The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, March 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 and Allan Whitlow (9).

ABSENT: None (0)

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 February 21, 2017.

Councilman Przybylinski made a motion to approve the Regular meeting minutes held on February 21, 2017; second by Councilman Hamilton. 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 March 7, 2017. The Finance Committee met this evening prior to the Council meeting to review claims filed since the February 21st meeting. Committee members Silvas, Przybylinski and Dabney were all present. Claims reviewed totaled $6,414.12. $4,988.48 is against the Riverboat Fund #9000 and $1,530.00 against Boyd Development Fund #0417. The Finance Committee voted unanimously to recommend to the Council payment of the claims. The meeting was called to order by Chairman Przybylinski at 6:00 p.m. Claims reviewed as follows: Green Leaves Tree Service for removal of trees at golf course - $1,530.00; Rieth Riley Construction Co. Inc. for 2016 Paving & Sidewalks - $4,840.75; and All Phase Electric Supply Company for City I.T. Improvement - $43.46; for a total of $6,414.21. A motion was made by Councilwoman Silvas and seconded by Councilman Dabney to approve the claims of $6,414.21; all committee members voted in favor of it. A motion was made by Councilwoman Silvas to adjourn the meeting; second by the committee, which adjourned at 6:03 p.m.

Councilman Przybylinski presented the following Finance Committee meeting that was held on February 28, 2017; to discuss the proposed ordinance for the Parking Sticker Operation window installation and alarm installation at the North Pointe Pavilion. The meeting was called to order at 4:35 p.m. Committee Chairperson Councilman Przybylinski along with Committee members Councilwoman Silvas and Councilman
Dabney were present. Others in attendance included: Councilwoman Carnes, Councilwoman Boy, Council President Schwanke, Council Attorney Meyer, Assistant Controller Hoffmaster, Park Superintendent Kienitz, Assistant Park Superintendent Eason and News Dispatch Reporter Jane Boken. The purpose of the meeting was to discuss the proposed ordinance before the Council Approving Additional Appropriation in the Budget of the Park and Recreation Fund to provide funding for the operation of the Parking Sticker Program for the Park Department; decreasing the Park and Recreation Fund #1301 by $10,651.00 and increasing account #1301 0802 01 411.014 seasonal salaries and wages by $3,807.00; increasing account #1301 0802 01 413.001 FICA by $292.00; increasing account #1301 0802 03 436.001 building repair and maintenance by $6,552.00. The meeting started with Asst. Controller Hoffmaster indicating that there is $542,000.00 of unappropriated funds in the Park fund #1301 and $9,587,614.98 in the North TIF Fund, some of which is incumbered. Councilman Dabney asked where the funds came from to finance fund #1301 and was informed by Asst. Controller Hoffmaster that they came from property taxes, parking fees and park income from various sources. Councilman Przybylinski explained his point that he believes the Redevelopment Commission should pay the $6,552.00 for the new window, alarm system and other work that is included in this amount; the reason being that by attending a February Redevelopment Commission meeting the Park Superintendent asked the Redevelopment Commission to pay for repairs to equipment at the North Pointe Pavilion that was in the original building proposal; the Redevelopment Commission agreed to pay that and it is believed that whatever was in the original proposal can later be paid for by the entity submitting the proposal; the new window and alarm system were also included in the original design proposal but then removed by a change order submitted after all the bids and contract was signed and entered into. Councilman Dabney then explained that the Park Department has $542,000.00 unappropriated in the Park Fund and that the $6,552.00 should be taken from this fund; and also Councilman Dabney feels that this is a timing issue and that the Council needs to move quickly. Councilwoman Silvas stated that the Redevelopment Commission had made the original contract and should be held to making the payment; there is a grey area of why the Redevelopment Commission won't pay the $6,552.00, whereby the Redevelopment Commission has $9 million dollars in the bank compared to the Park Department having $542,000.00 in the Park Fund; however, even with the drastic differences with cash on hand between the two (2) entities, Councilwoman Silvas thinks that the time constraints for the equipment, installation and the operation opening date that the Council should move forward with the approval. Councilman Przybylinski stated that addressing the timing issue for ordering and the installation of the window once approved will take 3-4 weeks for delivery, when ordered than one (1) more week for the installation to get the window in. Superintendent Kienitz also agreed with ordering and delivery time; and Superintendent Kienitz also stated that the Park Department should be able to spend their own money. Council President Schwanke made note that Superintendent Kienitz agreed that whether the equipment is installed or not by April 3, 2017 the Parking Operation will begin at North Pointe Pavilion on April 3, 2017; installation of the equipment will take place during hours of operation. Councilman Biety stated that the Redevelopment Commission has invested enough money in the North End and the Park, and this is a new issue. Councilwoman Boy asked Attorney Meyer when the original change order was made to remove the equipment; and Attorney Meyer stated it was done after the original bid proposal was accepted and the contract signed; the Park Board signed into the original contract and the Redevelopment Commission provided the funding. Council President Schwanke asked why two (2) employees have to be working at the sticker operation and Asst. Superintendent Eason gave a brief history; she stated that the reason the Parking Sticker Operation was moved out of Washington Park when the North Pointe Pavilion was constructed was due to the procedural policy of having two (2) employees on site at all times; an attempt was made at that time to change the policy to one (1) employee; that policy changed failed and the ticket operation was moved to the City Clerk’s Office. A motion was made by Councilman Dabney and seconded by Councilwoman Silvas to approve the Additional Appropriation of $10,651.00 requested by the Park Department, which the $6,552.00 is included in the total. Councilwoman Silvas and Councilman Dabney voted in favor; Councilman Przybylinski voted against. The Finance Committee voted 2-1 to recommend to the Council to make the transfer of the $10,851.00 in the Park Fund to the building repair and maintenance account. Motion was made by
Councilman Dabney to adjourn and seconded by Councilwoman Silvas; the vote was 3-0 to adjourn; and the meeting concluded at 5:11 p.m.

