

REGULAR MEETING – January 21, 2020

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Tuesday morning, January 21, 2020, at the hour of 8:30 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City Indiana – a regular meeting room of this Board.

The meeting was called to order by President Harris, who presided.

Noted present: Keith Harris, Virginia Keating and Duane Parry (3) Absent: None

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Gorczyca, M.D. Sanitary District
Captain Jeff Loniewski, M.C.P.D. Traffic Division
Sue Downs, Building Commissioner
Lillana Rosado, Associate Planner
Christine Vanderborg, Code Compliance Officer
Robin Tillman, Transit Director
Chris Yagelski, Mayor's Administrator
Yvonne Hoffmaster, City Controller
Cranston Harris, Superintendent Central Services
Shong Smith, Director Central Services
Lemual Porter, Assistant Vector Control
Andrea Smith, Personnel Director

Gale Neulieb, City Clerk
Dawn Debold, Deputy Clerk

APPROVAL OF MINUTES

President Harris asked if there were any corrections to the minutes from the Regular Meeting of January 6, 2020.

Vice-President Keating made the motion to approve the minutes from the Regular Meeting of January 6, 2020. The motion was seconded by President Harris and carried as follows:
AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.

REQUEST TO USE CITY HALL PARKING LOT – Sergio Kocuergin, representing Organized & United Residents of Michigan City (OURMC) 1713 Franklin Street, is requesting approval to use the City Hall parking lot to hold a peaceful protest against the war with Iran on Saturday, January 25, 2020 between 3:00 p.m. – 5:00 p.m.

Sergio Kocuergin, 1713 Franklin Street addressed the Board explaining his request; asking for approval.

Discussion ensued between Vice-President Keating and Gale Neulieb, City Clerk regarding the Certificate of Insurance. Ms. Neulieb responded she spoke to Corporate Counsel Amber Lapaich and no insurance is necessary since they are on City property.

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating he spoke to Mr. Kocuergin about this and the entire event is being held on City Hall property so there will be no street closures required; recommending approval.

Vice-President Keating made the motion to approve the request by Organized & United Residents of Michigan City (OURMC) to use the City Hall parking lot to hold a peaceful protest against the war with Iran on Saturday, January 25, 2020 between 3:00 p.m. – 5:00 p.m. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

HORIZONTAL DRILLING PERMIT REQUEST – Olivia Carlin, ESPO Engineering / Comcast Cable is requesting a Horizontal Drilling permit to directional bore to install new underground service CATV cable between an existing CATV pedestal located on Woodside Drive and across to a building at 108 Woodside Drive to an existing CATV lockbox; permit to include road bore underneath Woodside Drive

Gale Neulieb, City Clerk addressed the Board stating she spoke to City Engineer, Jeff Wright and he has no objections to the Horizontal Drill permit request.

Mayor Parry made the motion to approve the request by Olivia Carlin, ESPO Engineering for a Horizontal Drilling permit to directional bore to install new underground service CATV cable between an existing CATV pedestal located on Woodside Drive and across to a building at 108 Woodside Drive to an existing CATV lockbox; permit to include road bore underneath Woodside Drive. The motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

INSURANCE POLICY RENEWAL – Charles Keene, General Insurance Services (GIS) is requesting approval for the City of Michigan City along with the Sanitary District for Worker’s Compensation Excess Insurance Renewal-Policy term 01/15/2020 to 01/15/2021; Buffer Layer Excess Insurance Renewal- Policy term 01/15/2020 to 01/15/2021; and Third Party Administrator (TPA) services agreement – Policy term 01/15/2020 to 01/15/2023

Charles Keene, General Insurance Services (GIS) addressed the Board seeking formal approval for the Workman’s Compensation Excess Insurance renewal for the City of Michigan City, Indiana and the Sanitary District; the Buffer Layer Insurance renewal and Third Party Administrator (TPA) services provided by Comp One; and the loss fund the City uses to pay claims; advising this is not traditional insurance this is a self-funded program; stating there are no changes to the Excess and Buffer Layer Insurance program; explaining they are changing the Third Party Administrator (TPA) from York to Comp One due to service issues; further advising he will be making a presentation to the Sanitary District; further stating the Excess annual premium is \$125,166.00; the Buffer Layer Excess Insurance annual premium is \$40,474.00; and the TPA annual fee is \$42,400.00 for a total of \$208,040.00; recommending the City budget has \$316,000.00 for their loss fund and the Sanitary District budget has \$84,000.00 for their loss fund; asking for approval.

