

REGULAR MEETING – April 6, 2021

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, April 20, 2021 at the hour of 6:30 p.m., Hosted by “Zoom” and streamed live on “My Michigan City” Facebook Page.

The meeting was called to order at 6:30 p.m. by Council President Michael Mack.

Roll call was authorized, and the following were noted present and/or absent.

PRESENT: COUNCIL MEMBERS Bryant Dabney, Sean Fitzpatrick, Michael Mack, Angie Nelson Deutch, Don Przybylinski, Paul Przybylinski, Gene Simmons, Dalia Zygas and Tracie Tillman (9).

ABSENT: None (0).

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Jim Meyer – Council Attorney and Gale Neulieb City Clerk.

APPROVAL OF MINUTES

President Mack inquired whether there were any corrections, deletions, or additions to the minutes of the Regular “Zoom” Meeting of April 6, 2021; there was no response.

President Mack asked for a motion to approve the Regular Council “Zoom” meeting minutes from April 6, 2021; with a motion from Councilman Fitzpatrick and second by Councilman Simmons. The minutes were approved as printed 9 -0.

REPORTS of STANDING COMMITTEES

President Mack asked if there were any reports of Standing Committees; there was no response.

FINANCE REPORT

COMMON COUNCIL – FINANCE COMMITTEE MEETING MINUTES

Tuesday, April 20, 2021 at 6:00 p.m. local time via “Zoom”

The meeting was called to order by Chairman Fitzpatrick at 6: 00 PM. Committee member Tillman and Chairman Fitzpatrick were present. Committee member Przybylinski was not in attendance.

Also in attendance: Councilwomen Deutch and Zygas, Councilmen Przybylinski, D. and Dabney. City Clerk Neulieb, Controller Hoffmaster, Deputy controller Wall and assistant Deputy controller Smith

There were no claims to be discussed. The only item discussed was the proposed ordinance of establishing deadlines for the preparation and submission of drafts of the proposed annual city budgets and tax levies to the common council. Chairman Fitzpatrick mentioned an email from controller Hoffmaster expressing her concerns with the July 6th deadline that is proposed in the ordinance stating that the date is for drafts of the proposed budget. Controller Hoffmaster asked for clarity of this request.

Chairman Fitzpatrick expressed that this date is an attempt to begin the process in a timely manner. Committee member Tillman reiterated the desire to begin the process sooner and made reference to her communication with DLGF stating that there is no set time as to when the process can begin. Controller Hoffmaster asked if the committee was desiring the requests from the department heads prior to submission to the Mayor for his approval, Committee member Tillman affirmed that. Controller Hoffmaster stated that her office initiated the 2022 budget process in their system on April the 19th, which is two weeks sooner than they normally do so. Controller Hoffmaster explicitly stated that the final budget would not be available, only department head worksheets and that the actual budget won't be available until September 1st. Chairman Fitzpatrick disagreed with the idea that it was impossible to have it any sooner. Councilwoman Deutch inquired about the language in the proposed ordinance asking if it referenced budget completion or budget deliberation. Councilwoman Deutch also asked Controller Hoffmaster from her experience what was the earliest she has seen the budget prepared. She replied the 25th of August. Controller Hoffmaster stated that the June 30th reconciliation is the official beginning of the process of preparing the budget and the reconciliation requires 15 days. Controller Hoffmaster further stated that estimates from the state were essential to the budget preparation. Councilwoman Deutch asked after all information from the state is received, how long does the process take from that point? Controller Hoffmaster replied that it takes about 2 weeks. Councilwoman Tillman requested the worksheets that will be received from departments heads on June 4th be provided to the finance committee and the council. Chairman Fitzpatrick asked controller Hoffmaster from her experience how much change in revenue has she seem from her experience and if the revenue difference were drastic? Controller Hoffmaster replied yes and no. Councilwoman Deutch stated that she believed the process should begin sooner and would also like the drafts to be delivered to the council sooner and that some of the language in the proposed ordinance be adjusted.

The meeting was adjourned at 6:29 PM

CLAIMS DOCKET

President Mack advised that there were "0" zero claims for April 20, 2021 asking; all in favor to pay the claims as amended signify by saying "AYE", all responded "AYE"; those opposed; there was no response. Claims were approved (9-0).

April 20, 2021 Riverboat/Boyd Claim Docket

Fund #2042 – Riverboat – Claims-	\$	00.00
EFT	\$	0.00
Fund #2031 – Boyd – Claims-	\$	0.00
TOTAL CLAIMS	\$	00.00

REPORTS OF SPECIAL or SELECT COMMITTEES

President Mack asked if there were any reports of Special or Select Committees; there was no response.

REPORTS OF OTHER CITY OFFICERS and DEPARTMENTS

President Mack asked if there were any reports of other City Officers or Departments; there was no response.

PETITIONS

President Mack asked if there were any petitions; Clerk Neulieb advised the following petition was received in the Clerk's Office, **A petition of JINCO, Inc. to vacate a**

portion of a public street in the City of Michigan City located between U.S. 12 and the abandoned Railroad right of way at 1501 East 2nd Street

CORRESPONDENCE

Correspondence was received in the Clerk's Office on April 1, 2021 from the State of Indiana regarding the American Rescue Plan Act accounting process (ARP)

Correspondence was received in the Clerk's Office on April 5, 2021 from Controller Hoffmaster regarding the proposed budget deadline ordinance

Correspondence was received in the Clerk's Office on April 8, 2021 from Ms. Robin Surber regarding Mayor Parry's request to resign with Councilwoman Deutch reading the following in its entirety.

Dear Council Members and Mayor Parry,

I am writing today to express my thoughts about the recent behaviors of Mayor Parry which have inspired many to call for his resignation.

Mayor Parry, you have indicated that you will not resign, and I am unclear as to the existence of a process in which you can be forced to resign. You stated that you are not a quitter and that, at your own expense, you will take counseling and participate in Diversity Sensitivity Training.

The initial action of publicly admonishing Chief Dion Campbell was wrong on so many levels, this was exacerbated by the rather proud announcement from you stating that you did in fact publicly slap him on the wrist because he failed adhere to your 'pecking order'. This is the same man who waded into the crowd during the riots to ensure the safety of our city and that action alone should garner the respect of discussing issues privately and gathering more information before you decided that he violated your authority.

Next was the call to the Pastors, Let's be clear that the tone of the ENTIRE message was disrespectful. You made it clear that you were not going to meet with them, you continued by relaying your side of the story on their voicemail, which ensured that they would not be heard and no discussion would be had, and you with your complaint about them wanting an audience.

Mayor Parry when I ran for office I was told that it was important to meet with the Pastors to garner the African American vote and I'm betting that you gave them an audience when you were out looking for votes.

It was stated at the last Council meeting that they did not want to beat a dead horse and neither do I, that being said I also don't want to see this pass as often things do. I feel that if you continue to lead this community these actions should continue to be addressed, until the community as a whole regains the necessary level of trust that one should in the Mayor. To that end, I have requests today and will continue to bring requests, as I hope the Council and other members of our community will as well.

