

# REGULAR MEETING – March 16, 2020

The Board of Public Works and Monday morning, March 16, 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, Duane Parry (2) **Absent:** Virginia Keating (1)

## A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich, Corporate Counsel  
Randy Russell, Superintendent Department of Water Works  
Andrea Smith, Personnel Director  
Captain Jeff Loniewski, M.C.P.D. Traffic Division  
Sue Downs, Building Commissioner  
Christine Vanderborg, Code Enforcement Officer  
Skyler York, Planning Director  
Chris Yagelski, Mayor's Administrator  
Yvonne Hoffmaster, City Controller  
Andrew Matanic, IT Manager  
Tanesha George, Human Rights Director

Gale Neulieb, City Clerk  
Dawn Debold, Deputy Clerk  
Kristina Zawacki, Assistant Deputy Clerk

## APPROVAL OF MINUTES

President Harris asked if there were any corrections to the minutes from the Regular Meeting of March 2, 2020.

Mayor Parry made the motion to approve the minutes from the Regular Meeting of March 2, 2020. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

## REQUEST FOR STREET CLOSURE- Stevan Gropp, South Shore Freight, is requesting approval to close grade railroad of CSS and South Motts Parkway and Millennium Park- Project- crossing renewals for rail safety Improvements- April 23-25, 2020 from 6:00 a.m. – 6:00 p.m.

Stevan Gropp, South Shore Freight addressed the Board stating this is part of an overall safety improvement; advising there is a lot of new business that will be coming with this development especially with the GAF distribution center; explaining there will also be increased traffic; further stating now would be a good time to get the crossing completed; further advising it is being done in correlation with a massive upgrade the South Shore is doing from Roeske Avenue all the way down to South LaPorte Indiana; further explaining it has great public and economic benefit; stating he has included a map of the industrial park which has one main entrance in and out; commenting it has been like this for at least 20 years; advising as far as he knows there is another path towards Menke Road; explaining it would be good for the cross project if the path could be opened and used as the primary entrance and exit while they have this closure.

Discussion ensued between Mayor Parry and Mr. Gropp. Regarding if there are two different crossings. Mr. Gropp stated that was correct. Mayor Parry asked if there was only one railroad crossing at South Motts Parkway. Mr. Gropp stated that was correct.

Skyler York, Planning Director addressed the Board stating there is another entrance off of Menke Road; advising during the GAF site plan preparation, they wanted to close that entrance but they left it open because it's an emergency exit/entrance; explaining if we did want to open that entrance South Shore Freight would have to talk to Larson-Daniel who is building the site at this time; further stating they would have to make sure they have a clear path to come through; further advising he will talk to City Engineer, Jeff Wright about riding to the site with him to take a look at it; further explaining there is a gate there and they are making improvements to it.

Corporate Counsel, Amber Lapaich stated their Certificate of Insurance is fine.

Discussion ensued between President Harris, Skyler York and Stevan Gropp regarding if this matter is placed on the pending list until the next meeting will it put them behind schedule on the project. Mr. Gropp responded that he doesn't believe so.

Mayor Parry made a motion to approve the request for street closure for Steven Gropp, South Shore Freight; approval to close grade railroad of CSS - South Motts Parkway and Millennium Park project - crossing renewals for rail safety improvements from April 23-25, 2020 from 6:00 a.m. – 6:00 p.m. pending consideration of a site visit and approval from the Planning Department and City Engineer. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

Discussion ensued between Mayor Parry and Mr. York regarding if the Board should take action on this matter because this will be the last Board of Public Works and Safety meeting until further notice due to the Corona Virus. Mr. York stated he needs to make sure there is a clear path and there is not a trench in the way.

**REQUEST FOR STREET CLOSURE- Dave Pfeiffer, St. Paul Lutheran Church and School, is requesting the use of the “No Parking” lane on the west side of Pine Street to form a “drive thru” order/pickup lane for their Annual Fish Fry on April 17, 2020 from 3:30 p.m. – 9:00 p.m.**

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating this is an annual request to block off the west shoulder of Pine Street in front of St. Paul Church to create a drive thru lane for the annual Fish Fry; recommending approval.

Mayor Parry made a motion to approve the request to use the “No Parking” lane on the west side of Pine Street to form a “drive thru” order/pickup lane for the Annual Fish Fry on April 17, 2020 from 3:30 p.m. – 9:00 p.m. by Dave Pfeiffer, St. Paul Lutheran Church; The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

**HORIZONTAL DRILLING PERMIT- Randy Russell, Department of Water Works/ H7G Underground Utilities, LLC. Is requesting a Horizontal Directional Drilling Permit to directional bore to upgrade water services in the alley by installing 2” copper main between York and Lafayette Streets- south of Homer Street in conjunction with the York Street Project**

Randy Russell, Department of Water Works addressed the Board stating he has nothing to add regarding the request.

President Harris advised that he received correspondence from all of the appropriate departments; stating they have no issues with this project.

Mayor Parry stated there will be a little bit of storm water sewer work done and Mr. Russell can verify that; advising they are trying to combine some work since they are going to be repaving the street; explaining it will take care of all services in that area.

Mayor Parry made a motion to approve the request for the Horizontal Directional Drilling Permit to directional bore to upgrade water services in the alley by installing 2” copper main between York and Lafayette Street – south of Homer Street in conjunction with the York Street project. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

**BOARD RESOLUTION- ACCEPTING ASSIGNMENT OF TAX SALE AND CERTIFICATES FROM THE COUNTY OF LAPORTE, INDIANA**

Corporate Counsel, Amber Lapaich, addressed the Board stating the County reached out asking if there was anything on the commissioner sale that the City was interested in acquiring; advising the City would like to acquire parcel #46-01-28-113-012.000-022; explaining the commissioners have executed a resolution transferring that parcel to us; further stating this resolution is accepting the transfer; further advising she will still have to perform the legal work to effectuate the ultimate tax deed but this is the first step in the process; asking for approval.

