

REGULAR HYBRID/ZOOM MEETING – July 03, 2023

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Tuesday, July 3, 2023, at 8:30 a.m., hosted by “Hybrid/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

Andrew White, Alco TV

Chris Yagelski, Mayor’s Administrator

Skyler York, City Planner

Shannon Eason, Assistant Park Superintendent

Brad Minnick, Interim City Engineer

Terry Greetham, Events Director

Eric Williams, Assistant Event Director

Kyle Petter, Assistant Planning Director

Shong Smith, Street Department Director

Diane Gonzales, Human Rights Director

Yvonne Hoffmaster, Controller

Andrew Matanic, IT Director

Gale Neulieb, City Clerk

Amanda Pickens, Assistant Deputy Clerk.

APPROVAL OF MINUTES

President Keating asked if there were any corrections to the minutes of the Regular “Hybrid/Zoom” meeting of June 20, 2023, there was no response.

Vice President Vinson made a motion to approve the minutes as read of the Regular “Hybrid/Zoom” meeting of June 20, 2023; seconded by Mayor Parry and was approved by the following vote: **AYES:** Board members, Mayor, Vinson, and Keating (3). **NAYS:** None (0). Motion Carries.

President Keating read the following item on the agenda.

AGREEMENT FOR PROFESSIONAL SERVICES- Skyler York, Planning Director, is requesting the approval of the annual CAP with the “Indiana Landmark Agency” for professional services in the sum of \$7,000.00. (Commence: January 1, 2023 to December 31, 2023)

City Attorney Lapaich Stalbrink addressed the board stating this is an annual contract for the Historic Preservation Review Board.

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

President Keating asked if the board had any questions or comments, there was no response.

Mayor Parry made a motion to approve the annual CAP with the "Indiana Landmark Agency" for professional services in the sum of \$7,000.00. (Commence: January 1, 2023 to December 31, 2023) second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating read the following item on the agenda.

UPDATED PURCHASING POLICY – City Attorney Lapaich Stalbrink, is requesting to update the City's current Purchasing Policy for supplies, equipment, and services.

City Attorney Lapaich Stalbrink addressed the board stating the auditors suggested to the City Controller to put all the Federal requirements in the City purchasing policy and that if we have a Federal Grant what the provisions need to be followed.

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

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

Vice President Vinson made a motion to approve the updates to the City's current Purchasing Policy for supplies, equipment, and services, second by Mayor Parry and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating read the following item on the agenda.

AMENDMENT TO CONTRACT- Brad Minnick Haas & Associates, LLC. is requesting their second amendment to the "On Call" engineering services contract between the Board of Works and Haas & Associates not to exceed \$180,000.00.

City Attorney Lapaich Stalbrink stated this request will need to be tabled until the July 17, 2023, BOW meeting as the City Controller is looking at financing.

Vice President Vinson made a motion to table the second amendment to the "On Call" engineering services contract between the Board of Works and Haas & Associates not to exceed \$180,000.00 until the July 17, 2023, meeting., second by Mayor Parry and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating read the following item on the agenda

AMENDMENT TO LEASE AGREEMENT- Second Amendment to the Lease Agreement between The America Red Cross and the City of Michigan City, Indiana for the lease of the Premises located at 113 Warren Road, with the term of the Lease extending for two (2) years and expiring July 31, 2025.

City Attorney Lapaich Stalbrink, stated to the board this is an extension to the lease we currently have with the Red Cross for an additional two (2) years.

President Keating stated just for the record rent is \$1.00 per month and utilities are paid up front beginning in January in the sum of \$2,733.00.

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

President Keating asked if the board had any comments, there was no response.

