The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, February 7, 2017 at the hour of 6:30 p.m., local time in the Common Council Chambers, located in the lower level of the City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana.

The meeting was called to order at 6:30 p.m. by Council President Schwanke.

Roll call was authorized and the following were noted present and/or absent.

PRESENT: COUNCIL MEMBERS Tim Bietry, Pat Boy, Sharon Carnes, Bryant Dabney, Ron Hamilton, Don Przybylinski, Chris Schwanke, Candice Silvas (8).

ABSENT: Allan Whitlow (1) President Schwanke asked that the record reflect that Mr. Whitlow is excused tonight as he is under the weather; asking that everyone keep Mr. Whitlow in their thoughts and prayers.

A QUORUM WAS NOTED PRESENT

ALSO PRESENT: Jim Meyer – Council Attorney; Gale Neulieb – City Clerk and Kim Sliwa – Deputy Clerk

APPROVAL OF MINUTES

President Schwanke inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of January 17, 2017.

Councilman Przybylinski made a motion to approve the Regular meeting minutes held on January 17, 2017; second by Councilman Dabney. The minutes were approved as printed.

REPORTS OF STANDING COMMITTEES

Councilman Przybylinski presented the following Finance Committee meeting minutes:

Minutes of the Council Finance Committee Meeting for Claims, 6:00pm on February 7, 2017. The meeting was called to order at 6:07 pm in the Council study to discuss the claims for 2/7/2017. Committee members present were Przybylinski, Silvas and Dabney. A quorum was present. The committee reviewed the bills; there were no questions nor comments. A motion was made to approve by Councilman Dabney and seconded by Councilwoman Silvas; with a vote of 3-0 to approve the payment of the claims. Motion was made to adjourn by Councilwoman Silvas and seconded by Councilman Dabney; the meeting ended at 6:09pm.

Councilman Przybylinski presented a breakdown of the claims as follows: Haas & Associates, LLC for Floodplain Map Revisions in the amount of $14,295.13; Haas & Associates, LLC for 2016 Paving & Sidewalks in the amount of $18,990.00; Larson-Danielson Construction Co. Inc. for the MCPD Station Pay App 17 in the amount of $104,702.77; Miner Electronics Corp. for Equipment/Installation in the amount of $1,997.25; Corporate Payment Systems for IT Improvement Project in the amount of $3,136.23; James Meyer & Associates, PC for Legal Services-Beachwalk in the amount of $752.50; Sauers Buick GMC for 2016 Lease Payments in the amount of $3,600.00; Michigan City Chrysler Dodge Jeep for 2016 Jeep Cherokee for the City Planner in the amount of $49,926.00; and Hawk Enterprise, Inc. for Bus Stop Signage in the amount of $24,998.00; for a total of $222,398.63.
Councilman Przybylinski presented the following Finance Committee meeting minutes: Michigan City Common Council Finance Committee meeting of January 23, 2017. Meeting called to order by Finance Chairman Councilman Przybylinski at 5:05 pm. Committee members Councilwoman Silvas and Councilman Dabney were both present. Those in attendance were: Councilwoman Pat Boy, Asst. Park Supt. Shannon Eason, Asst. Controller Yvonne Hoffmaster, Asst. Police Chief Richardson, Councilman Chris Schwank, City Engineer Spike Peller, Tim Haas and Tom Weinmann of Haas and Associates, John Gorczyca of MC Sanitary District, and City Controller Murphy.

Items for discussion:

1.) Approving additional appropriation of $277,423.00 in the budget of the Boyd Development Fund for engineering cost for Phase III of the Singing Sands Trail. The City has been awarded federal funding in the amount of $417,801.00 to complete the engineering for Phase III, and the City’s respective share, at this time, is $277,423.00. If INDOT partially funds the project as projected with $138,378.00 than the City will only have to spend $139,045.00. Asst. Park Supt. Shannon Eason stated that it will take eight weeks for INDOT to make a final decision making the additional funding to this project. Motion was made for approving the funding by Councilwoman Silvas, and seconded by Councilman Dabney. The appropriation was approved with Councilwoman Silvas, Councilmen Dabney and Przybylinski voting yes.

2.) Amending Ordinance No. 4343 commonly known as the 2017 Salary Ordinance to create the position of Administrative Assistant in the Police Dept. Asst. Chief Richardson stated that the Police Dept. ranks have been reduced from 87 to 83 officers. This has increased the responsibilities and work load on the present civilian employees. Two positions of Secretary will be eliminated and replaced with the reclassification of Administrative Asst. There will be no increase in the employer’s share of health cost because the positions presently exist. There is no proposed increase in the salary ordinance due to the pay increases because of lag time with officers retiring and being hired. Motion was made for approving the positions by Councilwoman Silvas and seconded by Councilman Dabney. The ordinance change was approved with Councilwoman Silvas, Councilmen Dabney and Przybylinski voting yes.

3.) Approving additional appropriation of $1,250,000.00 in the budget of the Riverboat Fund to provide funding for Phase II of the Village Green Streets, sidewalks, and storm sewer repairs project and funding for engineering for the Community Crossing Grant Project. City Engineer Spike Peller stated that $128,000.00 will be used for construction management for the Community Crossroads Project. The remaining funds will be used to complete Phase II of the Village Green project. Motion was made by Councilman Dabney for approving the additional appropriation and seconded by Councilwoman Silvas. The appropriation request was approved with Councilwoman Silvas, and Councilmen Dabney and Przybylinski voting yes.

4.) Approving additional appropriation of $550,000.00 in the budget of the Riverboat Fund to provide funding and maintenance of Streets and Sidewalks. City Engineer Spike Peller discussed streets and sidewalks that are scheduled for repairs and that there is $400,000.00 left from 2016 budget. Councilwoman Silvas made the motion to approve the appropriation and was seconded by Councilman Dabney. The appropriation request was approved with Councilwoman Silvas, and Councilmen Dabney and Przybylinski voting yes.

