

REGULAR HYBRID/ZOOM MEETING -

May 16, 2022

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, May 02, 2022, at the hour of 8:30 a.m., hosted by "Hybird/Zoom" and streaming live on "My Michigan City" Facebook page.

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

Noted present in person: Virginia Keating, Michael Vinson, and Mayor Parry (3), Absent: None (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich-Stalbrink, Corporate Counsel
Brad Minnick, City Engineer
Chief Dion Campbell, M.C.P.D.
Sergeant Steve Forker, M.C.P.D. Traffic
Terry Greetham, Special Event Director
Andrew White, Alco TV
Christine Vanderborg, Code Enforcement
Shong Smith, Director M.C. Central Services
Chris Yagelski, Mayor's Administrator

Gale Neulieb, City Clerk
Stacy Dudley, Deputy Clerk

APPROVAL OF MINUTES

Mayor Parry moved to approve the minutes of the Regular "Hybird/Zoom" meeting of April 18, 2022 and May 02, 2022; seconded by President Keating. The minutes were approved by the following vote: AYES: Board of Public Works and Safety members, Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries.

ENTERTAINMENT SERVICE AGREEMENT - Terry Greetham, Special Event Director is requesting the following entertainment agreements to be approved to perform during the Singing Sands Sand Sculpting Festival at certain times from June 3 - 5, 2022

- Hurricane Reggae Band
- Sofa King Revolution
- Derek Caruso & Blues Fuse
- Audios Pantolones
- Invisible Cartoons
- Together Band
- Cadillac Starship
- Dave Weindt

Terry Greetham stated that the bands will start playing Friday evening until Sunday at 7:00 p.m.

President Keating asked if there were any comments from the public, there was no response.

President Keating asked if any of the BOW members that had any questions or comments, there was no response.

Mayor Parry made the motion to approve the entertainment agreements to perform during the Singing Sands Sand Sculpting Festival at certain times from June 3 – 5, 2022. The motion was seconded by Vice-President Vinson and carried as follows: **AYES:** BOW members Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries.**

SPONSORSHIP AGREEMENT- An agreement between the Board of Public Works and Safety and LaPorte Chrysler Dodge Jeep Ram for their Sponsorship at “Singing Sands Sand Sculpting Festival” held on June 3-5, 2022 at Washington Park

Terry Greetham stated that Chrysler will be displaying four (4) of their custom-built high-rise jeeps at the festival.

President Keating asked if there were any comments from the public, there was no response.

President Keating asked if there were any comments from the board.

Mayor Parry stated that after the City refused to pay for the fireworks and Chrysler offered to pay for the cost if we allowed them to display vehicles.

Vice President Vinson made the motion to approve the agreement between the Board of Public Works and Safety and LaPorte Chrysler Dodge Jeep Ram for their Sponsorship at “Singing Sands Sand Sculpting Festival” held on June 3-5, 2022, at Washington Park; the motion was second by Mayor Parry and carried as follows: **AYES:** BOW members Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries.**

VENDOR AGREEMENT REQUEST- Terry Greetham, Special Events Director is requesting approval for the following “Singing Sands Sculpting Festival” vendors to participate and sell their goods at this Festival starting June 3-5, 2022, at Washington Park

- **Abigail Harmon – House of Sticks N Stones**
- **Bridget Weaver – The Elegant Hippie**
- **William Holloway – Scooter’s BBQ**
- **Kay Harmon – Elegant Glass Designs**
- **Samvon Abramov**

Terry Greetham stated that four (4) of these are merchandise/craft vendors and Scooter’s BBQ is a food vendor.

President Keating asked if there were any comments from the public at this time, there was no response.

President Keating asked if there were any comments from the Board, there was no response.

Vice President Vinson made a motion to approve vendors to participate and sell their goods at this “Singing Sands Sculpting Festival” starting June 3-5, 2022, at Washington Park, second by Mayor Parry and approved by the following vote: **AYES:** BOW members, Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries**

OPEN BIDS FOR SURPLUS BUSES- 2022 Sale of Surplus Vehicles (Rolling Stock - Transit Buses)

- 2013 Freightliner- Legacy #40**
- 2013 Freightliner- Legacy #42**
- 2013 Freightliner- Legacy #44**
- 2015 Freightliner- Legacy #48**
- 2015 Freightliner- Legacy #50**

Amber Lapaich-Stalbrink, Corporate Counsel asked if there was any member of the public that would like to submit a bid, there was no response.

