

REGULAR HYBRID/ZOOM MEETING –

August 15, 2022

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, August 15, 2022, at the hour of 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
Brad Minnick, City Engineer
Sargent Steve Forker, M.C.P.D. Traffic
Andrew White, Alco TV
Chris Yagelski, Mayor’s Administrator
Skylar York, Director of Planning
Terry Greetham, Event Director
Don Przybylinski, Councilman At-Large
Bryant Dabney- Councilman 1st Ward
Andrew Matanic- IT
Sylvia Collins- Planning Assistant
Kyle Petter- Associate Planner
Shong Smith- Street Department
Steve Stanford- Sanitation Department
Christine Vandereborg- Code enforcement Inspector

Gale Neulieb, City Clerk, and Amanda Pickens, Asst. Deputy Clerk.

President Keating introduced the new addition in the Clerk’s Office Amanda Pickens, Asst. Deputy Clerk.

APPROVAL OF MINUTES

President Keating asked if there were any corrections to the minutes of Regular Hybrid/Zoom” meeting of August 01, 2022.

Vice President Vinson moved to approve the minutes of the Regular “Hybrid/Zoom” meeting of August 01, 2022; seconded by Mayor Parry. The minutes were approved by the following vote: AYES: Board of Public Works and Safety members, Mayor Parry, Vinson, and Keating (3). NAYS: None (0). Motion Carries.

President Keating read the following request

Request To Purchase City Owned Property – Terri Maurer, 818 N Roeske Trail is requesting to purchase city owned property Parcel No. 46-01-29-434-002.000-022 located between two (2) alleys on 9th Street.

President Keating asked if there was anyone that wished to comment on this request.

Terri Maurer 818 North Roeske Trail stated she is under a contract to purchase 214 East 9th street which is set to close on August 25, 2022, further explaining the property she would like to purchase is directly north of her property.

Corporate Council, Amber Lapaich addressed the Board stating that her and Skylar York have reviewed this, and their preliminary inquiry is that the City would be interested in selling

because of the size and it is an unbuildable lot, further explaining she is researching with other departments to see if anyone would have any objections, asking the Board to refer this matter back to her office so she can finish the investigation and she will report back to the Board.

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

Vice President Vinson made a motion to put this on the pending list and revisit in a month, second by Mayor Parry and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.

President Keating read the following request.

Request To Lease Office Equipment - Andrew Matanic, IT Department is requesting to lease a copy machine for the City Clerk's Office from Kemp's Office Supply in the amount of \$119.85 for 60 months (Net price of \$6,275.00)

Andrew Matanic, Director of IT, stated the City Clerk's office is in desperate need of a copy machine, he researched and decided to go with Kemp's Office Supply stating that the lease is for \$119.85 for 60 months, this does not include toner, but we will only pay for the number of copies we use, and this has been included in the budget for next year.

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

Vice President Vinson made a motion to approve to lease a copy machine for the City Clerk's Office from Kemp's Office Supply in the amount of \$119.85 for 60 months (Net price of \$6,275.00), second by Mayor Parry and carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.

President Keating reading the following item on the agenda.

Subscription Agreement – Andrew Matanic, IT Department is requesting to enter a subscription agreement with InfoSec Institute for one (1) year of employee computer cyber security awareness training in the amount of \$6,450.00

President Keating asked if anyone had anything to add reading this proposed contract.

Andrew Matanic stated this is an online training (monthly) for all city employees. That will provide knowledge with different areas of cyber security to heighten awareness to all users. that this is a requirement by the City's insurance company and after further researching, InfoSec is the best choice with the most comprehensive cybersecurity.

Vice President Vinson asked if this was just a blanket training session, preventative measure or post traumatic measure that is in place.

Andrew Matanic stated that this will strictly be a training tool, not a security tool. The system can send out simulation attack emails to individual employees to see if they would click on them or not and if they should click on them, it will enroll the individual employee in training in that area. This system comes with a dashboard to monitor all employees in different departments to make sure training is complete. This is an all-inclusive contract to cover all users for as much security training as needed.

