

REGULAR ZOOM MEETING – August 16, 2021

The Board of Public Works, and Safety of the City of Michigan City, Indiana met in regular session on Monday morning, August 16, 2021, at the hour of 8:30 a.m., local time, hosted by “Hybrid/ZOOM” and streamed live on “My Michigan City” Facebook page.

The meeting was called to order by President, Andrew White, who presided.

Noted present in person: Andrew White, Virginia Keating, and Mayor Duane Parry (3), **Absent:** None (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich-Stalbrink, Corporate Counsel
Terry Greetham, Events Director/Recreation Coordinator
Chris Yagelski, Mayor’s Administrator
Kaleb Goodwin I.T. Webmaster
Jeff Wright, City Engineer
Shong Smith, Director M.C. Central Services
Christine Vanderborg, Code Enforcement
Aundre Crayton, Code Enforcement
Sergeant Steve Forker, M.C.P.D

Gale Neulieb, City Clerk
Dawn Debald Deputy Clerk
Stacy Dudley, Assistant Deputy Clerk

APPROVAL OF MINUTES

President White asked if there were any corrections to the minutes from the Regular “Hybrid/Zoom” Meeting of August 2, 2021.

Mayor Parry moved to approve the minutes of the Regular “Hybrid/Zoom” meeting of August 2, 2021; seconded by Vice-President Keating. The minutes were approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating and Parry (3). **NAYS:** None (0). **Motion Carries.**

OPENING OF BIDS- 2022 Fuel Procurement for Unleaded & Diesel Fuel

President White asked if there was anyone wishing to render a bid for the 2022 Fuel Procurement for Unleaded & Diesel Fuel at this time; there was no response.

Vice-President Keating moved to close the bids for the 2022 Fuel Procurement for Unleaded & Diesel Fuel; seconded by Mayor Parry.

The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating and Parry (3). **NAYS:** None (0). **Motion Carries.**

Corporate Counsel, Amber Lapaich-Stalbrink stated that there were four (4) bids received

- 1) Mansfield Oil Company of Gainesville, Inc.
- 2) Patrollers Traders Corporation
- 3) Knoll Brothers, Inc.
- 4) Colonial Oil Industries, Inc.

President White stated he would ask for a motion to refer this to Legal and Cranston Harris, Central Services.

Mayor Parry made a motion to refer this to Legal and Cranston Harris, Central Services, seconded by Vice-President Keating. The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating and Parry (3). **NAYS:** None (0). **Motion Carries.**

AWARDING OF BIDS- 2021 Phase II – Miscellaneous Street Paving

Corporate Counsel, Amber Lapaich-Stalbrink addressed the Board stating the lowest most responsive bidder is Reith-Riley Construction in the amount of \$812,615.00

City Engineer, Jeff Wright stated that all of the asphalt is recycled and can be reused, and all work is done under the INDOT specifications.

Mayor Parry made a motion to award the bids for the 2021 Phase II – Miscellaneous Street Paving project to Reith-Riley Construction Company in the amount of \$812,615.00. The motion was seconded by Vice-President Keating. The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

REQUEST FOR STREET CLOSURE - Kristina Hanna, Barrelhouse at Zorn, is requesting

street closure at Oak & 9th Street to 9th and York Street; down York Street to the alley on Sunday, September 26, 2021 from 10:00 a.m. – 9:00 p.m. for a Mac and Cheese Festival benefiting charity.

Sharon Heart on behalf of Kristina Hanna, 113 York Street is requesting to have a Mac and Cheese Festival for charity.

Sergeant Forker, M.C.P.D. on behalf of Captain Jeff Loniewski, M.C.P.D. Traffic Division stated that M.C.P.D. is recommending approval of the request.

Mayor Parry made a motion to approve the request by Kristina Hanna, Barrelhouse at Zorn; street closure at Oak & 9th Street to 9th and York Street, down York Street to the alley on Sunday, September 26, 2021 from 10:00 a.m. – 9:00 p.m. for a Mac and Cheese Festival benefiting charity; the motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

REQUEST FOR STREET CLOSURE - Trish Johnsen, First United Methodist Church, is requesting the closure of 7th Street between Pine and Franklin Streets and the alley between 6th and 7th Street on Saturday, September 25, 2021 form 9:00 a.m. – 3:00 p.m. for a benefit/car show to raise funds for Erik Tanehill.

