The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, March 4, 2019, at the hour of 8:30 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City Indiana – a regular meeting room of this Board.

The meeting was called to order by President Steve Janus, who presided.

Noted present: Steve Janus, Richard Murphy and Virginia Keating (3) Absent: none (0)

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich, Corporate Counsel
John Gorczyca, M.C. Sanitary District
Arber Himaj, District Engineer
Andy Matanic, Manager, I.T. Department
Kalon Kubik, Administrator, Mayor’s Office
Charles “Spike” Peller, City Engineer
Sue Downs, Code Enforcement / Building Commissioner
Paul Ruane, Associate Planner
Jerry Daniels, Electrical Inspector
Christine Vanderborg, Code Enforcement
Bob Zondor, Superintendent, Central Maintenance
Skyler York, Assistant City Planner
Craig Phillips, City Planner

Gale Neulieb, City Clerk
Kim Sliwa, Deputy City Clerk

APPROVAL OF MINUTES

President Janus asked if there were any corrections to the minutes of the Regular meeting of February 19, 2019.

Vice-President Murphy made the motion to approve the minutes from the February 19, 2019 Regular meeting. The motion was seconded by Virginia Keating and carried as follows:

AYES: MEMBERS Murphy and Keating (2). Abstained: MEMBER Janus (1) NAYS: None (0). Motion Carries.

ORDER TO DEMOLISH – 609 Benton Street – Unknown Heirs and/or Devises of Robert J. Edwards, deceased

President Janus asked if there was anyone present who wished to comment on the matter.

Corporate Counsel Lapaich addressed the Board explaining this item is the one wherein they received word that the defendant was running about 15 minutes late; advising the Board may want to skip this at this time and bring it back up at the end of the agenda.
President Janus stated the Board would defer the item at this time.

OPENING OF BIDS – 818 W. 7th Street

President Janus asked if there was anyone present who wished to render a bid at this time; there was no response; asking for a motion to close the bids.

Virginia Keating made the motion to close the bid. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

Corporate Counsel Lapaich advised the Board five (5) bids were received for 818 W. 7th Street as follows:  
Joshua D. Scully DBA - DouseSouses General Construction - $15,840.00  
Pavey Excavating Company Inc. - $13,900.00  
Smith & Sons Excavating Inc. - $12,000.00  
JSG-J. Schoffner General Contractor, Inc. - $14,800.00  
Actin Contracting, LLC - $12,880.00

Virginia Keating made the motion to refer the bids to the appropriate departments for their review and recommendation at the Board’s next meeting on March 18, 2019. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

OPENING OF BIDS – 834 Martin Luther King Drive

President Janus asked if there was anyone present who wished to render a bid at this time; there was no response; asking for a motion to close the bids.

Virginia Keating made the motion to close the bid. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

Corporate Counsel Lapaich advised the Board five (5) bids were received for 834 Martin Luther King Drive as follows:  
Joshua D. Scully DBA - DouseSouses General Construction - $8,480.00  
Pavey Excavating Company Inc. - $6,800.00  
Smith & Sons Excavating Inc. - $7,500.00  
JSG-J. Schoffner General Contractor, Inc. - $8,900.00  
Actin Contracting, LLC - $8,650.00

Vice-President Murphy made the motion to refer the bids to the appropriate departments for their review and recommendation at the Board’s next meeting on March 18, 2019. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

OPENING OF BIDS – 5 Combs Street

President Janus asked if there was anyone present who wished to render a bid at this time; there was no response; asking for a motion to close the bids.
Virginia Keating made the motion to close the bid. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

Corporate Counsel Lapaich advised the Board five (5) bids were received for 116 Combs Street as follows:

- Joshua D. Scully DBA - DouseSouses General Construction - $10,420.00
- Smith & Sons Excavating Inc. - $ 9,450.00
- Pavey Excavating Company Inc. - $11,300.00
- JSG-J. Schoffner General Contractor, Inc. - $13,000.00
- Actin Contracting, LLC - $9,360.00

Virginia Keating made the motion to refer the bids to the appropriate departments for their review and recommendation at the Board’s next meeting on March 18, 2019. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

