

## **REGULAR MEETING – January 19, 2010**

The Common Council of the City of Michigan City, Indiana, met in regular session on Tuesday evening, January 19, 2010, at the hour of 6:30 p.m., local time, in the Common Council Chambers, located in the lower level of the City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana.

The meeting was called to order at 6:30 p.m. by Council President Marc Espar.

Roll call was authorized and the following were noted present and/or absent:

**PRESENT:** COUNCIL MEMBERS Patricia Boy, Phillip Jankowski, Marc Espar, Robert McKee, Willie Milsap, Richard Murphy, Joe Doyle, Angie Nelson, and Ron Meer (9).

**ABSENT:** None (0).

**A QUORUM WAS NOTED PRESENT.**

**ALSO PRESENT:** Clerk – Thomas Fedder, Deputy Clerk – Gale Neulieb and Council Attorney – James Meyer.

### **APPROVAL OF MINUTES**

President Espar inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of January 5, 2010.

Councilwoman Boy made a motion to approve the minutes as printed, second by Councilman McKee. The minutes were approved as printed.

### **REPORTS OF STANDING COMMITTEES**

Councilman Meer reported on the Streets and Alleys Committee meeting held on Thursday January 7, 2010.

Council President Espar presented the 2010 Committee Assignments:

Standing Committees	Chair Person	
Finance	Espar	Jankowski, Murphy
Humane Activities	Jankowski	Espar, Nelson
Judiciary and Rules (Parliamentarian)	McKee	Espar, Meer
Licenses and Franchises	Boy	Doyle, Nelson
Parks and Recreation	Doyle	McKee, Nelson
Planning And Zoning	Murphy	Boy, Espar
Public Health and Safety	Nelson	Espar, Milsap
Streets and Alleys	Meer	Jankowski, Milsap
Utilities	Jankowski	Murphy, Nelson
Waters and Harbors	Espar	Doyle, McKee
Select Committees	Chair Person	
Code Review	McKee	Boy, Doyle
Ethics	Doyle	Meer, Murphy
Labor Relations	Doyle	Boy, Murphy
Tax Abatement	Jankowski	Espar, Nelson
Michigan Blvd. Oversight	Murphy	Jankowski, Doyle & Milsap
NICTD/South Shore Transit	McKee	Meer, Murphy
Westside Lake Access	Meer	McKee, Murphy
Local & Minority Hiring Oversight	Murphy	McKee, Meer
Liaisons		
Airport Commission		Doyle
Economic Development		Nelson
Urban Enterprise Zone		Milsap
Historical Review Board		Murphy
Housing Authority		Meer
Human Relations		Meer
Redevelopment Commission		Murphy
Education		Nelson
Tree Board		Boy
Fire Merit Commission		Boy, Nelson

<b>Police Commission</b>		<b>Boy, Meer, Nelson</b>
<b>Solid Waste Management District Board</b>		<b>Doyle</b>
<b>Summer Festival</b>		<b>Doyle</b>
<b>Social Status of African American Males</b>		<b>Murphy</b>

### **REPORTS OF SPECIAL OR SELECT COMMITTEES**

Councilman Murphy presented the Council the following statement;

Both the Mayor and Members of the Council have been working to address local labor issues by meeting with residents and community groups, and by reaching out to union leadership and contractors. We've worked on such goals as researching the numbers of union memberships in Michigan City, clarifying our local and minority hiring ordinances and the enforcement of these ordinances, and communicating to local contractors the bidding process of local municipal contracts, and the impact on the process when these projects use federal money.

After speaking with the Mayor and to Council Members, there is agreement to move forward with ONE COLLABORATIVE effort between the Mayor and the City Council that addresses the unrest we have heard in the community about local labor issues.

Therefore I'd like to request the formation of this joint committee between the Mayor and City Council to address local labor concerns in Michigan City.

The committee will listen to direction from the community to form our goals; the list of concerns we've listened to thus far include the following:

- the general concern of putting more local labor on Michigan City projects
- enforcement of local hiring ordinances
- enforcement on minority hiring ordinances
- assisting local contractors to become pre-certified for federal money projects
- working with the unions to grow more union membership in Michigan City
- funding, managing, and marketing local training and workforce development efforts

Council President Espar appointed Councilman Murphy as Chairperson of the newly formed select committee "Local & Minority Hiring Oversight", adding Councilmen Meer and McKee as members.

Councilman McKee reported on the Code Review Committee meeting advising their status and goals, stating he would be scheduling a few workshops in May or June.

### **REPORTS of OTHER CITY OFFICERS and DEPARTMENTS**

Council President Espar welcomed Mayor Oberlie in presenting the "State of the City Address";

Mayor Oberlie presented the "**State of the City Address**"

To Council President Espar and all Council Members; the Citizens of Michigan City; Board members and Commissioners; and the many Department Heads that are here... good evening and I am honored tonight to present the 2010 State of the City.

As we focus on our immediate tasks and challenges from day to day, week to week, and month to month, we can easily lose sight of the longer term changes that are occurring around us. Tonight, for the State of the City, I intend to take a step back and present a broad overview of the challenges we face, discuss achievements that helped move our community forward, and provide a look at opportunities being pursued to strengthen our community even more.