Sergeant Forker, M.C.P.D. on behalf of Captain Jeff Loniewski, M.C.P.D. Traffic Division stated that M.C.P.D. is recommending approval of the request.

Mayor Parry made a motion to approve the request by Trish Johnsen, First United Methodist Church; the closure of 7th Street between Pine and Franklin Streets and the alley between 6th and 7th Street on Saturday, September 25, 2021 form 9:00 a.m. – 3:00 p.m. for a benefit/car show to raise funds for Erik Tanehill. The motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

REQUEST FOR WALK- Albertine Allen, Minority Health Partners of LaPorte County, is requesting approval to have a “Breast Cancer Awareness Walk” utilizing sidewalks beginning on 7th Street south to 4th Street; Wabash to 8th Street and return to Franklin Street on Saturday, October 2, 2021 beginning at 9:00 a.m.

Albertine Allen addressed the Board stating that the route is incorrect; advising it will start on Wabash Street and go down to 4th Street come back and cross 4th Street at Franklin Street to 2722 Wabash Street at the Pentecostal Church.

Sergeant Forker, M.C.P.D. on behalf of Captain Jeff Loniewski, M.C.P.D. Traffic Division stated that since the walkers are utilizing sidewalks there is no need for police overtime; recommending approval of the request.

President White asked City Clerk Gale Neulieb if any forms need to be filled out since there are changes made from the original paperwork.

City Clerk, Gale Neulieb stated that it won't be necessary.

Mayor Parry made a motion to approve the request by Albertine Allen, Minority Health Partners of LaPorte County; for a “Breast Cancer Awareness Walk” utilizing sidewalks beginning on Wabash Street and go down to 4th Street come back and cross 4th Street at Franklin Street to 2722 Wabash Street at the Pentecostal Church on Saturday, October 2, 2021 beginning at 9:00 a.m. The motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

REQUEST FOR REDUCTION OF SPEED- Warren Foster, 309 Chestnut Street is requesting the reduction of the speed limit from Franklin Street down Chestnut Street, Southwood Drive and Hoyt Street from 30 MPH to 20 MPH for children’s safety in the Neighborhood.

Councilman Don Przybylinski, 215 Gardena Street, addressed the Board on behalf of Mr. Foster; stating the speed limit is 30 mph on every other Street in that neighborhood; stating that on Chestnut Street there is only one (1) speed limit sign in an 8-10 block stretch and that speed limit is 30 mph; advising that Mr. Foster is also requesting that a “Children Playing” sign be placed at 309 Chestnut Street in front of his residence.

Sergeant Forker, M.C.P.D. addressed the Board on behalf of Captain Jeff Loniewski, M.C.P.D. Traffic Division recommending the 20 mph sign be installed for westbound Chestnut Street traffic just west of Wabash Street and for eastbound traffic just north of Southwood Drive; reducing the speed limit from 30 mph to 20 mph making it more consistent in the neighborhood.

Vice-President Keating observed that there were no sidewalks on either side of the streets; advising this is the best alternative for many children that live in that neighborhood.

Corporate Counsel, Amber Lapaich-Stalbrink addressed the Board advising the “Slow Children Playing” signs are not recognized by the MUCTD manual and have been denied in the past because of liability issues.

Jeff Wright, City Engineer stated that the County removed all the “Slow Children Playing” years ago as a result of a lawsuit and never put them back up.

President White explained that the “Slow Children Playing” signs are not something that the Board can approve at time.

Mayor Parry made a motion to approve the request by Warren Foster, 309 Chestnut Street; the installation of 20 mph sign be installed for westbound Chestnut Street traffic just west of Wabash Street; and for eastbound traffic just north of Southwood Drive for children’s safety in the neighborhood; the motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

REQUEST FOR 5K RUN/WALK- Lawrence Pincus, LPA Counseling/Second Act, 601 Franklin Street is requesting approval to cross the traffic circle north of the bridge leading to Washington Park for a Strides Against Suicide 5K and bicycle ride on Saturday, September 18, 2021 beginning at 8:00 a.m.

