

FILED
JUL 28 2017
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY



A G E N D A
COMMON COUNCIL - REGULAR MEETING
Tuesday, August 1, 2017

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 July 18, 2017

REPORTS of STANDING COMMITTEES

REPORTS of SPECIAL or SELECT COMMITTEES

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

Clarence Hulse, Director Economic Development Corporation Michigan City –
2017 (CF-1 forms) Tax Abatements

CLAIMS DOCKET

**Fund #9000 – Riverboat – Claims - \$ 90,013.14
Fund #0417 – Boyd Development – \$ 13,122.75**

PETITIONS

COMMUNICATIONS

Correspondence received in the Clerk’s Office on July 19, 2017
From Michael Kuss, General Manager, Sanitary District

RESOLUTIONS

ORDINANCES

**ORDINANCE
1st Reading**

**AMENDING ORDINANCE NO. 4343 COMMONLY KNOWN
AS THE “2017 SALARY ORDINANCE” TO REMOVE THE
POSITION OF SECRETARY I (PART-TIME) IN THE
CLERK’S OFFICE AND TO CREATE THE POSITION OF
ASSISTANT DEPUTY CLERK IN THE CLERK’S OFFICE**

**Introduced by: Chris Schwanke
Ron Hamilton
Don Przybylinski**

**ORDINANCE
1st Reading**

**APPROVING ADDITIONAL APPROPRIATION FOR THE
SALARY OF AN ASSISTANT DEPUTY CLERK IN THE
CLERK'S OFFICE IN THE BUDGET OF THE RIVERBOAT
FUND**

Introduced by: Chris Schwanke
Ron Hamilton
Don Przybylinski

(DECREASE Fund #9000 Riverboat Unappropriated balance
\$7,127.00 INCREASE Account #9000 0000 01 411.001
\$2,565.00 Salary& Wages INCREASE Account #9000 0000 01
413.001 \$ 197.00 FICA INCREASE Account #9000 0000 01
413.002 \$ 365.00 PERF INCREASE Account #9000 0000 01
413.004 \$4,000.00 Health Insurance)

**ORDINANCE
1st Reading**

**APPROVING ADDITIONAL APPROPRIATION FOR
OVERTIME FOR THE POLICE DEPARTMENT IN THE
BUDGET OF THE RIVERBOAT FUND**

Introduced by: Chris Schwanke

(DECREASE Fund #9000 Riverboat Unappropriated balance
\$91,350.00 INCREASE Account #9000 0000 01 411.016
\$90,000.00 Overtime Salary INCREASE Account #9000 0000 01
413.001 \$ 1,350.00 FICA)

**ORDINANCE
1st Reading**

**APPROVING ADDITIONAL APPROPRIATION FOR
OVERTIME FOR THE FIRE DEPARTMENT IN THE
BUDGET OF THE RIVERBOAT FUND**

Introduced by: Chris Schwanke

(DECREASE Fund #9000 Riverboat Unappropriated balance
\$202,900.00 INCREASE Account #9000 0000 01 411.016
\$200,000.00 Overtime Salary INCREASE Account #9000 0000
01 413.001 \$ 2,900.00 FICA)

ORDINANCE
2nd Reading

**CREATING SECTIONS 2-406 THROUGH 2-408 IN
CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE
TO ESTABLISH DONATION FUNDS FOR MICHIGAN
CITY'S FIRE DEPARTMENT, POLICE DEPARTMENT,
AND TREE BOARD**

&

**AMENDING SECTION 2-459(f) PERTAINING TO THE
WOMEN'S DONATION FUND TO ADD "EDUCATIONAL
SCHOLARSHIPS" AS A PERMISSIBLE USE OF SAID
FUND**

**Introduced by: Pat Boy
Sharon Carnes**

**UNFINISHED
BUSINESS**

NEW BUSINESS

**FYI – The Common Council has one (1) appointment to the Police
Civil Service Commission expiring September 7, 2017
Incumbent: Mr. Michael Buda**