In terms of challenges, the extreme economic downturn has impacted the day-to-day lives of everyone across the country. Here in Michigan City and LaPorte County, an unemployment rate of 6% in 2008 doubled in size to 12%

in 2009. Major employers locally have had to reduce their staffs, some significantly, just to remain open. And for the workers fortunate to remain employed, they face stagnant and lowered wages, reduced benefits and shorter work weeks.

The fallout of the economic downturn has impacted the quality of life of our citizens and we continue to seek ways to help local businesses navigate through these challenging times. I meet regularly with local businesses to maintain open dialogue and we continue to handle inquiries from industrial prospects considering Michigan City as their new home. While new business attraction may take some time in our current business climate, land has been optioned in some cases for potential new businesses.

A second major challenge to all Hoosiers is the Indiana property tax system. As a property taxpayer myself, I would welcome a full review of our property tax system to ensure fairness to all, with checks and balances to ensure that local governments all live within their means and operate as efficiently as possible. Our state elected officials have moved forward with a property tax reform agenda. Here is a brief summary of actions, both local and statewide that have impacted Michigan City property tax rates:

- For several years, OUR City used riverboat revenue to pay the annual debt service obligations owed on the Sanitary District General Obligation Bonds of 1995. This had the impact of an immediate 14% reduction in Michigan City property tax levies.
- However, as that happened the State of Indiana changed the formula for how schools were funded and that new funding method increased local property taxes more than the 14% reduction we achieved by assuming the Sanitary District Bond payments.
- at the time, the state did provide a temporary 18-20% property tax credit to lessen the immediate impact of the school funding change, but that tax credit is now gone.
- Next, the state changed the school funding formula again to remove school funding altogether from property taxes and fund schools through the state sales tax. This elimination of school funding from local property taxes reduces our local property tax burden and along with that, the state established new caps for property taxes at this reduced level. Basically, the tax bill for a homeowner is capped at 1% of their home's assessed value; the tax cap is 2% for rental properties and 3% for business and industrial properties.
- The immediate impact of the property tax caps on Michigan City is an automatic two to three million dollar loss in property tax revenue and the necessity to cut two to three million dollars from our city budget.

Now, on top of the economy and the state-imposed property tax caps, we have another frustrating ISSUE here in LaPorte County that adds a third layer of complexity to our city budget challenge. That frustration is: what is the true assessed value of property in LaPorte County?

Based on revised Indiana State Law, beginning in 2006 the assessed values of all properties are to be based on market value criteria. The state did certify the 2006 assessed valuation for LaPorte County and provisional tax bills were issued. However, there is an effort to negate the 2006 certified assessment values and return to the previous year 2005 assessed valuations. And, it should be noted, that the 2005 assessed valuations are actually the same assessed values that date back to 1999.

Several LaPorte County governmental units have joined together IN court to block this effort and stay with the legally approved 2006 certified assessment values. We are uncertain how this lawsuit may be resolved, but one thing is certain: turning the clock back and using the 2005 assessed values that are not based on market value criteria will force most local units of governments in LaPorte County to reduce budgets from prior years by millions of dollars.

These millions of dollars are for past years in which cities and schools have had budgets approved by the state, provided services to constituents based on these budgets and paid bills and operating expenses based on anticipated property tax revenues approved by the state.

And time is of the essence in this matter. Every day of delay equates to lost revenue for Michigan City. Since 2007, the city and sanitary district tax budgets have lost nearly \$1 million in lost interest earnings over this tax issue.

Thus, in brief summary, these are the economic challenges we face. But all is not bleak! When we step back and take full stock of all that is happening around us, there is much to be proud of!

At this time last year, I came before you to invite the Common Council and local citizens to collectively work together and formulate ideas and strategies aimed at increasing the efficiency of local government. I am pleased to report that many citizens stepped forward and contributed positively to a process that reviewed a wide range of local governmental functions.

A report of the findings from the Local Advisory Task Force has been prepared and the City Administration Team has reviewed the report. We have been tracking progress on the implementation of the recommendations and I transmitted a status report to the Common Council prior to tonight's meeting. A few key notes on several of the recommendations, along with other efficiency efforts, are as follows:

- Rather than contracting with an outside service, the Board of Public Works & Safety contracted with the Sanitary District for IT services. With this change, the city expects to save from \$50,000 to \$75,000 per year.
- The City was able to purchase winter road salt through a state cooperative agreement and save approximately \$400,000 when compared to the previous winter.

- At our four Fire Stations, additional attic insulation, programmable thermostats, exhaust control systems, compact fluorescent light bulbs and energy efficient garage doors are being installed.
- At the Police Station, an energy audit is under contract.
- GPS units have been added to our street vehicles in 2009 to help in the assessment of snow clearing services and GPS units will be added to more vehicles in 2010.
- Recommendations regarding human resource issues pertain to specific language in each of the five labor agreements that the city has entered into. Thus, I request that the Common Council and I meet in Executive Session during the 1<sup>st</sup> Quarter of this year to seek a uniform system of wages and benefits for staff positions of equal status.

Taking efficiency matters a step further, the Fire Department has pursued an equipment integrity effort that focuses on refurbishment rather than replacement.