Vice President Vinson made a motion to approve the InfoSec cyber security awareness training in the amount of \$6,450.00, second by Mayor Parry and carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.

President Keating read the next item on the agenda.

Request For Signage – Valorie Skwiat, MCAS Transportation is requesting the installation of five (5) “School Bus Ahead” signs prior to Tall Timbers or on Springland Avenue (heading west), prior to Woods Edge Drive on Woodland Avenue (heading north), and prior to 201 Keiffer Road/ 400 Michigan City (in both directions heading east/west).

Sergeant Steve Forker stated that’s after speaking with Captain Loniewski, they would recommend “School Bus Ahead” signs.

President Keating asked if there were any other 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 motion to approve made a motion to approve, second by Vice President Vinson and carried by the following vote: **AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.**

President Keating read the next item on the agenda.

Request For A Peaceful Walk – Pastor Jerry Passmore, Marvelous Miracles Ministries is requesting a peaceful walk from Grace Street down Michigan Boulevard to Westcott Park and back to Grace Street (Using Grace Street ONLY)

Sergeant Steve Forker stated that after speaking with Captain Loniewski they recommend the “Peaceful Walk” as participants will be using sidewalks and following all traffic control signals.

President Keating asked if there were any other comments from the Public.

Tommy Kulavik 1316 Ohio Street thinks this is a great idea and would like to know the time and date.

Jerry Passmore 1620 East Michigan Boulevard stated the main goal for the peace walk is to walk down the street to get people from the community to join us, this is not just a weapon walk it is to mentally make the community aware of the news laws that have been put into place. Bishops and Pastors will be praying on every block as they walk.

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

Mayor Parry making a motion to approve the Peaceful Walk from Grace Street to Wescott Park, second by Vice President Vinson and carried by the following vote: **AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.**

President Keating read the following request on the agenda.

Contract Approval - Contract between Michigan City Board of Public Works and Safety and John A. Doyle & Associates Inc. for professional engineering, surveying, and related services in the amount not to exceed \$75,000.00.

President Keating asked if there was anyone present that wished to address this.

Amber Lapaich, Corporate Counsel stated this is really for the on-call City engineer and also for the Community Crossing Grant if the Board does approve, I would ask you to prove subject on the common council approving the additional appropriation for the funding, which is on the third reading tomorrow night, it is on the Board agenda because of time guidelines to get to the next round of community crossing grant application in.

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

Vice President Vinson made the motion to approve pending the Council decision to appropriate the funding, second by Mayor Parry and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.

President Keating read the following request on the agenda.

Rumble Strips Request – Councilman Bryant Dabney, 405 Thomas Street, is requesting rumble strips to be re-placed at the intersection of Grace and Walker Street, at the intersection of School and Walker Street, and across the street at the top of the hill on Walker near Porter Street.

Bryant Dabney 405 Thomas Street stated the City has done this before on Grace and Walker Street intersection, he would like these strips placed to alert people that stop signs are coming or to alert people of their speed, these would be the same strips as in front of the zoo.

Sargent Steve Forker stated he spoke with Captain Loniewski, and they would recommend the approval for thermal plastic rumble strips. He also spoke with the Streep Department requesting that the existing strips at Walker and Grace be reapplied in a thicker gauge.

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.

Mayor Parry made a motion to approve rumble strips at the intersection of Grace and Walker Street, the intersection of School and Walker Street, and across the street at the top of the hill on Walker near Porter Street, second by Vice President Vinson and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.

President Keating read the following request on the agenda.

Vehicle Lease Modification- Skylar York, Planning Director is requesting to amend one (1) vehicle and for approval of leases for vehicles for the Planning and Inspection Department.

Skylar York, Planning Director addressed the Board stating they previously asked for (3) Jeep Renegades and (2) Jeep Cherokees, since approval the car lot has sold (1) renegade, the car lot will give a Jeep Cherokee in replacement, and this will not change the cost of the contract.