President Keating asked for a Motion to close the bids.

Mayor Parry made a motion to close the bids, second by Vice President Vinson and carried as follows: **AYES:** BOW members Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries.**

Amber Lapaich-Stalbrink stated that the Board received sealed three (3) bids

1. Jason Stimley- 2015 Freightliner bus #48 for \$3,900.00
and also bid on 2015 Freightliner bus #50 in the amount of \$3,900.00
2. James Troike – 2015 Freightliner bus #48 in the amount of \$3,600.00
3. Robert Enamorado- Freightliner bus #48 in the amount of \$3,700.00,
also bid on 2015 Freightliner bus #50 in the amount of \$3,700.00, and 2013 Freightliner
bus #40 in the amount of \$3,700.00

Mayor Parry made a motion to have the bids reviewed by Amber Lapaich-Stalbrink and Robin Tillman, Transit Director and to return with their recommendations at the next meeting on June 6, 2022, second by Vice President Vinson and carried as follows: **AYES:** BOW members Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries.**

APPLICATION FOR A VENDOR LICENSE- Jonathan Flores, Restoration Builder, Inc. is requesting a vendor/peddler license to go door to door to solicit business for his contracting business “Restoration Builders, Inc.”

Johnathan Flores, 1022 Richard Avenue addressed the Board stating that he is asking permission to have his salesman go door to door selling restoration services.

President Keating asked Amber Lapaich-Stalbrink, Corporate Counsel if she has had a chance to look over this matter.

Amber Lapaich-Stalbrink stated that yes, she reviewed this matter, and all paperwork is in order.

President Keating asked if there were any public questions or comments, there was no response.

President Keating asked if there were any Board questions or comments.

Further discussion ensued between Mayor Parry and Mr. Flores regarding the salesman going door to door.

Mayor Parry made the motion to deny a vendor/peddler license to go door to door to solicit business for his contracting business “Restoration Builders, Inc.”; the motion was second by Vice President Vinson and was approved by the following vote: **AYES:** board members, Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries.**

RETIRE CITY NIPSCO LIGHTS- Brad Minnick, Primera Engineers, Ltd. is requesting on behalf of Walsh/Herzog to retire eleven (11) lights/poles for the Double Track Project

Brad Minnick addressed the Board stating that he had an opportunity to look at these proposed light retirements and they will all remain intact; requesting to rescind his request to retire these lights/poles.

President Keating asked if there any questions or comments from the public, there was no response.

President Keating asked if there were any Board questions or comments.

Further discussion ensued between Mayor Parry and Mr. Minnick regarding the streetlights.

President Keating asked if Mr. Minnick would be withdrawing his petition for this matter; Brad Minnick answered by stating yes, further explaining why the poles will stay in place.

ENERGIZE LIGHTING CABINET REQUEST- Brad Minnick, Primera Engineers, Ltd is requesting to energize four (4) street lighting controller cabinets and one (1) traffic signal along 11th Street in response to NICTD Double Track Project

Brad Minnick addressed the Board stating he would like to keep this matter before the Board, explaining that as the project evolves things will get disconnected and then reconnected during the NICTD Double Track Project.

President Keating asked if there were any comments or questions from the Board.

Mayor Parry stated that he was previously involved in a conversation about the street light controllers needing updates.

Further discussion ensued between Mayor Parry and Mr. Minnick regarding the electrical work for NICTD.

Vice President Vinson made a motion approving the request to energize four (4) street lighting controller cabinets and one (1) traffic signal along 11th Street in response to NICTD Double Track Project; placing this on the pending list, a second was made by Mayor Parry and was approved by the following vote: AYES: BOW members Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries.

AMENDMENT LPA CONSULTING CONTRACT REQUEST-Brad Minnick, Primera Engineers, Ltd. is requesting to amend the LTD-Consulting Contract between Michigan City and Primera Engineer, Ltd for the Michigan City Singing Sands Trail Phase 1 Construction Inspection Services

Brad Minnick, Primera Engineers, Ltd, advised that the Phase 1 Project of the Project runs from LaPorte County Line towards City Hall had a completion date of the Fall 2020 and presently it is still not completed; further explaining why this project is not completed and the cost.

President Keating asked if the Board had any other comments or questions.