The National Fire Protection Association codes that govern fire apparatus contain two levels of refurbishment: Level 2 applies to the process where used apparatus is refurbished to the applicable standards that were in effect at the time the equipment was originally manufactured. And Level 1 applies to refurbishing the used apparatus to meet the applicable current edition codes of the NFPA.

For the overall safety of our residents and firefighters, the City Fire Department chose Level 1 refurbishment for two critical pieces of equipment: Ladder One, a 100' platform truck; and Engine Two, the department's 'Quint' truck.

The total refurbishment cost for these two vehicles was approximately \$723,000. Based on the typical pricing of a new 100' platform fire truck and a new quint truck, we would expect to pay about \$1.8 million for these two vehicles if we purchased them new. By implementing the refurbishment option, we have saved Michigan City residents over \$1,000,000... great work by the Fire Department.

In terms of the North End, Washington Park, and Franklin Square, we had several achievements in 2009.

The Ice House and Weber Sign property acquisitions and building demolitions were completed by the Redevelopment Commission. This adds another two acres to the Trail Creek Development Area.

2009 also saw the completion of the Blocksom relocation negotiations. The Blocksom facility currently sits on approximately 9 acres of land along the riverbank of Trail Creek. The next milestone for the Blocksom site redevelopment will be the identification of a relocation site by mid-summer of this year.

Further downstream Trail Creek and across the river from the U.S. Coast Guard Station, the Port Authority and NIPSCO entered into an agreement to allow the city to build a world-class public boat launch ramp on NIPSCO property. This new launch ramp will be free to all users.

The location is crucial in solving numerous existing problems. This new location will eliminate upstream congestion, allow boaters to avoid the height restrictions created by the AMTRACK swing bridge, and provide boaters easy access to Lake Michigan without having to navigate through the winding roadways and parking lots of Washington Park.

Moving east into Washington Park and in the Zoo, significant improvements took shape in 2009. Throughout the summer and fall, the Park Department completed the construction phase of the Oasis Splash Pad. The new recreational water playground is designed for interactive water play. The various water elements will provide an aquatic experience, stimulate a child's senses, and improve the use of public space in the park. Complete with restrooms and a concession area, the Oasis Splash Pad will become an ideal family attraction and we look forward to its debut this spring.

Along the beachfront, we opened the Sandbar Concession Stand. Beginning with a standard concession trailer, the Park Maintenance Department added a 32 foot by 44 foot deck, complete with tables, umbrellas and ADA access. In 2010, a second level is planned to be added to the current deck.

The Guy Foreman Bicentennial Amphitheater is currently under construction with a completion date of May 2010. Renovations will include handicap accessibility and seating; individual theater style seating; and a building extension that allows for a larger practice area.

The lawn area surrounding the amphitheater will be re-graded for improved grass seating. The facility will be tuck pointed, painted and a new HVAC system will be installed.

Across Lake Shore Drive at the Washington Park Zoo, Zoo Director Johnny Martinez and his staff continue to create their magic with outstanding new zoo exhibits that benefit both the animals and zoo patrons.

The Australian Aviary Adventure Exhibit is a new interactive area which allows a visitor to purchase a \$1 seed stick and feed the parakeets. The exhibit allows visitors to feed free flying birds while the birds perch upon branches and foliage. This 40 foot by 60 foot rectangular exhibit is a walk-about experience where visitors can walk amongst the birds through the aviary. Birds have free range throughout the exhibit and the circular shape of the flight area allows the birds to fly in loops within the exhibit.

A new winter holding facility was just added to the exhibit. All birds are transferred to the holding facility complete with water, lights and heat for the winter months. The Aviary and winter holding facility were both built in-house with Park and Zoo employees.

Over the last several months, you may have observed the large scale construction activities occurring near the Senior Center parking lot. 2009 saw the completion of the final phase of the Water Intake Project. Along with replacing water intake pipes that were several decades old, the Water Department constructed a new water intake valve house. This crucial facility was relocated from the swirling sand dunes of the beach area to a more stable location that can be accessed more easily for maintenance purposes.

In the Franklin Square area, several positive elements were realized. The Redevelopment Commission moved forward with repairs to sidewalks and curbs in the downtown area. These repairs are approximately 40% complete and we anticipate completion around the first of April.

The Redevelopment Commission has partnered with the Michigan City Preservation & Education Foundation to upgrade the landscape planters in the Franklin Square area. The new plantings have been installed and the private businesses who support the Foundation will take over the annual maintenance of the planters.

Artspace is a not-for-profit developer that focuses on working with artists to develop both living and work space. They have been in operation since 1979 and have a proven business plan that invigorates neighborhoods by renovating or building new space and filling this space with artists.

In Michigan City, Artspace has progressed through several steps of their traditional business plan and are now proceeding with site selection in the Franklin Square area. Once at the stage of site selection, Artspace has NEVER failed to deliver on a project. A renewed vitality of Franklin Square is at hand, if we continue our partnership with Artspace to progress to the final stage: actual construction of living and work spaces for 25 to 30 artists.

As part of the Trail Creek Watershed Management Plan and with funding received through Lake Michigan Coastal Program grants, we have been able to significantly increase public access opportunities along the stream of Trail Creek. Acquisitions in 2009 include parcels from the South Shore Railroad and WE FM. Not counting our marinas, there are seven public access sites along the banks of Trail Creek within the city. Last month, the Common Council approved a resolution and the city submitted grants to acquire two additional critical properties: the Lin See property near U.S. Highway 12; and part of the Pawloske property at Johnson Road and U.S. Highway 35. These two pending acquisitions are identified in red shading on the map and the blue shading denotes existing public land along Trail Creek.

