

## REGULAR MEETING – SEPTEMBER 04, 2007

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Tuesday morning, September 04, 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.

Also noted in attendance:

John Espar, City Attorney and Board Council  
Bill Phelps, City Engineer  
Jim Elwell, Superintendent, Central Services  
Cpl. Ken Havlin, Traffic Division  
Al Walus, General Manager, Sanitary District  
Joe Siegel, Zoning Administrator, Planning Department  
Russ Hatfield, Code Inspector  
John Pugh, Planning & Inspection Department  
Ron Meer, Councilman  
Shelley Dunleavy, Personnel  
Gale Neulieb, Deputy Clerk  
Kim Sliwa, Asst. Deputy Clerk

Rick Richards, News Dispatch

### APPROVAL OF MINUTES

Mr. Schaefer moved the Minutes of the Regular Meeting of August 20, 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).**

### STATUS REPORTS

#### 508 West 11<sup>th</sup> Street – James Spsychalski, owner

Russ Hatfield, Michigan City Code Inspector, submitted the status reports and photos regarding 508 W. 11<sup>th</sup> Street. Mr. Hatfield explained to the Board that an Order to Demolish was in place when Mr. Spsychalski purchased 508 W. 11<sup>th</sup> Street, knowing that repairs to the property be completed in a timely manner. On June 18, 2007 Mr. Spsychalski agreed to an amended Order to Repair that the exterior would be completed by September 1, 2007. Inspector Hatfield's request to the Board is that the original Order to Demolish be pursued.

James Spsychalski, of 1108 Elston Street addressed the Board regarding his property at 508 West 11<sup>th</sup> Street and requested copies of the pictures taken of his property from this year and two (2) years ago. Using the pictures provided by the Inspection Department, Mr. Spsychalski went over the improvements he has made to the building.

Mayor Oberlie moved to start the bidding process which takes 30 days plus another two (2) weeks for that to be tabulated and reviewed by all the departments; based on the evidence that the board finds the property to be unsafe and a nuisance pursuant to the laws of the city and state and therefore be advertised for demolition. The motion was seconded by Mr. Schaefer. (Note: should there be significant progress on the structure; the bid can be held off.)

Russ Hatfield informed the Board that before the bid process he will need access to the building so an Independent Laboratory can do the testing for asbestos and any environmental hazards. The Motion was amended and seconded by Mr. Schaefer to request permission for entry and if it failed to seek a court order and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0).**

## CORRESPONDENCE

### REQUEST FOR STREET LIGHT

#### Sal Court and Welnetz Road

A correspondence was received in the Clerk's Office on August 28, 2007 which read:

Mr. Laws, 3323 Salem Court would like to be on the Board of Works Agenda requesting a street light be placed on Sal Court and Welnetz Road.

Mr. Laws states there have been several accidents with people landing in the ditch because it is so dark. Also recently a neighbor's dog was killed because it could not be seen.

Mayor Oberlie stated that although the departments have already looked at this issue, he moved that it be referred to the Traffic and Inspection Department. John Pugh of the Inspection Department stated that they looked at this intersection and the only corner that is located within the City limits is the north east corner. The City can work with the County should the warrant be there. The motion was seconded by Mr. Metzcus, and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0).**

### FIRE MERIT COMMISSION REQUEST

John Skierkowski, President of the Michigan City Fire Merit Commission, wrote the following on August 26, 2007:

This is a formal request from the Michigan City Fire Merit Commission seeking \$3000.00 over and above our annual budgeted amount for the testing and hiring of Fire Department applicants/candidates. The Fire Department hiring process involves a physical agility test (PAT). This standard test is required by ordinance. The Portage (Indiana) Fire Department has agreed to allow us to use their facility and equipment to test our applicants (their PAT is the same as the test used at the Indiana Fire Academy which is nationally certified). Our Commission is striving to achieve a uniform agility testing procedure and respectfully asks the Board of Works to allocate these additional funds which will go to the Portage Fire Department for use of their facilities and equipment and also to pay firefighters to run the various components of this testing. Please contact me if additional information is required.

Mr. Schaefer informed the Board that he attended the Fire Merit Commission meeting to discuss this matter. Mr. Schaefer explained that at this time there really is no need for the Board to act on this.

### HOMECOMING PARADE

Lydia King, Michigan City High School, One Wolf Trail, requests permission to have a Homecoming Parade at 6:00 p.m. prior to the football game on Friday, September 14, 2007. The Parade traditionally runs from Elston Middle School parking lot down Ripley Street to Franklin Street to Ames Field. Lydia King submitted the following letter:

The Student Government of Michigan City High School will be sponsoring Homecoming activities the week of September 10, through September 15. We are requesting permission to have a Homecoming Parade at 6:00 p.m. prior to the football game on Friday, September 14. The parade traditionally runs from Elston Middle School parking lot down Ripley Street to Franklin Street to Ames Field.

Participants of the parade will include the MCHS Marching Band, the Homecoming candidates and their escorts, driven in convertibles, as well as members of the Steering Committees representing each of the four classes and their floats.

Any questions regarding this event may be addressed to Associate Principal, Lydia King at 873-2044, ext. 4310.

Cpl. Ken Havlin, M.C.P.D. Traffic Division reported that the event is held annually, with the assistance of other officers blocking intersections, it has been very organized in the past and he sees no problems with holding this event.

Mayor Oberlie moved to approve the Homecoming Parade on September 14, 2007. The Motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Oberlie, Schaefer and Metzcus (3). NAYS: NONE (0).**

**STATE ROAD 212 BRIDGE DETOUR**

Sgt. Mark Krauklis, Traffic Division Commander Michigan City Police Department wrote the following correspondence:

Board members, due to the SR 212 bridge closure vehicular traffic has increased at the intersections of Warnke Road & Royal Road and Tryon Road & Royal Road. The Police department has requested the street department to install additional stop signs at these two intersections to create three way stops at both intersections. Michigan City code 94-52 which states the Chief of Police may make additional emergency or experimental regulations for up to 90 days has allowed us to do this. We request a review of this action be placed on your agenda for the November 19<sup>th</sup> Board of Works meeting to determine if this signage should be permanent, be removed, or be utilized until SR 212 is reopened.

Cpl. Ken Havlin, M.C.P.D. Traffic Division requests the additional signage and stop signs to make these three (3) way stop intersections to slow the traffic and aide in the steady flow of traffic in this area with the increased traffic. The original request allowed the Chief of Police to make the additional emergency or experimental regulations for up to 90 days. It is the intent of the Michigan City Police Department’s Traffic Division to review this to see if it should be continued past the 90 days, and/or make it permanent. Mayor Oberlie moved that the temporary installations be approved for the 90 days or until the Indiana 212 bridge is reopened and that traffic studies be conducted after the re-opening. The Motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Oberlie, Schaefer and Metzcus (3). NAYS: NONE (0).**

**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 30	09/07/07	\$667,489.76
1 of 4	09/04/07	\$1,887,885.45

**COMMENTS FROM THE PUBLIC**

James Spychalski of 1108 Elston Street addressed the Board about what Administrative remedies are available to him to appeal the decision of the Board. Attorney Espar advised Mr. Spychalski the property at 508 W. 11<sup>th</sup> Street has been determined to be an uninhabitable structure and a nuisance to the community. Mr. Spychalski was advised an Administrative Appeal would need to be filed with the Court.

**NEW POLICE OFFICERS**

Cpl. Havlin introduced two (2) new officers of the Michigan City Police Department: Officer Haden and Officer Richmond.

**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.)

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Thomas F. Fedder, City Clerk