REQUEST FOR STREET LIGHTS – Sean Fitzpatrick, 4th Ward Councilman, is requesting street lights to be placed along Pahs Road for pedestrian safety

Sean Fitzpatrick, 4th Ward Councilman, 230 Walnut Street, addressed the Board expressing his concerns for the safety of pedestrian traffic along Pahs Road between Cleveland Avenue and Johnson Road; advising this roads services two (2) major housing developments (Normandy Village and The Retreat-Canterbury House Apartments; further expressing his concerns for the pedestrian safety on this stretch of road that is still utilized with no sidewalks forcing them to walk on the shoulder of the road; continuing to comment on accident statistics and providing the Board with photos of the area when it was dark out; asking the Board to consider looking into this and possibly adding some lighting to protect the pedestrians walking along that road.

Charles “Spike” Peller, City Engineer, addressed the Board stating he did go out and look at Pahs Road during the day time, and would suggest that the Michigan City Police Department look at this and report back; explaining normally the City puts street lights up at intersections and there are street lights at the major intersections, and that there are not a lot of street lights near the high school; recommending the Michigan City Police Department take a look at this.

President Janus noted that a representative was not present from the Michigan City Police Department.

Discussion ensued between Mr. Peller and Mr. Fitzpatrick regarding the number of lights being requested. Mr. Fitzpatrick commented that he did speak with Captain Loniewski of the M.C.P.D. Traffic Division regarding the matter and asked him if he could provide statistics on vehicle versus pedestrian accidents along that stretch of road.

Mr. Peller repeated his recommendation to have the Michigan City Police Department take a look at the situation; advising the City may be looking at 10, 15 even 20 new lights along that stretch of road.

Discussion ensued between Mr. Peller and Mr. Janus regarding any plans to put sidewalks along that stretch of road. Mr. Peller stated “no”; stating the City is struggling with ADA compliance with existing sidewalks; further commenting on the matter.
Vice-President Rich Murphy made a motion to refer the matter to the Michigan City Police Department for their review and recommendation. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

President Janus asked that this be placed on the Pending Item list.

STREET CLOSURE REQUEST – Paul Meyers, representing NIPSCO, is requesting multiple lane restrictions and/or closures between April 8, 2019 and October 2, 2019 for electric utility circuit rebuild – new poles and new conductors project

President Janus stated the projects would be on Tilden Avenue and State Road 212.

Corporate Counsel Amber Lapaich addressed the Board advising that an updated Certificate of Liability Insurance was needed for this project as the one that was submitted failed to have the City named as an additional insured and all of the additional language that is required on the certificate.

Vice-President Rich Murphy made the motion to approve the street closure request pending the proper submittal of insurance certificate. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

STREET CLOSURE REQUEST – Kyle Weisman, Woodruff and Sons, Inc. is requesting to close 5th Street between Washington and Wabash Streets from March 4, 2019 thru April 8, 2019 for sanitary sewer replacement

Kyle Weisman, Woodruff and Sons, Inc., addressed the Board explaining the project is through the Michigan City Sanitary District for installation of a sewer main down the alley and along 5th Street; advising they would like to close the road but due to the weather they would not be starting today as it is a little too cold.

Virginia Keating made the motion to approve the request for street closure for Woodruff and Sons, Inc. to close 5th Street between Washington and Wabash Streets as soon as weather permits and as soon as weather permits to complete the project for a sanitary sewer replacement. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

REQUEST FOR PROJECT EXTENSION – Mike Wannemacher, Intelligent Fiber Network, Indianapolis, IN is requesting to extend their Horizontal Directional Drilling Permit No. 2018-1 until March 29, 2019

Charles “Spike” Peller, City Engineer, addressed the Board explaining this is just a technical thing and the permits are good for two (2) years, but in their statement, they had indicated they would be done in January, and this is just perfunctory.

Discussion ensued between President Janus and Mr. Peller regarding the permit being good for another year. Mr. Peller stated “yes”, and that he thinks it would be up to the Attorney as to what the Board would want to do.
Corporate Counsel Lapaich addressed the Board advising they could just make a motion extending the work period of time and that the permit is still good, but they are asking for permission to extend this to be in that right-of-way during that period of time.

