

REGULAR MEETING – April 6, 2020

ZOOM MEETING

The Board of Public Works, and Safety of the City of Michigan City, Indiana met in regular session on Monday morning, April 6, 2020, at the hour of 8:30 a.m., local time, hosted by “ZOOM” and streamed live on “My Michigan City” Facebook page.

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

Noted present: Keith Harris, Virginia Keating, Duane Parry (3) **Absent:** (0)

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich, Corporate Counsel

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 16, 2020.

Mayor Parry made the motion to approve the minutes from the Regular Meeting of March 16, 2020. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

APPROVAL OF AGREEMENT- Service Agreement between the City of Michigan City, Indiana and Lori Osos to manage the City’s Farmers Market for 2020; agreement commences on May 2, 2020 and concludes on October 3, 2020; contract amount \$600.00 per month.

Mayor Parry addressed the Board stating he had a discussion with Johnny Stimley, Event Coordinator, regarding COVID-19; advising there is no current time frame for the Farmers Market.

Mayor Parry made a motion to remove this matter from the agenda and place it on 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.**

APPROVAL TO USE CITY LOT- Johnny Stimley, Michigan City Event Coordinator, is requesting approval to use a City Lot located at 8th and Washington Street for a “Pop up Music” event that will take place two Sundays a month; May 31st, June 14th, July 12th and 26th, August 9th and 23rd from 5:00 p.m. – 7:30 p.m.

Mayor Parry made a motion to move this item to 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.**

BOARD RESOLUTION- WAIVING CERTAIN PROCEDURES AND FORMALITIES DURING DISASTER EMERGENCY PURSUANT TO I.C. CODE 10-14-3-17 Public Health Emergency for Coronavirus Disease 2019 Outbreak (Covid-19)

Corporate Counsel, Amber Lapaich addressed the Board stating this code provides that in an event of some type of disaster or emergency the Board can wave procedures and formalities that we are accustomed to; such as entering into contracts or any type of performance of obligation given the current circumstances of the COVID-19 crisis that our community and Nation is facing; asking for approval so that in the event of needing to enter into a contract or approve anything, the power would be vested; explaining if the President is unavailable the Vice-President can sign; if our Vice-President isn’t available the remaining member of the Board can sign; advising we are planning in the event that if we can’t hold a Board of Works meeting the proper procedures are enacted.

Vice-President Keating made the motion to recognize Indiana code 10-14-3-17 which applies in this matter to wave formalities and procedures making it possible for the President to act independently; if the President is not available the Vice-President can act independently; if the Vice-President is not available the remaining member can act on the Board’s behalf. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating, and Parry (3). NAYS: (0). Motion Carries.**

HORIZONTAL DIRECTION DRILL POLICY CHANGE- Corporate Counsel, Amber Lapaich is asking to update the Michigan City Horizontal Directional Drill Policy for “Third Person Seeking Permission to Horizontally Directionally Drill Under any City Street, Right of Way, or City Owned Property”

Corporate Counsel, Amber Lapaich addressed the Board stating that at some point in time they would like to come in front of the Board and have this Policy revised; advising the departments cannot sit down together at this time to discuss what the new policy should be; explaining they will be asking the Board to grant City Engineer, Jeff Wright, permission to approve any HDD applications that comes in front of the Board since the Board should be the ones approving the

applications; further stating that given the fact of COVID-19 pandemic we are experiencing the possibility of not having a Board of Public Works and Safety meeting.

Mayor Parry made a motion to approve. The motion was seconded by Vice President Keating seconded the motion; and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

APPROVAL OF AGREEMENT- An Agreement between the Michigan City Board of Public Works and Safety and Serviscape, LLC. For the 2020 landscaping services described in Exhibit A (Franklin Square) Exhibit B (South Franklin) and Exhibit C (Wabash Street); services commencing on April 1, 2020 and completing on November 30, 2020; the amount of the contract not exceed \$114,056.14

Mayor Parry addressed the Board stating he wanted to reassure the public that we are watching the dollars as indicated since day one; advising that Michigan City must continue to operate during this pandemic; explaining if we do not maintain our lakefront, parks, golf course, and the planters along Michigan Boulevard, Franklin, and Wabash Street, Michigan City will look like a jungle; further stating this was not required to go out for bid because it is a professional service.