You stated during your meeting with the Pastors that the training and counselling you are taking is something that needs to be done along behind closed doors, I disagree. When one goes to college, they often have an internship, this done because many things are better learned hand on. My first request is that the Council add on 5 minutes per meeting to allow you to discuss what you been learning and give the public the opportunity to ask questions regarding your training. For example, a member of the public may ask if you have learned about implicit bias...if you have, you can elaborate on that, and if you haven't, you can jot that and discuss it in your training. I feel this will give you more learning opportunities and allow the public to potentially enhance what you are learning by exchanging information and ideas with you.

My second request, and I apologize if this has already happened and I missed it, but if you haven't already I am requesting that you set up a 30-minute zoom meeting with Chief Campbell and apologize publicly, as you admonished him publicly. I would ask that this meeting be aired on the same venues as the Council meeting and you would spend the remainder of the time listening to Chief Campbell's experiences with racism or engaging in whatever dialogue the Chief feels comfortable having at the time.

Please note that these requests are not punitive in nature, but rather a hopeful start to including the community and those that were wronged by your actions in your education moving forward. My vision is that you can become a staple in the African American Community by getting involved with the community, attending events, and sharing what you are learning so they have the opportunity enhance those lessons.

I strongly feel that our community needs to see you do the work rather than just hear you say you are doing the work.

Sincerely,
Robin Surber

Correspondence was received in the Clerk's Office that was sent to Mayor Parry from City Engineer Jeff Wright regarding City project update

Correspondence was received in the Clerk's Office that was sent to Mayor Parry and copied to the Common Council from the International Union of Operating Engineers regarding Mayor Parry resigning and comments he made

Councilman D. Przybylinski asked the Clerk to read this into the record; with City Clerk Neulieb reading the follow.

Mayor Parry,

I recently became aware of comments you made on voicemail as well as during a recent meeting via Zoom with the Spiritual Taskforce Reconciliation Discussion Panel. While I appreciate your efforts for reconciliation with groups within the community, your comments bashing the very fabric of Michigan City, as well as other communities are inappropriate. Your attempt to scapegoat union as the problem simply reinforces your lack of knowledge and vision on this issue.

There are numerous items you may have accomplished with your recent comment and actions; namely:

- That you no longer share the commitment to Workforce Development by the State of Indiana as well as the commitment of other surrounding communities
- Undermining active participation in Department of Labor-approved Apprenticeship Programs
- Potential elimination of important and necessary benefits such as Pension and Healthcare
- Lowering wages for workers in Michigan City
- Elimination of long-term career opportunities through the trades for a short-term gain on a one-time job with lower wages and lack of benefits
- Harming small business by the lowering of family disposable income.
- Misleading the public; you know that you are obligated to comply with the State bidding statute; and that you do not have the ability to dictate the use of only non-union contractors
- Misinforming the public regarding what "right to work" actually means. It does not mean that we are non-union State, as you have suggested. Being a current or former member of a union, you would know that.
- Misrepresenting that Power & Sons Construction as a non-union employer, when in fact they are a signatory union contractor. In fact, Mamon Powers served for years
- Potential reduction in quality of public work projects and public safety

There are also several items that you did not accomplish with your recent actions, or during your time as Mayor:

- During the approximate 1 months since January 2020. I am not aware of you attempting to speak with leadership within the LaPorte Building Trade and you have not attempted to speak with my office. It is my understanding that previous Michigan City Mayors have worked with the trades which added value and success
- There has been no invitation for the Operating Engineers to participate in any meetings with you or members of the various entities within Michigan City
- You have not requested to visit our multi-million-dollar training facility
- You have not organized a job fair requesting the Operating Engineer participate
- You have not attempted to contract the Assistant Coordinator of our training facility, also an Indiana resident, Mark Kara, who was also appointed by Governor Holcomb to the Workforce Development Board.

We will initiate dialogue with the appropriate residents of Michigan City but will not request your participation due to your lack credibility on such subject matter, as shown by your recent finger pointing.

David A. Fagan, Financial Secretary

Correspondence was received in the Clerk's Office from the Controller's Office regarding an accident that took place in a Michigan City Police Department vehicle on April 10, 2021

Correspondence was received in the Clerk's Office from the Controller's Office regarding an accident that took place in a Michigan City Police Department Vehicle on April 11, 2021

Councilwoman Tillman read the following correspondence received from the LaPorte, Starke, and Pulaski Building and Construction Trades Council

Mayor Parry,

The building trades have recently been made aware of a deeply disturbing video where you appear to be speaking out of both sides of your mouth. In the video, you speak of Indiana being a non-union state because of right to work. It's obvious, you have no idea what right to work means, In 1961, Dr. Martin Luther King said it best when he stated, "Wherever these laws have passed, wages are lower, job opportunities are fewer, and there are no civil rights."

Recruiting non-union contractors to bid work in Michigan City, as you stated, will lead to poor quality, lower wages, fewer benefits, and leave a negative impact on the quality of life in the community.

Michigan City is home to thousands of union tradespeople and contractors who are proud to call Michigan City their home. Our members work hard, are highly skilled and create wealth in the community. Your comments are a direct attack on the foundations and principles of the 13 trade unions affiliated with the building trades, our member who live in the community, and our signatory contractors who call Michigan City their home.

Instead of speaking mistruths and misleading the public, better efforts should be made on your end to promote the apprenticeship programs and career opportunities in the skilled trades. You would know more about these opportunities. If you returned a phone call or email from the building trades. We have articulation agreements with every school in LaPorte County. We visit classes, give tours of our training centers, and actively participate in career days and job fairs. The AK Smith Career Center has been a great partner and stepping-stone for building trades students wanting to pursue careers in the skilled trades. These programs are available to everyone and provide a pipeline to further education, training, and middle -class jobs that will provide decent wages, good benefits, and higher quality of life.

Michigan City is better served with a mayor who understands the opportunities and values to the building trades have to offer. A Mayor s elected to serve the community while supporting meaningful economic and social policies for all residents; not handcuff citizens into poverty. A mayor who targets, attacks, and insults the valuable partners in the community trying to create opportunities for all of our citizens is a mayor who has lost their way. Your actions and comments, no doubt, will lead to lower standards, less wages and benefits and the erosion of the quality of life in our community.

We stand ready and engaged as always to work with everyone interested in learning the career paths and opportunities in the skilled trades.