President Schwanke asked if there were any other Standing Committee Reports; there was no response.

REPORTS OF SPECIAL OR SELECT COMMITTEES

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

President Schwanke advised under Reports of Other City Officers and Departments tonight Mrs. Joan Tedesco from the Human Rights Commission will be speaking on Disability Awareness Month.

Councilman Przybylinski addressed President Schwanke stating he is the Liaison to the Human Rights Commission; advising Joan came on the Human Rights Commission in November and she comes from Valparaiso, Indiana and moved to Michigan City in early fall and since Joan has been on the Human Right Commission she has been a valuable, outstanding and very progressive member of the Commission; further commenting on disabilities in the community and Mrs. Tedesco’s desire to head up March’s Disability Awareness Month.

Joan Tedesco, new resident of Michigan City and mother of a child of with a disability and an advocate of people with disabilities; addressed the Council; advising she has been chosen as 1 out of 32 people within the State of Indiana as part of the Indiana Partners and Policy making program; further commenting on her work with the Human Rights Commission and March being Disability Awareness Month.

President Schwanke commended Mrs. Tedesco for her work with the Human Rights Commission and the “March Disability Awareness Month” project.

Rich Murphy, City Controller, addressed the Council presenting a Financial Report on the City’s finances. (Note: the Financial Report presented is on file in the City Clerk’s Office)

Councilman Przybylinski addressed Controller Murphy “thanking” him for the presentation; commenting on the processes taken involving the finances of the city.

President Schwanke stated Michael Kuss from the Sanitary District was here this evening.

Michael Kuss, General Manager, Sanitary District, addressed the Council presenting an update on Mayor Meer’s Committee on Lead. (Note: the Press Release presented is on file in the City Clerk’s Office)

Councilwoman Carnes addressed Mr. Kuss “thanking” him for the presentation; commenting that there are some Federal Grants available for remediation; asking Mr. Kuss what the chances are of getting the City to apply for one of those grants, or possibly the County.
Mr. Kuss addressed Councilwoman Carnes comments stating there is a Federal Grant that they are aware of; he believes it's a H.U.D. Grant (Department of Housing and Urban Development) and they have the Grant application and are working on it; further commenting that he is trying to meet with Debra Chubb to go over the application as it is due March 21, 2017; and they are doing their best to try to get something submitted.

President Schwanke “thanked” Mr. Kuss for the information.

President Schwanke asked if there were any other Reports of Other City Officers and Departments; there was no response.

CLAIM DOCKETS

President Schwanke stated the Claims for Fund #9000 – Riverboat was $4,988.48 and Fund #0417 – Boyd Development $1,530.00. President Schwanke asked if there were any comments and hearing none, a motion was made by Councilman Przybylinski, second by Councilman Dabney, and was approved. **Motion carried 9 – 0.**

PETITIONS

The City Clerk advised the Council a petition was received in the Clerk’s Office on March 2, 2017 opposing the expansion of the Municipal Liquor License in the Riverfront District.