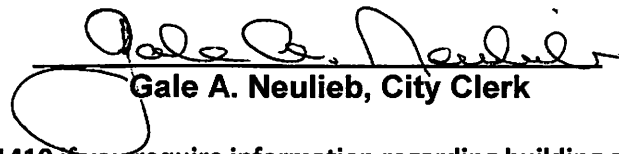
**FYI – The Common Council has one (1) appointment to the
Women's Commission due to Ms. Faye Moore resigning that
appointment.
(term would begin immediately and expire December 21, 2019**

**Mayor Meer is requesting the advice and consent of the Common
Council for the appointment of Mr. Gene Simmons to the Michigan
City Historic Review Board to replace Mr. Dale Engquist. Mr.
Simmons term would begin immediately and would expire on March
15th, 2020**

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.

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

AMENDING ORDINANCE NO. 4343 COMMONLY KNOWN AS THE "2017 SALARY ORDINANCE" TO REMOVE THE POSITION OF SECRETARY I (PART-TIME) IN THE CLERK'S OFFICE AND TO CREATE THE POSITION OF ASSISTANT DEPUTY CLERK IN THE CLERK'S OFFICE

WHEREAS, on October 19, 2016, the Michigan City Common Council enacted Ordinance No. 4408, which established the salaries and wages for appointed officials and employees for the year 2017; and

WHEREAS, since that time, the elected City Clerk has determined that the need exists to remove the position of Secretary I (part-time) and create the full-time position of Assistant Deputy Clerk in the Clerk's Office; and

WHEREAS, the Controller's Office has advised that an additional appropriation will be required from the Mayor and Common Council to fund the additional monies needed to create the full-time position of Assistant Deputy Clerk.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that Ordinance 4408 shall be amended as follows:

- 1. The position of Secretary I (part-time) and corresponding hourly rate of \$12.83 shall be deleted from Section 1, specifically under "Clerk's Office."
2. The position of "Assistant Deputy Clerk" shall be added to Section 1, specifically under "Clerk's Office" and shall read as follows:

Table with 2 columns: Position, Annual Salary or Rate per Hour. Row 1: Assistant Deputy Clerk, \$ 13.63

- 3. All other provisions of Ordinance No. 4408, not in conflict herewith, shall remain in full force and effect.

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: _____

Chris Schwanke, President
Michigan City Common Council

Ron Hamilton, Member
Michigan City Common Council

Don Przybylinski, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2017 by a vote of _____ to _____.

Chris Schwanke, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2017.

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 FOR THE SALARY OF AN ASSISTANT DEPUTY CLERK IN THE CLERK'S OFFICE IN THE BUDGET OF THE RIVERBOAT FUND

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 2017 Annual Budget for the purpose of funding the salary for an Assistant Deputy Clerk in the Clerk's Office; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #9000 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 funds named and for the purpose specified, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Fund #9000 Riverboat Unappropriated balance	\$7,127.00	
INCREASE Account #9000 0000 01 411.001 Salary & Wages		\$2,565.00
INCREASE Account #9000 0000 01 413.001 FICA		\$ 197.00
INCREASE Account #9000 0000 01 413.002 PERF		\$ 365.00
INCREASE Account #9000 0000 01 413.004 Health Insurance		\$4,000.00
TOTAL FOR FUND	\$7,127.00	

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: _____,

Chris Schwanke, President
Michigan City Common Council

Ron Hamilton, Member
Michigan City Common Council

Don Przybylinski, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2017 by a vote of _____ to _____.

Chris Schwanke, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2017.

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 FOR OVERTIME FOR THE POLICE DEPARTMENT IN THE BUDGET OF THE RIVERBOAT FUND

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 2017 Annual Budget for the purpose of overtime for the Police Department; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #9000 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 funds named and for the purpose specified, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Fund #9000 Riverboat Unappropriated balance	\$91,350.00	
INCREASE Account #9000 0000 01 411.016 Overtime Salary		\$90,000.00
INCREASE Account #9000 0000 01 413.001 FICA		\$ 1,350.00
TOTAL FOR FUND	\$91,350.00	

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: _____,
Chris Schwanke, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2017 by a vote of _____ to _____.