5.) Approving additional appropriation of $41,000.00 in the budget of the CEDIT Fund to provide additional funding for ALCO Services. Councilman Chris Schwank, who is a member of the ALCO Board of Directors, explained that the funding will be used for improvements for overall station operations. Councilwoman Silvas made the motion to approve the appropriation and was seconded by Councilman Dabney. The appropriation request was approved with Councilwoman Silvas, and Councilmen Dabney and Przybylinski voting yes.

A motion was made to adjourn by Councilwoman Silvas and second by Councilman Dabney. All members voted yes. The meeting adjourned at 6 pm.
President Schwanke asked if there were any other Standing Committee Reports; there was no response.

REPORTS OF SPECIAL OR SELECT COMMITTEES

Councilman Przybylinski gave a brief update as Liaison to the Human Rights Commission commenting on this being Black History Month and the Human Rights Commission will be presenting their awards on Thursday, February 23, 2017 at 4:00 p.m. here at City Hall for the poster and essay contest that takes place every year; encouraging members of the public and Councilmembers to attend.

Councilman Przybylinski advised from the Human Rights Commission meeting they are sponsoring a Give Back night for the Social Status of African American Males at Buffalo Wild Wings this evening from 5:00 – 8:00 p.m. with 3% of all purchases going to this worthwhile organization.

President Schwanke asked if there were any other Reports of Special or Select Committees; there was no response.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

Fire Chief Randy Novak, Michigan City Fire Department, presented an update to the Council on the Overtime for 2016.

Discussion ensued between Councilman Przybylinski, President Schwanke, Councilwoman Boy, Councilman Bietry and Fire Chief Novak regarding the list of candidates to send to the academy; hiring of firefighters – those being sent to the academy and those being trained in house until the next academy starts; being in compliance with the Consent Decree of 1978; retirement of three (3) senior firefighters – Capt. Dave Koss with 35 years of service, Driver/Operator Harry Hoffmaster with 32 years of service and Capt. Ron Martin with 29 years of service; working on the purchase of a new Quint Fire Truck for 2018, getting a “truck committee” together to start the vetting process and the replacement/rotation of Fire Department vehicles, along with costs associated with the repairs of current equipment; and working every angle to get the overtime costs down.

Police Chief Mark Swistek, Michigan City Police Department, recognized Reserve Officer Retirement of Robert Hugley and Jim Larson; presenting them with commemorative plaques; “thanking” them for their volunteer service to this community; describing the program to the Council; and advising the Council that the Reserve Officer program ends with these retirements.

Police Chief Mark Swistek, Michigan City Police Department, presented the 2016 Crime Report.

Councilman Przybylinski and President Schwanke commented on the Michigan City Police Department services and responses; also “thanking” all the officers for their hard work and continued dedication to the community.

Chief Swistek advised the Council he would be coming to them in the future with regards to the body cameras and upgrading this component with newer technology.

CLAIM DOCKETS

President Schwanke stated the Claims for Fund #9000 – Riverboat was $208,103.50 and Fund #0417 – Boyd Development $14,295.13.
President Schwanke asked if there were any comments and hearing none, a motion was made by Councilman Przybylinski, second by Councilwoman Boy and Councilman Dabney, and was approved. Motion carried 9 – 0.

PETITIONS

There were no petitions.

COMMUNICATIONS

There were no communications received.

RESOLUTIONS

The Clerk read the following Resolution by title only,

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4667

RECOGNIZING AND CELEBRATING THE MONTH OF FEBRUARY 2017 AS BLACK HISTORY MONTH IN THE CITY OF MICHIGAN CITY, INDIANA

WHEREAS, in 1776, the United States of America was imagined to be a new nation “dedicated to the proposition that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness;” and

WHEREAS, in 1863, President Abraham Lincoln, in reference to the Declaration of Independence, stated, “Four score and seven years ago our fathers brought forth, upon this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal;” and

WHEREAS, the first Africans were brought involuntarily to the shores of America as early as the 17th century, suffered enslavement, and faced the injustices of lynch mobs, segregation, and the denial of basic and fundamental rights of citizenship; and

WHEREAS, inequality and injustice still exist in our society today; and

WHEREAS, Martin Luther King, Jr., Sojourner Truth, Frederick Douglass, Harriet Tubman, W.E.B. DuBois, Booker T. Washington, George Washington Carver, Charles Hamilton Houston, the Tuskegee Airmen, Lena Horne, Ralph Bunche, Jackie Robinson, Constance Baker Motley, James Baldwin, Dorothy Height, Thurgood Marshall, and Shirley Chisholm lived lives of incandescent greatness while many African Americans lived toiled and died in obscurity, never achieving recognition, but helping to pave the way for future generations successes; and

WHEREAS, James Beckwourth, Bill Pickett, Colonel Allen Allensworth, and Clara Brown, and many others worked against racism to achieve success, and were pivotal in the exploration and westward expansion of the United States; and

WHEREAS, the explorer and trader, Jean-Baptist-Point Du Sable, had a trading post in this very area, and is known today as the founder of Chicago; and

WHEREAS, pioneers such as David Dinkins, Mae Jemison, Arthur Ashe, Oprah Winfrey, James Earl Jones, Clarence Thomas, Ursula Burns, Alice Walker, Ronald Brown,
Alexis Herman, Kenneth Chenault, and Magic Johnson have all served as positive beneficiaries of our forefathers and as great role models and leaders for future generations; and