Vice-President Rich Murphy made the motion to approve the request for project extension for Intelligent Fiber Network to extend the Horizontal Directional Drilling Permit until March 29, 2019. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

HORIZONTAL DIRECTIONAL DRILLING PERMIT REQUEST – John Holms, Comcast Cable, Mishawaka, IN is requesting a Horizontal Directional Drilling Permit to install underground CATV vault on Westwind Drive and to a building located at 5537 Franklin Street

Charles “Spike” Peller, City Engineer, addressed the Board explaining this request is for putting in about 450 lineal feet of cable; commenting on curb cut permits for utilities and that the City still needs to construction manage these projects; advising the permit would be $44.80 and he has figured three (3) days of inspection, an hour or so each day, which would be $300.00; and that would be his recommendation.

Discussion ensued between Corporate Counsel Lapaich and Mr. Peller regarding the inspection fee and if the $300.00 would be per day. Mr. Peller stated it would be $300.00 total; explaining that is $100.00 per hour (3 days/3 hours each day). Corporate Counsel Lapaich addressed Mr. Peller regarding the inspection fee and that is was decided to hold off on inspection fees at the present time; explaining to President Janus at this time the Board would only approve the permit fee of $44.80; stating that was her recommendation.

Virginia Keating made the motion to approve the Horizontal Directional Drilling permit for Comcast Cable to install underground vault on Westwind Drive and to a building located at 5537 S. Franklin Street; commenting that there is no date for the project, and the permit fee is $44.80. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

Horizontal Directional Drilling Permit Request – Diane Werner, AT&T, South Bend, IN is requesting a Horizontal Directional Drilling Permit to place buried cable, handhole and IPP in row along Wabash Street and under Wabash south of Coolspring Avenue

Charles "Spike" Peller, City Engineer, addressed the Board explaining this request is for the placement of 65 feet of cable under the street; advising the fee would be $6.50.

Vice-President Murphy made the motion to approve the request for Horizontal Directional Drilling permit to place buried cable, handhold and IPP in row along Wabash Street and under Wabash south of Coolspring Avenue in the amount of $6.50. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

Horizontal Directional Drilling Permit Request – Andy Matainc, Director, Michigan City Information Technology Department, 1100 E. 8th Street is requesting a Horizontal Directional Drilling Permit to place fiber optic cable under 675 Warnke Road to connect the Michigan City North Golf Course building to the South Golf Course pro shop
Andy Matanic, Director, Michigan City Information Technology Department, 1100 E. 8th Street, addressed the Board explaining the request to directionally drill underneath Warnke Road to connect the north and south golf courses together with fiber optic cable.

Corporate Counsel Amber Lapaich addressed the Board stating technically since this is one of our City Departments there is no fee.

Virginia Keating made the motion to approve the Horizontal Directional Drilling Permit request to place fiber optic cable under 675 Warnke Road to connect the Michigan City North Golf Course building to the South Golf Course pro shop. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

APPROVAL FOR SERVICE AGREEMENT – Approval of a service agreement for a Grant Consultant between the City of Michigan City and Deborah Chubb from February 5, 2019 and conclude on the date of HUD approval of final grant budget, or May 30, 2019 whichever occurs first ($50.00 per hour and not to exceed $5,000.00)

Corporate Counsel Amber Lapaich addressed the Board explaining the City has been awarded a rather large Lead Grant from the Federal Government; advising the purpose of the Service Agreement would be for Deborah Chubb to assist with her technical expertise negotiating with the Federal Government for purposes of this grant; stating the Board does need to schedule some time for negotiations to sign the final grant agreement and also for Ms. Chubb to attend various webinars as well.

Vice-President Murphy made the motion to approve the service agreement between the City of Michigan City and Deborah Chubb from February 5, 2019 and conclude on the date HUD approval of final grant budget, or May 30, 2019; not to exceed $5,000.00. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

INDOT/LPA PROJECT COORDINATION CONTRACT – Approval of the INDOT/LPA Local Public Agency Project-Coordination Contract with the City of Michigan City for Supplement Number 1 – EDS No.: A249-14-32053 CFDA #: 20.205 (Michigan City Singing Sands Trail, Phase I, from Porter County line to Michigan City)

Corporate Counsel Amber Lapaich addressed the Board explaining this is another part of the Singing Sands Trail project; explaining this would be Phase I and is simply extending the time that the City has to let out the project, which gives the City another year or two (2) to get the project let out.