Mayor Parry made a motion to approve the Second Amendment to the Lease Agreement between The America Red Cross and the City of Michigan City, Indiana for the lease of the Premises located at 113 Warren Road, with the term of the Lease extending for two (2) years and expiring July 31, 2025, second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating read the following item on the agenda

STREET CLOSURE REQUEST- Trish Johnson, Associate Pastor of the First Methodist Church is requesting a street closure from 7th Street to Franklin Street to Pine Street (one block) and the alley from 6th Street to 8th Street (using Health Linc parking lot) for a "Cruisers and Crooners" benefit even on Saturday, September 23, 2023 from 7:00 a.m. – 3:00 p.m.

City Attorney Lapaich Stalbrink stated that the Certificate of Insurance is approved.

Trish Johnson, Associate Pastor of the First Methodist Church stated they are working with Health Linc and if they do not agree to let them use their parking lot then they will not use the parking lot, however they did request the same closure as we did in 2021 as this is an annual car show.

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

President Keating asked if the board had any questions or comments, there was no response.

Mayor Parry made a motion to approve street closure from 7th Street to Franklin Street to Pine Street (one block) and the alley from 6th Street to 8th Street (using Health Linc parking lot) for a "Cruisers and Crooners" benefit even on Saturday, September 23, 2023 from 7:00 a.m. – 3:00 p.m., second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating read the following item on the agenda.

**STREET CLOSURE REQUEST – Tracy Levay, Commander of the American Skwiat Post Legion #451 is requesting a street closure from the corner of Washington Street and May Avenue to Washington Street and Skwiat Legion Way on Saturday July 29, 2023 from 8:00 am- 9pm for their annual "Alzheimer's Ride" benefit with American Legion Riders.
(NOTE: this was approved for July 15th changing the date to July 29, 2023)**

President Keating stated at the previous meeting Corporal Wright gave approval for this annual event.

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

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

Mayor Parry made a motion to approve street closure from the corner of Washington Street and May Avenue to Washington Street and Skwiat Legion Way on Saturday July 29, 2023 from 8:00 a.m.- 9p.m. for their annual "Alzheimer's Ride" benefit with American Legion Riders, second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating read the following item on the agenda.

REQUEST FOR STREET CLOSURE- Johnny Stimley, Zoological Society, is requesting their Annual "Running Wild" Washington Park Zoo 5K on Sunday, July 9, 2023, starting at 9:00 a.m.- 10:30 a.m. at the Zoo down Lakeshore Drive to Center Street down Ohming Street to Lake Street, down Lakeshore Drive to Stop 10 turning around on Nevada Street and back to the Zoo.

City Attorney Lapaich Stalbrink stated the Certificate of Insurance is still needed for this annual event.

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

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

Mayor Parry asked for a Map to be submitted for documentation.

Mayor Parry made a motion to approve the Annual "Running Wild" Washington Park Zoo 5K on Sunday, July 9, 2023, starting at 9:00 am- 10:30 am at the Zoo down Lakeshore Drive to Center Street down Ohming Street to Lake Street, down Lakeshore Drive to Stop 10 turning around on Nevada Street and back to the Zoo pending COI and Map of the running route, second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating read the following item on the agenda

CONSTRUCT ENTRANCE- Tony Quartuccio, St Mary Church, is requesting to construct an entrance off the Buffalo and 11th Street cul-de-sec on the East side of the cul-de-sec to an existing parking lot behind the former St. Mary grade school and Marquette High School.

Tony Quartuccio, St Mary Church addressed the board further explained details and pictures of what he would like to have done.

Discussion ensued between Brad Minnick, Tony Quartuccio, and the board regarding the provision and working together with the contractor and designer and will bring this request back to the first meeting in August.

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

President Keating asked if the board had any questions or comments, there was no response.

Mayor Parry made a motion to place the request to construct an entrance off the Buffalo and 11th Street cul-de-sec on the East side of the cul-de-sec to an existing parking lot behind the former St. Mary grade school and Marquette High School on the pending item's list until the August 7, 2023 meeting, second by Vice President Vinson and the

motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3)
NAYS (0) Motion carries.

President Keating read the following item on the agenda

CORRESPONDENCE – Correspondence was received on June 16, 2023 in the Clerk’s Office from Rodney McCormick, 617 Union Street, regarding procedures for making public comments at a BOW meeting.