Discussion ensued between Vice-President Keating and Corporate Counsel Amber Lapaich regarding Serviscape services. Counsel Lapaich stated we have used Serviscape for Franklin Square, South Franklin and Wabash Street the last couple of years; advising Jessica Arnett, City Forester supervises Serviscape and she has been pleased with the quality of their work; and wants to continue to use them; explaining we have reached out to other companies and the quotes were 3 times the amount of Serviscape; further stating we believe they are reasonable with their prices and the delivery of their services.

Vice-President Keating made the motion to approve the agreement between the City of Michigan City Board of Public Works and Safety and Serviscape for the services and landscaping of Franklin Square, South Franklin and Wabash Street, commencing April 1, 2020 and completing on November 30, 2020; contract not to exceed \$114,056.14. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

HONORARY STREET SIGN- Chris Yagelski, Mayor’s Administrator is requesting the placement of an honorary street sign for Connie Bachmann to read “Connie Bachmann Drive” located at 201 Ferguson Road, acknowledging 49 years of service as a teacher for the Michigan City Area Schools

Mayor Parry addressed the Board stating that Mrs. Bachmann is a pillar of the Michigan City education community. Mayor Parry made the motion for placement of an Honorary Street sign for Connie Bachmann to read “Connie Bachmann Drive” located at 201 Ferguson Road acknowledging 49 years of service as a teacher for the Michigan City Area Schools. The motion was seconded by Vice-President Keating and carries as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

CLAIMS AND PAYROLL

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:

CLAIMS DOCKET	Municipal Claims	\$1,388,308.09
	Medical Trust Claims	\$596,259.76
	Worker’s Comp	\$281,340.27
	Health Life	\$16,412.56
	Total Claims-	\$2,282,320.67

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. The motion was seconded by Mayor Parry and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

PAYROLL DOCKET	City Payroll Total:	\$536,093.59
	City Pension Total:	\$225,678.66

Mayor Parry made the motion to approve the Payroll Claims as presented. The motion was seconded by President Harris and carried as follows: **AYES: MEMBERS Harris, Keating, and Parry (3). NAYS: (0). Motion Carries.**

UNFINISHED BUSINESS

President Harris stated the first item on the Pending Items List is a request from Andrew Matanic, I.T. Manager, requesting approval of a 60-month lease agreement for a copy machine in City Hall.

Discussion ensued between Corporate Counsel, Amber Lapaich, President Harris and Mayor Parry regarding the lease agreement. Counsel Lapaich stated that she has viewed the leasing agreement and is fine with approving it. President Harris explained there is at least an 8 to 12-week time frame once the copy machine is ordered.

Mayor Parry made a motion to table this agreement due to curtailing all spending right now and revisit this matter each month. The motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS Keating and Parry (2). Abstain: Harris (1). Motion Carries.**

President Harris stated the next item on the Pending Items List is a request from Steven Gropp, South Shore Freight, request for street closure...approval to close grade railroad of CSS and South Motts Parkway and Millennium Park

President Harris stated he spoke to Skyler York, Planning Director; advising Mr. York and Mayor Parry visited the site and concluded that the alternative entrance is not acceptable while the crossing for South Motts Parkway and Millennium Park is being upgraded. Mr. York is suggesting that we reach out to South Shore and ask if they would consider doing this upgrade over a weekend; explaining it would be for everyone's safety, and the employees.

Mayor Parry stated he is in full agreement with Mr. York.

Mayor Parry made a motion to table this request pending the revision by South Shore as communicated thru our City Clerk Gale Neulieb: The motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS Harris, Keating and Parry (3). NAYS: (0). Motion Carries.**

BOARD COMMENTS

President Harris asked if there were any Board comments.

President Harris stated that every two weeks the Board will evaluate whether they hold a virtual meeting or not; stating he believes it's a good idea to hold the meeting to address other matters that need to be addressed; keeping the city moving forward.

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.). Vice President Virginia 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