John LC Carr, President
LaPorte/Starke/Pulaski Building & Construction Trades Council

RESOLUTION

The Clerk read the following proposed resolution by title only,

MICHIGAN CITY COMMON COUNCIL**RESOLUTION 4806****EXPANDING THE DESIGNATION OF THE ECONOMIC REVITALIZATION AREA WITHIN THE CITY OF MICHIGAN CITY AND EXTENDING AVAILABILITY OF TAX ABATEMENT BENEFITS AS PERMITTED THEREUNDER**

WHEREAS, IC. 6-1.1-12.1-1, et seq., provides that the Common Council is charged with the responsibility of finding whether a particular area of the City is an Economic Revitalization Area; and

WHEREAS, on December 1, 1987, the Michigan City Common Council adopted Resolution #3199 entitled “*RESOLUTION CONFIRMING THE ADOPTION OF A PRELIMINARY RESOLUTION DESIGNATING A CERTAIN AREA WITHIN THE CITY OF MICHIGAN CITY AN ECONOMIC REVITALIZATION AREA FOR PURPOSES OF REALAND PERSONAL PROPERTY TAX;*” and

WHEREAS, in said Resolution, the Common Council found that the citizens of Michigan City will benefit from the creation of additional jobs, expansion of the property tax base, protection of private investment, and revitalization of those areas designated as an Economic Revitalization Area; and

WHEREAS, the Common Council, pursuant to said Resolution No. 3199, acted to stimulate private redevelopment and development consistent with the laws of the State of Indiana and the City of Michigan City in ways which will provide new job opportunities for the City's residents and will have a positive impact on the local construction industry; and

WHEREAS, on November 26, 2018, the Michigan City Common Council adopted Resolution #4733 entitled “*RECONFIRMING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND EXTENDING THE LIFE OF SAID DESIGNATION FROM 2019-2022*” which continued to extend the designation of the economic revitalization area as set forth in Resolution #3199 through December 31, 2022; and

WHEREAS, following the passage of Resolution #4733, on December 4, 2018, the Common Council adopted Ordinance #4498 entitled “*ANNEXING REAL ESTATE (approximately 426 acres) SITUATED BETWEEN MENKE ROAD, INTERSTATE I-94 AND US HIGHWAY 20, LAPORTE COUNTY, INDIANA, AND DECLARING SAME TO BE PART OF THE CITY OF MICHIGAN CITY, INDIANA*, whereby a certain area (more particularly described in **EXHIBIT A** which is attached hereto and incorporated herein and referred to as “ANNEXED AREA”) was annexed into the City; and

WHEREAS, the Michigan Redevelopment Commission and the Michigan City Plan Commission have found that the reports, maps, charts and findings of the said Redevelopment Commission underlying the adoption of Resolution No. 3199 and subsequent Resolutions referred to herein, and more specifically, the basis for said continuation remains viable and relevant for continued designation and extension; and expanding the Economic Revitalization Area into the ANNEXED AREA would continue the benefits accruing to the citizens of Michigan City and would have a positive impact on economic development (A copy of the Resolution #1-21 adopted on March 23, 2021 by the Michigan City Plan Commission is attached hereto and incorporated as **EXHIBIT B**; and a copy of the Resolution #5-21 adopted on March 8, 2021 by the Michigan City Redevelopment Commission is attached hereto and incorporated as **EXHIBIT C**.)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Michigan City, LaPorte County, Indiana, that:

SECTION 1. That the matters and things recited in the preamble hereof are hereby

adopted and made a part of this Resolution by incorporation and reference as if repeated in full.

SECTION 2. That Michigan City Common Council finds that the City of Michigan City has benefitted from, and will continue to benefit from, the establishment, preservation, and expansion of the Economic Revitalization Area into the ANNEXED AREA and that the citizens of Michigan City will realize additional permanent jobs, expansion of the property tax base, protection of private investment and revitalization of those area which have been designated as undesirable for normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character of occupancy age, obsolescence, substandard buildings or other factors which have impaired values or have prevented normal development or use of property.

SECTION 3. That the Common Council hereby determines and finds that the additional number of individuals that may be employed or whose employment will be retained and the annual salaries of those individuals, and the additional value of redevelopment or rehabilitation as well as the reasonable cost of new manufacturing equipment, together with many other financial benefits, are benefits that can be reasonably expected to result from expanding the Economic Revitalization Area to include the ANNEXED AREA in **EXHIBIT A**.

SECTION 4. That the Common Council hereby accepts the Resolutions of the Michigan City Redevelopment Commission and the Michigan City Plan Commission that the reports, maps, charts and findings of the Michigan City Department of Redevelopment underlying the adoption of Resolution No. 3199 and the subsequent resolutions relating thereto have remained viable and accurate to this date and are, accordingly, hereby confirmed by the Common Council and the Common Council hereby accepts the recommendation of the Michigan City Redevelopment Commission and the Michigan City Plan Commission that tax abatement benefits be extended to the ANNEXED AREA.

SECTION 5. That the Common Council of the City of Michigan City hereby determines and finds that the area hereby described, to-wit: the entire corporate limits of the City of Michigan City, Indiana, which includes the ANNEXED AREA, continues to be an Economic Revitalization Area for the purposes of property tax abatement pursuant to IC 6-1.1-12.1.

SECTION 6. That the deductions to be allowed for property tax abatement within the Economic Revitalization Area, which includes the ANNEXED AREA, so designated shall be deductions allowed under IC 6-1.1-12.1, et seq.

SECTION 7. That any person who wishes to claim a deduction under this Resolution shall comply with the Statement of Benefits filing requirements of said IC 6-1.1-12.1 which statements shall be reviewed and approved or rejected by this Council as provided in said IC 6-1.1-12.1 and only those persons whose Statement of Benefits shall contain the information described in I.C. 6-1.1-12.1 and shall be submitted on forms prescribed by the Department of Local Government Finance.

SECTION 8. That the designation as an Economic Revitalization Area, which includes the ANNEXED AREA, and the effectiveness of this Resolution shall expire December 31, 2022, and all persons whose Statement of Benefits have been approved prior to said date shall be entitled to the applicable property tax deduction hereunder.

SECTION 9. That owners of real property and personal property, whose Statement of Benefit applications are approved by resolution of this Council, shall be entitled to a property tax deduction for a period as this Council shall, on a case-by-case basis, determine, not to exceed the period allowed under IC 6-1.1-12.1.

SECTION 10. That the procedures described herein for application for tax abatement shall be effective through December 31, 2022.

SECTION 11. That this matter shall be noticed and advertised for a public hearing to the extent and in the manner required by IC 6-1.1-12.1 and other applicable provisions of

Indiana law.

SECTION 12. This Resolution shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor and shall be filed with the LaPorte County Assessor and any other person or location required by Indiana law.

INTRODUCED BY: /s/ Bryant Dabney, Member
Michigan City Common Council

/s/Angie Nelson, Member
Michigan City Common Council

NOTE: Exhibit "A" is filed in the Clerk's Office

Councilwoman Deutch advised that this hasn't been revised/updated since we annex the 426 acres as part of city in 2019, that the proposed resolution will bring this into the Economic Revitalization Area.

Councilman Dabney piggy backed agreeing with the comments Councilwoman Deutch made; that this resolution will give us the opportunity to do tax abatements.

Councilman P. Przybylinski questioned if this is the same land that was annexed in 2019; advising the City has to connect sewer and water to the annexation within three (3) years that it was adopted.

Councilwoman Deutch agreed that the sewer and water had to be provided in this time frame; that she believed City Planner York is in attendance.

Councilman P. Przybylinski stated for the record that this council has been advised that this new annexation does not have sewer and water and that there is a timeframe that needs to be followed and addressed; that he thought the City has approximately a year and half to get this project completed.