Mayor Parry made motion to approve the Board Resolution accepting the assignment of the tax sale and certificates from the County of LaPorte, Indiana. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

**LEASE AGREEMENT- Andrew Matanic, I.T. Manager, is requesting approval to lease for sixty (60) months a copy machine for City Hall**

President Harris stated this will matter will be placed on the pending list due to him having to abstain from the vote being he works for the Sanitation District; explaining Vice-President Keating was not present to vote.

Corporate Counsel, Amber Lapaich addressed the Board stating that if this is not an urgent matter it should be added to the pending items/unfinished business list.

Mayor Parry addressed the Board advising the copy machine is a major part of a bigger plan which will produce substantial cost savings; stating this worked for the County; explaining they have larger units that service entire works areas; further advising this will eliminate the individual printers on everyone’s desk which are higher maintenance items with much higher material costs due to the printer cartridges.

Counsel Lapaich advised that she has not reviewed the contract; stating at this time if Mr. Harris is abstaining then the Board does not have a quorum to vote on it.

Mayor Parry made a motion to the place the sixty (60) month lease for a copy machine for City on the pending items/unfinished business list. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

**CLAIMS AND PAYROLL**



explaining he has applied for the tax deed and is still currently going through the process; further advising that Mr. Straton has been working on the property and making steady progress.

Discussion ensued between Corporate Counsel Amber Lapaich, Mayor Parry, President Harris and Sue Downs regarding if Ms. Downs was satisfied with the progress at this point. Mayor Parry stated that he was surprised with the progress when he saw the photos. Counsel Lapaich, stated that Mr. Straton has been very diligent about coming to meetings and working with the Planning Department; advising he has been following through on his word.

Mayor Parry made a motion to extend this item for another sixty (60) days which is May 18, 2020. The motion was seconded by President Harrison seconded the motion for extension. **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

## **PUBLIC COMMENTS**

President Harris asked if there were any public comments.

\*\*\*Corporate Counsel, Amber Lapaich addressed the Board stating that Andrea Smith, Personnel Director and herself have been engaging in numerous webinars and conversations with the insurance carrier regarding COVID-19 and which policies the City will be enacting that we don't already have; explaining there are two policies that she would like to have included in the employee manuals; advising the first is a communicable disease policy #231 that has been recommended through a webinar and the insurance carrier; the second, is a work from home policy #232 that we currently do not have for city employees; explaining this would give us some guidelines to allow employees to work from home; explaining the communicable disease policy talks about if someone comes to work exhibiting any type of symptoms or symptoms that would put any of work force at risk, they can be sent home; asking the Board to adopt these two policies.

Mayor Parry made the motion to approve policy #231 – Communicable Disease Policy and #232 Work from Home Policy. The motion was seconded by President Harris and carried as follows; **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

\*\*\*Council President Sean Fitzpatrick addressed the Board stating he met with Mayor Parry and Corporate Counsel Amber Lapaich regarding an email that was sent out canceling all Council meetings, Committee meetings and any Council workshops during the COVID-19 outbreak; advising there is one confirmed case that came out of LaPorte County and a second case that was in St. Joe County; explaining there were 19 total cases Statewide; explaining there are several websites the public can get information from and they are as follows: CDC.gov, IN.GOV/coronavirus, laporteco.in.gov/covid19 and emichigancity.com; further stating anyone from the public seeking additional information can contact their Council representatives; their contact information is on emichigancity.com; further advising they can also contact myself directly at [sfitzpatrick@emichigancity.com](mailto:sfitzpatrick@emichigancity.com) or 219-874-6547.

President Fitzpatrick continued to explain that over the weekend Dalia Zygas was selected to fill the vacated seat held by Johnny Stimley; stating Ms. Zygas is involved in a lot of different boards and will make a great addition to the Council; advising he is looking forward to working with her.

Councilwoman Zygas addressed the Board stating that she is looking forward to working with everyone; advising it will be an interesting time since we will not be doing anything in person for a while because of the Corona Virus; explaining she is glad to be onboard.

\*\*\*President Fitzpatrick further commenting that once we get more information, he will make a statement regarding when Council meetings will resume; stating that he is encouraging the public to not come out in full force once we do get restarted; explaining the Council will try to keep meetings limited to promote social distancing.

## **BOARD COMMENTS**

President Harris asked if there were any public comments.

Mayor Parry addressed the Board stating he would like to add to Council President Fitzpatrick's comments; advising we will be huddling as a Government on a regular basis; explaining that as we conclude once we are in the clear, we can put back into place the amenities that we've enjoyed; further stating we have closed several facilities including the Senior Center, because they are at a little bit higher of a risk and it's the largest place of assembly that the City of Michigan City owns; we have also postponed the opening of the Zoo, which was supposed to open April 1<sup>st</sup>; further advising per the agreement with the Barker Family, Barker Mansion will be closed for tours and events.

President Harris stated there were no other comments; asking for everyone to stay healthy.

Mayor Parry addressed residents, asking them to stay as cool and calm as they can; explaining he believes some surrounding states are overreacting a little bit; advising stress affects your health and panicking will add onto that stress so stay as calm as you can and ride this thing out; further stating it's going to pass we are doing what we are doing to keep assembly's as small as possible. Further explaining precautions, you should take to prevent the Corona Virus.

President Harris stated as soon as we know when our next Board of Public Works and Safety meeting is we will make a public announcement.

## **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 9:00 a.m.). Mayor Parry made the

motion to adjourn. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris and Parry (2). NAYS: (0). Motion Carries.**

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Gale A. Neulieb, City Clerk