



FILED

JUL 29 2020

GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

REVISED
AGENDA
COMMON COUNCIL - SPECIAL MEETING
Thursday, July 30, 2020

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

CALL TO ORDER BY COUNCIL PRESIDENT

ROLL CALL

RESOLUTION

**APPROVING THE EXTENSION OF THE MAYOR'S EXECUTIVE
ORDER 09-2020 EXTENDING THE DECLARATION OF A PUBLIC
HEALTH EMERGENCY DUE TO THE COVID-19 VIRUS AND
TEMPORARY CLOSING OF WASHINGTON PARK**

Introduced by: Sean Fitzpatrick



REVISED
AGENDA

COMMON COUNCIL - SPECIAL MEETING
Friday, July 30, 2020
Meeting to be held at 5:00 p.m. local time
Hosted by Zoom and Streaming Live on
MyMichigan.org Facebook Page

CALL TO ORDER BY COUNCIL PRESIDENT

ROLL CALL

RESOLUTION

APPROVING THE EXTENSION OF THE MAYOR'S EXECUTIVE
ORDER 20-2020 EXTENDING THE DECLARATION OF A PUBLIC
HEALTH EMERGENCY DUE TO THE COVID-19 VIRUS AND
TEMPORARY CLOSING OF WASHINGTON PARK

Introduced by Sean Fitzpatrick

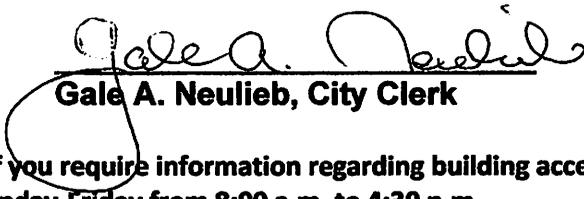
ORDINANCE

**ORDINANCE
2nd Reading**

**ESTABLISHING RULES FOR ATTENDANCE AT AND THE
USE OF WASHINGTON PARK AND PENALTIES FOR
VIOLATING SAME AND FOR VIOLATING PARK
DEPARTMENT RULES CONCERNING THE USE OF
WASHINGTON PARK AND THE ZOO**

Introduced by: Paul A. Przybylinski
Co-Sponsor: Sean Fitzpatrick
Don Przybylinski

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 July 30, 2020
Posted July 29, 2020**

ORDINANCE

ORDINANCE
and Reading

WASHINGTON PARK AND THE ZOO
DEPARTMENT RULES CONCERNING THE USE OF
VIOLATING SAINT AND TOP VIOLATING PARK
USE IN WASHINGTON PARK AND PENALTIES FOR
ESTABLISHING RULES FOR ATTENDANCE AT AND THE

Introduced by: Paul A. Fitzpylinski
Co-Sponsor: Sean Fitzpatrick
Don Fitzpylinski

ADJOURNMENT

Paul A. Neuman, City Clerk

Please contact the Clerk's Office at 215-873-1410 if you require information regarding accessibility or
reasonable accommodations. Office hours are Monday-Friday from 8:00 a.m. to 4:30 p.m.

Agenda July 20, 2010
Posted July 22, 2010

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. _____

JUL 29 2020
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

**APPROVING THE EXTENSION OF THE MAYOR’S EXECUTIVE ORDER 09-2020
EXTENDING THE DECLARATION OF A PUBLIC HEALTH EMERGENCY DUE TO THE
COVID-19 VIRUS AND TEMPORARY CLOSING OF WASHINGTON PARK**

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 July 23, 2020, Mayor Duane Parry issued his Executive Order 09-2020, Declaring A Public Health Emergency Due To The Coronavirus Pandemic & Ordering the Temporary Closure of Washington Park, a copy of which Executive Order 09-2020 is attached hereto as Exhibit A; and

WHEREAS, IC 10-14-3-29 requires the Council’s consent for the Executive Order 09-2020 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 Executive Order 09-2020, the precise length of which is not determinable at this time; and

WHEREAS, the Council supports the issuance of the Executive Order 09-2020 and finds that it is in the best interest of the citizens of Michigan City that the Executive Order 09-2020 be extended beyond seven (7) days until 11:59 p.m. on August 13, 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.

NOW, THEREFORE, BE IT RESOLVED, by the Michigan City Common Council that it approves Mayor Duane Parry’s issuance of his Executive Order 09-2020 Declaring A Public Health Emergency Due To The Coronavirus Pandemic & Ordering the Temporary Closure of Washington Park (Executive Order) and consents to it being effective and in full force and effect until 11:59 p.m. on August 13, 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 July 30, 2020.