Chris Schwanke, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2017.

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 FOR OVERTIME FOR THE FIRE DEPARTMENT
IN THE BUDGET OF THE RIVERBOAT FUND

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 2017 Annual Budget for the purpose of overtime for the Fire Department; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #9000 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 funds named and for the purpose specified, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Fund #9000 Riverboat Unappropriated balance	\$202,900.00	
INCREASE Account #9000 0000 01 411.016 Overtime Salary		\$200,000.00
INCREASE Account #9000 0000 01 413.001 FICA		\$ 2,900.00
TOTAL FOR FUND	\$202,900.00	

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: _____,
Chris Schwanke, President
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2017 by a vote of _____ to _____.

Chris Schwanke, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2017.

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. _____

CREATING SECTIONS 2-406 THROUGH 2-408 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO ESTABLISH DONATION FUNDS FOR MICHIGAN CITY'S FIRE DEPARTMENT, POLICE DEPARTMENT, AND TREE BOARD

&

AMENDING SECTION 2-459(f) PERTAINING TO THE WOMEN'S DONATION FUND TO ADD "EDUCATIONAL SCHOLARSHIPS" AS A PERMISSIBLE USE OF SAID FUND

WHEREAS, numerous years ago, Donation Funds were established for Michigan City's Fire Department, Police Department, and Tree Board; however, said Funds were created without an ordinance specifying how said Funds could be utilized; and

WHEREAS, pursuant to Sec. 2-391 of the Michigan City Municipal Code, "*all specific funds of the City in existence on the adoption date of this Code are ratified and confirmed;*" and

WHEREAS, the need exists to formally specify how the Donation Funds for each respective entity can be spent; and

WHEREAS, to that effect, the need exists to create Sec. 2-406, Sec. 2-407, and Sec. 2-408 in the Michigan City Municipal Code for purposes of specifying how monies can be spent from each respective Donation Fund; and

WHEREAS, in addition, the Women's Commission has expressed desire to add "educational scholarships" to the list of permissible usages of their Contribution Fund, which is similar to the Human Rights Donation Fund as set forth in Sec. 2-401 of the Michigan City Municipal Code and the Social Status of African-American Males as set forth in Sec. 2-457 who both have "educational scholarships" as a permissible use; and

WHEREAS, in addition to "educational scholarships," the Women's Commission would like to add "grants to entities, organizations, or activities identified under Indiana Code as being able to receive aid from a unit" to the list of permissible usages of their Contribution Fund; and

WHEREAS, to that effect, the need exists to amend Sec. 2-459(f) to add "educational scholarships" and "grants to entities, organizations, or activities identified under Indiana Code as being able to receive aid from a unit" to the permissible expenditure of funds.

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

1. Sec. 2-406 shall be created in Chapter 2 of the Michigan City Municipal Code and shall read as follows:

Sec. 2-406. Fire Department Donation Fund. There is hereby established a Fire Department Donation Fund. This Fund shall be a restricted, non-reverting fund. The purpose of this Fund shall be for the receipt of money from donations, fundraisers, and other sources, and said monies shall be used by the Fire Department for expenditures directly related to the following purposes:

- 1.) Purchase of equipment and improvements of Fire Department facilities owned by the City;
- 2.) Materials and supplies for use in the operation of the Department;
- 3.) Education of the public regarding fire prevention, including promotional, educational, and training supplies, and community events;
- 4.) Training activities;
- 5.) Community outreach initiatives, which include but are not limited to events such as free smoke detector/carbon monoxide detector program, Snowflake Parade, and Fire Festival;
- 6.) Purchase of food, drink, and other perishable items for meetings, events, and celebrations;
- and
- 7.) Other specific fundraising campaigns for the Department.