These efforts serve to preserve environmentally sensitive property and provide the average citizen a water's edge view of phenomenal natural waterscapes.

At Karwick Nature Park, we secured a Coastal Zone Management grant to construct a pedestrian deck across Trail Creek to connect the park with several acres of city-owned property on the west side of the creek. Local firm Haas & Associates managed the design of the bridge and local contractor Tonn & Blank constructed the wood truss bridge.

The design is intended to reflect and not diminish the natural beauty of this wooded area and we believe all involved did a tremendous job. This brand new amenity takes our creekside trail system to a whole new level, which we can all be proud of.

On our city's west side, I am proud to report that Michigan City was successful in receiving an award of \$2.8 million in Neighborhood Stabilization Program Grant Funds. This HUD program is intended to mitigate the many negative impacts of vacant and abandoned homes in a concentrated area.

With these funds, we intend to use about \$500,000 to demolish some 30 blighted structures; at an estimated cost of \$100,000 we will partner with the Citizens Concerned for the Homeless to create a combination learning center and apartment; and with approximately \$2.2 million we will redevelop foreclosed vacant properties generating 16 new homes, either through new construction or rehab of vacant homes.

Securing the \$2.8 million dollar HUD grant for our west side was a tremendous win for Michigan City and we look forward to the construction activity that will follow.

Before the December lake-effect snowstorm blanketed Michigan City, perhaps you noticed that the Coolspring Avenue reconstruction project had started. Many construction activities have stopped for the winter, but preliminary work will begin soon in anticipation of the full resumption of work when the weather breaks. The project remains on schedule for completion in the 4<sup>th</sup> Quarter of 2010.

Along with managing the Coolspring Project, City Engineer Bill Phelps also tackled a pilot street repair project in Village Green. This neighborhood was built with concrete streets and we performed this project to evaluate the methods and costs to repair streets of this kind.

Regarding our paving and sidewalk programs: 14.9 lane miles of streets were paved in 2009, with paving performed on 35 different streets; 11 alleys were paved; 29,834 square feet of concrete sidewalks were replaced; 1,463 square feet of rubber sidewalks were installed; and 57 ADA sidewalk ramps at intersections were installed.

To improve services for our Transit ridership, we installed two additional bus shelters.

Related to the Coolspring Project, the Sanitary District completed the Freyer Ditch Improvement Project, which will take additional storm water drainage flow from the improved Coolspring Avenue. The Freyer Ditch Project was designed by local engineering firm John Doyle & Associates and constructed by Michigan City contractor Woodruff & Sons.

The Sanitary District also completed the Ohio Street Sanitary Sewer Improvement Project, which included replacing an aging lift station in a new location with higher capacity pumps, and replacing portions of the Ohio Street sanitary sewer to convey wastewater southward towards the new lift station. Haas & Associates designed these improvements and Woodruff & Sons was the construction contractor.

At the Michigan City Airport, Airport Manager Jessica Groff completed important projects in 2009 to repair and seal runway joints and have new markings painted on the runway. Additionally, a grant was received to remove trees at both ends of the runway, in order to keep our approved runway lengths intact.

For construction contracts in excess of \$150,000 in total project cost, Human Rights Director Ta-Tanesha Clark monitors contract compliance with the Michigan City Local Hiring Ordinance. For 2009, a preliminary summary was prepared by Director Clark for the Paving Program, Sidewalk Program, Walker Street Improvements, Village Green Pavement Improvement, Karwick Nature Park Bridge and Ohio Street Sewer Project.

From the preliminary summary, one can see that in all but one case, the total value of actual dollars spent on labor costs per construction project fell well below the threshold total project cost value of \$150,000 – the minimum benchmark cost that initiates compliance with the Local Hiring Ordinance. This is typical for many construction projects where the majority of the costs are for material and equipment use, and not necessarily direct labor costs. Thus, when one speaks of millions of dollars in project costs, one must also realize that significant portions of those millions are not labor costs.

For the six projects listed on the preliminary summary chart, the total dollar value paid out in labor costs was approximately \$484,320. Looking at the total of the blue shaded column entitled “City Resident Hiring Goals,” the total labor dollars paid to city residents on these six projects was \$96,723. This represents 19.97% of the total of \$484,320 which is just short of our 20% overall local hiring goal.

On a project-by-project basis, we have room for improvement and we have already met with the contractors for these projects. For individual projects: three of the six projects met their Minority Hiring goals; two met their Female hiring goals; and two met the City Resident Hiring Goal.

In our meetings with the contractors, we have identified obstacles that have prevented attainment of commitments in the past and we look forward to improved results on future projects.

The Michigan City Police Department initiated improved communication efforts with the general public in 2009. One of these new initiatives is the crime tracking program established with the help of CitizenObserver.com. At this website, anyone can examine an interactive map of Michigan City and see where crimes have been committed. The website also has the capability for residents to register an e-mail address and have crime notifications sent automatically by e-mail as they are posted into the system.