Councilman P. Przybylinski stated that this annexation wasn't a bad thing for our city; but there was never a plan for funds to cover the service that have to be done within a three year period and that we have a financial obligation and it is going to be a costly one.

President Mack asked if there were any comments from the public; there was no response.

President Mack asked if there were any comments from the Council.

Councilwoman Deutch stated that Councilman P. Przybylinski is correct and that there have been some discussion regarding the water and sewer having to be connected to this annexation; advising this revitalization area ordinance when approved can be designated as a TIF and would be a separate process, but also lets our city offer tax abatement in this area as well; which is another reason for this expansion offering a greater opportunity for homes to be developed and businesses to expand; with Councilwoman Deutch making a motion to adopt, second by Councilwoman Zygas.

Councilman Simmons stated that Councilman P. Przybylinski brought up a valid point; with this being in his ward it is a perfect opportunity for economic growth; residential, commercial, and industrial which has been being discussed regarding the sewer and water being connect in the near future.

Councilman Dabney agreed with Councilwoman Deutch that when this is put into the revitalization area it will generate funds and could come from Redevelopment; stating that several times they will pull bonds for infrastructure projects.

Councilman P. Przybylinski stated with that being said that he is only trying to let the Council be aware that we have an obligation with this being a costly endeavor; and that there should have been a plan put together by the Plan Commission for the funds to be there when annexing this property, with the time line running out.

President Mack stated there was a motion and a second with the proposed resolution being approved by the following vote: **AYES:** Council members Dabney, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, and Tillman (9). **NAYS:** None (0).

ORDINANCES

The Clerk read the following proposed ordinance on first reading by title only, **AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET IN THE CITY OF MICHIGAN CITY LOCATED BETWEEN U.S. 12 AND THE ABANDONED RAILROAD RIGHT OF WAY AT 1501 EAST 2ND STREET**

Introduced by: Bryant Dabney
Angie Nelson Deutch

President Mack asked if the authors had anything to add this evening.

Councilman Dabney stated this is a piece of property that the City owns and with vacating this property to Jinco Inc. it will allow more development in this area located at 1501 East 2nd Street.

President Mack asked if there were any comments from the public.

Attorney Hesser representing Jinco, Inc. addressed the Council explaining what their future plans were.

President Mack asked if the Council had any comments or questions, there was no response; stating the proposed ordinance will be held over to second reading at the May 4, 2021 Council meeting.

The Clerk read the following proposed ordinance on first reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE GENERAL FUND FOR PRINTING, ADVERTISING, AND CONTRACTUAL SERVICES FOR THE MICHIGAN CITY CLERK'S OFFICE**

Introduced by: Michael Mack
Tracie Tillman
Paul Przybylinski
Don Przybylinski
Sean Fitzpatrick

President Mack asked if any of the authors had any comments.

Councilman D. Przybylinski stated that it seems that the Clerk's Office is in need of these additional funds to keep City business going, who informs our Council on what is happening, asking for his colleague's support.

Councilwoman Deutch asked to be a co-sponsor.

Councilman Dabney questioned Ms. Neulieb what the \$10,000 being appropriated and is going into their contractual service fund.

City Clerk Neulieb addressed Councilman Dabney's question advising that the majority of these funds will be used to send ordinances that have been adopted by this Council

to municode and then be codified to our existing ordinances that have been created or amended in the past; our ordinances when adopted are also posted on our Municipal Code web page to review if need be prior to being codified into our next supplement to update our books.

Councilman Simmon's also asked to be a co-sponsor.

Councilman P. Przybylinski commented on the work that is done in the Clerk's Office being an important part of how the City functions on a daily basis; thanking the Clerk and Dawn for their dedicated work; with President Mack agreeing.

President Mack asked if there were any public comments at this time.

Chris Bukley, 1403 Lake Shore Drive asked the City Clerk how much it cost for each individual ordinance when getting it codified and posting them on our web site.

Clerk Neulieb advised Mr. Bukely that it depends on the size of the ordinance, if it is being amended, creating new section, if there are attachments or exhibits; basically, what is being sent.

President Mack asked if there were any other comments from the public; there was no response.

President Mack asked if there were any comments from the Council.

Councilwoman Deutch questioned if this council was making more changes; Ms. Neulieb advised that with COVID hopefully coming to an end; this council has updated and amended more of the City's Ordinances/Laws than we have since 2019.

President Mack asked if there were any other comments from the Council.

President Mack stated that we have talked about changes/amendments that are need in several of our ordinance due to how our world is changing on a daily bases; and that some laws need to be amended due to technology updates that our happening within our city, state laws, etc.; stating there was no other comments this ordinance will be held over on second reading at our May 4, 2021 Council meeting.

The Clerk read the following proposed ordinance by title only, **CREATING SEC. 2-326 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO REQUIRE COUNCIL PRE-APPROVAL FOR ALL GRANTS HAVING A LOCAL MATCH & REQUIRING THE PRESENTATION OF DOCUMENTATION AND DETAILED INFORMATION ABOUT THE GRANT TO THE COUNCIL**

Introduced by: Angie Nelson Deutch
Paul Przybylinski

President Mack asked if either of the Authors had anything to add.

Councilwoman Deutch stated that she sent out the following proposed ordinance amending by substitution with a copy sent to the City Clerk's Office.

MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. _____

CREATING SEC. 2-326 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO REQUIRE COUNCIL PRE-APPROVAL FOR ALL GRANTS HAVING A LOCAL MATCH & REQUIRING THE PRESENTATION OF DOCUMENTATION AND DETAILED INFORMATION ABOUT THE GRANT TO THE COUNCIL

WHEREAS, the Common Council is periodically asked by the City Administration to approve funding for a local match for a grant application; and

WHEREAS, in order to make an appropriate decision regarding whether applying for a grant is in the best interests of the City and its citizens, the Common Council and the public need to receive detailed information about the grant in a timely manner.

WHEREAS, existing forms Notice of Application for a Grant (Exhibit A) and Grant Setup (Exhibit B) will be required by all departments, boards or commissions submitting grant applications.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the Council of the City of Michigan City that Sec. 2-326 is created in Chapter 2 of the Michigan City Municipal Code and shall read as follows:

Sec. 2-326. Pre-approval of Grant Application Requiring a Local Match.

- a. Council approval is required before any grant application having a local match requirement, other than a grant for which the match is to be paid or funded by the Sanitary District and Water Department, is submitted by any City Department, Board or Commission. Exhibits A and B are required with grant submissions. As a precondition to giving its approval for a grant application requiring such a local match, the Council needs to be provided all of the following information at 3 weeks before a Council meeting wherein a vote is to be taken on whether to approve applying for the grant is to be taken:
 1. Name of grantor and grant title.
 2. Why it is beneficial to the city to apply for the grant.
 3. The purpose of the grant and the proposed use of grant funds.
 4. The person who will be responsible for managing the grant for the City.
 5. All relevant time frames and schedule, including any deadlines for the submitting the application and closing out the grant.
 6. The amount of any required or proposed City monetary match or voluntary contribution and the proposed source for the matching funds and contribution.
 7. The description of the types and sources of any in-kind match or contribution.
 8. Whether the Controller wishes to have a new, separate fund created for the grant.
- b. The proponent of appl for the grant shall be available to attend a Council Finance Committee meeting or workshop to provide information and answer questions about the grant.
- c. If, due to circumstances beyond the control of the proponent, it is not reasonably possible to meet the deadline state above in "a", the proponent may seek the permission of the Council President for a tardy submission and, in those unusual circumstances, the Council President may call a special meeting of the Council.

