



Revised
A G E N D A
COMMON COUNCIL - REGULAR MEETING
Tuesday, May 1, 2018

Meeting to be held at **6:30 p.m.**, local time,
in the Common Council Chambers, City Hall Building
100 East Michigan Boulevard, Michigan City, Indiana

CALL TO ORDER BY COUNCIL PRESIDENT

PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER

ROLL CALL

APPROVAL OF MINUTES

Regular Meeting April 17, 2018

REPORTS of STANDING COMMITTEES

REPORTS of SPECIAL or SELECT COMMITTEES

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

Representatives from the Marketing Team to share updates on the 2018 Marketing Plan

CLAIMS DOCKET

Fund #2042 – Riverboat – Claims - \$ 77,845.22

Fund #2031 – Boyd Development - \$ 18,280.66

PETITIONS

COMMUNICATIONS

RESOLUTIONS

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, APPROVING AN ORDER OF THE CITY OF MICHIGAN CITY PLAN COMMISSION APPROVING A CERTAIN DECLARATORY RESOLUTION FOR THE COMMUNITY CENTER NO. 1 EXPANDED URBAN RENEWAL AREA ADOPTED BY THE MICHIGAN CITY REDEVELOPMENT COMMISSION

Introduced by: Sharon Carnes

APPROVING THE PROJECT DEVELOPMENT AGREEMENT FOR A GUARANTEED ENERGY SAVINGS PROJECT BETWEEN THE CITY OF MICHIGAN CITY, INDIANA AND ENERGY SYSTEMS GROUP LLC

Introduced by: Don Przybylinski

ORDINANCES

**ORDINANCE
1st Reading**

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CUMULATIVE CHANNEL MAINTENANCE FUND FOR THE PURCHASE AND INSTALLATION OF LAKEFRONT SAFETY WARNING SIGNAGE & SECURITY CAMERAS TO BE UTILIZED IN MILLENIUUM PLAZA AND ALSO ON THE CATWALK IN WASHINGTON PARK

**Introduced by: Don Przybylinski
Ron Hamilton**

(DECREASE Cumulative Channel Maintenance Fund # 4113 Unappropriated Balance \$200,000.00 INCREASE ACCOUNT #_4113.000.445.050 Capital Outlay-Machinery & Equipment Other \$200,000.00)

**ORDINANCE
3rd Reading**

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR EMERGENCY SNOW REMOVAL SERVICES

Introduced by: Pat Boy

(DECREASE Riverboat Fund # 2042 Unappropriated balance \$46,906.75 INCREASE ACCOUNT: 2042.000.439.090 Contractual Services \$46,906.75)

***News Dispatch
April 4, 2018***

**Formal Public
Hearing was held
April 17, 2018**

ORDINANCE
3rd Reading

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET
OF THE CUMULATIVE CAPITAL DEVELOPMENT FUND TO
PROVIDE FUNDING FOR CERTAIN EQUIPMENT FOR THE
MICHIGAN CITY FIRE DEPARTMENT**

Introduced by: Ron Hamilton

(DECREASE Cumulative Capital Development Fund #4002 Unappropriated
Balance \$99,630.00 INCREASE ACCOUNT: 4002.201.445.050 Other
Machinery and Equipment- Fire \$99,630.00)

News Dispatch
April 4, 2018

**Formal Public
Hearing was held
April 17, 2018**

**UNFINISHED
BUSINESS**

NEW BUSINESS

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE COUNCIL

ADJOURNMENT

Gale A. Neulieb, City Clerk

Please contact the Clerk's Office at 219-873-1410 if you require information regarding building accessibility or reasonable accommodations. Office hours are Monday-Friday from 8:00 a.m. to 4:30 p.m.

**Agenda May 1, 2018
Posted April 27, 2018**

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. _____

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
MICHIGAN CITY, INDIANA, APPROVING AN ORDER OF THE CITY OF
MICHIGAN CITY PLAN COMMISSION APPROVING A CERTAIN
DECLARATORY RESOLUTION FOR THE COMMUNITY CENTER NO. 1
EXPANDED URBAN RENEWAL AREA ADOPTED BY THE MICHIGAN CITY
REDEVELOPMENT COMMISSION**

WHEREAS, the Michigan City Redevelopment Commission (the "Commission"), the governing body of the City of Michigan City, Indiana, Department of Redevelopment exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, on April 9, 2018, the Commission approved and adopted its Resolution No. 2-18, entitled "Resolution of the City of Michigan City, Indiana, Redevelopment Commission Designating and Declaring A Certain Area as a Redevelopment Area to Amend the Boundaries of the Community Center No. 1 Expanded Urban Renewal Area and its Allocation Area and to Amend the Development Plan for the Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution designated and declared a certain area within the City of Michigan City, Indiana (the "City"), to be a redevelopment area and an allocation area for the purposes of tax increment financing, more particularly described in Exhibit A to the Declaratory Resolution (collectively, the "Expansion Area"), to expand the existing Community Center No. 1 Expanded Urban Renewal Area (the "Area") and approved amending the development plan for the Area (the "Plan"); and

WHEREAS, on April 24, 2018, the City of Michigan City Plan Commission (the "Plan Commission") met and adopted and approved its resolution, a copy of which is attached hereto as Exhibit A, determining that the Declaratory Resolution and the Plan, as the same is amended by the Declaratory Resolution to include the Expansion Area, conform to the plan of development for the City and approved, ratified and confirmed the Declaratory Resolution, and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolution and the Plan Amendment, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the City; and

WHEREAS, the Common Council of the City (the "Common Council") is the legislative body of the City and now desires to approve the Plan Commission Order;

NOW, THEREFORE, BE IT RESOLVED, BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, AS FOLLOWS:

1. All of the stated "WHEREAS" clauses are incorporated herein by reference.
2. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.
3. The determination that the Expansion Area constitutes a redevelopment area under the Act is hereby approved pursuant to Section 15 of the Act.
4. This Resolution shall be in full force and effect from and after its passage by the Common Council and upon compliance with the procedures required by law.