WHEREAS, in 2008, and again in 2012, the people of the United States elected an African-American man, Barack Obama, as President of the United States, and African Americans continue to serve the United States at the highest levels of the government and Armed Forces; and

WHEREAS, Carter G. Woodson, the “Father of Black History,” stated, “We have a wonderful history behind us...If you are unable to demonstrate to the world that you have this record, the world will say to you, 'You are not worthy to enjoy the blessings of democracy or anything else;’” and

WHEREAS, in 1926, Carter G. Woodson set aside a special period of time in February to recognize the heritage and achievement of black Americans, which led to Black History Month; and

WHEREAS, in 2012, President Barack Obama and First Lady Michelle Obama, along with former First Lady Laura Bush, celebrated the groundbreaking of the National Museum of African American History and Culture on the National Mall in Washington, D.C.; and

WHEREAS, Hiram Rhodes Revels, Blanche Kelso Bruce, Edward William Brooke, Carol Moseley Braun, Barack Obama, Roland Burris, and Tim Scott, have all served as African-American firsts in the exclusive United States Senate; and William “Mo” Cowan was the first to represent Massachusetts since 1978, and Cowan and Scott were the first African Americans to serve at the same time; and

WHEREAS, within the City of Michigan City, Indiana, the following individuals have served important leadership roles in our community and local government:

a. Mamye Saunders, who was the first African-American and first female Executive Director of the Michigan City Housing Authority;
b. Evonne Stephens-Norvell, who was the second African-American and second female Director of the Michigan City Housing Authority and member of the Michigan City Area Schools Board of Trustees;
c. Dr. C.A.Mott, who practiced medicine in the 1920's and was the first African American physician in Michigan City;
d. Harriet Wise, who was the first African-American Female to graduate from Michigan City Elston High School in 1928;
e. Tenola Graves, who was the first African-American to practice law in Michigan City;
f. Cirony Smith, who was the first African American member of a volunteer fire department during the 1870's;
g. Matt Jarrett, who was the first African-American member of the Michigan City Fire Department in 1960;
h. Raymond Brooks, who was the first African-American Fire Chief of the Michigan City Fire Department;
i. Ralph Martin, who was the second African-American Fire Chief of the Michigan City Fire Department;
j. Ronnie Martin, who was the third African-American Fire Chief of the Michigan City Fire Department;
k. Clarence Kemp, who was the first African American Police Officer of the Michigan City Police Department;
l. James Webb, who was the second African-American Police Officer of the Michigan City Police Department;
m. La Verne Dunlap, who was the first female African-American Police Officer in the Michigan City Police Department;
n. Denice Shipp Glenn, who was the second female African-American Police Officer in the Michigan City Police Department;
o. Eugene Simmons, who was the first African-American Police Chief of the Michigan City Police Department; and
p. Robert Bush and Emery Whitlow, who were the first African-American members of the Michigan City Common Council in 1976.
NOW, THEREFORE, BE IT RESOLVED that the Common Council of Michigan City, Indiana:

(1) Acknowledges that the people of the United States are the recipients of the wealth of history given to us by black culture; and
(2) Recognizes the importance of Black History Month as an opportunity to reflect on our complex history, while remaining hopeful and confident about the path that lies ahead; and
(3) Acknowledges the significance of Black History Month as an important opportunity to recognize the tremendous contributions of African Americans to our history; and
(4) Encourages the celebration of Black History Month to provide a continuing opportunity for all people to learn from the past and to understand the experiences that have shaped our nation; and
(5) Remembers the injustices that African Americans have endured and commends the African-American community for overcoming those injustices to change the course and nature of history by forging the fight for equality; and
(6) Agrees that while the United States began in division, we must now move forward with purpose, united tirelessly as one Nation, indivisible, with liberty and justice for all, and honor the contribution of all pioneers who help ensure the legacy of these United States.

This Resolution shall be in full force and effect after passage by the Michigan City Common Council and approval by the Mayor.

INTRODUCED BY: /s/ Chris Schwanke, President
Michigan City Common Council

/s/ Bryant Dabney, Member
Michigan City Common Council

/s/ Pat Boy, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of February, 2017 by a vote of 8 - 0.

/s/ Chris Schwanke, President
Michigan City Common Council

President Schwanke commented that he worked on this with Mr. Dabney and Mr. Dueitch of the Human Rights Department; further commenting on the research put forth in creating this document; “thanking” Mr. Dueitch and Corporate Counsel Lapaich for putting this together.

Councilman Dabney read the Resolution in its entirety.

President Schwanke asked if there were any comments from the public; there was no response; asking if there were any comments from the Council.

Councilwoman Boy asked to be added as a co-sponsor; also, pointing out some grammatical corrections that need to be made.

President Schwanke asked if there were any further Council comments.

Councilman Hamilton made a motion to approve the proposed Resolution; second by Councilwoman Boy.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed Resolution passed by the following vote: AYES: Council Members Dabney, Carnes, Hamilton, Przybylinski, Schwanke, Silvas, Bietry and Boy (8). NAYS: None (0).

President Schwanke stated the Resolution is approved.
ORDINANCE

The Clerk read the following proposed ordinance on first reading by title only.

AMENDING ORDINANCE NO 4343 COMMONLY KNOWN AS THE “2017 SALARY ORDINANCE” TO REMOVE THE POSITION OF GOLF PRO IN THE PARK DEPARTMENT; TO CREATE THE POSITION OF PRO SHOP MANAGER IN THE PARK DEPARTMENT; AND TO CORRECT CERTAIN TYPOGRAPHICAL ERRORS

Introduced by: Bryant Dabney

Councilman Dabney explained the removal of the Golf Pro and the creation of Pro Shop Manager, in that the Golf Pro will go back to being an independent contractor; making the position of Pro Shop Manager and the funding that is available to make this change.