The Police Department, as part of the “AIM High Public Safety Team” and with support from Vector Control Officer Dave Morlan and City Forester Frank Sielhiemer, made great strides last year in terms of reducing graffiti in Michigan City.

First of all, the team, with the help of City Attorney Amber Lapaich Stalbrink, worked with the Common Council to enact a new ordinance to help combat graffiti on private property. After passage of the ordinance on May 5<sup>th</sup>, 2009, new equipment was purchased by the city and with this new equipment, graffiti was removed from approximately 60 properties.

Police Officers also stepped up efforts to apprehend graffiti vandalism offenders. They were successful in arresting five individuals for graffiti vandalism of the lighthouse and an offender was arrested for graffiti at the Walker Street Playground.

Our public safety team has observed that once graffiti is removed, new instances of graffiti tend to diminish. Citizens have taken on a greater role and increased ownership of their neighborhoods and we hope to sustain this progress into 2010 and beyond.

Overall, The Police Department has achieved great success in reducing crime. Looking at the Uniform Crime Report part 1 Offenses, the most serious crimes, one can see a 6% decrease in total crimes from 2008 to 2009. This is the second year in a row that Michigan City has achieved decreasing crime numbers.

Especially noteworthy, we are proud of having NO HOMICIDES in 2009.

Having good cooperation from the public, patrol efforts based on monitoring trends and statistics, and proactive drug enforcement activities all have contributed to our crime reduction success.

In another initiative to improve the overall physical appearance of our community, Michigan City has been building momentum over the past two years as part of the American in Bloom program. After some initial successes, we hope to engage additional citizens and volunteers across all neighborhoods as we move forward.

During the 2009 competition, Michigan City was recognized to be the best in the Turf & Groundcover Areas; and we received special mention for environmental effort.

To help support the education of our youth, the City of Michigan City has continued efforts to maintain substantive partnerships with those in our community who help our students. one key local agency is the Literacy Council.

One of the programs conducted by the Literacy Council is a Summer Tutoring Program for elementary school students. Last summer, they provided 23 days of tutoring with 3 hours of instruction each day. For the 29 students who completed both the Pre-Session and Post-Session testing, the average gain in test score ranged from a 7-point average gain for 4<sup>th</sup> graders, to a double-digit 14-point average improvement for 1<sup>st</sup> graders.

Back in 2008, you may recall the innovative summer school environmental programming created by a partnership between the Sanitary District and the Michigan City Area Schools. For 2009, we invited more City Departments to become involved and we saw four different and unique opportunities for city students to learn during their summer break.

The four summer school programs that our City staff created involved the following:

- The Michigan City Police Department developed a CSI: Michigan City learning module that taught students how to process a crime scene and tasked students to work as investigators and solve a mock crime.
- The Michigan City Fire Department taught fire safety principles to students and performed live fire demonstrations.
- The Sanitary District prepared three weeks of summer programming to engage kids in learning about their local outdoor environment.
- And the Michigan City Airport taught students principles of aerodynamics that culminated with the launching of rockets at the Michigan City Airport.

Through these learning experiences, our youth can benefit from direct interaction with Police Officers, Fireman and other public service professionals. These experiences can open a child's eyes to several different career paths in the fields of public safety, public service and environmental science.

We applaud the dedication and enthusiasm with which our city staff embraced this challenge to engage our youth in these unique ways.

While the downturn in our economy has led to an overall loss of jobs throughout the state and locally in LaPorte County, we have had some recent industrial economic activity in and around Michigan City. Five recent success stories include:

- Vanair moved from New Buffalo to just south of Michigan City into a new 60,000 square foot facility with an investment of nearly \$5 million;
- Sullivan Palatek moved from the Pines to just west of Michigan City into a new facility investing \$14,000,000 for their 160,000 square foot facility;
- Mersino opened a regional office in Michigan City by taking over vacant space and creating 20 new jobs;
- Mulhern Belting moved to Michigan City and invested \$750,000 to remodel 50,800 square feet of vacant space and create 15 new jobs; and
- Shady Creek Winery invested half a million dollars to open a new facility here in Michigan City.

Overall, these five businesses invested nearly \$20 million in and around our city, creating over 100 new jobs and adding nearly \$4 million dollars to local yearly payroll figures.

We thank these businesses for their confidence in investing in our community and we applaud our economic development team who worked diligently on these business expansion successes.

Selling our community to new business leaders goes hand-in-hand with selling our community to potential visitors. To that end, the LaPorte County Convention and Visitors Bureau just completed a research-based strategic branding effort that is poised to pay great dividends for our County.

As Tom Peters describes it, "Being a Brand is the only way to stand out in a crowded marketplace. It is nothing more (and nothing less) than creating a distinct personality—and then telling the world about it."

For destination and place branding, we must capture the essence of our community and then convey that essence to potential visitors in order to convince them to come here.

Over a period of twelve months, our Convention and Visitors Bureau met with stakeholders and visitors; conducted detailed statistic-based destination brand research; and prepared a Destination Brand Blueprint. Recently, all these efforts were distilled into the LaPorte County Destination Brand visual logo and slogan: Michigan City-LaPorte.

As written in the Destination Brand Blueprint, the Michigan City LaPorte brand slogan "offers a contrasting uniqueness between two very different environments that complements and enhances the other. Between a shopping and gaming center and a charming Midwest town, both Michigan City and LaPorte offer a package of interests and attractions that are appealing and different."