Adopted at a meeting of the Common Council of the City of Michigan City, Indiana, held on this _____ day of May, 2018.

Introduced by: _____
Sharon Carnes, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this ____ day of May, 2018.

Donald Przybylinski, President
Michigan City Common Council

Approved by me on the _____ day of _____, 2018.

(SEAL)

Ron Meer, Mayor
City of Michigan City, Indiana

ATTEST:

Gale A. Neulieb, City Clerk
Michigan City, Indiana

MICHIGAN CITY COMMON COUNCIL

RESOLUTION _____

APPROVING THE PROJECT DEVELOPMENT AGREEMENT FOR A GUARANTEED ENERGY SAVINGS PROJECT BETWEEN THE CITY OF MICHIGAN CITY, INDIANA AND ENERGY SYSTEMS GROUP LLC

WHEREAS, the City of Michigan City (City) is desirous of continuing to explore the feasibility and economies of implementing a project to produce savings from reduced energy costs and increased operating efficiencies; and

WHEREAS, Energy Savings Systems LLC (ESG) has demonstrated that it has the capability and qualifications to perform the investigation and analysis of the benefits of various energy saving and operating efficiency improvements that the City may wish construct and implement; and

WHEREAS, the Michigan City Sanitary District (Sanitary District), on behalf of the City, after conducting the competitive procurement process required by IC 36-1-12.5, selected ESG as the energy savings company that best met the City’s needs; and

WHEREAS, ESG has substantially completed successfully performing a guaranteed energy savings contract for the Sanitary District; and

WHEREAS, ESG and the Common Council’s attorney have negotiated a Project Development Agreement, a copy of which is attached hereto as Exhibit A, which sets forth the terms and condition under which ESG has agreed to perform the investigation and analysis of the benefits of various energy saving and operating efficiency improvements that the City may wish construct and implement after receiving the results of that investigation and analysis;

WHEREAS, the Council’s attorney has advised the Council that entering into the Agreement with ESG complies with all legal requirements.

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Michigan City, Indiana as follows:

1. The aforementioned “Whereas” sections are incorporated herein as if fully set forth herein.
2. Approves the Project Development Agreement with Energy Systems Group LLC attached hereto as Exhibit A on behalf of the City of Michigan City.
3. Authorizes the Council President, Mayor, and Clerk to sign the Agreement on behalf of the City.

This Resolution shall be in full force and effect after passage and approval by the Mayor.

INTRODUCED BY: _____
Donald Przybylinski, President

Passed by the Common Council of the City of Michigan City, Indiana, this 1st day of May, 2018.

Donald Przybylinski, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2018

Ron Meer, Mayor
City of Michigan City, Indiana

ATTEST:

Gale A. Neulieb, Clerk
City of Michigan City, Indiana

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CUMULATIVE CHANNEL MAINTENANCE FUND FOR THE PURCHASE AND INSTALLATION OF LAKEFRONT SAFETY WARNING SIGNAGE & SECURITY CAMERAS TO BE UTILIZED IN MILLENIUM PLAZA AND ALSO ON THE CATWALK IN WASHINGTON PARK

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2018 Annual Budget for the Cumulative Channel Maintenance Fund for the purchase and installation of lakefront safety warning signage and security cameras to be utilized in Millennium Plaza and also on the catwalk in Washington Park, which will assist in the regulation and enforcement of regulation of all uses and activities related to waters that are under the jurisdiction of the Port Authority;

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Cumulative Channel Maintenance Fund #4113 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Cumulative Channel Maintenance Fund # 4113 Unappropriated balance	\$200,000.00	
INCREASE ACCOUNT #_4113.000.445.050 Capital Outlay-Machinery & Equipment Other		\$200,000.00
TOTAL FOR FUND	\$200,000.00	

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: _____

Don Przybylinski, President
Michigan City Common Council

Ron Hamilton, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2018 by a vote of _____ to _____.

Don Przybylinski, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2018.

Ron Meer, Mayor
City of Michigan City, Indiana

ATTEST:

Gale Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR EMERGENCY SNOW REMOVAL SERVICES

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2018 Annual Budget to provide funding for emergency snow removal services; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #2042 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Riverboat Fund # 2042 Unappropriated balance	\$46,906.75	
INCREASE ACCOUNT: 2042.000.439.090 Contractual Services		\$46,906.75
TOTAL FOR FUND	\$46,906.75	

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: _____
Pat Boy, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2018 by a vote of _____ to _____.

Don Przybylinski, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2018.

Ron Meer, Mayor
City of Michigan City, Indiana

ATTEST:

Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CUMULATIVE CAPITAL DEVELOPMENT FUND TO PROVIDE FUNDING FOR CERTAIN EQUIPMENT FOR THE MICHIGAN CITY FIRE DEPARTMENT

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2018 Annual Budget to provide funding for certain equipment for the Michigan City Fire Department; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Cumulative Capital Development Fund #4002 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Cumulative Capital Development Fund #4002 Unappropriated balance	\$99,630.00	
INCREASE ACCOUNT: 4002.201.445.050 Other Machinery and Equipment- Fire		\$99,630.00
TOTAL FOR FUND	\$ 99,630.00	

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: _____
Ron Hamilton, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2018 by a vote of _____ to _____.

Don Przybylinski, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2018.

Ron Meer, Mayor
City of Michigan City, Indiana

ATTEST:

Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request