President Keating read the following item on the agenda.

EXPIRED BUILDING PERMIT – Martin Ulmer, 216 Dewey Street, purchased a building permit 3-4 years ago but due to Covid was unable to get the work completed and is requesting the building permit be reinstated.

City Attorney Lapaich Stalbrink stated the Board of Works does not have jurisdiction over this matter and would refer this to the Planning Department.

President Keating read the following item on the agenda

SPECIAL EVENT REPORT – Terry Greetham, Special Event Director – updates and details as to all events per BOW Resolution No. 2836

Terry Greetham Events Director gave an overview of the Patriotic Parade and an update of the upcoming events for the summer including the Fireworks, and Great Lake Grand Prix Boat Races.

President Keating read the following item on the agenda

PARK DEPARTMENT REPORT – Park Department updates and details as to all community events per BOW Resolution No. 2836

President Keating stated no one is here from the Park Department and to put this on the first meeting in August.

President Keating read the following item on the agenda

OPENING OF QUOTES – Attorney Lapaiche Stalbrink, will be opening the quotes for the camera upgrades to Central Services and Central Maintenance Department

President Keating asked if anyone would like to submit a bid today.

Mayor Parry made a motion to close the bids, second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3)
NAYS (0) Motion carries.

City Attorney Lapaich Stalbrink stated 3 quotes have been received

1. ESI in the amount of \$63,534.10
2. CDW in the amount of \$63,485.37
3. SHI in the amount of \$63,780.73

Vice President Vinson made a motion to refer to the legal department and IT then return at the next meeting with the recommendation, second by Mayor Parry and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS (0) Motion carries.**

CLAIMS AND PAYROLL

President Keating read the BOW Claim Docket for June 30, 2023:

PAYROLL DOCKET	<u>June 30, 2023</u> City Payroll	\$ 990,414.12
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CLAIMS DOCKET	<u>July 3, 2023</u>	
	Municipal	\$ 2,102,989.85
	Health & Life Ins. Fund	\$ 388,697.42
	CDBG	\$ 0.00
	WORKERS COMP TRUST	\$ 89,594.43
	Total Claims:	\$ 2,581,281.70

Mayor Parry made a motion to approve the City Payroll Dockets and the Claims Docket in the amount of \$2,581,281.70, second by Vice President Vinson and carried as follows:

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

Tom Orlowski-requesting that his driveway apron to get repaired to its original angle due to previous construction performed by the City

Brad Minnick addressed the board stating Google Earth does not show the street view of 5- 10 years ago.

Discussion ensued between Tom Orlowski, Brad Minnick and the Board discussing the picture Tom presented and what can be done and possibly have the contractor mill and trim his driveway apron/curving as it will be less costly, recommending this request be put on the pending list until the first meeting in August.

Mayor Parry made a motion to keep Tom Orlowski’s request for his driveway apron to get repaired to its original angle due to previous construction performed by the City on the pending items list until August 7th, 2023 BOW meeting, second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating stated the next item on the pending items/unfinished business list is Jesus Tapia, Tacos My Fren, is requesting a vendor license to set his food truck up at Walmart parking lot June 18th, June 24th, July 1st, and July 2nd starting at 10am-8pm.

President Keating stated we are past the dates for this event.

City Attorney Lapaich Stalbrink stated she has not heard anything else as we needed signage and approval from the MCPD regarding his driver’s license and would recommend denying the request.

Vice President Vinson made a motion to deny and remove from the pending item’s list, second by Mayor Parry and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating stated the next item on the pending items/unfinished business list is Don Przybylski's request that an order to be submitted to CSX Railroad Crossings for repairs at Woodland, Roeske, Carroll, and Greenwood Avenue.

Mayor Parry stated nothing had been done on this request, he will get in touch with CSX this week, recommending keeping this on the pending list until the first meeting in August.