And it is this uniqueness that gives our region a competitive edge.

Moving forward, we have a detailed ten-point program to be executed over the next three years with the help of governmental entities, Blue Chip Casino, Lighthouse Place Premium Outlets, Indiana Dunes National Lakeshore Park, and INDOT.

By the end of the 1<sup>st</sup> Quarter of this year, the City of Michigan City will begin television advertisements on Comcast stations in the south and southwest suburbs of Chicago.

Along with all of these great successes in 2009, we did have disappointments.

Several years ago in March of 2003, the Park Department issued the conceptual trail plan for the Singing Sands Lighthouse Trail. This Trail Plan identified how to take the current endpoint of the Calumet Bike Trail at U.S. Highway 12 and the Porter County line and extend the bike trail into Washington Park and then on into Michigan.

And funding to build this trail was approved in December of 2003. But there was one small catch: a change in the federal rules governing how legal easements for trails of this sort must be worded led to an impasse with the transportation agencies who were funding this trail project. Despite letters to the Governor and to Congressman, we could not get over this impasse.

However, in September of last year, the Federal Highway Administration issued revised real estate guidelines and when these revised guidelines are adopted by the State of Indiana, we are hopeful that the impasse on easements will be eliminated and we can finally begin construction of the Singing Sands Trail.

We faced disappointments last year with not achieving dredging in Trail Creek; and we had delays obtaining Amtrak approval and easement agreements for the proposed Lake Avenue Extension Project.

Particularly frustrating was our experience with seeking stimulus program funding. Our Lafayette/Barker Storm Sewer grant was denied and cities of our size were generally not directly funded.

On the south side of town, we ran into a roadblock in trying to extend Town Center Road. With Meijer Drive connecting Cleveland Avenue with the Meijer/Lowes/Menards complex, it seemed logical to simply extend Town Center Road to connect with the entrance drive of the new Wal-Mart.

However, preliminary engineering efforts identified existing wetlands that will need to be crossed and mitigated. We developed a credible plan that proposed a mitigation site at the southwest area of Patriot Park. But, despite our best efforts at early coordination with IDEM, we have not yet received approval of our mitigation plan and the project remains delayed.

Looking ahead into 2010, I am pleased to report several projects and initiatives that will keep Michigan City moving forward.

First of all, the Michigan Boulevard Project is ready for construction!

The city received a stimulus grant to repair the storm sewer system located beneath the Boulevard and this repair work is currently out for bid with an INDOT letting date set for next week, on January 27<sup>th</sup>. This work involves lining the current corrugated metal pipe storm sewer and installing additional manholes in strategic areas to facilitate this work.

The drawings and plans for the main refurbishment work are complete and this contract is scheduled for an INDOT letting date of April 14, 2010. As one can see from the rendering of the new Michigan Boulevard, the design includes landscaping and trees; raised medians in certain areas; less asphalt and more greenspace.

At the intersection of Michigan Boulevard with U.S. Highway 12, we have the new Gateway Park at the site of the former Harborside Homes complex. A contract has been signed with Lohan Anderson for the design of Gateway Park and these activities are underway. We look forward to the construction of Gateway Park later this year.

When the design drawings are completed and are presented to the Park Department for approval, I will formally request of the Park Department that this gateway park to the North End be named in honor of Charlie Westcott, an individual of distinction in our community who mentored scores of teenagers as they grew into adults.

Straddling Michigan Boulevard in the North End we have the Trail Creek Development Area. The Redevelopment Commission is now poised to consider a Master Developer for the twenty two and a half acres of land assembled in the North End and along Trail Creek. While current overall economic conditions have slowed land development activities considerably, the Redevelopment Commission will continue to move forward to complete a Request for Proposal for a Master Developer.

In the short term, environmental cleanup activities will continue for various parcels along the creek.

In the North End area, we are also poised to begin constructing the next phase of the Lafayette-Barker Storm Sewer Project. This new six-and-a-half foot diameter storm sewer interceptor will allow for storm water separation from the last remaining large area of the city that still relies on combined sewers for storm water drainage off of our city streets and out of resident's basements. It took four decades to build-out the Cheney Run Storm Sewer System that was started in the 1970's and its time we add to our storm sewer interceptor system and build the Lafayette-Barker interceptor.

During the construction of the tunnel in Phase 2, we will pursue the engineering of the outfall at the alternate location, east of the E Street Bridge. This alternate location will eliminate the need for significant structural piles at the original outfall site and free up more space for development by not having the outfall bisect Parcels 10 and 11 of the Trail Creek Development Area.

Once the Lafayette-Barker Interceptor is completed, we can then begin to take full advantage of the expanded storm network to branch out into the neighborhoods and separate the combined sewers. This map identifies the many projects that can proceed once the new interceptor is completed.

Earlier I spoke of our agreement with NIPSCO to allow for a boat launch ramp to be built on their property. The Port Authority is moving forward with this project and engineering and permitting is nearly 50% complete. The city has been awarded a \$75,000 grant from the Lake Michigan Marina Development Commission for engineering costs and we have also applied for construction grants.