Discussion ensued between Mayor Parry and Mr. Keene regarding this representing a strong potential savings to the City of Michigan City. Mr. Keene responded they looked back twelve (12) years on the program and over those twelve (12) years the rough savings per year was about \$140,000.00 for the self-funding the program.

Mayor Parry made the motion to approve the Worker’s Compensation Excess Insurance Renewal – policy term 01/15/2020 to 01/15/2021; Buffer Layer Excess Insurance Renewal – policy term 01/15/2020 to 01/15/2021; and the Third Party Administrator (TPA) services agreement – policy term 01/15/2020 to 01/15/2023. The motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

APPROVAL OF CONTRACT – Jeffery Wright, City Engineer is requesting approval of a consulting contract between the City of Michigan City, Indiana and Blue Skye Planning and Consulting, LLC. for services for the INDOT LPA Community Crossings Matching

Grant (CCMG) call for all projects – the term of this contract is until May 15, 2020 in the sum of \$9,000.00

Mayor Parry stated he is not sure if this is a time sensitive contract so based on his evaluation of Jeffery Wright, City Engineer’s judgement he made the motion to approve the consulting contract between the City of Michigan City, Indiana and Blue Skye Planning and Consulting, LLC. for services for the INDOT LPA Community Crossings Matching Grant (CCMG) call for all projects – the term of this contract is until May 15, 2020 in the sum of \$9,000.00; adding if there are any modifications to the contract that need to be made the Board can do so at the next meeting. The motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

CLAIMS AND PAYROLL

CLAIMS DOCKET	Municipal Claims	\$1,243,844.36
	Medical Trust Claims	\$471,034.74
	CDBG Claims	\$51,497.29
	Total Claims	\$1,766,376.39
PAYROLL DOCKET	\$640,969.14	

Vice-President Keating moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

The Board signed: Payroll items in Register of Claims for informational purposes (which Register is in the possession of the City Controller) as follows:

Page	Date	Amount
1 of 9	01/17/2020	\$640,969.14

Allowance of claims as set forth in the Register of Claims for the Board of Public Works and Safety and the Department of Redevelopment (which Register is in the possession of the City Controller) as follows:

Page	Date	Amount
1 of 4	01/21/2020	\$866,809.80
1 of 1	01/21/2020	\$377,034.56
1 of 1	01/21/2020	\$471,034.74
1 of 1	01/21/2020	\$51,497.29

UNFINISHED BUSINESS

President Harris stated the first item on the Pending Items List is a grant of easement- Mike Micka, Addison N.W. Partners 1031, LLC. is requesting approval of the Grant of Easement between Addison N.W. Partners 1031, LLC. and the City of Michigan City, Indiana for Parcel #46-05-09-127-006.000-009 located at 501 E. U.S. Highway 20 for the development of the parcel

President Harris stated the Board received correspondence from Corporate Counsel, Amber Lapaich stating that all department heads have responded and they have no objections to granting of the easement; asking for approval.

Vice-President Keating made the motion to approve the grant of easement on City owned property located at 501 E. U.S. Highway 20; parcel #46-05-09-127-006.000-009. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

Mayor Parry made the motion to remove this matter from the pending items/unfinished business list. The motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

President Harris stated the next item on the Pending Items list is James Kent, purchase of City owned property located on Main Street – Parcel #46-01-28-377-037.000-022

President Harris stated the Board set the offering price at \$9,200.00; advising bids were due in the Clerk's Office no later than Friday, January 10, 2020 by 4:30 p.m. explaining there were no bids received; asking for a motion to remove this matter from the pending items/unfinished business list.

Vice-President Keating made the motion to remove the matter of the property located on Main street; Parcel #46-01-28-377-037.000-022 from the pending items/unfinished business list. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

President Harris stated the next item on the Pending Item List is a request from Cora Cambridge, 220 Gladys Street, requesting lighting on Gladys Street and sidewalks on Gladys Street

President Harris stated a motion was made at the last meeting to refer this matter back to Jeffery Wright, City Engineer; advising the M.C.P.D. Traffic Division made a recommendation to install a NIPSCO light in front of 227 Gladys Street on Pole #223/062; this was to be paid for by the City; asking this matter stay on the pending items/unfinished business list until it is completed.