COMMUNICATIONS

There were no communications received.

RESOLUTIONS

The Clerk read the following Resolution by title only,

**MICHIcAN CITY COMMON COUNCIL**

**RESOLUTION no.** **4669**

**RESOLUTION OF THE MICHIGAN CITY COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA**

**SUPPORTING AND APPROVING THE MICHIGAN CITY FIRE DEPARTMENT’S SUBMISSION OF “safer” grant TO FEMA**

WHEREAS, the Michigan City Fire Department is eligible to apply for a Staffing for Adequate Fire & Emergency Response Grant (hereinafter referred to as “SAFER grant”), which said grant is administered through the Federal Emergency Management Agency (FEMA) in cooperation with the Department of Homeland Security; and

WHEREAS, SAFER grants provide funding directly to fire departments to help increase or maintain the number of trained firefighters, and the goal of SAFER is to enhance fire departments ability to comply with staffing, response, and operational standards as prescribed by the National Fire Protection Association (NFPA); and

WHEREAS, due to the application deadline of February 10, 2017, the Michigan City Fire Department submitted a SAFER grant application prior to said deadline; and
WHEREAS, if the City is awarded the SAFER grant, the SAFER grant would provide funding for salaries for six (6) new firefighters as follows: 1.) First and second year- SAFER grant would fund 75% of said expense and local match would be 25%; and 2.) Third year-SAFER grant would fund 35% of said expense and local match would be 65%; and

WHEREAS, it is anticipated that the amount of funding needed for the local match for will be as follows: a.) Year 1-$170,576.60; b.) Year 2- $106,198.10; and c.) Year 3-$281,059.37; and

WHEREAS, although a local match is required, the Michigan City Fire Department, by and though the Fire Chief, reasonably believes the additional firefighters would save the City overtime expenditures in the Fire Department.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Michigan City, Indiana, that:

Section 1. The Common Council supports and approves the Michigan City Fire Department’s submission of an application for a SAFER grant. In addition, the Common Council supports and commits to appropriate funding for the respective local match.

Section 2. That upon approval of said grant, the Mayor is authorized to execute any and all contracts and memoranda required for the award of the above-described grant.

Section 3. The City Controller is authorized to open the “2017 SAFER” fund to receive the grant funds and to disburse said funds without further action of the Common Council.

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

Adopted by the Common Council of the City of Michigan City, Indiana by a vote of 9 - 0 this 7th day of March, 2017.

/s/Chris Schwanke, President
Michigan City Common Council

President Schwanke stated as author he would defer to Fire Chief, Randy Novak.

Fire Chief Randy Novak addressed the Council explaining the “Safer Grant” program is a government program that’s been in place for quite a while and believes the Council used this or something very similar to this with the Police Department a few years ago where the government subsidizes their pay for the first 3 years; under this “safer” grant they are applying for six (6) additional firefighters, with the grant reimbursing the City 75% of the firefighters pay for the first 2 years and 35% the 3rd year; advising the savings to the City just for the last 2 years he has estimated that by having the two (2) extra people on shift they would have saved approximately $750,000.00 in overtime; further stating this is a “win/win” situation, at the end of the three (3) years through attrition they have enough turnover at the Fire Department if the Council or the Mayor chooses to go back down to that level after those three (3) years than that’s an option that is there; stating they have already submitted the application because the deadline was there; asking for the Council’s support.

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

Councilman Hamilton made a motion to approve the proposed Resolution; second by Councilman Bietry.
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 Carnes, Hamilton, Przybylinski, Schwanke, Silvas, Whitlow, Bietry, Boy, and Dabney (9). **NAYS:** None (0).

President Schwanke stated the Resolution is approved, and will be forwarded to the Mayor for his signature.