From the facility rendering, one can see the 6-lane public boat launch area that will be protected by a breakwater system, providing shelter and wave attenuation for the launch area. The parking area can handle significant volumes; there will be spaces to accommodate 129 vehicles with boat trailers and an additional 52 car parking spaces.

New transient boat slips will be located adjacent to the sea wall along the entrance drive for visitors to dock their boats while stopping in Michigan City.

We look forward to completing the permitting process in order to advertise for bids and prepare for construction later this year.

A third of a mile north of the new boat launch ramp site is the iconic figure of Michigan City... our Lighthouse.

We have agreed to accept the deed for the East Pierhead Lighthouse and, upon receipt, we are ready to begin the preservation work required to keep the Lighthouse intact for decades to come.

The Port Authority has worked with Abonmarhce to assess the condition of the Lighthouse. Overall, Abonmarhce reports that the Lighthouse is in good condition structurally. However, targeted critical repair work is needed.

Along with these major construction projects and the Lighthouse repair work, significant regional planning and collaborative efforts remain in progress and will move forward in 2010.

City Planner John Pugh and members of the City Administration and Common Council have been contributing to the preparation and development of a joint county-wide Zoning Ordinance for LaPorte County. This joint effort will include zoning and subdivision regulations that will be consistent across the entire county. Draft language is under review and this effort is expected to be completed in the 4<sup>th</sup> Quarter of this year.

On a broader planning scale across northwest Indiana, NIRPC is leading the effort to complete the first comprehensive plan for the region, known as the "2040 Plan".

The 2040 Plan expands the traditional regional planning focus from 'transportation only' issues to a broader perspective of issues including land use, economic development, environmental management and social equity.

This is a 2-year process that should conclude in December of this year. In the end, the 2040 Plan will be our blueprint for a vibrant, revitalized, accessible and united region.

Expanding our regional vision even further, NICTD has offered a plan for local communities to have access to high quality and secure broadband service at exponentially fast speeds and price points that can be extremely competitive.

Through the South Shore Fiber Link Project, NICTD can make community access points available for access to dark fiber that runs from South Bend to Chicago. The additional benefit we have in Michigan City is the competitive advantage of having the school system's fiber optic network that already extends into many areas of the City.

The City is negotiating with the Michigan City Area Schools to develop protocols for the city to have access to the school system's fiber optic network. With such an agreement, city buildings can be connected via this network and reduce our annual IT services communication costs.

Another critical joint planning process with NICTD involves the identification of the South Shore Corridor through Michigan City. The two prime options under consideration involve significant property acquisition with closing 17 street crossings or constructing an 8,000 foot long elevated rail system. Both options have advantages and disadvantages; and both corridors must be fully reviewed before any decisions can be made.

We will work with NICTD to obtain state and federal funds to perform a full analysis of these options.

We have taken our regional planning approach and applied this focus to regional watershed planning as well. As part of the Great Lakes Restoration Initiative grant process, Michigan City has helped prepare a grant application with IDEM, the DNR, USGS, Purdue University and Michigan State University to analyze our river systems that flow into Lake Michigan.

The currents and hydrology of the southern portion of Lake Michigan have been studied extensively for decades by the USGS and more recently by both Purdue and Michigan State. However, as described in a report by Dr. Richard

Whitman of the USGS, "It's not clear how the upstream sites may be influencing the outfall sites;" and, "More research to relate *E. coli* concentrations of these streams to concentrations of adjacent beaches is needed."

Thus, to fill in this missing data gap, we propose to develop river models on a regional basis, and obtain water samples throughout the region for analysis to determine human versus animal source of *E. coli* pollution. The data obtained from our river systems will then be analyzed by Michigan State University to evaluate impacts on adjacent beaches.

We hope to receive federal funding for this work and we are ready to move forward with IDEM if the grant is approved. These efforts will provide scientifically valid data to help prioritize and guide future capital investment decisions to reduce pollution and improve water quality in our region.

We have reviewed many projects, recognized OUR ACHIEVEMENTS and scanned the horizon for more good things to come. Tonight, we must also recognize the real heroes in our city... those who provide quality services to the residents of our city. In good weather and in bad; during the day or in the middle of the night, they are ready to meet the needs of our city and we appreciate the great job that they do.

In these challenging times, the communities that are able to move forward are those communities that concentrate on solving issues, as opposed to placing blame. Let's focus on solving issues and we can continue to move forward toward a better future.

Thank you.

Council President Espar thanked Mayor Oberlie and called for a recess for five (5) minutes to take down equipment.

Council President Espar called the meeting back to order.

Council President Espar asked if there were anyone other reports of other city officers and departments that wished to speak and hearing none continued with the agenda.

### **PETITIONS**

There were no petitions.

### **COMMUNICATIONS**

Tom Fedder, City Clerk stated there was correspondence received from the following Social Status of African American Males Commission incumbents regarding their re-appointments on January 13, 2010; Albertine Allen, Rodney Washington, Rev. Charles Dowdell and Faye Moore.

Mr. Fedder also stated that correspondence was received from the Swanson Center on January 15, 2010 regarding Councilman Milsap's re-appointment to the Social Status of African American Males Commission.