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

Councilwoman Deutch made a motion to amend the proposed ordinance by substitution requesting to complete Exhibit A & B and remove the Park Department, second by Councilman P. Przybylinski.

The amended proposed ordinance by substitution was adopted by the follow vote:

AYES: Council members Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman and Bryant (9). **NAYS:** None (0).

President Mack asked if there were any comments from the public; there was no response.

President Mack asked if there were any questions or comments from the Council; there was no response, advising the proposed amended ordinance will be held over on second reading at the May 4, 2021 Council meeting.

The Clerk read the following proposed ordinance on first reading by title only,
CREATING ARTICLE V IN CHAPTER 26 OF THE MICHIGAN CITY MUNICIPAL CODE TO REQUIRE A PERMIT FOR SHORT TERM RENTALS & CREATING SEC. 50-167 IN CHAPTER 50 OF THE MICHIGAN CITY MUNICIPAL CODE TO CREATE A PERMIT FEE AND FINE

Introduced by: Dalia Zygas
Bryant Dabney

President Mack asked if the authors had anything to add at this time.

Councilwoman Zygas explained that Michigan City is rated one of the top ten cities for short term rentals; with some of our City residents asking the city to address their concerns regarding violation broken during the summer months; noise, parking, trash, codes and laws that are not being followed.

Councilwoman Zygas advised when the proposed ordinance is adopted, an application will be required by the landlords who own short term rentals to be completed and filed at the Michigan City Planning and Inspection Department each year in order to receive their permit with a list code/violations that have to be followed.

Councilman Dabney advised that 90% of this proposed ordinance is pulled from state laws; and their permit would have to be displayed on the side of the house that was received from the City, so if a violation happens the MCPD would be able to get the information of who the owner is and how to contact them immediately; and that he didn't feel the fines were out of line for any of the violations; all we want to know is that our permanent residents have quality of life.

Discussion ensued between Councilwoman Zygas, and Councilwoman Tillman, regarding the \$150.00 permit fee questioning the account this money would be going into within the City and how long each permit is good for.

Councilmen D. Przybylinski and Simmons asked to be added as co-sponsor.

Councilwoman Deutch stated that she knew the MCFD does not inspect rental properties with less than three units and that she spoke with someone from the Laporte County Tourism and that the county already receives a percentage of what short term rentals charge, that this permit is their for information for the Police Department to be able to contact that is renting the property and that the fire department should be contacted to see if they have anything they would like to add to this proposed ordinance.

Councilwoman Deutch also asked to be added as Co-sponsor.

Councilman P. Przybylinski questioned if any of these properties in question are inspected at this time; questioning if we have an ordinance that landlords follow; there was no response; asking several questions regarding the proposed ordinance about procedures that are going to have to be addressed to follow what is being proposed.

Councilman Dabney addressed Councilman P. Przybylinski advising that he and Councilwoman Zygas met with MCPD Chief Campbell and City Planner Skyler York to discuss how the proposed procedures would be handled when tickets are turned in; and

also commenting about inspections that will be followed; asking if Mr. York was in attendance to give some input about this.

Attorney Meyer stated the Indiana legislature have placed very limited restriction about what the City can require in regard to short term rentals; stating that this ordinance maximizes what the Indiana legislation allows; with inspections not being allowed to be done.

Councilman Fitzpatrick stated he understand to regulate things; that he feels this isn't something that needs to be addressed at this time, stating several reasons why he wouldn't be supporting this.

Councilman D. Przybylinski asked to be added as a co-sponsor; with Councilman P. Przybylinski commenting on his findings regarding the process of this ordinance and who or what office is going to be responsible to follow what has to be done when adopted and there is violations; that he feels that we don't have all the details to move forward on this.

Councilman D. Przybylinski made a motion to TABLE the proposed ordinance, second by Councilwoman Tillman.

President Mack stated there is a motion and second to TABLE the proposed ordinance with the proposed ordinance being TABLED by the following vote: **AYES:** Council members Mack, Deutch, D. Przybylinski, Simmons P. Przybylinski, Tillman and Fitzpatrick (7). **NAYS:** Council members Zygas and Dabney (2).

Councilwoman Zygas started to comment on the language in the "short term rental" ordinance that was TABLED.

Councilman D. Przybylinski called "Point of Order" stating that once an ordinance is TABLED there is no further discussion.

President Mack stated that since there is more discussion he asked for a workshop to scheduled.

Clerk Neulieb questioned about TABLED until when.

President Mack advised the proposed ordinance will be TABLED until there is a workshop.

The Clerk read the following proposed ordinance on second reading by title only,
ESTABLISHING DEADLINES FOR THE PREPARATION AND SUBMISSION OF DRAFTS OF THE PROPOSED ANNUAL CITY BUDGETS AND TAX LEVIES TO THE COMMON COUNCIL

Introduced by: Sean Fitzpatrick
Co-sponsor: Paul Przybylinski
Angie Nelson Deutch
Tracie Tillman

President Mack asked if the authors had anything to add at this time.

Councilman Fitzpatrick made a motion to amend the title to read as follows:
CREATING SEC. 2-325 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO ESTABLISH DEADLINES FOR THE PREPARATION AND SUBMISSION OF DRAFTS OF THE PROPOSED ANNUAL CITY BUDGETS AND TAX LEVIES TO THE COMMON COUNCIL, the motion was second by Councilman P. Przybylinski.

President Mack stated the amendment was approved by the following vote: **AYES:** Council members Deutch, D. Przybylinski, Simmons, Zygus, P. Przybylinski, Tillman, Dabney, Fitzpatrick and Mack (9). **NAYS:** None (0).

Councilman Fitzpatrick stated that this was discussed at today's Finance Committee with the committee wanting to modify some of the language to allow a little extra time so it doesn't read that we are requesting the entire budget by July 6th for approval; but to receive a copy of each of the departments budgets their proposed 2022 budgets turned into the administration; so the Council can review what the Mayor receives; that we are not trying to undermine what they need to do but want to have ample time to do what they feel needs to be done to make changes if need be.

Councilwoman Deutch also stated that in a recent meeting we had with the Park Department they stated each year they turn in raises to the Mayor what their wants were; so we are asking to see what each department actually turns in to the Mayor to understand cuts he is making.

Councilman Dabney asked so we are asking to look at what each department proposed prior to the Mayor reviewing them and prior to the Mayor meeting with each department; with Councilwoman Deutch advising yes and that the Council has the right to see what a department is asking for; with past practice of year after year not being able to do anything about it; good example is the Park Departments situation.