President Schwanke asked if there were any comments from the Public.

Jeremy Kienitz, Parks Superintendent, clarified when the 2017 budget was submitted and approved it had the Golf Pro as a full-time position, which it was not in 2016, so in further discussion with the Mayor and the Controller’s Office, they decided they wanted to retain that as a contractual position, so those dollars were already remaining in the budget; they are not asking for further dollar amounts, and actually by doing this change it will actually save the City $25,000.00 with their budget; further explaining the contractual position of the Golf Pro that was a full-time position upwards of $78,000.00-$79,000.00, which they are removing and replacing that with a part-time seasonal position for $28,000.00.

President Schwanke asked if there was any further public comment; there was no response; asking if there were any comments by the Council.

Councilwoman Boy “thanked” Mr. Kienitz for the clarification.

President Schwanke asked if there was any further comments from the Council; there was no response; stating he was thinking of referring this to the Park and Recreation Committee for review, but doesn’t really see a need to do that unless anyone has a potential need to see it go to committee; with no objection he would not be referring this to committee.

The Clerk read the following proposed ordinance on first reading by title only.

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR THE PURCHASE OF A UTILITY TERRAIN VEHICLE AND ADA ACCESS DECKING SYSTEM FOR THE PARK DEPARTMENT

Introduced by: Bryant Dabney

(CDECREASE Riverboat Fund # 9000 Unappropriated balance $ 50,000.00 INCREASE ACCOUNT # 9000 0000 04 443.007 Park Projects $ 20,000.00 INCREASE ACCOUNT # 9000 0000 04 444.011 Other Machinery & Equipment – Park $ 30,000.00)

Councilman Dabney explained the use of the funding of $20,000.00 for a new decking system to replace the one out at the Senior Center as the old one is no longer usable, and the new system is one that can be removed and stored for the off season; further explaining the $30,000.00 is for the Utility Terrain Vehicle that will be used by the Park Department as well as the Police and Fire Departments; further explaining the use of the funding.

President Schwanke asked if there were any comments from the Public.

Jeremy Kienitz, Park Superintendent commented on the UTV purchase and his discussions with both the Police and Fire Departments, as this vehicle can be utilized by
all three departments; further explaining how the UTV will be used in place of their Life
Guard pick-up truck in emergency situations along the beach.

Discussion ensued between President Schwanke and Mr. Kienitz regarding the Life
Guard pick-up truck and how it will still be utilized, and that the UTV will replace the
main operating vehicle on a daily bases; also, discussing the time frame for the
purchase of the UTV, and that the hope is that the UTV will be here for the Memorial
Day weekend.

Discussion ensued between Councilman Hamilton and Mr. Kienitz regarding the ADA
decking system and about how long the new system will be in comparison to the
decking installed by the Comcast Cares Day project. Mr. Kienitz explained they are
looking at replicating what that was, which was about 500 feet straight out and at this
time they are not looking at going horizontal as the lake had other ideas for that; further
stating the old deck was past its useful life and they were having more issues with it and
it became a safety hazard, which is why they removed it.

Discussion ensued between Councilman Przybylinski and Mr. Kienitz regarding the
decking system being rolled up every season and put away. Mr. Kienitz stated that was
correct, they would put it up in the spring prior to the season beginning and the pick it up
sometime in the fall prior to conditions being unfavorable. Further discussion ensued
regarding the Utility Terrain Vehicle and use of the vehicle after hours. Mr. Kienitz
explained the UTV will be kept in their garage and both Police and Fire would have
access to it if needed.

Police Chief Mark Swistek, M.C.P.D., addressed the Council asking that the Council
support this; further explaining with the larger events at the park they find they do not
have enough vehicles down there for emergency services, and historically they are
borrowing from the Long Beach Police Department and the DNR; explaining the DNR is
now shifting a lot of their vehicle to the National Lakeshore as they are experiencing an
increase in attendance as well; that it is very important for Police, Fire and Park
Department to have this vehicle; that he will be working closely with Mr. Kienitz to make
sure the vehicle meets all of their needs; further explaining the storage of the
ATV’s/UTV’s and accessibility for all three (3) departments.

President Schwanke asked if there were any further comments from the public; there
was no response; asking if there was any Council comments; there was no response.

President Schwanke stated the proposed ordinance will be held over for second reading
at the next Council meeting.

The Clerk read the following proposed ordinance on second reading by title only.
CREATING SEC. 2-344 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE
TO DESIGNATE THE PURCHASING AGENCY FOR THE CITY PURSUANT TO I.C.
5-22-4-5

Introduced by: Chris Schwanke
Candice Silvas
Don Przybylinski
Pat Boy

Councilwoman Boy addressed the amendments that need to be made to the proposed
ordinance; asking if the Council wanted to do this amendment by substitution or do
them by individual amendments; explaining there was one (1) agency that was missed
when the attorney did the proposed ordinance, that can’t be left out.

President Schwanke advised they would do the amendment by substitution, and that a
copy was passed out to everyone this evening.

Councilwoman Boy moved to amend by substitution; second by Councilman
Przybylinski.
President Schwanke stated he has a motion to amend by substitution by Councilwoman Boy; supported by Councilman Przybylinski; asking the City Clerk to call the roll to amend by substitution.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed amendment by substitution passed by the following vote: **AYES:** Council Members Carnes, Hamilton, Przybylinski, Schwanke, Silvas, Bietry, Boy and Dabney (8). **NAYS:** None (0).

President Schwanke asked if any of the author’s had any comments on the amended proposed ordinance.

Councilwoman Boy stated she wanted to make it clear to everyone that the Board of Aviation Commission is the purchasing agent for the Airport and it was inadvertently left off; advising that’s all the amendments are.