### **RESOLUTIONS**

The Clerk read by title only the following Resolution,

#### **MICHIGAN CITY COMMON COUNCIL**

#### **RESOLUTION NO. 4440**

#### **AUTHORIZING THE FILING OF AN APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION FOR A TRANSPORTATION ASSISTANCE GRANT PURSUANT TO SECTION 5307 OF THE FEDERAL TRANSIT ACT, AS AMENDED**

**WHEREAS**, the Federal Transit Administration, an operating administration of the United States Department of Transportation, is authorized by Title 49 United States Code, Chapter 53; Title 23 United States Code; and other federal statutes administered by the Federal Transit Administration, to disburse federal funds for public transportation assistance; and

**WHEREAS**, the Federal Transportation Administrator has been delegated authority on behalf of the Federal Transit Administration to award financial assistance grants and enter into cooperative agreements for transportation projects; and

**WHEREAS**, a grant or cooperative agreement for the federal financial assistance will impose certain record keeping and reporting obligations upon the City of Michigan City (City) and may require the City to provide a local share of the project cost; and

**WHEREAS**, the City has or will provide all annual certifications assurances to the Federal Transit Administration required for the project for which the financial assistance is sought.

**NOW, THEREFORE, BE IT RESOLVED** by the Michigan City Common Council:

1. That Mayor Charles Oberlie is authorized to execute and file an application for federal assistance on behalf of the Michigan City Transit Department with the Federal Transit Administration for federal assistance authorized by Title 49, United States Code, Chapter 53; Title 23, United States Code; or other federal statutes authorizing financing of a project administrated by the Federal Transit Administration and that the City of Michigan City, Indiana will be the designated recipient as defined by 49 U.S.C. § 5307(a)(2).
2. That Walter Gipson, M.C. Transit Department Director, is authorized to execute and file with the application the annual certifications and assurances and other documents the Federal Transportation Administration requires before awarding a federal assistance grant or cooperative agreement.
3. That Mayor Charles Oberlie is authorized to execute any and all grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Michigan City and its Transit Department required to obtain the above described federal financial assistance.
4. That the Council commits to approve payment of any local match required to receive the aforesaid federal financial assistance through the Federal Transit Administration.

**INTRODUCED BY:** /s/ Phillip Jankowski

Councilman Jankowski made a motion to adopt the resolution, second by Council Members McKee and Nelson.

Council President Espar asked if there were any questions or comments by the general public or Council and hearing none the Resolution was adopted by the following vote:

**AYES: Council Members Espar, Jankowski, McKee, Meer, Milsap, Murphy, Nelson, Boy, and Doyle (9). NAYS: None (0).**

## **ORDINANCES**

Council President Espar stated if there were no objections, he would amend the agenda adding the following Ordinance on first (1<sup>st</sup>) Reading.

Council President Espar asked the Clerk to read the Ordinance, by title only;  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CUMULATIVE CHANNEL MAINTENANCE FUND, Introduced by: Joseph Doyle and Co-Sponsored by: Marc Espar.**

Councilman Doyle stated reasons for supporting the proposed ordinance.

Council President Espar referred the Ordinance to the Finance Committee for consideration. President Espar advised that at the request of Mayor Oberlie, second and third reading would be held at the February 2, 2010 Council meeting.

Council President Espar asked if there were any questions or comments by the general public or Council and hearing none, the Ordinance was held over for second reading.

**UNFINISHED BUSINESS**

Council President Espar opened the nominations for the Michigan City Community Enrichment Corporation.

Robert Work stated that he was interested in serving another term on the Michigan City Community Enrichment Corporation Committee.

Councilman McKee nominated Robert Worek, second by Councilwoman Boy.

Council President Espar asked if there were any other nominations and hearing none, nominations were closed.

President Espar stated if there were no objections to request the City Clerk to take the roll on the re-appointment of Robert Worek to the Michigan City Community Enrichment Corporation Committee: **ROBERT WOREK: Jankowski, McKee, Meer, Milsap, Murphy, Nelson, Boy, Doyle, and Espar (9). NAYS: None (0).** Mr. Worek was re-appointed.

Council President Espar thanked Mr. Worek for his contribution to our City.

**NEW BUSINESS**

Council President Espar advised nominations for the Ethics Commission, Incumbent: Erik Prascak – Republican (Term expired December 31, 2010) would take place at the February 2, 2010 Council meeting.

President Espar stated that re-appointments for the following Incumbents on the Social Status of African American Males Commission would also take place at the February 2, 2010 Council meeting:

**Albertine Allen – Minority Health Coalition  
Willie Milsap – Swanson Center  
Rev. Charles Dowdell – Ministerial Assoc.  
Rodney Washington – LP County Prosecutors Office  
Faye Moore – Human Rights Commission**

**COMMENTS FROM THE PUBLIC**

Leonardo Victory, 304 Grace Street, thanked Council Members Meer, Murphy and McKee for moving forward on the Local and Minority Hiring Oversight Committee.

**COMMENTS FROM THE COUNCIL**

Councilman McKee addressed the Council regarding the Mayor's State of the City's Address commending him for keeping many issues moving forward stating he appreciates what the Mayor does.

Councilman Meer thanked the Mayor for a new level of commitment to Michigan City residents regarding the hiring of Michigan City residents and minorities.

**ADJOURNMENT**

A motion by Councilman Meer, supported by Councilwoman Nelson, and there being no further business to transact, President Espar declared the meeting ADJOURNED (approximately 7:45p.m.).