Craig Phillips, City Planner, addressed the Board asking for clarification on what this contract is extending.

Discussion ensued between Board members and Corporate Counsel Lapaich regarding the matter and moving it to the end of the Agenda, so that Ms. Eason of the Park Department could address the matter.

PROFESSIONAL SERVICE AGREEMENT – Approval between the Michigan City Board of Public Works and Safety and Serviscape, LLC for the 2019 landscaping services described in Exhibit A (Franklin Square), Exhibit B (South Franklin Street) and Exhibit C (Wabash Street) ($104,580.57)
Corporate Counsel Amber Lapaich addressed the Board explaining that Serviscape has agreed to honor the exact same prices that were in affect for 2018 for the City regarding our mowing on Franklin Square, South Franklin Street and Wabash Street that also includes all the vegetation services for the specified time in the contract.

Virginia Keating made a motion to approve the Professional Service Agreement between the City of Michigan City Board of Public Works and Safety and Serviscape, LLC for the described services on Exhibit A-Franklin Square; Exhibit B-South Franklin Street; and Exhibit C-Wabash Street in the sum of $104,580.57. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

Craig Phillips, City Planner, addressed the Board regarding the INDOT/LPA Project Coordination Contract with the City of Michigan City for Supplement Number 1 (Michigan City Singing Sands Trail, Phase I, from Porter County line to Michigan City) clarifying for the Board that all this does is extend the period of time in which the City can spend the money associated with the purchase order for this project for two years; commenting on the matter in that the State will be accepting the bids for this project on Wednesday.

Discussion ensued with Mr. Phillips and a member of the public regarding construction beginning later this summer and will likely be open by Memorial Day of next year; with further discussion between the two on the project.

Vice-President Murphy made the motion to approve the INDOT/LPA Local Public Agency Project Contract with the City of Michigan City EDS No.: A249-14-32053 for the Singing Sands Trail Phase I to continue the contract which states in the event that Federal Funds for the project are not obligated during that time listed the project ready such that funds can be obligated between July 1, 2021 and June 30, 2023. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

PROPERTY & CASUALTY INSURANCE RENEWAL – Charles Keene, General Insurance Service, Michigan City is requesting the approval/renewal of the 2019 Commercial Property Casualty Renewal Insurance with the City of Michigan City (Policy Term: 3/01/2019 to 3/01/2020)

Charles Keene, General Insurance Services, addressed the Board providing an overview of the Property & Casualty Renewal Insurance program for the City of Michigan City; advising after careful review of the City’s insurance program General Insurance Services is recommending the City renew coverage with Travelers Insurance Company for 2019, which has increased 5.25% overall; further reviewing the terms and coverage of the policy and explaining coverage limits, deductibles, new coverage terms and loss ratio’s.

Virginia Keating made the motion to approve the Property & Casualty Insurance renewal, the carrier being Travelers Insurance; the policy term is for March 1, 2019 to March 1, 2020 with a premium sum of $700,428.00; also including in the motion the City’s coverage for Workplace Violence in the sum of $2,722.00, and in addition the Cyber coverage, which if the City goes to the highest limit would be $35,337.00 for a $10,000,000.00 limit.

Discussion ensued between Ms. Keating and Mr. Keene regarding what his recommendation would be for the City’s Cyber coverage. Mr. Keene advised the Board that the City has not
had a Cyber issue since the coverage has been in place; recommending the City stay where they are at with respect to this coverage.

Ms. Keating continued her motion with respect to the Cyber coverage recommending that the level of Cyber coverage remain at the present level.

The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

SPECIAL PURCHASE REQUEST – Robert Zondor, Central Service/Maintenance Superintendent is requesting the approval of a Special Purchase with Morton Salt Inc. from the Local Road & Street Fund #2002000423021 in the amount of $350,028.00.