President Schwanke asked if there were any other author comments; there was no response; asking if there were any comments from the public; there was no response; asking if there were any comments from the Council; there was no response.

President Schwanke advised this would be held over for third reading at the February 21, 2017 meeting.

The Clerk read the following proposed ordinance on second reading by title only, **AMENDING ORDINANCE NO. 4343 COMMONLY KNOWN AS THE “2017 SALARY ORDINANCE” TO CREATE THE POSITION OF ADMINISTRATIVE ASSISTANT IN THE POLICE DEPARTMENT**

Introduced by: Ron Hamilton

Councilman Hamilton asked to have third reading on this tonight.

President Schwanke asked if there were any comments from the public; there was no response; asking if there were any comments from the Council; there was no response.

President Schwanke stated Councilman Hamilton has asked for third reading; asking if there was any objection to having third reading tonight; there was no response; asking the City Clerk to read the proposed ordinance on third reading.

The Clerk read the following proposed ordinance on third reading by title only, **MICHIGAN CITY COMMON COUNCIL ORDINANCE NO. 4418**

**AMENDING ORDINANCE NO. 4343 COMMONLY KNOWN AS THE “2017 SALARY ORDINANCE” TO CREATE THE POSITION OF ADMINISTRATIVE ASSISTANT IN THE POLICE DEPARTMENT**

**WHEREAS,** on October 19, 2016, the Michigan City Common Council enacted Ordinance No. 4408, which established the salaries and wages for appointed officials and employees for the year 2017; and

**WHEREAS,** since that time, the need now exists to create a position of Administrative Assistant in the Police Department; and

**WHEREAS,** the Controller’s Office has advised that sufficient funds exist in the 2017 salary budget to fund the position of Administrative Assistant in the Police Department.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Michigan City, LaPorte County, Indiana, as follows:
1. The position of Administrative Assistant shall be added to Section 1, specifically under the Police Department, of Ordinance No. 4408, and shall read as follows:

<table>
<thead>
<tr>
<th>Rate per Hour</th>
<th>Annual Salary or Bi-Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Assistant</td>
<td>$14.61</td>
</tr>
</tbody>
</table>

2. All other provisions of Ordinance No. 4408 shall remain in full force and effect.

This Ordinance to be effective retroactive to January 1, 2017 upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: /s/ Ron Hamilton, Jr., Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of February, 2017 by a vote of 8 to 0.

Michigan City Common Council

President Schwanke asked if there was any further author comment; there was no response; asking if there was any comment from the public; there was no response; asking if there was any comments from the Council.

Councilman Hamilton made the motion to approve the ordinance; second by Councilman Dabney.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed ordinance passed by the following vote: AYES: Council Members Hamilton, Przybylinski, Schwanke, Silvas, Bietry, Boy, Dabney and Carnes (8). NAYS: None (0).

The Clerk read the following proposed ordinance on second reading by title only, APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR PHASE II OF VILLAGE GREEN STREETS, SIDEWALKS, AND STORM SEWER REPAIR PROJECT & FUNDING FOR ENGINEERING FOR THE COMMUNITY CROSSING GRANT PROJECT

Introduced by: Pat Boy
Don Przybylinski
Tim Bietry

(DECREASE Riverboat Fund # 9000 Unappropriated balance $ 1,250,000.00
INCREASE ACCOUNT # 9000 0000 04 443.001Streets & Alleys $1,250,000.00)

President Schwanke asked if any of the author's had anything to add tonight.

Councilwoman Boy explained part of this is going to the Village Green Phase II project, which was delayed by a whole year.

President Schwanke asked if there were any other comments from the authors; there was no response; advising there will be a Formal Public Hearing this evening on this proposed ordinance; opening the Formal Public Hearing and repeating three (3) times, is there any comments from the public; there was no response and President Schwanke closed the Formal Public Hearing.

President Schwanke asked if there were any comments from the Council; there was no
response; advising this proposed ordinance will be held over for third reading at the February 21, 2017 meeting.

The Clerk read the following proposed ordinance on second reading by title only, APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR PAVING AND MAINTENANCE OF STREETS AND SIDEWALKS

Introduced by: Chris Schwanke
Co-sponsored by: Pat Boy
Don Przybylinski

(DECREASE Riverboat Fund # 9000 Unappropriated balance $ 550,000.00
INCREASE ACCOUNT # 9000 0000 04 443.001 Streets & Alleys $ 550,000.00)

President Schwanke asked if any of the author’s had anything to add.

Councilman Przybylinski asked for third reading of the proposed resolution this evening.

President Schwanke advised there will be a Formal Public Hearing this evening on this proposed ordinance; opening the Formal Public Hearing and repeating three (3) times, is there any comments from the public; there was no response and President Schwanke closed the Formal Public Hearing.

President Schwanke asked if there were any comments from the Council.

President Schwanke stated he had a question for our City Engineer, Mr. Charles “Spike” Peller; asking if there was a need to do third reading tonight with regards to contractual issues or anything with pavement being available to get these projects started.

Charles “Spike” Peller, Michigan City Engineer, addressed the Council stating not really.

Discussion ensued between President Schwanke and Mr. Peller regarding the matter as far as the time frame for getting everything in place to start the season. Mr. Peller stated third reading would help the process; advising they can start advertising and getting the bids out.

President Schwanke reiterated that Councilman Przybylinski has asked for third reading this evening; asking if there was any objection; there was no response; asking the City Clerk to read the proposed ordinance on third reading without objection by title only.