Councilman D. Przybylinski stated that he spoke to a person who is experienced in financing and doing budgets in the County and thought that June was too early to ask the City to have their budget to the Council, but did agree that the first part of August would work; and do receive the worksheets like Councilwoman Deutch stated.

Councilman P. Przybylinski commented on as many times he has worked on budgets over the years; stating that last year he felt that the Finance Committee was too rushed when going through the 2021 budget, transparency is so important; change is good asking to work together with this year's budget with a better timeframe.

Councilman Fitzpatrick made a motion to TABLE this on second reading until the May 4, 2021 Council meeting, second by Councilwoman Deutch.

President Mack stated there is a motion to TABLE the proposed ordinance until the May 4, 2021 Council meeting, second by Councilwoman Deutch, with the motion to TABLE approved by the following vote: **AYES:** Council members D. Przybylinski, Simmons, Zygus, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack, and Deutch(9). **NAYS:** None (0).

The Clerk read the following proposed ordinance on second reading by title only,
**AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY,
LA PORTE COUNTY, INDIANA, FOR PROPERTY CURRENTLY OWNED BY
WOODLAWN HOLDINGS ZERO, L.L.C. - ROSE SERIES, FROM R2B TO
R3B**

Introduced by: Bryant Dabney
Angie Nelson Deutch
Don Przybylinski

President Mack asked if any of the authors had anything to add.

Councilman D. Przybylinski made a motion to have third reading this evening if there was no objection, second by Councilman Dabney.

President Mack asked, all in favor signify by say “AYE” eight responded “AYE” those opposed; Councilman P. Przybylinski signified by saying “NAY”. We will have third reading this evening with a vote of 8 –1.

President Mack asked if there were any public comments, there was no response.

President Mack asked if there were any comments from the Council; there was no response.

President Mack asked the Clerk to read the proposed ordinance on third reading by title only.

Clerk Neulieb read the following ordinance on third reading by title only.

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4578

AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY, LA PORTE COUNTY, INDIANA, FOR PROPERTY CURRENTLY OWNED BY WOODLAWN HOLDINGS ZERO, L.L.C. - ROSE SERIES, FROM R2B TO R3B

WHEREAS, Woodlawn Holdings Zero, L.L.C. - Rose Series (“Petitioner”) filed a Petition (the “Petition”) with the Michigan City Plan Commission (“Commission”) on February 19, 2021 asking that certain property within the boundaries of Michigan City, Indiana be rezoned from R2B to R3B, namely, 312 East 8th Street, Michigan City, IN 46360, Parcel ID No. 46-01-29-431-019.000-022, more particularly described as follows:

The South 35 feet of Lot 7; all of Lots 8 and 9; and Lot 10, Except the North 40 feet thereof, also a strip 15 feet wide off the West side of the North end of 25 feet of Lot 10; all in Block 46 in Elson's Original Survey of Michigan City (as carried on the transfer records of the La Porte County Auditor).

(hereafter the “Property”)

WHEREAS, following the filing of the Petition the Commission scheduled a public hearing on the Petition for March 23, 2021; and

WHEREAS, at that public hearing the Commission found that the Petitioner properly gave the necessary notice of the filing of the Petition and of the date and time of the public hearing thereon by publication in the manner prescribed by Ind. Code § 5-3-1-1 et. seq.; and

WHEREAS, the Commission conducted the public hearing on the Petition as advertised and noticed on March 23, 2021, and following said hearing, determined that the Property should be rezoned from R2B to R3B, all as permitted by the Joint Zoning Ordinance and Indiana law, and on March 23, 2021, certified the Commission's findings and determinations, including those required by Ind. Code § 36-7-4-603, and delivered this proposed Ordinance to

the Common Council with a favorable recommendation for passage, all as shown in the Certification attached hereto as Exhibit 1 consisting of four (4) pages; and

WHEREAS, the City Clerk, on behalf of the Common Council, provided the necessary public notice of the Council's intention to consider the proposed change in the zoning map as required by Ind. Code § 5-14-1.5-5; and

WHEREAS, the Council has paid reasonable regard, consideration, and attention to the recommendation of the Commission, to the documentation and other evidence presented to the Council regarding the proposed zoning change, and to the legal requirements applicable to the Council's decision, including, as required by Ind. Code § 36-7-4-603, the City's comprehensive plan; the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; then conservation of property values throughout the City; and responsible development and growth.

NOW, THEREFORE, BE IT ORDAINED by the Michigan City Common Council, pursuant to applicable laws, including Ind. Code § 36-7-4-608, that:

1. The Council finds, based on all the evidence before it, that:
 - A. The requested change in zoning for the Property from R2B to R3B is compatible with the City's comprehensive plan, the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; the conservation of property values throughout the City; and responsible development and growth;
 - B. The requested change in zoning will provide for the most reasonable use for which the Property is adapted and the proposed land use will not have an adverse effect on surrounding land;
 - C. The requested change in zoning will not be injurious or detrimental to the surrounding property values and will further the conservation of property values throughout the City.
 - D. The requested change in zoning will promote orderly and responsible community growth and development and will not adversely affect the community.
 - E. The topography, soil condition, and other physical features of the land involved are suitable for the proposed use and zoning change.
 - F. The change in zoning is not "spot zoning" which will confer a special benefit on a relatively small tract without commensurate benefit to the community; and
 - G. The change in zoning will not disrupt or destroy any neighborhood plan.

2. The Council finds that it is in the best interests of the City of Michigan City and its citizens that the Council accept and approve the recommendation of the Commission that the requested change in the City's zoning map be approved by the Council.

3. The zoning for the Property, situated at 312 East 8th Street, Parcel ID No. 46-01-29-431-019.000-022, be changed from R2B to R3B; and the zoning map of Michigan City, Indiana shall be amended to reflect this change; and the amended zoning map shall hereafter be available in the Planning Department office and with the City Clerk for review and copying by the public.

4. The Clerk of the Michigan City Common Council shall furnish a certified copy of this Ordinance to the La Porte County Recorder in order that the same may be placed of record in the records of the Recorder's Office.

Introduced by: /s/Bryant Dabney, Member
Michigan City Common Council

/s/ Angie Nelson Deutch, Member
Michigan City Common Council

Don Przybylinski, Member
Michigan City Common Council

President Mack asked if any of the Authors had anything to add.

Councilman D. Przybylinski stated that this is the old library on 8th Street that is being turned into a bed and breakfast and is the reason they wanting to change the zoning from R2B to R3B.

President Mack asked if there were any comments or questions from the public; there was no response.

President Mack asked if there were any comments from the Council.

Councilman D. Przybylinski made a motion to approve the proposed ordinance, second by Council member Dabney and Deutch.

The motion was approved by the following vote: **AYES:** Council members Simmons, Zygus, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack, Deutch and D. Przybylinski (9). **NAYS:** None (0).