Lawrence Pincus addressed the Board stating that they have been very concerned about the epidemic, number of suicides, and overdoses in the community and they have continued to increase; advising they are trying do something about it; explaining that he spoke with Captain Jeff Loniewski, M.C.P.D. Traffic Division and a street closure is not necessary; advising they will have volunteers at the traffic circle at the time the runners, bikers, and walkers have to cross; explaining a majority of the 5K is within Washington Park boundaries.

President White thanked Mr. Pincus for helping those in need.

Sergeant Forker, M.C.P.D. on behalf of Captain Jeff Loniewski, M.C.P.D. Traffic Division stated that most of the route is within the jurisdiction of the Park Department and the organizers will need their approval; advising M.C.P.D. has no issues with this request.

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

Vice-President Keating stated that she would like clarification that Mr. Pincus is requesting a 5K walk, run, and bike ride.

Mr. Pincus stated that there is a ten (10), twenty-five (25), forty (40), sixty (60), and one hundred (100) mile bike ride; the ten (10), twenty-five (25), and forty (40) mile rides are going east from the Michigan City Washington Park Shelter down Lakeshore Drive and the longer riders will go all the way to New Buffalo; the sixty (60) mile and one hundred (100) mile riders are going west through Michigan City down to Valparaiso then loop back around to Washington Park.

President White asked Mayor Parry if he had any questions or comments.

Discussion ensued between Mayor Parry and Mr. Pincus regarding if there are enough volunteers to block the intersection. Mayor Parry stated he does not see an issue with a wooden horse type barricade if needed; explaining he doesn’t want anyone to get hurt. Mr. Pincus stated that there will be a sufficient number of volunteers including several M.C.P.D. officers.

Corporate Counsel, Amber Lapaich-Stalbrink stated if there is not going to be a street closure then there is no need for a Certificate of Insurance.

Mayor Parry made a motion to approve the request by Lawrence Pincus; to cross the traffic circle north of the bridge leading to Washington Park for a Strides Against Suicide 5K and bicycle ride on Saturday, September 18, 2021 beginning at 8:00 a.m. The motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

REQUEST FOR REQUEST FOR STREET CLOSURE- Tracy Levay, American Legion Skwiat Post #451, 121 Skwiat Legion Avenue is requesting approval for street closure on Washington Street between May and Skwiat Legion Avenue on Saturday, September 4, 2021 from 9:00 a.m. – 9:00 p.m. for the annual Labor Day Community Post Event.

Corporate Counsel, Amber Lapaich-Stalbrink stated all the paperwork was turned in and everything is good.

Sergeant Forker, M.C.P.D. on behalf of Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating that they are recommending approval of the request.

Mayor Parry made a motion to approve the street closure on Washington Street between May and Skwiat Legion Avenue by Tracy Levay, American Legion Skwiat Post #451, 121 Skwiat Legion Avenue on Saturday, September 4, 2021 from 9:00 a.m. – 9:00 p.m. for the annual Labor Day Community Post Event; the motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

RATIFICATION OF AGREEMENT- Farmer’s Market agreement between the City of Michigan City Gwen Wilson- Wilson’s Slam Dunk BBQ.

President White stated that we just need a formal motion to approve.

Mayor Parry made a motion to approve the Farmer’s Market agreement between the City of Michigan City and Gwen Wilson- Wilson’s Slam Dunk BBQ. The motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

AGREEMENT- Contract between the City of Michigan City and LaPorte Hospital Occupational Health Services, LLC. for the Employee Health and Wellness Center effective December 1, 2021.

President White stated that Attorney James Meyer is here on behalf of City of Michigan City and LaPorte Hospital Occupational Health Services, LLC to answer any questions or concerns.

Attorney James Meyer addressed the Board explaining the agreement between the City of Michigan City and LaPorte Hospital Occupational Health Services, LLC.; stating that the City is offering a Health Insurance Plan at a cost to employees; advising the new program will offer free healthcare for less serious conditions such sore throats, the flu, etc.; anything more serious would be referred to a specialist; certain prescriptions will also be available to employees and Elected officials; further stating the funding will be provided from grant money.

Mayor Parry commented that he had participated in all of the events and workshops pertaining to the Wellness Center and is asking the Board to approve this.

Corporate Counsel, Amber Lapaich-Stalbrink stated that Attorney Meyer was here today to address the Board due to a conflict of interest; it is anticipated that the Clinic will be open on December 1, 2021.

