

REGULAR HYBRID/ZOOM MEETING - August 7, 2023

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday, August 7, 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

Brad Minnick, Interim City Engineer

Terry Greetham, Events Director

Eric Williams, Assistant Event Director

Kyle Petter, Assistant Planning Director

Diane Gonzales, Human Rights Director

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 July 17, 2023, there was no response.

Vice President Vinson made a motion to approve the minutes as read of the Regular "Hybrid/Zoom" meeting of July 17, 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.

AT&T CONTRACT RENEWAL - Andrew Matanic, IT Director, is requesting a contract renewal with AT&T for a pricing proposal and contract in the recurring monthly amount of \$1,184.50 for the term of 36 months.

Andrew Matanic, IT Director, addressed the board stating this is just a contract renewal with AT&T that all City Departments use as the primary internet connection that renews every (3) three years.

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 contract renewal with AT&T for a pricing proposal and contract in the recurring monthly amount of \$1,184.50 for the term of 36 months., 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.

REPAIR OF DRIVEWAY - Kenneth Fleck, 109 Georgia Avenue, is requesting for the driveway located at 3216 Franklin Street to be ground down to match all other driveways on Franklin Street.

Brad Minnick, Haas & Associates, stated he looked at the driveway and did not see any work that needed to be done and would suggest tabling this until the next meeting to reach out to Mr. Fleck and verify the address on the request.

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 stated he also drove by that location and did not see an issue but on the Georgia Avenue address it looks like there is a personally poured line to keep the water from running from the street into the garage.

Mayor Parry made a motion to table the driveway located at 3216 Franklin Street to be ground down to match all other driveways on Franklin Street until the August 21, 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 read the following item on the agenda
EXTENSION OF SIDEWALK - John Barr on, 11 Jamestown Drive, is requesting for the completion of the extension of the sidewalk on the south curb of Jamestown Drive from #2 extended to the existing curb cut and ramped crosswalk at Dun eland Drive.

John Barron, 11 Jamestown Drive, stated there is a small entrance into the subdivision as there is no sidewalk as we have a lot of traffic in this area and would like to get the sidewalk extended around the curb on Jamestown Drive as this is a dangerous situation for pedestrians.

Brad Minnick Haas & Associates, LLC., stated he has looked at this request and this would need to be added for consideration to the 2024 sidewalk list as there is no active contract for work in that area and would recommend tabling until September 5, 2023 BOW meeting.

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

President Keating asked if the board had any comments.

Mayor Parry stated he did not have a chance to discuss this matter with Controller Hoffmaster to verify funding as we do have \$100,000.00 that is allocated for sidewalks.

Vice President Vinson stated regarding walker and pedestrians without sidewalks to please walk/jog facing direction of traffic so that you can see the vehicles coming to prevent an accident as newer vehicles you cannot hear.

Mayor Parry made a motion to table the request for the extension of the sidewalk on the south curb of Jamestown Drive from #2 extended to the existing curb cut and ramped crosswalk at Duneland Drive until the September 5, 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 read the following item on the agenda.
REQUEST FOR STREET CLOSURE- Eve Wierzbicki, Dig the Dunes, LLC., is requesting to close the corner of 9th Street and York Street, the edge of Zorn Brew Works on 9th Street and right before the alleyway behind Barrelhouse (113 York Street) to host Dig the Dunes Mac N Cheese Fest on September 24, 2023 from 1 0:00 a.m. till 4:00 p.m.

Attorney Lapaich-Stalbrink stated originally Zorn came before the board asking for a street closure the board granted it but the actual applicant is Dig the Dunes so we ask that the board grant the permission to Dig the Dunes and asked Eve Wierzbicki this just a street closure, and no alcohol will be served on the streets?

John VanProoyen stated they are pulling a permit from Excise for this event including a closing off the streets with barricades and fence in the entire area, business will be open in the tap room and with the Excise permit patrons are allowed to walk in that area with alcohol but will not be served outside.

Attorney Lapaich-Stalbrink stated the board will need a Certificate of Insurance (COI) with alcohol liability from both Zorn and Dig the Dunes.

Mr. Van Prooyen stated that once the permit is pulled under Zorn a signature will be needed.

Attorney Lapaich-Stalbrink stated the Police Department will have to sign.

President Keating asked when the board can expect the Certificate of Insurance with Alcohol liability.

John VanProoyen stated today.

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

President Keating asked if the Board had any comments.

Mayor Parry made a motion to approve to the closure of the corner of 9th Street and York Street, the edge of Zorn Brew Works on 9th Street and right before the alleyway behind Barrelhouse (113 York Street) to host Dig the Dunes Mac N Cheese Fest on September 24, 2023 from 10:00 a.m. till 4:00 p.m. pending a certificate of insurance with alcohol liability from both parties; 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

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

Domminic Yankee, Park Department Intern, gave an overview of the events coming up for the month of August.