The Clerk read the following on second reading by title only, **CREATING SEC. 2-411 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO CREATE AN ARPCORONAVIRUS LOCAL FISCAL RECOVERY FUND TO RECEIPT FUNDING AWARDED TO THE CITY THROUGH THE AMERICAN RESCUE PLAN ACT (ARP) OF 2021**

Introduced by: Michael Mack
Angie Nelson Deutch
Don Przybylinski
Paul Przybylinski

President Mack asked if any of the authors had anything to add.

Councilman D. Przybylinski asked if there was no objection, he would like to have third reading this evening, second by Councilman P. Przybylinski.

President Mack asking, all in favor signify by say "AYE" all responded "AYE" those opposed; there was no response. We will have third reading this evening with a vote of 9 0.

Councilwoman Deutch stated this is an ordinance that creates the fund for the American Rescue Plan monies the city is receiving from the Federal government; and that the City has until 2024 to spend these funds.

President Mack asked if there were any comments from the public.

Chris Bukley, 1403 Lake Shore Drive, asked what these monies can be spent on.

Councilman P. Przybylinski addressed Mr. Bukley's question advised that there are several avenues the City can go and there will be workshops scheduled to receive input from our community.

President Mack asked if there were any other public comments; there was no response.

President Mack asked if there were any Council comments.

Councilwoman Deutch addressed Mr. Bukley advising there is a list explaining where this monies can be spent in the proposed ordinance, with even more information in the National League of Cities that spells out what these monies can be spent on.

Councilman Dabney asked Mr. Bukley to contact him advising that the council had a power point presentation and that he would be glad to send it to him.

President Mack asked if there were any other Council comments; there was no response.

The Clerk read the following ordinance on third reading by title only,

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4579

CREATING SEC. 2-411 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO CREATE AN ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND TO RECEIPT FUNDING AWARDED TO THE CITY THROUGH THE AMERICAN RESCUE PLAN ACT (ARP) OF 2021

WHEREAS, the federal government has recently enacted the American Rescue Plan Act of 2021 (hereinafter referred to as "ARP") as a result of which the City of Michigan City, Indiana is anticipating receiving approximately \$16.7 million dollars in federal government assistance as a result of the financial impacts the City has sustained from COVID-19; and

WHEREAS, on March 18, 2021, the Indiana State Board of Accounts (hereinafter referred to as "SBOA") issued State Examiner Directive 2021-1 and Memorandum to Indiana counties, cities, and towns regarding the accounting process for ARP funding; and

WHEREAS, pursuant to the aforementioned SBOA guidance, each unit of government that receives an allocation from the Coronavirus Local Fiscal Recovery Fund under Section 603 of the Social Security Act, as added by Section 9901 of the ARP, shall establish, by ordinance, a separate grant fund to receipt ARP funding; and

WHEREAS, the need exists to now establish an ARP Coronavirus Local Fiscal Recovery Fund for the City to receipt ARP and to comply with the aforementioned directives recently issued by the SBOA.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, Indiana, that Sec. 2-411 be created in Chapter 2 of the Michigan City Municipal Code to read as follows:

Sec. 2-411. ARP Coronavirus Local Fiscal Recovery Fund.

There is hereby created an American Rescue Plan Act of 2021 (ARP) Coronavirus Local Fiscal Recovery Fund, which shall be known as “ARP Coronavirus Local Fiscal Recovery Fund #0176.” All monies received from the Coronavirus Local Fiscal Recovery Fund must be receipted into this Fund. In accordance with Section 603(c) of the Social Security Act, as added by Section 9901 of the ARP, the monies in this Fund may only be used for the following purposes:

“(1) USE OF FUNDS.—Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024;

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.”

The City, by and through the Mayor and the Common Council, shall develop a plan that will provide the specific details for the use of these Funds, in compliance with the above stated limitations, which will be formally adopted by means of a Resolution of the Council approved by the Mayor. Before money in this Fund is disbursed pursuant to said plan, the money in the Fund must be appropriated for the purposes stated in the plan.

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

INTRODUCED BY: /s/ Michael Mack, President
Michigan City Common Council

/s/ Angie Nelson Deutch, Member
Michigan City Common Council

/s/ Paul Przybylinski, Member
Michigan City Common Council

/s/ Don Przybylinski, Member

Michigan City Common Council

President Mack asked if any of the authors had anything to add.

President Mack explained what this ordinance is referring to that this is creating the fund to put the money we are receiving into; before planning and processing where it should be spent.

President Mack asked if there were any comments from the public; there was no response.

President Mack asked if there were any questions or comments from the Council.

Councilman D. Przybylinski made a motion to approve the proposed ordinance, second by Councilman Przybylinski.

The ordinance was adopted by the following vote: **AYES:** Council members Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack, Deutch, D. Przybylinski and Simmons (9). **NAYS:** None (0).

The Clerk read the following ordinance on second reading by title only,
AMENDING ORDINANCE NO 4549 COMMONLY KNOWN AS THE Reading
“2021 SALARY ORDINANCE” TO INCREASE THE HOURLY RATE OF PAY FOR
ADMINISTRATIVE ASSISTANTS IN THE PARK DEPARTMENT

Introduced by; Dalia Zygas
Michael Mack
Bryant Dabney

President Mack asked if there were any comments from the authors this evening.

Councilman Dabney commented about statements that were made at the last meeting that these increases should have been put in the 2021 proposed budget; with him advising that there were no raises in the last budget; with the direction from the administration and Controller not to increase anyone's pay.

Councilwoman Zygas stated that we are trying to bring the pay scale to what other departments are receiving within the City, as well as to get the best person for the job.

President Mack stated that he would be supporting this due to this position being at the lower pay scale within the city.

President Mack asked if there were any comments from the public.

Shannon Eason, Park Asst. Superintendent addressed the Council regarding not being able to get a pay raise for this position during the last seven budget cycles that they proposed to the administration; agreeing with Councilwoman Deutch that the council should be able to see what the department heads are turning in to the administration each year.

President Mack asked if there were any comments from the public; there was no response.

Councilman Fitzpatrick agrees with all of the sentiments that have been brought up, that the pay is far too low and that the Council should have input if and when a department head proposes a pay raise when turning their budgets in each year; stating that he still disagrees with this ordinance being proposed at this time and the 2022 budget is being proposed in the next few months and can be addressed along with other pay raises that may need to be addressed.

Councilman P. Przybylinski stated he has the same sentiments as Councilman Fitzpatrick and that an employee who has worked for the city for years in this position couldn't receive a raise and now that she is gone the Park Department is coming to the council to give this position a pay raise.

Councilman D. Przybylinski reiterated what he said at the last council meeting; agreeing with both Council members Fitzpatrick and P. Przybylinski regarding the budget being so close and needing to wait to address these pay raises at this time; advising that he feels the Park Department knew that the person that held this position was going to retire long before her last day; why the Park Department come to the council prior to her leaving knowing they wouldn't be able to fill this position at the rate of pay it is at now.