Mayor Parry made a motion to approve the Contract between the City of Michigan City and LaPorte Hospital Occupational Health Services, LLC. for the Employee Health and Wellness Center effective December 1, 2021; the motion was second by Vice-President Keating. Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

CLAIMS AND PAYROLL

Mayor Parry moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The motion was seconded by Vice-President Keating and carried as follows: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

CLAIMS DOCKET

August 16, 2021

Municipal Claims	\$	581,223.97
CDBG	\$	0.00
Health Life	\$	240,969.17
Workers Comp.	\$	27,288.16
Total Claims -	\$	849,481.30

Allowance of claims as set forth in the Register of Claims as follows:

PAYROLL DOCKET

August 13, 2021

City Payroll	\$	586,535.27
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Vice-President Keating made the motion to approve the payroll docket for August 13, 2021. The motion was seconded by Mayor Parry and carried as follows: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

UNFINISHED BUSINESS

President White stated the first item on the pending items/unfinished business list is Eileen Westerkamp 3017 Moore Road is requesting 2 stop signs on Moore Road

President White stated this matter was referred to M.C.P.D. Traffic Division for their review and recommendation at the previous meeting.

Sergeant Forker, M.C.P.D. stated it was recommended that a traffic study is done on Moore Road by City Engineer, Jeff Wright.

President White asked City Engineer, Jeff Wright if he had any further information regarding this matter.

City Engineer, Jeff Wright stated that he asked for more time to do a more comprehensive study of Moore Road; advising that Central Services has cut back the foliage and he is suggesting a “Stop Ahead” sign and stop lines; explaining the sign should already be installed.

Mayor Parry stated that this should remain on the pending items list.

President White stated we are still waiting on the signs to be installed and the Board needs verification that this has been completed; stating this matter will stay on the pending items list and will be revisited in two (2) weeks on September 7, 2021.

President White stated the next item on the pending items/unfinished business list is Joseph Krchnavi 9788 N 375 W, request for “No Parking” sign to be installed on Eastside of alley between 412 and 416 Broadway Street

President White stated this matter was referred to M.C.P.D. Traffic Division for their review and recommendations at the last meeting.

Sergeant Forker, M.C.P.D. stated that Captain Jeff Loniewski, M.C.P.D. Traffic Division spoke to the resident at 416 Broadway to inform them not to block the alleyway; advising that it has continued; recommending the installation of a “Do Not Block Alley” sign.

Discussion ensued between President White and Jeff Wright, City Engineer regarding if there were any issues with the placement of a “Do Not Block Alley” sign. Mr. Wright stated there were no issues.

President White stated that this will be left on the unfinished list until the next meeting on September 7, 2021 to make sure the sign is installed.

Mayor Parry made a motion to approve a “Do Not Block Alley” sign to be installed on Eastside of alley between 412 and 416 Broadway Street; the motion was seconded by Vice-President Keating. The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

President White stated the next item on the pending items/unfinished business list is Tim Taylor and Jeff Alisch, 2310 Maple Street requesting to purchase City owned property located on Beverly Court Parcel # 46-01-33-337-014.00-022

President White asked Corporate Counsel, Amber Lapaich-Stalbrink if she had any information on this matter.

Corporate Counsel, Amber Lapaich-Stalbrink stated at the last Board meeting this matter was referred to her office to check with all City departments to see if they have an objection to the sale of this property and to make sure the City owns Parcel #46-01-33-337-014.00-022; advising that no City department has any objection to the sale of this property; however when she asked the county for the deed, it could not be located; explaining her recommendation is to do a title search at the estimated cost of \$250.00-350.00.

Mayor Parry stated we need a legal description of the deed and who the legal owners are.

Corporate Counsel, Lapaich-Stalbrink stated we do need a legal description.

Vice-President Keating made a motion giving Amber Lapaich-Stalbrink the authority to initiate the title search. The motion was seconded by Mayor Parry. The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White, Keating, and Parry (3). **NAYS:** None (0). **Motion Carries.**

President White stated the next item on the pending items/unfinished business list is Tracy Coleman, 218 Willard Avenue, concerns with speeding vehicles on Willard Avenue and children’s safety

Rodney McCormick 617 Union Street addressed the Board on behalf of Tracy Coleman; stating there have been significant developments in that neighborhood with the police placing a traffic sign to slow down the speeders and the neighbors are feeling much safer now.