Robert Zondor, Central Services/Maintenance Superintendent, addressed the Board advising this is for the annual contract with the State of Indiana (QPA) for purchasing of road safety salt; advising this is an annual contract.

Discussion ensued between President Janus and Mr. Zondor regarding the price and if it was higher or lower. Mr. Zondor advised it went up to 64.82 per ton now, and that it was 62. something last year.

Vice-President Murphy made the motion to approve the Special Purchase Request for road salt from the local road and street fund in the amount of $350,028.00. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

RESOLUTION – “ACCEPTING ASSIGNMENT OF TAX CERTIFICATES FROM THE COUNTY OF LAPORTE, INDIANA”

Corporate Counsel Amber Lapaich addressed the Board explaining a few weeks ago the City was contacted by LaPorte County inquiring if the City would be interested in any of the properties from the Commissioners sale before they actually went up for the sale; advising the Planning Department has spent a lot of time reviewing properties and discovered that there were seven (7) viable properties on that list that the City could put under its inventory and have a meaningful use for them; stating those are identified in Exhibit A to the Resolution; recommending the Board accept the assignment of the these tax certificates.

Virginia Keating made the motion to accept the assignment of tax certificates from LaPorte County. The motion was second by Vice-President Rich Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

CLAIMS AND PAYROLL

Virginia Keating 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 second by Vice-President Rich Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

The Board signed: Payroll items in Register of Claims for informational purposes (which Register is in the possession of the City Controller) as follows:
UNFINISHED BUSINESS

President Janus stated the first item on the Pending Item List is a request by Mark Valudos/Rob Harte, for the purchase of City property on Fogarty Street.

Corporate Counsel Amber Lapaich addressed the Board stating she has ordered the two (2) new appraisals on said property; and have been advised that there is about a three (3) to four (4) week lag time before the appraisals will come back; advising she will keep the Board updated on this once she receives them.

President Janus stated the item will be kept on the Pending Item list.

President Janus advised the next item on the Pending List is an item that was Tabled until March 4, 2019 - Dan Legler, Energy Savings Group, Agreements for Michigan City Police Department on Michigan Boulevard and the Michigan City Fire Department on Cleveland Avenue.

Dan Legler, Energy Savings Group, addressed the Board explaining the Interconnection Agreement and the Net Metering Agreements for the Michigan City Police Department and Michigan City Fire Department with N.I.P.S.Co. for the solar panel projects.

Corporate Counsel Amber Lapaich addressed the Board stating the Board can approve it subject to the Council’s approval tomorrow night.

Virginia Keating made the motion to approve the 2 agreements — the first being Between the City of Michigan City and N.I.P.S.Co. for the Interconnection Agreements; the second being the Net Metering Agreements Between the City of Michigan City and N.I.P.S.Co. subject to the City Council approval tomorrow night. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

President Janus stated this will automatically come off the pending list as the item has been addressed and completed.

President Janus stated the next item on the Pending Item List is 121 N. Porter Street.
Sue Downs, Planning & Inspection Department, addressed the Board stating she has tried to reach out to Ms. Kubacki of Prime Real Estate and has not received any correspondence from her; further stating she will have to move forward with the demolition process.

Corporate Counsel Amber Lapaich addressed Ms. Downs and the Board stating the last time Ms. Kubacki was before the Board she explained that they were going to hire out the meth abatement; asking if that in fact happened?

Ms. Downs explained ever since Ms. Kubacki attended the meeting on February 4, 2019 she has not responded to anything she has sent to her, and no return phone calls.

President Janus stated then the Board would have no other alternative but to advertise for bids.

Corporate Counsel Lapaich advised the Board their alternatives are to advertise for bids and re-do it and lien the property or the Board continues waiting like they have been for several years; explaining that technically the Order to Demolish is only good for two (2) years, so the Board still has one (1) more year maybe; further explaining if the Board moves forward Ms. Downs would prepare the bid packets, if she so chooses at this point, and this can then be removed from the Pending Item List, and put back on the agenda.