President Harris stated the next item on the Pending Items List is proposed property access – John Chalikian, 609 Franklin Street, is requesting the Board of Public Works and Safety look into the agreement made with Mr. DellaPortas at the December 5, 1996 Board of Public Works & Safety meeting

President Harris stated that Skyler York, Planning Director asked this matter stay on the pending items/unfinished business list for two (2) weeks so that he could work with Jeff Wright, City Engineer to see if they are paving or giving access to the property.

John Chalikian, 609 Franklin Street addressed the Board stating this matter has been going on for twenty-two (22) years and nothing is being done about it.

President Harris stated that since no one from Planning was at the meeting nor was the City Engineer he would like to carry this matter over to the next meeting on February 3, 2020.

Discussion ensued between Mayor Parry and Mr. Chalikian regarding the address of his property. Mayor Parry stated we will do our best to try and resolve this issue between today and the next Board of Works meeting on February 3, 2020.

President Harris stated the next item on the Pending Item List is +WeCreate Media-Marketing Contract for 2019 – the next 60-day update will be at the B.O.W. meeting on January 21, 2020.

Mayor Parry addressed the Board stating he decided to terminate the contract between the City of Michigan City and WeCreate Media; advising they felt after some discussion that the City was not getting sufficient benefit out of the webpage; explaining this will be substantial cost savings to the City; further stating there is another service we are dealing with to promote tourism and events in Michigan City.

Mayor Parry made a motion to remove this matter from the pending items/unfinished business list. The motion was seconded by Vice-President Keating and carried as follows: AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.

President Harris stated the next item on the Pending Items List is Lori Dudek, Director of Human Resources, Franciscan Health – request to move current bus stop

President Harris stated this matter has been deferred to the February 3, 2020 meeting.

Robin Tillman, Transit Director addressed the Board stating she had written correspondence to present to the Board of Works; advising the documentation explains how transit and the fixed routes service operates; asking if there were any questions from the Board.

President Harris stated the next item on the Pending Items List is Harvey Pokorny, 905 Colfax Avenue – request to place gravel in alleyway

President Harris stated that Skyler York, Planning Director advised at the last meeting that millings were placed in the alleyway; explaining this will be addressed at the March 2, 2020 meeting.

Discussion ensued between Mayor Parry and Lilliana Rosado, Associate Planner regarding if Code Enforcement has had any conversations with the resident in regard to this matter. Ms. Rosado stated Mr. Pokorny graveled everything in the back yard without City permission and in the right-of-way; advising she spoke to the resident and gave him until the end of February to start making changes; explaining a site visit was done and no changes have been made. Mayor Parry asked Ms. Rosado if she felt this is moving forward to completion. Ms. Rosado responded not at this time because it is still pretty cold outside; further stating they have to remove the gravel that was set down which is going to take some work and the ground is frozen; further advising the work will probably be done in the spring when the ground warms up. Mayor Parry asked if this will most likely extend past the March 2, 2020 meeting date. Ms. Rosado stated yes.

Discussion ensued between Mayor Parry and President Harris if we should just keep this matter rolling. President Harris stated we will keep it on until at least the March 2, 2020 meeting because the weather could warm up.

President Harris stated the first item on the Pending Items list is an order to demolish – 710 W. 10th Street – Owner Jason & Jane Straton

President Harris advised we will keep this matter on the pending items/unfinished business list until March 16, 2020.

PUBLIC COMMENTS

President Harris asked if there were any public comments.

***Andrea Smith, Personnel Director addressed the Board stating she is requesting an extension of FMLA for a City employee; advising the City employee has had twelve (12) weeks of FMLA and she needs an additional twelve (12) weeks.

Mayor Parry advised he spoke to Ms. Smith and she has explained the situation and it is in the City's best interest to honor the request and extend the FMLA.

Mayor Parry made the motion to extend a City employees FMLA an additional twelve (12) weeks. The motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

***Kathy Stransky, 223 E. Barker Avenue addressed the Board stating the City did an outstanding job this weekend in regard to the snow and the roads in Michigan City; advising they got out there right away and were on top of the situation.

BOARD COMMENTS

President Harris asked if there were any public comments.

Mayor Parry thanked Ms. Stansky for her comments; advising we have a tip top crew.

ADJOURNMENT

President Harris stated as there were no other items on the agenda to be considered by the Board at this time, declared the meeting ADJOURNED (approximately 8:59 a.m.). Vice-President Keating made the motion to adjourn. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

Gale A. Neulieb, City Clerk