not quite 50% of the City's cost of having an Officer at the schools. Mayor Oberlie moved to accept the Memorandum. The Motion was seconded by John Schaefer, and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

CORRESPONDENCE

Thank You from Pleasant Hill M.B. Church

President Metzcus read the correspondence to the Board thanking them for the beautiful sign constructed for Pastor Ernest Jones, written by Reverend Ronald Jones, Pastor.

EXECUTION OF SUPPLEMENTAL AGREEMENT

Regarding Two/Three Dimensional Station Renderings Requested by the City of Michigan City and the Northern Commuter Transportation District (NICTD)

Mayor Oberlie stated there was no action required. John Pugh's office was authorized to authorize the work as part of that contract and a purchase order has been requested. Informational item only.

FILL THE BOOT FOR M.D.

A letter was received by the Board from the Michigan City Firefighters Association, Local 475 requesting permission to conduct a "Fill the Boot" drive for Muscular Dystrophy (M.D.) at US Highways 20 and 421

This event is sponsored by Local 475. They want to collect money for "Jerry's Kids" at U.S. Highways 20 and 421 on August 25, 2007 from 10:00 a.m. to 4:00 p.m. Permission was granted by Sgt. Mark Krauklis, of the Michigan City Police's Traffic Division.

Mayor Oberlie asked Sgt. Krauklis if the State authorized this and Sgt. Krauklis replied they had not been contacted. Mayor Oberlie would like State authorization and is not comfortable with public safety officers standing in the street. Fire Chief Lamb asked Mayor Oberlie if he would like the location of the fundraiser changed back to Lighthouse Mall. Mayor Oberlie stated he would be more comfortable. The request was withdrawn from Fire Chief Lamb.

STREET CLOSING

General Garner requests street blockage from the corner of Case and Holliday to the alleyway (200 Block of Case Street) for "Garner's Day".

This is an annual event, for the past two (2) years; without incident as reported by Sgt. Krauklis.

This event takes place at Garner's Playground. John Schaefer moved to approve the request. The Motion was seconded by Anthony Metzcus and carries as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

CHANGE SIGN REQUEST

George Neagu, President of the Village Green Association is requesting converting stop signs to yield signs on Broadbrook.

Mayor Oberlie moved to refer Traffic, Engineering and Planning. The Motion's was seconded by Anthony Metzcus and carries as follows: **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 payments thereof hereby ordered issued in the stated amounts to person(s) and/or firms(s) as set fourth, 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	8/15/07	\$429,948.86
1 of 4	8/20/07	\$2,140,313.11

FIR STREET IMPROVEMENT

This item did not get on the agenda.

City Engineer Bill Phelps reported on December 15, 2003 the Board entered into a contract with Doyle and Associates for the reconstruction of Fir Street from Vail to 8th Streets. After review of the project with Mr. Doyle, it was discovered that a different scope of work would be used. Mr. Doyle is requesting an additional \$3,000.00 for services rendered and Mr. Phelps concurs. Mr. Phelps is asking the Board approve \$3,000.00 for additional services. John Schaefer made the motion to approve. The Motion was seconded by Anthony Metzcus and carries as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

LETTER RECEIVED FROM LAPORTE DISTRICT INDOT REGARDING A PROPOSED TRAFFIC SIGNALIZATION AT LAKEPUR LAND AND US HIGHTWAY 421.

This has been designed and construction will begin very soon. The letter states it is an INDOT procedure to ask the Local Governing Agency to pay the electric costs. INDOT will pay for maintenance and so forth.

City Engineer Phelps explained that this is currently standard and therefore requests that the Clerk direct a letter to the State. Mayor Oberlie made the Motion to approve. The Motion was seconded by Anthony Metzcus and carries as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

COMMENTS FROM THE PUBLIC

Attorney John Espar addressed the intersection of Michigan Blvd.-heading west-to Washington Street, stop at the stop light, which is a one way southbound on Washington Street. Attorney Espar had occasion to witness a vehicle turning right, while it was westbound on Michigan Boulevard and turn into one way traffic. There was no ONE WAY sign posted. A sign posted on the traffic control pole that read Right Lane Must Turn Right, this directs the right lane westbound traffic on Michigan Boulevard to make a Right Hand Turn into One Way traffic. Attorney Espar asked the Board to refer this to the appropriate department. Mayor Oberlie will have the traffic engineer work with INDOT. Sgt. Krauklis of the Traffic Division previously contacted INDOT telephonically. The suggestion was made to write to INDOT explaining the situation.

SPECIAL NOTE: The next Board meeting will be on Tuesday, September 4, 2007 due to the holiday.

ADJOURMENT

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 9:25 a.m.)

Thomas F. Fedder, City Clerk