Vice President Vinson made a motion to approve Brad Minnick's request to amend the LTD-Consulting Contract between Michigan City and Primera Engineer, Ltd for the Michigan City Singing Sands Trail Phase 1 Construction Inspection Services, with it being second by Mayor Parry and approved by the following vote: AYES: BOW members Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries.

REQUEST TO PURCHASE CITY OWNED PROPERTY- Michael Ainsworth, 1204 W. 7th Street is requesting to purchase City owned Property Parcel No. 46-01-30-485-003.000-022 located on 7th Street

Michael Ainsworth, 1204 W 7th Street addressed the Board stating that the City has owned the property for 20 years and that he owns parcels around the City owned property and that he would like to purchase the City property for \$3,000.00

Amber Lapaich-Stalbrink, Corporate Counsel stated that when there is a request to buy City owned property brought before the Board the Board will then refer it to her office, further explaining the process of the request.

President Keating asked if there were any questions or comments from the Board, there was no response.

Mayor Parry made a motion to refer this matter to Corporate Counsel and bring it back on June 6, 2022, second by Vice President Vinson and was approved by the following vote: AYES: BOW members Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries.

ALLEY CLOSURE REQUEST- Tyler Gonder, Brix Tasting Room, 111 W. 6th Street is requesting to close 100 ft of the alley next to his building from June 4, 2022, at 8:00 a.m. through June 6, 2022 at 12:00 p.m. for an event

Tyler Gonder, 910 S. Carol Avenue addressed the Board stating that the alley behind the Brix Tasting Room is shared parking with the tenants in front on Franklin Street, so he is requesting to close the alley for a tent.

Sergeant Forker, MCPD addressed the Board stating that Captain Loniewski left him notes on this matter, further explaining that the MCPD nor the MCFD have any opposition to closing the alley for this event.

President Keating asked if there were any comments from the public, there was no response.

President Keating asked if there were any questions or comments from the Board, there was no response.

Mayor Parry made the motion to approve the request to close 100 ft of the alley next to his building from June 4, 2022, at 8:00 a.m. through June 6, 2022, at 12:00 p.m. for an event pending certificate of insurance; seconded by Vice President Vinson and was approved by the following vote: AYES: Board of Public Works and Safety members, Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries.

HIGHWAY SAFETY CONCERN- James Hutter, Treasure of Commerce Square Condo Association is requesting a barrier to be placed at the corner of U.S. 12, Highway 35 and Spring Street due to incidences of vehicles jumping the curb causing serious property damage and safety hazard to Commerce Square occupants

Sergeant Forker, MCPD addressed the Board stating that Captain Loniewski's requested that this matter be forwarded to the Traffic Division and the acting City Engineer for a recommendation to be made at the next Board meeting.

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

President Keating asked if there were any Board comments, there was no response.

Vice President Vinson made the motion to refer this matter to the MCPD Traffic Division and acting Engineer for recommendation; seconded by Mayor Parry and were approved by the following vote: AYES: Board of Public Works and Safety members, Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries.

CSX CROSSING CONCERNS- David Hack, 1013 Gardena Street, is requesting that the CSX crossing at Tilden Avenue be reopened with signage and requesting an update plan regarding this crossing

Mayor Parry addressed the Board stating that the work has begun on Ohio and Tilden Street.

President Keating asked Mayor Parry if he knew when the crossings would be finished.

Mayor Parry responded that he does not have an answer to that question at this time.

STREET CLOSURE REQUEST- Allen Shepperson Jr., Commander of American Legion Post 37 is requesting to have their Annual Memorial Day Parade on May 30th from 9 a.m. to 12 p.m. closing Pytinia Parkway to Franklin Street down Decatur Street to Greenwood Cemetery entrance

Sergeant Forker, MCPD addressed the Board stating that this is an annual request and recommend approval.

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

President Keating asked if there were any Board comments, there was no response.

Vice-President Vinson made the motion to approve the American Legion Post 37 Annual Memorial Day Parade on May 30th from 9 a.m. to 12 p.m. closing Pytinia Parkway to Franklin Street down Decatur Street to Greenwood Cemetery entrance; seconded by Mayor Parry and were approved by the following vote: **AYES:** Board of Public Works and Safety members, Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries**

OPENING OF BIDS- Opening of bids for a three-year lease program for eleven (11) Dodge Durango police pursuit packages and one (1) Dodge Ram 1500-police pursuit package

President Keating asked if there was anyone from the public that would like to submit a bid, there was no response.

