

# REGULAR MEETING – SEPTEMBER 8, 2009

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Tuesday morning, September 8, 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  
Russell Hatfield, Code Enforcement Officer  
Al Walus, General Manager, Sanitary District  
Charlie Cate, Superintendent, Central Maintenance  
Sgt. Jeff Loniewski, 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 17, 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.**

## ANNUAL TOWER RUN

Sgt. Jeff Loniewski, M.C. P.D. Traffic Division addressed the Board stating this request is an annual event and is always well organized by Mr. Bos and his crew, who do an excellent job of recruiting volunteers so overtime is limited from the Police Department to provide security for the course. Sgt. Loniewski recommended approval of the request.

Al Walus, General Manager, Sanitary District informed the Board of the events planned for Sunday, September 20, 2009 beginning at 9:00 a.m.; explaining the request to use approximately a mile of Lakeshore Drive for the 17<sup>th</sup> Annual Tower Run and Eco-Fit Challenge. Mr. Walus stated the Parks & Recreation Department have already given their approval, and asked for the Board's support of this event and the request.

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.**

**DEMOLITION STATUS –**

**Order to Demolish – 907 Ohio Street, Ryan Fly-owner**

Russ Hatfield, Code Enforcement Officer addressed the Board asking that this item be rescheduled for the September 21, 2009 Board of Public Works & Safety meeting due to a death in Mr. Fly’s family.

**Emergency Demolition – 1145 West 9<sup>th</sup> Street**

Russ Hatfield, Code Enforcement Officer informed the Board that on August 18, 2009 the structure at this address was destroyed by fire, and that due to the extent of the fire an Emergency Demolition took place to make the structure safe. Mr. Hatfield stated the structure was insured at the time of the fire and it is expected that the insured will expedite the clean-up process. Mr. Hatfield stated that the Enforcement Authority of the City of Michigan City, Indiana is also exercising its rights defined under I.C. 27-2-15 which requires a portion of the insurance proceeds to be set aside to offset any future costs which could be incurred by the City as a result of this fire.

**(Note:** this is for informational purposes only.)

**OPENING BIDS (Demolition)**

**1309 West 10<sup>th</sup> Street –**

Andy Salat Excavating/Construction, LLC	.....	\$4,800.00
KTM Services	.....	\$6,923.00

Mayor Oberlie moved to refer the bids to the Planning and Inspection Office, and the EEO for tabulation and to report back at the next meeting. The motion was seconded by Mr. Schaefer 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:

Walker Street Improvements – Mr. Phelps reported to the Board that construction started last week, beginning at Grace Street and ending at Woodland Avenue. Mr. Phelps stated the project consists of curb and gutter, sidewalks, storm water inlets, milling and resurfacing of the pavement, with an estimated completion date of the first week in November.

Village Green Subdivision Pavement Improvement Project – Mr. Phelps informed the Board that this project will be completed in two different phases; Mr. Phelps presented the Board with a drawing and explained the phases of the project.

Coolspring Avenue Reconstruction – Mr. Phelps reported to the Board that NIPSCO will be constructing a new gas main in the area, and that several other areas along the way will be replaced due to conflicts with storm sewers.

2009 Sidewalk Program – Mr. Phelps reported that as of September 4, 2009 there has been 28,006 square feet of “trip and fall” sidewalks poured; which also consisted of 1,429 feet of rubber sidewalk, 49 ADA ramps and also 13 surface mounted.

**(Note:** this is for informational purposes only.)

### **REQUEST TO TRADE-IN SURPLUS EQUIPMENT**

Charlie Cate, Superintendent, Central Maintenance addressed the Board requesting approval to trade in three (3) surplus vehicles for services to refurbish and paint the cab on a truck being prepared for use by the Forestry Department. Mr. Cate explained the exchange and stated Central Maintenance will provide the paint materials estimated at \$800.00.