President Keating stated the next item on the pending items/unfinished business list is Paul Przybylinski- Safety Issue/Concerns ADA corners for the Double Track Tracks on 10th and 11th Street.

Brad Minnick Haas & Associates addressed the board stating he had contact with WSP and the contractor is still working on the repairs for non-compliant sidewalks and will provide an update at the first meeting in August.

President Keating stated the next item on the pending items/unfinished business list is Mike Vinson's request for a "Jake Brake Restricted" sign on US 35 between Warnke Road & US 20 interchanges on both sides of the highway.

City Attorney Lapaich Stalbrink stated she has drafted an Ordinance as Paul Przybylinski will be sponsoring this but recommends tabling this as it will need to be more restrictive but does not need to come before this board.

Vice President Vinson asked if this Ordinance will be City Wide.

City Attorney Lapaich Stalbrink stated this would need to be reviewed deeper because if it is City wide it could affect some of our business.

Mayor Parry stated if the final document is an ordinance this would be for the City Council for their approval.

Mayor Parry made a motion to remove from the pending item's list and refer this matter to City Council, second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating stated the next item on the pending items/unfinished business list is Casey Martin, Marquette High School -Traffic Safety Concerns

Brad Minnick Haas & Associates stated they have installed additional sidewalks and repainted the crosswalks and would recommend removing this item from the pending list and will be added to the speed table list for the City.

Vice President Vinson made a motion to remove from the pending item's list, second by Mayor Parry and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

President Keating stated the next item is an appeal hearing.....

APPEAL HEARING- Demetrios Leeberedes, 621 4th Street, Lemont, IL, is requesting a hearing to appeal Vector Control Parcel NO. 460132287004000022, Michigan City.

Shong Smith Street Department Director and Demetrios Leeberedes, 621 4th Street Lemont, IL, both were sworn in and addressed the board.

Testimony was heard from Demetrios Leebererdes followed by testimony from Shong Smith regarding the alleged violation of Municipal Ordinance 102-1 as it governs the permissible height of the grass on parcel number 460132287004000022 Michigan City.

Mayor Parry made a motion to uphold the fine in the amount of \$600.00, second by Vice President Vinson and the motion carried by the following vote: **AYES:** BOW members Mayor, Vinson, and Keating (3) **NAYS** (0) **Motion carries.**

PUBLIC COMMENT

President Keating stated that the City's Website has the forms and explains the requirements and procedures for being placed on the Board Agenda. The forms are also available from the Clerk's office. Also called attention to the Board's Resolution #2823 enacted on December 6, 2021 and reading in pertinent part that Public Comment is limited to three (3) minutes. All comments are addressed to the Board President not to the individual Board members. All comments must be germane to and within the mandate authority of this Board.

President Keating asked if there were any public comments.

Rodney McCormick, 617 Union Street, asked President Keating if the funding has been approved for the Social Status fieldtrip to Chicago, also Budget Cars located on North Woodland Avenue and Michigan Blvd does a lot of give backs to the community and if there is any violations to please let them know so it can be fixed; further stating that over the weekend someone dumped an entire house in the alleyway of Emily Street with this being said can the board please expedite cutting the tree lining to get the lights installed, sending his condolences to the family of Martin Ulferts with his recent passing.

Controller Hoffmaster City Controller stated two (2) checks have been cut and will be on the next meeting docket but the Controller's office is able to provide the funding ahead of time.

Tommy Kulavik, 1316 Ohio Street, stated on PBS (WTIU) station is running a special on Indiana Old Lighthouse Museum and can also be viewed online.

BOARD COMMENT

President Keating asked if there were any Board comments.

Mayor Parry stated he would personally like to send his condolences to the family of Martin Ulferts.

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 9:40 a.m. Vice President Vinson made the motion to Adjourn. The motion was seconded by Mayor Parry. **AYES:** Board of Public Works and Safety members Keating, Vinson, and Parry (3). **NAYS:** None (0). **Motion Carries.**