President Keating asked if they needed a little more time with the contracts.

Amber Lapaich stated she is working on them; you can approve Skylar request to modify the vehicle and then table the lease.

Mayor Parry made a motion to approve the request to modify the vehicle, second by Vice President Vinson and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries.

President Keating read the following request

Speed Bump Request – Steven Stanford, Operations Manager Sanitary District is requesting several speed bumps installed in the California Avenue parking lot and along the west-bound lane of Colfax Avenue to redirect stormwater into the drain system.

President Keating asked if Sanitation Department is present to answer any questions

President Keating asked Mr. Stanford when this would be done

Steven Stanford replied that this will be done sooner than later, and they have retained John A. Doyle and Associates to help improve the storm drainage in this area and speed bumps are what they designed for us. This has been a repeated problem with the homes at the North end of California Avenue.

Sergeant Steve Forker stated they have no objections with the speed bumps to redirect storm water and a speed deterrent.

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 a motion to approve the request to for speed bumps to be installed in the California parking lot and along the west bound Colfax Avenue, second by Mayor Parry and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries

President Keating read the following request.

Request For Signage – Rose Tejeda, 310 Detroit Street is requesting the installation of “Stop” signs, crosswalks, and additional school crossing signs at Spring and Detroit Streets for student’s safety.

Rose Tejeda 310 Detroit Street stated she noticed an abundance of traffic on Detroit Street between Pine and York Street moving quite fast and she feels it’s a real safety issue especially without any “Stop” signs at the corner of Detroit and Spring Street; she would also like to see additional school signage.

Sergeant Forker stated he spoke with Captain Loniewski and asked this be referred to Michigan City Police traffic department and City engineer and they will report back at the next meeting.

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

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

Mayor Parry made a motion they will hold this subject matter over to the next meeting second by Vice President Vinson and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries

President Keating read the following request

Insurance Policy Renewal – Charles Keene, General Insurance Services (GIS) is requesting approval for the City of Michigan City and ONB Benefits Administration, LLC d/b/a J.W.F. Specialty Company Worker’s Compensation Third-Party Administration (TPA) and Service Agreement-Policy Term 08/15/2022 to 01/15/2026.

Charles Keene 421 Franklin Street stated he is here to seek the Boards approval to change out our third-party administrator services for the workers compensation self-funded plan that the City has in place, further explaining the cost of the contract and changes that will be made.

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

President Keating read the following request

Insurance Policy Coverage – Charles Keene, General Insurance is requesting approval for the Special Event – 2022 Michigan City Oktoberfest Liability Insurance Policy that will be held from 09/01/2022 to 09/07/2022 in the amount of \$2,116.63.

Charles Keene 421 Franklin Street stated it was recommended for the City to get a special event insurance policy to insulate the City's insurance coverage. The special event insurance policy would cover set up and take down. Charles further explained the cost of the contract.

Mayor Parry made a motion to approve the special event liability insurance, second by Vice President Vinson and was carried by the following vote: **AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries**

President Keating read the following request

HDD Policy/Application – Gale Neulieb, City Clerk is requesting the clarification/procedures being followed to date to the 2020 Pandemic/Covid and the HDD (Horizontal Directional Drill) Policy that was amended/approved on 06/17/2019; Third Person seeking permission to Horizontally Directionally Drill under any City Street, Right of Way, or City Owned Property.

Gale Neulieb City Clerk stated when St. Anthony's started to move here, they wanted to put fiber optic down during this time the former City engineer was not doing what he was supposed to with HDD and the policy was placed into the Clerk's office. We could go back and follow the policy form 2019 (changed during Covid) but the HDD should be going to another department as neither she nor my staff have a clue about what we are processing. The City engineer is supposed to approve them when we receive document from all 3 departments to move forward.