Mayor Oberlie made the motion to approve the request. 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 USE DONATED EQUIPMENT**

Chief Dave Lamb, M.C. Fire Department addressed the Board requesting approval to put a donated 1993 Ford E30 Ambulance from the Chesterton Fire Department into service to be used only when the high angle rescue team is dispatched. Chief Lamb informed the Board that the vehicle was checked by a Central Maintenance mechanic and is in good shape.

Dennis Metheny, 6757 W. 450 N., Coolspring Township Trustee, addressed the Board stating the County purchases and trades-in ambulances yearly for the County EMS and that he would be more than happy to help with any future acquisitions the City may be interested in.

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

### **REQUEST TO HAVE HOMECOMING PARADE**

Lydia Jagger, Michigan City High School, One Wolf Trail, submitted the following letter:

The Student Government of Michigan City High School will be sponsoring Homecoming activities the week of September 13<sup>th</sup> through September 18<sup>th</sup>. We are requesting permission to have a Homecoming Parade at 6:00 p.m. prior to the football game on Friday, September 18<sup>th</sup>. 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. We will also have a radio station and Eastport Early Learning Center participates.

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

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board stating this is an annual event, and this year the M.C.A.S. has agreed to provide several officers at their expense to assist the police department. The M.C.P.D. Traffic Division recommends approval for this request.

Mayor Oberlie made the motion to approve the request. 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 WALK – Tabled from August 3, 2009**

The following correspondence was received in the Clerk's Office on July 29, 2009 from Brandon Williams of Voice of LaPorte County:

We are the Voice of LaPorte County, a youth group dedicated to exposing the truth about the tobacco industry and empowering Hoosier teens. We educate the public about the tobacco industry and their advertising practices.

On Saturday, October 10, 2009, we would like to host a Tobacco Free Walk from Pine Street behind Elston Middle School to the Gazebo at Washington Park Beach. The walk is to inform and educate the community about tobacco companies advertising techniques and the effects of these different practices.

To get more information about ourselves, please go to [www.voice.tv](http://www.voice.tv) and go to "My Town". choose your home county on the map and continue from there.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating this request was contingent on getting approval from the Park and Recreation Department, which they now have; Sgt. Loniewski recommended approving the request.

Mr. Schaefer made the motion to approve the request. 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 "HANDICAP" SIGN**

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

My name is Robert Cutler and I live with my handicap brother at 701 E. 10<sup>th</sup> 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.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating he has spoken with Mr. Cutler who informed him that a "handicap" bus picks up his brother on a daily basis and they need curbside access which they currently do not have due to the congestion in the area. Sgt. Loniewski recommended that a "Handicap Parking" sign be installed with the understanding that anyone with a valid "handicap" sticker/plate can utilize this parking spot.

Mayor Oberlie made the motion to authorize the placement of the handicap sign as requested. 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 "HANDICAP" SIGN**

The following correspondence was received in the Clerk's Office on August 28, 2009 from Mrs. Woods, 308 Lafayette Street:

I am a new resident to Michigan City from Fort Wayne, IN. I currently reside at 308 Lafayette Street. The parking is not always that great.

Since the start of school, and other tenants moving in, parking is a major issue for myself and the bus.

My son is permanently and severely disabled due to injuries sustained as an infant. I am not able to access our front door easily with his wheelchair because parking is an issue. Please consider a sign at our door/front parking space for the safety of my son.

Mrs. Woods addressed the Board regarding her request, and the painting of the curb.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board informing them he spoke with the Planning Department regarding this request and ADA requirements which would require taking two (2) parking spaces in an already congested area. Sgt. Loniewski stated the recommendation would be to place one (1) “handicap” sign on the curbside in front of this residence, along with painting the curb; with the understanding that anyone with a valid “handicap” sticker/plate can utilize this parking spot.

