



A G E N D A
COMMON COUNCIL - SPECIAL MEETING
Tuesday, May 12, 2020

Meeting to be held at **5:00 p.m.**, local time,
Hosted by "Zoom" and Streaming Live on
"My Michigan City" Facebook Page

FILED
MAY 11 2020
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

CALL TO ORDER BY COUNCIL PRESIDENT

ROLL CALL

RESOLUTION

**APPROVING THE EXTENSION OF THE MAYOR'S EXECUTIVE
ORDER 05-2020 EXTENDING THE DECLARATION OF A PUBLIC
HEALTH EMERGENCY DUE TO THE COVID-19 VIRUS**

Introduced by: Sean Fitzpatrick

Co-Sponsored by: Don Przybylinski
Bryant Dabney
Angie Nelson Deutch
Dalia Zygas
Tracie Tillman
Paul A. Przybylinski
Gene Simmons

ORDINANCES

ORDINANCE **AMENDING SECTION 38-33 AND SECTION 38-34 OF THE MUNICIPAL**
1st Reading **CODE TO PROVIDE FOR EMERGENCY RELIEF FUNDS TO CITY**
BUSINESSES

Introduced by: Angie Nelson Deutch

ORDINANCE
1st Reading

AMENDING SECTION 38-40 OF THE MUNICIPAL CODE TO PROVIDE
FOR EMERGENCY RELIEF FUNDS TO CITY RESIDENTS

Introduced by: Angie Nelson Deutch

COUNCIL COMMENTS

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 12, 2020
Posted May 11, 2020

FILED

MAY 11 2020

GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. _____

**APPROVING THE EXTENSION OF THE MAYOR’S EXECUTIVE ORDER 05-2020
EXTENDING THE DECLARATION OF A PUBLIC HEALTH EMERGENCY DUE TO THE
COVID-19 VIRUS**

WHEREAS, both the President and the Governor have declared a public health emergency for the Novel Coronavirus Disease 2019 (COVID-19) pandemic outbreak; and

WHEREAS, on May 7, 2020, Mayor Duane Parry issued his Executive Order 05-2020, Extending The Declaration Of A Public Health Emergency Due To The Coronavirus Pandemic & Implementing Certain Public Health And Safety Measures (COVID Order 2) specifying actions to be taken to contain and control the spread of COVID-19 in Michigan City, a copy of which COVID Order 2 is attached hereto as Exhibit A; and

WHEREAS, IC 10-14-3-29 requires the Council’s consent for the COVID Order 2 to remain in effect for more than seven (7) days; and

WHEREAS, the Council finds that the COVID-19 virus pandemic emergency will exist for an extended period of time beyond seven (7) days from the issuance of the COVID Order 2 the precise length of which is not determinable at this time; and

WHEREAS, the Council supports the issuance of the COVID Order 2 and finds that it is in the best interest of the citizens of Michigan City that the COVID Order 2 be extended beyond seven (7) days until 11:59 p.m. on May 23 or until such time as the Mayor determines that the spread of COVID-19 no longer poses a threat to the citizens of Michigan City, whichever period is shorter.

NOW, THEREFORE, BE IT RESOLVED, by the Michigan. City Common Council that it approves Mayor Duane Parry’s issuance of his Executive Order 05-2020 Declaring A Public Health Emergency Due To The Coronavirus Pandemic & Implementing Certain Public Health And Safety Measures (Executive Order) and consents to it being effective and in full force and effect until 11:59 p.m. on May 23, 2020 or until such time as the Mayor determines that the spread of COVID-19 no longer poses a threat to the citizens of Michigan City, whichever period is shorter.

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

Passed and Adopted by the Michigan City Common Council on May 12, 2020.

INTRODUCED BY: _____
Sean Fitzpatrick, President

CO-SPONSOR: _____
Don Przybylinski, Member

CO-SPONSOR: _____
Bryant Dabney, Member

CO-SPONSOR: _____
Angie Nelson Deutch, Member

CO-SPONSOR: _____
Dalia Zygas, Member

CO-SPONSOR: _____
Tracie Tillman, Member

CO-SPONSOR:

Paul A. Przybylinski, Member

CO-SPONSOR:

Gene Simmons, Member

Passed by the Common Council of the City of Michigan City, Indiana this _____ day of _____, 2020.

Sean Fitzpatrick, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2020.

ATTEST:

Duane Parry, Mayor
Michigan City, Indiana

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

FILED
MAY 11 2020
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

AMENDING SECTION 38-33 AND SECTION 38-34 OF THE MUNICIPAL CODE TO PROVIDE FOR EMERGENCY RELIEF FUNDS TO CITY BUSINESSES

WHEREAS, the Common Council has determined that some of Michigan City’s small businesses are in dire financial straits and unable to pay wages and other operating expenses due to the loss of revenue as a result of the COVID-19 pandemic shutdown; and

WHEREAS, the Common Council believes it is the responsibility of the City to provide assistance to those businesses, to the extent it can, to help them make the payments necessary to be able to pay their employees and remain in business.