INTRODUCED BY: _____
Sean Fitzpatrick, President

Passed by the Common Council of the City of Michigan City, Indiana this 30th day of July, 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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

ESTABLISHING RULES FOR ATTENDANCE AT AND THE USE OF WASHINGTON PARK AND PENALTIES FOR VIOLATING SAME AND FOR VIOLATING PARK DEPARTMENT RULES CONCERNING THE USE OF WASHINGTON PARK AND THE ZOO

WHEREAS, the Council finds that the COVID-19 pandemic shows no signs of abating in the near future; and

WHEREAS, the U.S. Centers for Disease Control and Prevention (CDC) and the Indiana State Department of Health and infectious disease experts have recommended implementation of mitigation strategies to help contain the spread of the virus, including, but not limited to, wearing masks, physical distancing of at least six (6') feet, and avoiding gatherings of over 10 people; and

WHEREAS, Governor Holcomb has ordered that masks are to be worn out doors when the recommended physical distancing cannot be or is not maintained; and

WHEREAS, despite the continuing increase in COVID-19 cases in our City, County, State, and throughout the country, Michigan City's Washington Park has experienced extremely high attendance levels which, among other problems, prevent the implementation of physical distancing and avoiding gatherings of more than 10 people; and

WHEREAS, Chicago's Mayor has closed all Chicago beaches and the Mayor of Whiting has closed Whiting's beach due to public safety concerns arising from the prevalence of the COVID-19 virus and inability to implement appropriate mitigation measures on crowded beaches, all of which has contributed to the extremely high attendance levels in Washington Park and its beach by non-residents; and

WHEREAS, it is anticipated that Michigan City will continue to experience average or above average summer temperatures throughout the summer season; and

WHEREAS, the Council finds that people are not likely to wear masks when swimming, engaging in physical activity, or sunbathing and will not maintain physical distancing and small groups when attending a very crowded park and beach; and

WHEREAS, in the interest of protecting the health and safety of residents of Michigan City and its visitors, the Council finds that it is necessary for it to adopt rules concerning limiting attendance at and use of Washington Park and its beach and to establish financial penalties for violation of those rules.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City that:

1. Each weekend, only persons who document that they are Michigan City residents shall be allowed to enter Washington Park, including its beach, Washington Park from 4:00 pm Friday until dusk on Sunday.
2. At no time shall groups of more than ten (10) people gather in the Park, including on its beach.
3. At all times, physical distancing of at least six (6) feet shall be maintained by everyone in the Park, including on its beach.
4. At all times, everyone in the Park, including on its beach, shall wear a mask at all times except when swimming.
5. The Park Department shall limit parking in the Park to not more than fifty percent (50%) of the authorized parking spaces in the Park at any one time.
6. If their assistance is requested, the Michigan City Police Department shall assist the Park Department personnel in enforcing the rules.
7. The Board of Directors of the Park Department may adopt additional rules and regulations concerning attendance in and use of Washington Park, including its beach, and any other facility over which it has jurisdiction.
8. A violation of the rules for attendance in and use of Washington Park, including its beach, established by this Ordinance and of Rules of the Park Department set forth in Chapter 82, Article 3 of the Michigan City Municipal Code shall be subject to a financial penalty as a violation of the Code pursuant to Chapter 1, Section 1-7 of the Code.
9. The Park Department and Police Department, in consultation with the attorney for the Park Department, are authorized to enforce the rules established by the Ordinance and the Park Department, including the issuance of appropriate citations, and the attorney for the Park Department shall be responsible for prosecuting anyone to whom such a citation is issued.
10. Any civil penalties collected as a result of the issuance of a citation as provided for herein shall be credited to the Park Department's Operating Fund.

This Ordinance to be effective upon passage by the Common Council, approval of the Mayor, and any necessary publication.

INTRODUCED BY: _____
Paul Przybylinski, Member

CO-SPONSOR: _____
Sean Fitzpatrick, President

CO-SPONSOR: _____
Donald Przybylinski, Member

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

Sean Fitzpatrick, President

Approved by me this ____ day of _____, 2020

Duane Parry, Mayor
City of Michigan City, Indiana

ATTEST:

Gale Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Council's Counsel Upon Request

7-29-20 EMAIL TO PAPERSON AND MONTAGUE - ESTABLISHING
RULES FOR ATTENDANCE / LATE / ABSENCE