Mayor Oberlie made the motion to accept the recommendation. 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**

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. Schaefer 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	08/27/2009	\$444,574.59
1 of 3	09/01/2009	\$231,848.80

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

Page	Date	Amount
1 of 5	09/03/2009	\$522,881.79

**ADDITIONAL BUSINESS**

Dennis Metheny, 6757 W. 450 N., Coolspring Township Trustee, addressed the Board asking what the procedure is for a public gathering, and if a permit is required by the City.

Mayor Oberlie advised Mr. Metheny that depending on where the gathering is taking place, that permission or reservations would need to be made prior to the event. The Mayor suggested contacting the Clerk’s Office who would advise on the proper contacts.

Mr. Metheny asked if the event where to be held on City Hall property, who would need to be contacted for that.

Mayor Oberlie informed Mr. Metheny that advance notice would be required as to when the event would be taking place; there is the right to public assembly unless there is more than 200 people in a parade in which case the Police Department would need to provide a permit.

## WALK-A-THON FUNDRAISER

The following correspondence was received in the Clerks Office from Gerry H. Jones, Executive Director of the Stepping Stone Shelter for Women, Inc., on September 8, 2009:

This letter is to request permission to utilize city roadways, as described in the attachment, for the fifth annual Homeward Bound 5K Walk, to be presented, in collaboration, by seven homeless-related agencies in LaPorte County on **Saturday, September 26, 2009 from 9:00 am – 11:00 am at Washington Park.**

The LaPorte County agencies involved are The Stepping Stone Shelter for Women, Inc., Sand Castle Homeless Shelter, Catholic Charities of LaPorte County, LaPorte County Habitat for Humanities, North Central Community Action, Michigan City Housing Authority and the Interfaith Men's Homeless Shelter.

For the past seven years, The Stepping Stone has participated in a walk/run event in Washington Park. From 2001-2003, we sponsored the See Jane Run Women's Athletic Events. The attached route will begin at Washington Park, east on Lakeshore Drive, through the Beachwalk Properties and back down Lakeshore Drive to Washington Park.

The Stepping Stone has received all clearances necessary from the Parks and Recreation Dept. to utilize the park, and has verified that all of the participating agencies carry insurance riders to provide proper coverage and indemnify the City of Michigan City, and all the event affiliates and volunteers. We anticipate approximately 500 participants in this year's event.

We hope you will honor our request for this event for our agencies. If you have any questions, please contact me.

Ms. Gerry H. Jones, Executive Director, Stepping Stone Shelter for Women, Inc. addressed the Board regarding the 5<sup>th</sup> annual Homeward Bound Walk, requesting the Board's approval for the event.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, reported to the Board that he did speak with Ms. Jones and that the route being used is the same as last year; the Traffic Division recommends approving the request.

Mayor Oberlie made the motion to approve; 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 STREET CLOSURE

The following correspondence was received in the Clerk's office on September 4, 2009 from Vickie Rhodes, 160 N. Woodland Avenue:

To whom it may concern: my name is Vickie Rhodes, my address is 160 N. Woodland Avenue and my house sits on the corner of Thomas and I wanted to have my 40<sup>th</sup> Birthday party at home. So I was talking to my neighbor who lives right across the street from me who's house is also on the corner of Thomas, if it would be a problem if I had a party there and she said it would be no problem. Well my birthday is September 16, which is on a Wednesday but I want to have the party on that Friday, which is September 18, 2009 from 6pm to 1am if possible. I was born and raised in Michigan City, graduated in May 1988. I have two children, one graduated in 2009 with honors and the other one is in the 11<sup>th</sup> grade on the MCHS football team and is very good if I should say so myself. But please help celebrate this day by blocking off Thomas Street. Thank you very much.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division reported to the Board that Thomas Street is not a main route, and the Traffic Division would recommend approval of this event. Sgt. Loniewski also stated that he did inform Ms. Rhodes that she is responsible to provide proof of insurance for the event.

Mayor Oberlie made the motion to approve the request. 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.).

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Thomas F. Fedder, City Clerk