NOW, THEREFORE, BE IT ORDAINED, by the Michigan City Common Council that Section 38-33 and Section 38-34 in Chapter 38, Article III of the Michigan City Municipal Code be amended as follows:

1. Section 3 8(4)-*Eligible Uses* is amended to now read as follows:

(4) Eligible uses.

(a) New investments in capital assets and operating capital:

- (1.) Purchase of machinery and equipment.
- (2.) Purchase of buildings and land for business operations.
- (3.) Construction, repair, and renovation of buildings.
- (4.) Operating capital including inventory and work in progress.
- (5.) Quantifiable employee training when state and federal grants have been investigated and exhausted.

Priority is given to fixed asset financing (land, building, or equipment).

(b) Fund may be used for payment of legal expenses incurred by City directly related to loan transaction involving the Fund.

(c) Emergency forgivable loan up to \$5000 to small businesses in Michigan City found by the Loan Committee upon review of the businesses Fighting Chance Fund Application, a copy of which is attached hereto as Exhibit A, to be facing serious financial problems because of a substantial loss of revenue due to the COVID-19 emergency shutdown and which failed to receive any PPP or EIDL government funding. This fund will be established with \$200,000 in funds. Those businesses shall include:

- 1. Independently owned restaurants, but not national or regional chains.
- 2. Bars & Taverns.
- 3. Retail stores, not national or regional chains.
- 4. Personal Services, not national or regional chains, including:
 - a. Hair, beauty, and other personal services, such as salons, barbers, massage parlors, tattoo parlors, spas, etc.
 - b. Personal care services, such as child, elderly, and disabled care; funeral homes; etc.
 - c. Laundry and clothing repair services, such as dry cleaners, laundromats, garment repairs and alterations, etc.

- d. Residential cleaning services.
- e. Pet care services.
- f. Personal and household goods repairs and maintenance.
- g. Fitness centers and gyms.
- h. Event and banquet spaces & services.

2. Subsection 3 8(5)(f)-*Terms* is amended to read as follows:

f. Minimum loan is \$25,000.00; except for loans described in subsection 4(c) for which the minimum loan shall be \$1,000 and the maximum \$5,000.

3. Section 38-34 is amended to add the following wording to the end of the section:

Donations and contributions may be solicited and accepted for the purpose of helping to fund this program.

This Ordinance to be effective upon passage and approval by the Mayor.

INTRODUCED BY: _____

Angie Nelson Deutch, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this _____ day of _____, 2020.

Sean Fitzpatrick, President
Michigan City Common Council

Approved by me, this _____ day of _____, 2020.

Duane Parry, Mayor
Michigan City, Indiana

ATTEST:

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



Fighting Chance Fund Application

FILED
MAY 11 2020
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

*Do not delay in submitting applications! Funds will be awarded quickly.
Maximum grant amounts are \$5,000 per business, based on demonstrated need.*

Eligibility:

Businesses eligible for a Michigan City Fighting Chance Fund grant must meet the following requirements:

- Must be in good standing with regard to state and local taxes, licenses, and code compliance.
- Must be in good standing with the Indiana Secretary of State if not a sole proprietorship.
- Must have been established and operational in the City of Michigan City for at least the previous 6 months. Businesses that have expanded to a storefront from another business are eligible (e.g., an established caterer who opened a restaurant or an online retailer who opened a boutique).
- Eligible uses of funds: payroll (exclusive of owner compensation), utilities, rent, mortgage payments, insurance, or similar expenses, and products directly used in production of a product for sale.
- Preference will be given to businesses that have:
 - demonstrated a commitment to the community, through support of local youth or charitable programs, good corporate citizenship, participation in community and business support organizations;
 - plans to hire, train, or assist individuals who lost jobs or experienced economic hardship during the COVID-19 crisis;
 - unmet needs that have not been or are not anticipated to be addressed through the Small Business Administration (SBA) Disaster Loan Program or through other government assistance programs;
 - have not received abatements or incentives from the city previously;
 - made all reasonable efforts to keep employees employed during the recovery process.

The Michigan City Fighting Chance Fund program has limited funding, therefore not all grant requests may be approved or approved at the level requested. Applications will be reviewed and kept confidential by the selection committee.

Please email your completed grant application and supporting documents to the Program Administrator at xxxx.

Review Process:

- Applications are due by the close of business on xxx
- Applications will then be reviewed by a selection committee.
- Grants recipients will be notified during the week of xxx, and payments will be disseminated no later than xxxx.
- If funding allows, additional grants may be processed and awarded on an as-needed basis.

EXHIBIT A

Section 1: Business Description

Business Name:
Business Address:
Business Owner:
Business Contact:
 Name:
 Phone:
 Email:

EIN Number:

How long has the business been located in the Michigan City, Indiana?