The Clerk read the following proposed ordinance on third reading by title only, MICHIGAN CITY COMMON COUNCIL ORDINANCE NO. 4419

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR PAVING AND MAINTENANCE OF STREETS AND SIDEWALKS

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2017 Annual Budget to provide funding for paving and maintenance of streets and sidewalks; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #9000 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that for the expenses of the City the following
additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

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<tr>
<th>AMOUNT REQUESTED</th>
<th>AMOUNT APPROPRIATED</th>
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<tbody>
<tr>
<td>DECREASE Riverboat Fund # 9000 Unappropriated balance</td>
<td>$ 550,000.00</td>
</tr>
<tr>
<td>INCREASE ACCOUNT # 9000 0000 04 443.001 Streets &amp; Alleys</td>
<td>$ 550,000.00</td>
</tr>
<tr>
<td><strong>TOTAL FOR FUND</strong></td>
<td><strong>$ 550,000.00</strong></td>
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This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

**INTRODUCED BY:** /s/ Chris Schwanke, Member Michigan City Common Council

**CO-SPONSORED BY:** /s/ Don Przybylinski, Member Michigan City Common Council

/s/ Pat Boy, Member Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of February, 2017 by a vote of 8 to 0.

/s/ Chris Schwanke, President Michigan City Common Council

President Schwanke asked if any of these authors had anything to add; there was no response; asking if there was any public comment; there was no response; asking if there was any comments from the Council.

Councilman Przybylinski made the motion to approve the proposed ordinance; second by Councilwoman Boy and Councilman Hamilton.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed ordinance passed by the following vote: **AYES:** Council Members Przybylinski, Schwanke, Silvas, Bietry, Boy, Dabney, Carnes and Hamilton (8). **NAYS:** None (0).

President Schwanke advised the Ordinance is approved and will be forwarded to the Mayor for his signature.

The Clerk read the following proposed ordinance on second reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CEDIT FUND TO PROVIDE ADDITIONAL FUNDING FOR ALCO SERVICES**

**Introduced by:** Tim Bietry

Chris Schwanke

Candice Silvas

Bryant Dabney

(DECREASE Riverboat Fund # 9000 Unappropriated balance $ 41,000.00
INCREASE ACCOUNT #0227 0000 03 439.011 Contractual Services $41,000.00)

President Schwanke asked if there were any other comments from the authors; there was no response; advising there will be a Formal Public Hearing this evening on this proposed ordinance; opening the Formal Public Hearing and repeating three (3) times, is there any comments from the public; there was no response and President Schwanke
closed the Formal Public Hearing.

Councilman Dabney asked for third reading on this tonight.

Councilwoman Boy commented that this is a necessary step, as comments she hears are in regards to the televised meetings is that they sometime lose the feed and with this funding ALCO can update their equipment for improved services.

President Schwanke noted that Mr. Dempsey was in attendance this evening if anyone had any questions.

Mike Dempsey, Director of Operations for Access LaPorte County, addressed the Council stating ALCO looks to join the fiber optic network, hopefully the City will have one this year, which will solve the problem of a lost signal; advising currently they just operate off of a Comcast modem here at City Hall; explaining how the connections get lost to the modem, which kicks them off the air; further commenting on joining the fiber optic network and the associated costs for joining, along with costs for the purchases for the switches and other equipment. Mr. Dempsey continued to explain ALCO is currently operating under a contract that was initiated with the City back in 2008, and that they are still receiving the same compensation now as they were in 2008 and back then they were contracted to do 294 meetings a year and now they do considerably more than that; stating in 2015 and 2016 they did over 50 city events that were taped, recorded and put on the website as well as television, and that Access LaPorte County.org now averages over 50,000 views for the past two (2) years, which means they need to buy more bandwidth and internet storage space; they wish to expand their TV viewing audience, currently they only go out to Comcast television subscribers and with the addition of set top boxes they would like to reach out to DISH network and Direct TV customers who would be able to watch channel 97; further commenting on the 2008 contract and the clause of “as needed services”, which he read to the Council that included any necessary addendum to this agreement and that is what he is asking for tonight.

President Schwanke asked if there were any questions for Mr. Dempsey; there was no response.

President Schwanke asked if there were any objections to having third reading tonight; there was no response; asking the City Clerk to read the proposed ordinance on third reading by title only.

The Clerk read the following proposed ordinance on third reading by title only,

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4420

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CEDIT FUND TO PROVIDE ADDITIONAL FUNDING FOR ALCO SERVICES

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2017 annual Budget to provide additional funding for ALCO services due to increase in operating costs for ALCO; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the CEDIT Fund #0227 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

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January 17, 2017
APPROPRIATED
DECREASE Riverboat Fund # 9000
Unappropriated balance $41,000.00

INCREASE ACCOUNT #0227 0000 03 439.011
Contractual Services $41,000.00

TOTAL FOR FUND $41,000.00

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: /s/ Tim Bietry, President
Michigan City Common Council

/s/ Chris Schwanke, Member
Michigan City Common Council

/s/ Candice Silvas, Member
Michigan City Common Council

/s/ Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of February, 2017 by a vote of 8 to 0.

/s/ Chris Schwanke, President
Michigan City Common Council

President Schwanke asked if any of the authors had anything to add; there was no response; asking if there was any public comment; there was no response; asking if there was any comments from the Council.

Councilman Bietry made the motion to approve the proposed ordinance; second by Councilman Przybylinski and Councilwoman Boy.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed ordinance passed by the following vote: AYES: Council Members Schwanke, Silvas, Bietry, Boy, Dabney, Carnes, Hamilton and Przybylinski (8). NAYS: None (0).

President Schwanke advised the Ordinance is approved and will be forwarded to the Mayor for his signature.