Amber Lapaich stated that when the policy was put into place it wasn't just because of St. Anthony's it was trying to help the then existing engineer do his job better. It is up to the Board if you want to change the procedure back to the original where everything will come in front of the Board or is it time with new administration and new players to reexamine and sit down at a workshop to discuss with various departments.

Gale Neulieb responded that she has 5-6 of them sitting in her office and the Water Department did have some questions about 2 of them and decided to deny them and we continue to keep getting more. This is something that needs to be address yesterday.

President Keating clarified the issue was to return to the original procedure, to have a workshop to carve out a procedure that is better suited to our present needs.

Marry Parry referred this to the on-call engineer Brad Minnick and asked what his opinion as to what steps the City should be.

Vice President Vinson asked with the old policy the engineer had the authorities to sign off because he was a City employee would an on call engineer have the authority to sign off on behalf of the City.

Amber replied yes, he could sign off

Brad Minnick agreed with the workshop to reestablish where we are at and the best way to move forward and he agrees with Gale that her department is not the best to handle the HDD and have previously talk about how to expedite responsiveness responses from various departments.

Mayor Parry made a motion to table with the workshop called by the Mayor until September 20,2022, second by Vice President Vinson and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries

President Keating read the following request

Regarding Striping a City Street – Tommy Kulavik 1316 Ohio Street is requesting Ohio street be restriped from 11th all the up to Garfield Street.

Tommy Kulavik 1316 Ohio Street stated he is requesting that striping on Ohio be redone due to the accidents that are occurring in front of his house.

Brad Minnick responded that he could have a quote done but he believes the City does do striping of their own as well.

Shong Smith Street Department stated the City does do some small scale striping but only 1 or 2 blocks at a time and outside contractor Ohio Street is 6 lane miles one side which is a total of 12 miles. Going with a company like AirMac uses different long lasting thermal acrylic paint City only uses water-based latex, which is only temporary, He does agree with Mr. Kulavik that Ohio Street all the way to Highway 20 should be done.

President Keating asked if there was any Public comments

Councilman Don Przybylinski stated why he agrees with Ohio Street needs striping so does many other streets in Michigan City and the City should look at them all in a package deal for traffic safety

Mayor Parry made a motion to table this matter for 1 meeting to get the results of MCPD traffic study and an inventory of other city streets. Second by Vice President Vinson and was carried by the following vote: AYES: BOW members Parry, Vinson, and Keating (3) NAYS (0) Motion carries

CLAIMS AND PAYROLL

President Keating read the following payroll docket from July 15, 2022, and the BOW Claim Docket for August 01, 2022:

PAYROLL DOCKET	<u>August 01, 2022</u>		
	City Pension	\$	212,844.87
	<u>August 12,2022</u>		
	City Payroll	\$	682,173.16

CLAIMS DOCKET**August 15, 2022**

Municipal	\$ 956,788.93
CDBG	\$ 60,915.53
Health & Life Ins. Fund	\$ 261,988.85
Workers Comp Trust	\$ 23,321.72
Total Claims	\$ 1,303,015.03

Mayor Parry made a motion to approve the City Pension Docket, the City Payroll Docket and the Claims Docket for the amount stated, 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 Councilman Don Przybylski's concern regarding Westcott Park planters, grass, and lights

Councilman Don Przybylinski stated the Park's Department did the cleanup however there is a lighting issue as none of the lights are working.

Mayor Parry responded that he was not aware of the reason the lights don't work or the reason they are not functioning was unknown and they will bring in Marcus Electric to get those looked at.

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

President Keating stated the next item on the pending items/unfinished business list is Councilman Don Przybylski's addressed concern regarding a house located at 300 Fairfield Avenue that is being vandalized.

Amber Lapaich stated that Planning has issued orders under the unsafe building act and in the Board of Works, serves as the appellate body on such matter and she would ask the Board to remove this matter from the pending list so if there is a hearing the Board will objectively hear this matter.