Type of Business/Target Market:

Number of Full-Time Employees as of March 1, 2020:
Number of Part-Time Employees as of March 1, 2020:
Number of Full-Time Employees as of April 3, 2020 or application submission date:
Number of Part-Time Employees as of April 3, 2020 or application submission date:

2019 Annual Sales/Business Revenue:
First Quarter 2020 Sales/Business Revenue:

Explain how your business has been affected by the impact of COVID-19 and how your existing needs are consistent with the purpose of the grant program.

Do you plan to seek SBA disaster assistance loans, SBA emergency grants, other governmental assistance or traditional loans from a bank?

List other financial assistance that you have received in the past month.

Please list your involvement with local networking and community organizations (Chamber of Commerce, Rotary, Business Councils, Michigan City Main Street, etc.), business coaching, or similar assistance, conferences, and trainings related to small business development that you have attended in the last 2 years.

Do you have any outstanding state or local tax or fee obligations?

Do you have any outstanding legal judgments or liens against you or your business property?

Do you have any unresolved Code compliance orders?

Please share other information that you would like the selection committee to know about your business:

Section 2: Grant Request Information

Grant Amount Requested (grants may not exceed \$5,000):

How do you plan to use the grant funding?

How will these funds help your business move towards stability or sustainability?

Section 3: Owner Information

Please circle (or bold) all choices that apply to you:

- | | |
|--|---|
| <input type="radio"/> Male | <input type="radio"/> Hispanic/Latino |
| <input type="radio"/> Female | <input type="radio"/> Black or African American |
| <input type="radio"/> Person with disability | <input type="radio"/> White or Caucasian |
| <input type="radio"/> Veteran | <input type="radio"/> Other (please specify): _____ |
| <input type="radio"/> Non-US Citizen | |

Section 4: Certification Statement

I certify that the information above is correct to the best of my knowledge. I authorize the Michigan City Fighting Chance Fund selection committee to make inquiries as necessary to verify the accuracy of the statements made by me in this Application. I agree to indemnify and hold harmless the City of Michigan City, its officers, directors, employees, agents, and volunteers from any and all claims, loss, or other liability arising from or related to the services that the Committee provides before, during, and after the grant review process. I agree that I will use any funds received for purposes consistent with my application and with the grant program rules.

Notice: The Michigan City Fighting Chance Fund Committee is dedicated to maintaining the confidentiality of all private client information, including proprietary business data, business plans, and tax ID numbers.

Owner or Authorized Representative Signature

Date

Section 5: Documentation Check List

In addition to this Application, please submit the following:

- Copy of driver's license or other form of ID
- W-9
- 2018 and 2019 financial statements (if applicable) plus interim statement showing impact during Q1 2020
- Proof of good standing with the Indiana Secretary of State, if applicable.

If your grant is approved, additional documents may be required before transfer of funds. Additionally, you will need to complete a report later this year to explain and document how the funds were used consistent with grant program rules.

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

FILED
MAY 11 2020
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

**AMENDING SECTION 38-40 OF THE MUNICIPAL CODE TO PROVIDE FOR
EMERGENCY RELIEF FUNDS TO CITY RESIDENTS**

WHEREAS, the Common Council has determined that some of the residents of Michigan City are in dire financial straits and unable to pay their rent, mortgagee, and utilities due to the loss of income resulting from the COVID-19 pandemic shutdown; and

WHEREAS, the Common Council believes it is the responsibility of the City to provide assistance to those residents, to the extent it can, to help them make the payments necessary to be able to remain in their residences and continue to receive utility services.

WHEREAS, the Common Council believes it is the responsibility of the City to provide assistance to organizations that service the homeless population, to the extent it can, to ensure proper services to them if impacted by COVID-19.

NOW, THEREFORE, BE IT ORDAINED, by the Michigan City Common Council that Section 38-40 of Chapter 38, Article VI of the Michigan City Municipal Code be amended as follows:

1. The heading to the Section is amended to read as follows:

Sec. 38-40 Michigan City Promise Scholarship and Emergency Relief Fund.

2. Subsection (b) is added to the Section and is to read as follows:

(b) In addition to the use of the funds in the Fund as specified in subsection (a) above, \$750,000 of the funds in the restrictive non-reverting Fund shall be used to provide Emergency Relief to City residents, including the homeless, from the financial calamities that they are facing as a result of the current pandemic, to assist with rent, mortgage payments, utility, and other expenses necessary to sustain their health. The funds shall be transferred from the Fund to the City’s CDBG COVID-19 program Fund for distribution to City residents pursuant to the rules and regulations of that program.

This Ordinance to be effective upon passage and approval by the Mayor.

INTRODUCED BY: _____

Angie Nelson Deutch, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2020 by vote of _____ to _____.

Sean Fitzpatrick, President
Michigan City Common Council

Approved by me, this _____, day of _____, 2020.

Duane Parry, Mayor
Michigan City, Indiana

ATTESTED:

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