The Clerk read the following proposed ordinance on second reading by title only,
APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BOYD DEVELOPMENT FUND FOR ENGINEERING COSTS FOR PHASE III OF THE SINGING SANDS TRAIL

Introduced by: Chris Schwanke
Pat Boy
Tim Bietry
Bryant Dabney

(DECREASE Boyd Development Fund # 0417 Unappropriated balance $277,423.00
INCREASE ACCOUNT # 0417 0000 04 443.007 Park Projects $277,423.00)

President Schwanke asked if any of the author’s had anything to add; President
Schwanke asked to have 3rd Reading on the proposed ordinance as it is time sensitive and needs to be approved as soon as possible to secure funding from INDOT.

President Schwanke asked if there were any other comments from the authors; there was no response; advising there will be a Formal Public Hearing this evening on this proposed ordinance; opening the Formal Public Hearing and repeating three (3) times, is there any comments from the public; there was no response and President Schwanke closed the Formal Public Hearing.

President Schwanke asked if there were any comments from the Council; there was no response; asking if there was any objection to having third reading this evening; there was no response; asking the City Clerk to read the proposed ordinance on third reading by title only.

The Clerk read the following proposed ordinance on third reading by title only, MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4421

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BOYD DEVELOPMENT FUND FOR ENGINEERING COSTS FOR PHASE III OF THE SINGING SANDS TRAIL

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2017 Annual Budget for engineering costs for Phase III of the Singing Sands Trail; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Boyd Development Fund #0417 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same:

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<td>DECREASE Boyd Development Fund # 0417 Unappropriated balance</td>
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</tr>
<tr>
<td>INCREASE ACCOUNT # 0417 0000 04 443.007 Park Projects</td>
<td>$ 277,423.00</td>
</tr>
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</table>

TOTAL FOR FUND $ 277,423.00

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: /s/ Chris Schwanke, President
Michigan City Common Council

/s/ Pat Boy, Member
Michigan City Common Council

/s/ Tim Bietry, Member
Michigan City Common Council

/s/ Bryant Dabney, Member
Michigan City Common Council
Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of February, 2017 by a vote of 8 to 0.

/s/ Chris Schwanke, President
Michigan City Common Council

President Schwanke asked if any of the authors had anything to add at this time; advising Mrs. Eason was here from the Park Department if anyone had any questions.

Councilwoman Boy commented on the amount of funding spent so far, which is close to $1 million, and if we don’t continue now and have to stop and re-start the process it will cost the City a lot more to complete these trails.

President Schwanke asked if there were any comments from the public; there was no response; asking if there was any Council comment.

Councilman Przybylinski made the motion to approve the proposed ordinance; second by Councilman Dabney; asking the City Clerk to call the roll on the motion to approve.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed ordinance passed by the following vote: **AYES:** Council Members Silvas, Bietry, Boy, Dabney, Carnes, Hamilton, Przybylinski and Schwanke (8). **NAYS:** None (0).

President Schwanke advised the Ordinance is approved and will be forwarded to the Mayor for his signature.

**UNFINISHED BUSINESS**

President Schwanke advised under Unfinished Business the Council has two (2) appointments to the Commission on the Social Status of African-American Males: Incumbents, Mr. Michael Rivera (term expires 02/15/2017 – Human Rights Department), and Ms. Nila Williams (term expires 02/15/2017 – Common Council Appointment).

President Schwanke advised they are accepting nominations tonight for this.

Councilman Przybylinski nominated Ms. Nila Williams as the Common Council appointment; seconded by President Schwanke.

Councilwoman Boy asked if a letter had been received from Mr. Michael Rivera stating he would like to be on the commission again.

City Clerk Neulieb advised a letter was received from Mr. Rivera tendering his resignation to the Human Rights Commission.

Councilwoman Boy reiterated that Mr. Rivera resigned from the Human Rights Commission, but does not have anything that states that he was planning to stay on the Social Status of African-American Males Commission.

Discussion ensued between Councilwoman Boy and City Clerk Neulieb regarding Mr. Rivera’s term of office, and him being listed as one of the incumbents to be re-appointed.

President Schwanke clarified that Mr. Rivera is the Human Rights Commission appointment to the Social Status of African-American Males, and as he has resigned from the Human Rights Commission he would no longer be their appointment to the Social Status of African-American Males Commission.
Councilwoman Boy asked if there was a letter from the Human Rights Commission for their new appointment.

Councilwoman Carnes and Councilman Bietry advised there is a letter from the Human Rights Commission for the appointment of Pastor Dennis Carroll to the Social Status of African-American Males Commission.

City Clerk Neulieb advised the Council did receive a copy of Mr. Rivera’s resignation and also from the Human Rights Commission that he was resigning from there.

Councilman Bietry nominated Pastor Dennis Carroll; second by Councilwoman Carnes and Councilwoman Boy.

President Schwanke asked if there was a form filled out for Pastor Carroll; City Clerk Neulieb stated they did receive the form.

President Schwanke stated they have two (2) nominations so far; asking if there were any other nominations; there was no response. President Schwanke closed nominations; stating the Council would vote on those at the next council meeting on February 21, 2017.

President Schwanke stated also under Unfinished Business the Common Council has two (2) appointments to the Urban Enterprise Association due to Mr. Keith Harris and Ms. Tina Mahone resigning. (term would start immediately and expire 12-31-2020); asking if there were any nominations for these appointments.

President Schwanke nominated Robert J. Weber Jr., as he has turned in the completed form; the nomination was seconded by Councilman Hamilton. President Schwanke asked if there were any other nominations; there was no response. President Schwanke advised there is still one (1) nomination open provided Mr. Weber would be approved; further stating if anyone knows of someone who would be interested in the Urban Enterprise Association to please contact a Councilman and get a form filled out; further advising Mr. Weber’s nomination will be voted on at the February 21, 2017 meeting.