Discussion ensued between President Janus and Corporate Counsel Lapaich regarding what would happen if the Board authorized it. Corporate Counsel Lapaich explained the Board would be approving the bid packet when it come forward; commenting that if the Board would like Ms. Downs to prepare the bid packet now, that would be the direction the Board could give her.

President Janus stated he would entertain a motion to that effect.

Vice-President Murphy made the motion to request that Ms. Downs prepare the bid package for the demolition of 121 N. Porter Street to solicit bids for the demolition and that this be removed from the Pending Item List. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

Ms. Downs advised the Board with publication it would probably not be on the next meeting agenda, it would probably be the following meeting to allow for publication.

President Janus stated the next item on the Pending Item List – WeCreate Media update - will not be brought back up until the April 15, 2019 meeting.

President Janus stated they would now go back to the second item on the agenda that was deferred due to the representative running late; that being the Order to Demolish for 609 Benton Street.

Sue Downs, Planning & Inspection, addressed the Board advising she has presented a packet to each Board member with photographs and information on the property.

Corporate Counsel Amber Lapaich stated for clarification the Board is now opening up the hearing on the Order to Demolish; explaining Ms. Downs has prepared a packet of information for this Board and has submitted it the Board; asking if the packet had also been given to whoever is here as well. Ms. Downs stated “yes”, and that Ms. Edwards signed that she has received it.
Corporate Counsel Lapaich asked Ms. Downs to brief the Board as to the basis of why she is saying this is an unsafe structure and needs to be demolished.

Ms. Downs explained the house burned September 1, 2017, so it’s been there for about a year and a half (1 ½ years); stating it has not been touched and is a safety issue for the general public; advising she gets a lot of complaints on it from neighboring community members and the Police Department because for whatever reason vandals like to take all of the boarding off and go inside; commenting that it has been left for about a year and a half (1 ½ years) now with nothing being done; continuing to comment that not only with the fire damage, but also the damage from a couple of winters of rain and snow and such going inside of it; stating pretty significant damage, about 50% of the inside between the kitchen and the living and front porch area sustained significant damage, referring to the photos taken of the inside of the structure; continuing to comment that it is a constant issue for the Police Department and Inspection Department to continue to board it up; stating she has sent information and the Order to Repair and such to the addresses listed, unfortunately the actual owners are both deceased, so she has sent information to unknown heirs and has had no responses as far as Orders to Repair or anything.

Rebecca Edwards, 262 Superior Street, addressed the Board stating she has received, perhaps 11 or 12 days ago, by certified mail, Ms. Downs/City of Michigan City’s intentions wanting to demolish the structure; asking the Board for a thirty (30) day extension; advising Mr. Wayne Miller would be overseeing the construction of the house, as soon as the weather breaks; asking again if she could have the thirty (30) day extension.

Corporate Counsel Lapaich addressed Ms. Downs asking when she gave the Order to Demolish the “order” was given to specifically the unknown heirs and devises of Robert J. Edwards-deceased. Ms. Downs replied “yes”. Further asking if there were any other interested individuals or anybody with a substantial property interest. Ms. Downs stated there appears to be according to the title work no will or anything, or probate opened up on it.

Corporate Counsel Lapaich addressed Mr. Edwards stating she is assuming that Ms. Edwards is an heir or devises of Robert J. Edwards. Ms. Edwards replied “yes”. Counsel Lapaich asked if an estate had been opened for Mr. Edwards. Ms. Edwards replied “no” she did not believe it had been.

President Janus addressed the Board stating they have heard the request; asking what the Board’s pleasure was.

Virginia Keating made the motion to approve the Order to Demolish. The motion was second by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

President Janus stated the motion carries to demolish 609 Benton Street; advising the hearing was now closed.

PUBLIC COMMENTS

Present Janus asked if there were any public comments; there was no response.

BOARD COMMENTS

Present Janus asked if there were any Board comments; there was no response.
ADJOURNMENT

President Janus stated as there were no other items on the agenda to be considered by the Board at this time, declared the meeting ADJOURNED (approximately 9:35 a.m.). Virginia Keating made the motion to adjourn. The motion was seconded by Vice-President Rich Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: (0). Motion Carries.

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Gale A. Neulieb, City Clerk