Councilman Dabney stated when listening to Councilman D. Przybylinski and is trying to figure how he understands the budget that even if don tells Shannon to give everyone a raise in the park department and every other department head gives their department a raise across the board; the budget still goes thru the Mayor which eventually comes through the council; stating it is the Mayor's budget not the city council budget; advising that even if Shannon would of asked to appropriate money for this raise it would still have had to come from the Mayor to start to do so; stating I'm lost it seems Councilman D. Przybylinski doesn't understand the process of the budget

Councilwoman Deutch questioned if she was correct that the position hasn't been filled as of today with Ms. Eason advising there is only vacancy a administrative assistance they need to fill, that the Park Department has a payroll clerk and they are asking for raises for both these positions; also questioning that this ordinance was approved to bring it to the Council by the Mayor, with Ms. Eason stating that the Mayor gave her a verbal notice to bring this to the council.

Ms. Eason informed Councilman D. Przybylinski that she has tried to get this position a pay raise for the last seven years and was unable to and isn't something I haven't asked for previously.

Councilman Fitzpatrick stated that we do understand it is the Mayor's budget, but we also understand that there is thing called negotiations; stating that if there are things the Mayor wants or doesn't want the Council will negotiate and work together.

Councilwoman Zygas stated the budget process is starting but this employee if getting a raise, her pay raise will not start until January 1, 2022 which is months away.

Councilman D. Przybylinski stated that after he explained his position this evening; Councilman Dabney made a comment the he needed to know how the

budget process works; making a statement for the record that Councilman Dabney needs to stop impeaching other Council members comments.

President Mack asked if there were any other Council comments, there was no response, stating the ordinance will be held over on third reading at our May 4, 2021 Council meeting.

NEW BUSINESS

President Mack stated that the Council has one (1) appointment to the Youth Leadership Commission representing “Marquette High School” (term expires 06-01-21) Incumbent Travon Moore.

President Mack stated the Mayor is requesting the advise and consent of the members of the Michigan City Common Council regarding his appointment of Ms. Renee Bauer as a member of the Michigan City Board of the Cemetery Trustee (term will begin immediately and expire December 31, 2022) Ms. Bauer will be replacing Mr. Leonard Fedder’s remaining term.

President Mack asked if there was any objection to approve the Mayor’s request; there was no response; with Councilman D. Przybylinski making a motion to approve the Mayor’s requestions, second by Councilwoman Deutch.

President Mack asking, all in favor signify by say “AYE” all responded “AYE” those opposed; there was no response and Ms. Renee Bauer is appointed to the Michigan City Board of the Cemetery Trustee.

UNFINISHED BUSINESS

President Mack stated the Council has one (1) appointment to the Michigan City Scholarship Exception Committee term expiring 05-01-2021. **Incumbent** – Mr. Ryan Labis; advising that nominations will take place at the April 6, 2021 Council meeting.

Clerk Neulieb advised that her office received a completed application Mr. Ryan Labis

Councilman D. Przybylinski nominated Ryan Labis to the Michigan City Scholarship Exception Committee, second by Councilman P. Przybylinski.

President Mack stated the vote will take place at the May 4, 2021 Council meeting.

COMMENTS FROM THE PUBLIC

President Mack asked if there were any comments from the public; there was no response.

COMMENTS FROM THE COUNCIL

President Mack asked if there were any comments from the Council this evening.

Councilman P. Przybylinski commented on the poles that are no longer used but still located along all the streets in the City, advising that he requested the Board of Works Safety Board months ago to address how to get them removed; advising that the City is finely making headway with the removal of these poles within our community.

Councilman P. Przybylinski commented on the ugly rusted steel poles that NiSource is placing in the Uptown Art District due to the Double Track Project on 11th Street that these poles are taking away the ambiance in the art district; also asking why NiSource is not getting street closure orders to the City for approval or letting the administration know what their future plans are in the downtown area; and that our City Planner did know what NiSource/NITD was planning in our downtown area.

Councilman P. Przybylinski requested that the City Engineer give the Council a report regarding how much the City is saving from the replacement of the LED lights throughout the city; advising that the budget is coming soon and it would be a great idea to put more lights in neighborhoods throughout the City to make them safer.

Councilwoman Tillman advised that she also sat in on the BOW meeting yesterday; asking if there is anyway in regards to the double tracking project be added to the City's web page updating what is happening on regular bases; stating their has to be another way to keep the citizens of Michigan City informed on what is happening on daily or weekly bases.

Councilman D. Przybylinski commented on the great job the "Green Clean" is doing, reminding everyone that this Thursday April 22, 2021 is "Earth Day"; that he is sure everyone will be out doing their best to clean up our community.

Councilman D. Przybylinski commented on what Councilman P. Przybylinski was addressing about NiSource/NICTD Double Tracking Project that is starting, that if City doesn't get a grasp on what is happening as far as road closure, construction, demolitions between 11th Street and 7th Street now the community is going to be in chaos; the administration should try and have weekly meetings with NICTD and NiSource.

Councilwoman Deutch stated that when she was responsible for the job at NiSource prior to what she is doing now, making sure that everyone was informed on what was happening on a daily bases regarding all projects NiSource was doing; advising there is a form that can be completed and sent out to everyone that needs to be informed and notified; that the city needs to look at what is happening regarding road closure and control of traffic.

Councilwoman Zygas stated that she is on a "County" list regarding roads that are closed in the County and is sure that NiSource, NICTD, and the City could do something similar.

Councilwoman Zygas updated where LaPorte County is with COVID-19; advising that they are going to have attendants at the main entrance of the park to monitor who is going and out.

Councilwoman Zygas stated that information on her web page has the survey for the citizens input regarding what they would like to see happen at "Water Tower Park" that can be completed, advising on May 1, 2021 at the Farmers Market the Tree Board will be handing out a free tree while the supply last, a web page to attend for \$15.00 to learn how to take care of trees, and all 7th graders on May 7th are going to participate in "Better World Day".

Councilman Fitzpatrick stated that we need applicants from our community to get our Youth Commission going again; that you can contact the Clerk's Office to find out more information.

Councilman Fitzpatrick thanked the Union entities for their letters and appreciates the feed back that more people should engage with our Council letting us know what is on your mind; and that today is April 20, 2021 stating that he still doesn't haven any confidence in Duane Parry.

Councilman P. Przybylinski stated in support of Councilman D. Przybylinski that it is getting tiresome to keep listening to Councilman Dabney impeach things that other Council members have to say.

President Mack stated that he would replay the Council meeting; that there should be a debate, encouraging everyone that is listening to the meeting to replay and listen to all comments that are made.

President Mack stated that he is joining Council members Zygas and Dabney on May 7th for "Better World Day" with all the 7th graders in our city.

President Mack reminded everyone to fill out the form regarding the Water Tower Park project, wanting the input and ideas from our citizens; and also to let your Council members know how you would like to see our City spend the ARP monies we received from the Federal government.

ADJOURNMENT

A motion by Councilwoman Deutch, supported by Councilman Fitzpatrick; there being no further business to transact, President Mack declared the meeting

ADJOURNED (approximately 8:52 p.m.)

Gale A. Neulieb