President White stated this matter will stay on the pending items/unfinished business list until September 7, 2021.

President White stated the next item on the pending items/unfinished business list is Rodney McCormick, 617 Union Street, safety issues with several homes in his neighborhood- 705 & 727 & 803 Emily Street-925 & 910 W. 7th Street

Vice-President Keating asked this matter stay on the pending items/unfinished business list until the next meeting on September 7, 2021.

President White stated the next item on the pending items/unfinished business list is Councilman Don Przybylinski’s request that signage (rough crossings) be placed at Ohio Street and Tilden Avenue CSX crossings

President White asked Mayor Parry if he had any further information on this matter.

Mayor Parry stated he has been directed to another individual within CSX and in addition to that, he has spoken to a contractor that generally does work for CSX who is going to take a look at the crossings and see if the work can be done.

President White stated this matter will stay on the pending items/unfinished business list as a reminder to keep the Board updated on communications between the Mayor and CSX.

President White stated the next item on the pending items/unfinished business list is Robin Tillman, Transit Director – RFP proposals for bus shelters.

Counsel, Lapaich-Stalbrink addressed the Board stating a Special Board of Works meeting was scheduled with the vendor to discuss the contract and the details, but it was cancelled by the vendor; advising the meeting needs to be rescheduled; explaining the Board should revisit this matter on September 20, 2021.

President White advised this matter will stay on the pending items/unfinished business list until the next meeting on September 20, 2021.

PUBLIC COMMENTS

President White asked if there was anyone from the public who wished to speak.

Brealon Hervey 1705 Springland Avenue, owner of Social BBQ and Catering, addressed the Board explaining his frustration with trying to get a vendor's license; explaining the City needs to find a way to get information across to the public who bring issues to the Board.

Councilman Don Przybylinski 215 Gardena Street, addressed the Board regarding the Wabash Street and the greenway that starts at the Michigan City Post Office and goes down to 11th Street; explaining it is in disrepair; the weeds are growing within all the flower beds, the trees need to be trimmed, and the grass needs to be cut; advising this property needs to be maintained; commenting on the street light on the corner of Ripley Street and Franklin Street; stating it is out of sync and if you are on Ripley you have to sit and wait ten (10) minutes for the light to turn green; continuing to comment on the Cleveland Avenue extension that the City is paying close to a million dollars to have repaired; stating our Legal Department needs to go back and look at the original construction of that road and determine why that roadway fell apart; asking if it is due to poor construction.

Rodney McCormick, 617 Union Street addressed the Board regarding accountability within the City; advising Zorn Brewery has loud music that continues to play at all hours of the evening and early morning; commenting on the Whistle Blowing Ordinance No. 4503 and the investigation taking place at this time at the M.C.P.D.

Discussion ensued between Mr. McCormick and Mayor Parry regarding the investigation.

City Engineer, Jeff Wright addressed the Board regarding the Cleveland Avenue Paving Project; updating the Board of the work that was being done to that road and why it was being done at this time.

Discussion ensued between Counsel, Lapaich-Stalbrink, Mr. Wright and the Board regarding the Cleveland Avenue Paving Project.

Tommy Kulavik, 1316 Ohio Street addressed the Board regarding the Cleveland Avenue extension and a problem with the streetlights being defective; stating that school is starting back up, so everyone be aware of the school buses and the masks being littered all over the ground.

BOARD COMMENTS

President White asked if there are any Board comments.

Mayor Parry addressed the Board regarding the Cleveland Avenue and the need for an independent inspection; stating that the area that Mr. Hervey, Social BBQ wants to put his food truck on which is an easement on the corner of 7th Street and Franklin Street; explaining this is a violation of a City Ordinance on food trucks not being within so many feet of a brick-and-mortar restaurant; commenting on Mr. McCormick's insinuations and accusations earlier.

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 9:58 a.m. Mayor Parry made the motion to Adjourn. The motion was seconded by Vice-President Keating. **AYES: Board of Public Works and Safety members White, Keating and Parry (3).**
NAYS: None (0). Motion Carries.

Gale A. Neulieb, City Clerk