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

President Keating stated the next item on the pending items/unfinished business list is Councilman Don Przybylski's addressed his concern regarding the purple lights Franklin and Cleveland Avenue

Amber Lapaich stated that since the last meeting she has heard back and worked with various departments and no contracts have been found nor is it on the ESG program that was from the Council, but she does not believe it was. She is requesting a letter come from the Mayor's office that would be the next step.

10

Mayor Parry said he will write and send a letter to NIPSCO within the next 48 hours demanding the issue to be attended to.

President Keating stated this matter will stay on the pending items list for follow up.

President Keating stated the next item on the pending items/unfinished business list is Davis Bush 2409 Ohio Street is requesting a "STOP" sign at Ohio Street and Indiana Avenue to help slow down traffic for public safety.

Sergeant Steve Forker spoke with Captain Loniewski, MCPD Traffic said the Street Department is waiting on the utility to okay the 15mph school zone speed limit signs.

Brad Minnick estimated the lighted crossing signs cost is \$6,000 units and the less costly lighted signs cost is in the \$3,000 range which is generally the range of the lighted signs, traditional signs without lights are less than \$1,000.

President Keating stated that this will go on the pending items list and since the cost of the lighted signs is a separate issue the request is modified to include that issue.

President Keating stated the last item on the agenda list is Brad Minnick, Primera Engineers, LTD is requesting to amend the City's HDD Policy regarding fees and distribution of application.

President Keating asked Brad is we have covered this in our earlier discussion and is he satisfied or is there other things you need added

Brad Minnick stated we can remove this from the pending items list

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

PUBLIC COMMENT

NOTE: 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 clarified that this section is reserved for matters that does not require Board action, if you are here asking the Board to do something the policy is and has always been that you will need to fill out the proper paperwork at the Clerk's office so we can have a chance to put this on the agenda and have the necessary people at the meeting to discuss the matters and to be able to rectify problems at the time of the meeting. So, from this point on I want everybody to understand that you need to fill out the proper paperwork and not bring up new items that need Board action under this section of the meeting.

Tommy Kulavik 1316 Ohio Street stated County portion of Pahs road to Johnson is completely re done but the City side east entrance to Michigan City Highschool to Cleveland Avenue is a mess and needs badly to be re done. Michigan City Highschool hosts other school for events almost daily and its embarrassing they come here, and the first impression is the condition of our roads. Secondly, John Chalikian retired and closed his jewelry store by ordinance it is prohibited to have any signs advertising a business that is closed, this signed needs to be taken down.

Councilman Don Przybylinski stated 211 Case Street is in deplorable condition, he spoke with the Street Department, and it has been like this for over 5 years; the individual who owns that house lives in either Valparaiso or Chesterton they have not done a bit of work to it and the attached garage is in deplorable condition. The Street department spent 2 ½ days cleaning that property over \$3,500 in man hours and Mr. Smith said that could be billed back to the property owner. Asking Planning and Inspection to give the owner a 30-day repair or a 30 tear down order but something needs to be done to get this property cleaned up, fixed up for the neighborhood.

Christine Vandereborg Planning and Inspection spoke with Ms. Benfield the owner of the property was sent a 30 day notice of repair 2 weeks later she said she had a meeting with someone to possibly sell the property off as she does not have the funds or the means to take care of it, also spoke with her over the phone and had her board up the house and the seal the garage so no one has access to get in there, the only windows not boarded up are the front porch windows. The department is waiting for the 30 days to lapse unless she takes care if it before then.

Also 322 Fairfield was sent a 30-day order repair out as well spoke with legal owner which resides in Merrillville if they receive no responses then she will move forward to the next action

President Keating asked Amber Lapaich if the Board should table this

Amber Lapaich stated if Planning has issued an order to repair we become the appellate body, you don't want to have an appearance of impropriety and not being objective, and then if it gets germane then you bring it back at the right time.

President Keating stated that what the Board will do.

BOARD COMMENT

President Keating asked if there were any Board comments no comments

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 09:40 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.**

Gale A. Neulieb, City Clerk