**NEW BUSINESS**

President Schwanke advised under New Business – **FYI**: the Common Council has one (1) appointment to the Michigan City Tree Board expiring March 15, 2017 – Incumbent: Ms. Laura Henderson.

President Schwanke advised –**FYI**: the Common Council has one (1) appointment to the Michigan City Community Enrichment Corporation expiring March 31, 2017 – Incumbent: Mr. George Kazmierczak.

Councilwoman Boy addressed the Tree Board nomination advising the Ordinance says that every year it will be a member of a Neighborhood Association; further advising the Council did receive a letter from the Elston Grove Neighborhood Association for Ms. Henderson; continuing stating if the Council does not receive any others she would be the appointee from that group.

President Schwanke stated the Council would take nominations at the next meeting on February 21, 2017; asking Councilwoman Boy if she would like to nominate Ms. Henderson.

Councilwoman Boy stated she would like to appoint Ms. Henderson, but thinks other Neighborhood Associations should be given an opportunity to nominate a candidate from their neighborhoods.
President Schwanke reiterated the Council has those two (2) positions to fill and take nominations at the next Council meeting on February 21, 2017.

COMMENTS FROM THE PUBLIC

President Schwanke asked if there was any public comment.

Ron Miller, 3033 Woodrow Avenue, Board President of the Michigan City Community Enrichment Corporation, addressed the Council “thanking” them for increasing the funding for Access LaPorte County; advising the Council that Mr. George Kazmierczak’s term expires at the end of March 2017; commenting on Mr. Kazmierczak’s involvement in the Community Enrichment Corporation over the past four (4) years, as well as all of the members; updating the Council on the 2017 Grant Cycle and the use of the on-line applications and stricter enforcement of organizations quarterly reports; reiterating that all nine (9) members are volunteers and meet year round; stating they appreciated the support of the Council and the City; looking forward to handing out those check in a couple of weeks.

Nila Williams, Council appointment to the Commission on the Social Status of African-American Males addressed the Council “thanking” them for their continued support of her on this worthy commission; commenting she is there to represent them, so if there is anything the Council wants her to report on she would be happy to do so.

President Schwanke asked if there were any other comments from the public; there was no response. President Schwanke closed public comment.

COMMENTS FROM THE COUNCIL

Councilman Dabney commented that both he and Councilwoman Carnes are members of the Eastport Neighborhood Improvement Association; explaining that Michigan Boulevard separates the 1st and 5th Wards in half, so they are both in the Eastport Neighborhood; advising that the M.C. Supermarket in East Gate Plaza is now open, and will be having a Grand Opening in about thirty days or so; further commenting more good news for Michigan Boulevard is that someone has purchased the old “Bubbles” Laundromat and will be doing some refurbishing and opening in early spring.

Councilwoman Carnes reminded everyone that the Eastport Neighborhood group is meeting on Thursday at 6:30 p.m. at the Emmit Wise Center; inviting the public to attend to hear about all the great things that are going on in the Eastport Neighborhood and to volunteer to please join them.

Councilman Biety commented on Arts Space and other communities in Indiana who have noticed the beacon of light that Michigan City created when they approved the Art Space facility in the old Warren Building; advising on the 17th of February the Mayor of Marion, Indiana, his Chief of Staff, a representative from Indiana Landmarks and one of their Council persons, who also heads up a Preservation/Education Foundation in Marion will be coming to Michigan City to look at our facility and talk to some of us about how they might be able to replicate it in the City of Marion Indiana; further stating we can be very proud of that and he is pretty sure they will not be the last community that will be coming here to take a look at what Michigan City has done.

Councilwoman Boy “thanked” Mr. Miller for his report, and “thanked” the entire Michigan City Community Enrichment Corporation for the work they do; stating it’s a lot of work and dedication from their members.

Councilman Przybylinski commented on when the City Council appropriated funding of $20,000.00 to the Social Status of African-American Males Commission, the Public Art Committee and the Commission for Women; asking that these groups come back to the Council and give a report on what the funding was used for; asking Ms. Williams to relay that information to the Social Status of African-American Males Commission so they can
prepare a report for the next Council meeting (just an expenditure report on how the money was spent so far); also the Public Arts Commission.

Shannon Eason, Treasurer for the Michigan City Public Art Committee addressed the Council advising the Committee did accept the donation of $20,000.00; of that $20,000.00 - $5,000.00 of that went to the Children’s Soul Choir that performed at First Friday last year; $4,000.00 was used for children’s scholarships, that is not budgeted for in their operating fund; and the other $9,000.00 remains in their Gifts and Donation account, with $4,000.00 of that again ear-marked for children’s scholarships for 2017, and the rest has not been ear-marked for anything at this time.

Councilman Przybylinski “thanked” Mrs. Eason for the report, which takes care of the M.C. Public Art Committee’s report.

Councilwoman Boy advised the Council that the Commission for Women should be making their report at the next meeting.

Councilman Przybylinski “thanked” Mr. Miller for his hard work and efforts on the Enrichment Corporation, as it is a lot of hard work and effort, and goes to a lot of great organizations within our community; also “thanking” the Emergency Management of the Michigan City Police Department for all their hard work throughout the year, and volunteering all their time; commenting if there is anything the Council can do financially to help this group out with equipment he would be more than happy to help and assist in any way.

President Schwanke “thanked” Mr. Miller for his reporting for the Michigan City Community Enrichment Corporation; also “thanking” Ms. Nila Williams for coming tonight; commenting on board and commission appointments and Ms. Williams’s willingness to help provide information.

**ADJOURNMENT**

A motion by Councilwoman Boy, supported by Councilman Hamilton and Councilman Przybylinski and there being no further business to transact, President Schwanke declared the meeting **ADJOURNED** (approximately 8:33 p.m.)

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Gale A. Neulieb, City Clerk