The Fire Department shall not use the funds in its Donation Fund for any other purposes than those stated herein and such funds shall be administered by the Controller.

2. Sec. 2-407 shall be created in Chapter 2 of the Michigan City Municipal Code and shall read as follows:

Sec. 2-407. *Police Department Donation Fund.* There is hereby established a Police Department Donation Fund. This Fund shall be a restricted, non-reverting fund. The purpose of this Fund shall be for the receipt of money from donations, fundraisers, and other sources, and said monies shall be used by the Police Department for expenditures directly related to the following purposes:

- 1.) Purchase of equipment and improvements of Police Department facilities owned by the City;
- 2.) Materials and supplies for use in the operation of the Department;
- 3.) Education of the public regarding crime prevention and police related matters, including promotional, educational, and training supplies, and community events;
- 4.) Training and educational activities;
- 5.) Community outreach initiatives, which include but are not limited to events such as Shop with a Cop, Easter Egg Hunt, etc.;
- 6.) Purchase of food, drink, and other perishable items for meetings, events, and celebrations; and
- 7.) Other specific fundraising campaigns for the Department.

The Police Department shall not use the funds in its Donation Fund for any other purposes than those stated herein and such funds shall be administered by the Controller.

3. Sec. 2-408 shall be created in Chapter 2 of the Michigan City Municipal Code and shall read as follows:

Sec. 2-408. *Tree Board Donation Fund.* There is hereby established a Tree Board Donation Fund. This Fund shall be a restricted, non-reverting fund. The purpose of this Fund shall be for the receipt of money from donations, fundraisers, and other sources, and said monies shall be used by the Tree Board for expenditures directly related to the following purposes:

- 1.) Purchase of trees and any tree-related supplies and services for the City;
- 2.) Materials and supplies for Commission;
- 3.) Education of the public regarding tree related matters, including promotional, educational, and training supplies, and community events; and
- 4.) Training and educational activities.

The Tree Board shall not use the funds in its Donation Fund for any other purposes than those stated herein and such funds shall be administered by the Controller.

4. Sec. 2-459(f) in Chapter 2 of the Michigan City Municipal Code shall be amended to add “education scholarships” and “grants to entities, organizations, or activities identified under Indiana Code as being able to receive aid from a unit” to the list of permissible uses of said Fund, and shall now read as follows:

Sec. 2-459(f). *Fund established.* There is hereby established a Commission for Women’s Donation Fund. This fund shall be a restricted, non-reverting fund. The purpose of this Fund shall be for the receipt of money from contributions from private, business, organization donations, fundraisers, and other possible sources and said monies shall be used for the Commission for Women. Expenditures from this Fund shall be used for the following purposes:

- 1.) Materials and supplies for use in the operation of the Commission;
- 2.) Education of the public, including promotional, educational, and training supplies, and for community events;
- 3.) Training and advocacy for Commission members, including transportation and lodging;
- 4.) Educational scholarships; and
- 5.) Grants to entities, organizations, or activities identified under Indiana Code as being able to receive aid from a unit, which include the following:
 - a.) Parks, playgrounds and recreational facilities and programs (I.C. 36-10-2-2);
 - b.) Museums, cultural, historical, and scientific facilities and programs, and community restitution or service facilities and programs (I.C. 36-10-2-4);

- c.) Neighborhood centers, community centers, civic centers, convention centers as defined by I.C. 36-10-1-5, auditoriums, arenas, and stadiums (I.C. 36-10-2-5);
- d.) Transportation systems (I.C. 36-9-2-2);
- e.) Hospitals (I.C. 36-8-2-5); and
- f.) Airports, bus terminals, rail terminals, and transportation facilities (I.C. 9-2-3).

The Commission for Women shall not use the funds in its Donation Fund for any other purposes than those stated herein.

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

_____,
Sharon Carnes, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2017 by a vote of _____ to _____.

Chris Schwanke, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2017.

Ron Meer, Mayor
City of Michigan City, Indiana

ATTEST:

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

Prepared by Corporation Counsel Upon Request