Mayor Parry made the motion to close the bids; seconded by Vice President Vinson and were approved by the following vote: **AYES:** Board of Public Works and Safety members, Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries**

Amber Lapaich-Stalbrink, Corporate Counsel stated that one bid was received from LaPorte Chrysler Inc., further explaining the details of the cost to lease said vehicles for a three (3) year term.

Vice President Vinson made the motion to refer this matter to Corporate Counsel and MCPD; seconded by Mayor Parry and were approved by the following vote: **AYES:** Board of Public Works and Safety members, Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries**

HDD POLICY AMENDMENT REQUEST- Brad Minnick, Primera Engineer, Ltd and acting City Engineer is requesting to amend the City's HDD Policy regarding fees and distribution of application

Brad Minnick, Primera Engineer, Ltd stated that on average it is about \$100 per permit depending on the length of run being installed, further explaining his recommendation for increase in fees.

Amber Lapaich-Stalbrink, Corporate Counsel stated that Andy Matanic, IT Director expressed concern that if we increased the lineal foot or permit fees how this could hamper economic

development but suggested increasing the inspection fees, further explaining that she would like this to be referred back to her office for review.

President Keating asked if there were any Board comments.

Further discussion ensued between Mayor Parry and Mr. Minnick regarding this matter and tabling it until the next meeting.

Mayor Parry made the motion to refer this matter to City Departments, Engineer, and table this matter until June 6th, 2022 meeting; seconded by Vice President Vinson and were approved by the following vote: AYES: Board of Public Works and Safety members, Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries

PAYROLL DOCKET**May 6, 2022****City Payroll****\$ 616,100.96**

Mayor Parry made a motion to approve the city payroll docket for May 6, 2022. The motion was seconded by Vice President Vinson. The motion was approved by the following votes: AYES: Board of Public Works and Safety members; Parry, Vinson, and Keating (3). NAYS: None (0). Motion Carries.

CLAIMS DOCKET**May 02, 2022**

MUNICIPAL	\$	1,788,900.32
CDBG	\$	79.75
HEALTH & LIFE INS. FUND	\$	244,870.20
WORKERS COMP TRUST	\$	25,123.39
CEMETERY GREENWOOD	\$	2,955.13
(Custodial PM)		
CEMTERY SWAN LAKE	\$	1,439.76
CEMETERY EXT FUND	\$	1,782.20
(Custodial)		
CEMETERY MDSE & COMM	\$	7,102.08
(Custodial)		
OHIO STREET PROJECT	\$	1,250.00
Total Claims -	\$	2,073,502.83

Mayor Parry made a motion to approve the May 2, 2022, Claim Docket in the amount of the total claims of \$ 2,073,502.83, second by Vice President Vinson and approved by the following vote: AYES: BOW members; Parry, Vinson, and Keating (3). NAYS: None (0). Motion Carries.

UNFINISHED BUSINESS

President Keating stated the first item on the pending items/unfinished business list is John Kelly Newcomb, Uplift and Restore, CDC's, request to purchase the old Police Annex Station Building and the property it resides on at 204 Willard Avenue Parcel # 46-01-29-35-30-40-0000-22

Amber Lapaich-Stalbrink, Corporate Counsel stated that Mr. Newcomb has provided her office with all incorporation documentation that he filed with the State of Indiana making his corporate entity a formal entity, further explaining that she needs to address this matter with Skylar York, Planning Director, requesting to keep this matter on until June 6th, 2022 meeting.

President Keating stated the next item up on the pending items/unfinished business is Michael Vinson's, request to use of an alternate detour when Franklin Bridge is not in service.

Mayor Parry stated that he has not had a chance to follow up with this matter and apologizes.

President Keating stated that this would stay on the pending items list for June 6, 2022.

President Keating stated the next item on the pending items/unfinished business is Michael Vinson, Vice President's concerns about trash and blockades on Nahas Street

Vice President Vinson stated that one of the residents wanted to purchase vacant land located next to their property that had lots of garbage and trespassing and the City Department was going to look and see if there was anything that could be done to ease the vandalism.

Brad Minnick addressed the Board stating that he and Skylar York, Planning Director concluded that if anything were to be done there it could hinder the future plans for that site and requesting that this matter be removed from the pending items list.