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 Great Lake Grand Prix Boat Races, Ribbon cutting ceremony at the Zoo, and he is looking forward to the annual Oktoberfest.

CLAIMS AND PAYROLL

President Keating read the BOW Claim Docket for August 7, 2023:

PAYROLL DOCKET	<u>July 28, 2023</u>	
	City Payroll	\$ 718,384.26
	<u>August 1, 2023</u>	
	City Pension Payroll	\$ 212,373.63
CLAIMS DOCKET	<u>August 7, 2023</u>	
	Municipal	\$ 1,938,494.81
	Health & Life Ins. Fund	\$ 303,269.13
	CDBG	\$ 0.00
	WORKERS COMP TRUST	\$ 0.00
	Total Claims:	\$ 2,241,763.94

Mayor Parry made a motion to approve the City Payroll Dockets and the Claims Docket in the amount of \$2,241,763.94, 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 list**

Shalaywa Murphy, Lee & Murphy Snow cones vendor license to have a snow cone stand set up at Washington Park Beach from August 1, 2023- August 1, 2024 starting at 8:00 a.m. - 10:00 p.m. daily.

President Keating stated from her understanding Mr. Shinn asked that this request be withdrawn and resubmitted at a later time.

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

Mayor Parry made a motion to remove the Snow cones vendor license to have a snow cone stand set up at Washington Park Beach from August 1, 2023- August 1, 2024 starting at 8:00 a.m. - 10:00 p.m. daily from the pending items list., 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

Conley Phifer- to install two (2) flush mounted groundwater monitoring wells within the pull in parking spaces along the northside of 8th Street between Wabash (west) and existing alley(east) on Monday, August 21, 2023 from 7:00 a.m. - 4:00 p.m. and returning on Wednesday August 23, 2023 to perform samples.

President Keating stated we received a letter from them withdrawing their request at this time.

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

Mayor Parry made a motion to remove the request to install two (2) flush mounted groundwater monitoring wells within the pull in parking spaces along the northside of 8th Street between Wabash (west) and existing alley(east) on Monday, August 21, 2023 from 7:00 a.m. - 4:00 p.m. and returning on Wednesday August 23, 2023 to perform samples from the pending items list., 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

Tony Quartuccio, St. Mary Church, is requesting to construct an entrance off the Buffalo and 11st street cul-de-sac on the East side.

Brad Minnick, Haas & Associates, stated he has spoken with Tony from St. Mary's also worked with the designer which is effectively complete as Tony is working with the building department to receive his permits and would recommend removing from the pending list.

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

Vice President Vinson made a motion to remove the request to construct an entrance off the Buffalo and 11th street cul-de-sac on the East side. from the pending items 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

Tom Orłowski- requesting for his driveway apron to be repaired to its original angle due to previous construction performed by the City.

Brad Minnick, Haas & Associates, stated he would recommend removing the request from the pending list as Tom is making his own repairs with a private company to the driveway at his expense.

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

Mayor Parry made a motion to remove the request for this driveway apron to be repaired to its original angle due to previous construction performed by the City from the pending items list., 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 Don Przybylinski- a work order to be submitted to CSX Railroad Crossings for repairs at Woodland, Roeske, Carroll, and Greenwood Avenue.

Mayor Parry stated he has been in contact with CSX stating they will try to get it done this year and ask to leave this on the pending list and he will have an update at the second meeting in September.

Vice President Vinson made a motion to leave the request for a work order to be submitted to CSX Railroad Crossings for repairs at Woodland, Roeske, Carroll, and Greenwood Avenue on the pending items list until the September 18, 2023 BOW 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 stated the last 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, stated this project is ongoing and still have 6 ADA corners to complete, he recommends keeping this on the pending list until the first meeting in September.

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.

Tommy Kulavik 1316 Ohio Street, the City needs to bring in diverse entertainment for the community, also Go Wolves and pay attention to the buses as kids go back to school this week.

Jorden Saylor, 333 Hickory Street, stated he spoke to the councilmen about making golf carts legal in Michigan City. The Police Department were against this because the carts cause too many accidents but now we have electric tricycles in Michigan City operating on Franklin Street and Highway 212; he presented to the board an email from the MCPD regarding driving a golf carts and asked how it okay for the tricycle is okay to drive on streets and highways.

Attorney Lapaich-Stalbrink stated she will need time to read and review.

President Keating told Mr. Saylor we will take this under advisement and will reach out to him in regard to this matter.

BOARD COMMENT

President Keating asked if there were any 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 8:55 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** .

Gale A. Neulieb, City Clerk