Vice President Vinson made the motion to remove this matter from the pending items list; seconded by Mayor Parry and were approved by the following vote: AYES: Board of Public Works and Safety members, Keating, Vinson, and Parry (3). NAYS: None (0). Motion Carries

President Keating stated the next item on the pending items/unfinished business is Michael Vinson, Vice President request to repair damaged guard rails on Karwick Road

President Keating stated that this matter will stay on the pending items list until next meeting.

President Keating stated the next item up on the pending items/unfinished business is Carrie McGinty, 225 Charles Street, request to purchase the property owned by the City of Michigan City located behind their property at 932 W. 6th Street

Attorney Lapaich stated that she reached out to real estate which referred her back to Sue Downs, Building Director.

President Keating stated that this matter will stay on the pending items list until next meeting.

President Keating stated the next item on the pending item/unfinished business is a request from Councilman D. Przybylinski regarding the signage at both CSX railroad

crossings at Ohio Street and Tilden Avenue and at the boards previous meetings since November 21, 2021 the former City Engineer and Mayor Parry have been reaching out to CSX and was to addressed at this board meeting to May 2, 2022.

President Keating stated as mentioned earlier this matter is currently being repaired.

Mayor Parry stated that he should have an estimated completion date by next meeting.

President Keating stated that this matter will stay on the pending items list until next meeting.

PUBLIC COMMENTS

President Keating stated that Ivan Quinones, Backyard Butchers is requesting a vendor license to sell frozen and prepared steaks, chicken, and seafood from 10:00 a.m. to 7:00 p.m. at Lighthouse Place from a freight truck.

Ivan Quinones, Backyard Butchers stated that the company Backyard Butchers will be promoting their brand in different communities and the owners of Lighthouse Place, Simon Property Group has given us permission to park the truck and sell their products on their property.

Amber Lapaich-Stalbrink, Corporate Counsel stated that all paperwork is in order.

President Keating asked if the Board had any questions or comments.

Vice President Vinson asked who would be with the truck and tent.

Ivan Quinones answered that an employee will be there full time.

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

Vice President Vinson made a motion to approve Backyard Butchers vendor request for six (6) months; second by Mayor Parry and approved by the following vote: **AYES:** Board of Public Works and Safety members; Parry, Vinson, and Keating (3). **NAYS:** None (0). **Motion Carries**

President Keating stated that Terry Greetham, Special Event Director is requesting the approval of a 2022 Farmers Market Agreement between the City of Michigan City Indiana and Sarah Berndt, Berndt Goods for a total of ten (10) Saturdays between 8:00 a.m. and 12:00 p.m.

President Keating asked if there were any Board comments, there was no response.

Clerk Neulieb asked Mr. Greetham if this vendor will be paying half of the amount.

Terry Greetham stated that the amount will be \$15.00 per day for ten (10) days.

Mayor Parry made a motion to approve the 2022 Farmer's Market agreement between the City of Michigan City and Sarah Berndt, Berndt Goods, second by Vice President Vinson and was approved by the following vote: **AYES:** Board of Public Works and Safety members; Parry, Vinson, and Keating (3). **NAYS:** None (0). **Motion Carries.**

President Keating asked if there were any further board comments, there was no response.

BOARD COMMENT

Vice President Vinson stated that he would like to thank Drew and the IT team for hooking up the zoom for him today so that he could attend.

Kathy Stransky, lives on East Barker Avenue for the last sixty-fours (64) years and in the past six (6) months there has been two (2) shootings behind her home to the same victim which rattled her entire neighborhood; further explaining that her neighborhood is need of protection.

President Keating asked if Ms. Stransky has contacted the Chief of Police Dion Campbell.

Mayor Parry stated that Sergeant Forker will discuss this matter with her after the meeting.

President Keating asked if there were any further board comments, there was no response.

Terry Greetham, Special Event Director stated that he just wanted to remind the Community that this is the last BOW meeting before the Singing Sands Sculpting Festival on June 3rd- June 5th, 2022, in Washington Park, Friday and Saturday from 10:00 a.m. to 10:00 p.m. and Sunday 10:00 a.m. to 7:00 p.m.; further explaining the details of the event and prices.

President Keating asked if there were any further board comments, there was no response.

ADJOURNMENT

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, asked for a motion to **ADJOURN** the meeting at approximately 9:28 a.m. Mayor Parry made the motion to Adjourn. The motion was seconded by Vice-President Vinson. **AYES:** Board of Public Works and Safety members Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries.**

Gale A. Neulieb, City Clerk