The Clerk read the following Resolution by title only,

**MICHIGAN CITY COMMON COUNCIL**

**RESOLUTION NO. 4670**

APPROVING THE AMENDMENT OF COUNCIL RESOLUTION NO. 4388 CREATING THE TRAIL CREEK RIVERFRONT DISTRICT AND GOVERNING THE ISSUANCE AND RENEWAL OF LIQUOR LICENSES IN THE DISTRICT TO ADJUST THE BOUNDARIES OF THE DISTRICT

**WHEREAS,** Indiana Code 7.1-3-20-16.1 et seq. (the “Act”) authorizes the Michigan City Common Council to designate and establish the boundaries of a municipal riverfront development project within its territorial boundaries for the purpose recommending to the Indiana Alcohol and Tobacco Commission (“ATC”) the issuance of three-way, two-way and one-way alcohol permits to establishments within the boundaries of the municipal riverfront development project; and

**WHEREAS,** the Common Council approved Resolution No. 4388 creating a Municipal Riverfront Project on March 18, 2008 authorizing the Michigan City Redevelopment Commission (Commission) to govern the issuance and renewal of any alcohol permits issued pursuant to the terms of said Resolution; and

**WHEREAS,** since the passage of Resolution No. 4388, the Commission, consistent with the goals and objectives of the Lake Michigan Gateway Implementation Strategy (LMGIS) along with other development strategies has only authorized and recommended to the ATC the issuance of three-way, two-way, and one-way alcohol permits for those establishments promoting a family dining experience and is overall consistent with the redevelopment plan of those areas in close proximity to the Trail Creek Riverfront District (the “District”); and

**WHEREAS,** while the issuance of three-way liquor permits by the ATC to those establishments has resulted in varying degrees of success to certain establishments, it has created a competitive disadvantage to other establishments just outside the existing boundaries of the District as created by the 2008 resolutions who would otherwise qualify for consideration in accordance with the Municipal Riverfront Project; and

**WHEREAS,** this competitive disadvantage has resulted in the potential closing of desired establishments and otherwise interferes with the developmental goals and objectives in the District; and

**WHEREAS,** the expansion of the District’s original boundaries will further enhance developmental efforts within the North TIF Redevelopment Area and consistent with the LMGIS; and

**WHEREAS,** the Act has been amended and now authorizes the Municipal Riverfront Project to establish boundaries for the District up to three thousand (3,000) feet or six (6) city blocks from the waterway; and

**WHEREAS,** the boundaries as originally drawn through the passage of the enabling Resolutions for the District are at and in some locations less than the one thousand five hundred (1,500) feet from the waterway; and

**WHEREAS,** the Commission has determined that it is in the best interest of the City of Michigan City to designate and establish expanded boundaries for the District consistent with the amended Act as identified in Exhibit A, attached hereto and incorporated herein by reference, and adopted its Resolution No. 2-17 on February 27, 2017, which is incorporated herein by reference,
recommending that the Common Council approve the expanded boundaries of the District as shown in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Michigan City Common Council that:

SECTION 1. The boundaries of the Trail Creek Municipal Riverfront District as established by Resolution No. 4388 by the Common Council of Michigan City on March 12, 2008 be modified and expanded to a distance of Three Thousand Feet (3,000’) or six (6) blocks from the river, whichever is greater, as permitted by I.C. 7.1-3-20-16.1 (b) (3) (d)(A)(B) and as described by Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. That all other matters as contained in Resolution No. 4388 of the Common Council of Michigan City not in conflict with the provisions of this Resolution shall remain in full force and effect.

This Resolution 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, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of March, 2017 by a vote of 5 to 4.

/s/ Chris Schwanke, President
Michigan City Common Council

President Schwanke asked if the Author had anything to add.

Councilman Bietry stated he has an Author’s Amendment to this Resolution; explaining the Resolution makes reference to Exhibit A; Exhibit A is a map and a legal description that was a part of the Redevelopment Commission Resolutions that was passed by them, and it inadvertently includes some properties that are adjacent to across the street from Marquette High School and it was never the intention of the Plan Commission or the Redevelopment Commission or any of the Council to include this property as a part of the proposed new Riverboat District, and he would like to offer the map and legal description, which the Council should have, as a substitution for the Exhibit A that’s in the initial proposal.

Councilman Bietry stated this was his motion; supported by Councilwoman Boy.

President Schwanke stated there was a motion by Councilman Bietry; supported by Councilwoman Boy; asking the City Clerk to call the roll on the motion to “amend”.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed amendment passed by the following vote: AYES: Council Members Hamilton, Przybylinski, Schwanke, Silvas, Whitlow, Bietry, Boy, Dabney and Carnes (9). NAYS: None (0).

President Schwanke asked if the Author had any comments on the “amended” proposed Resolution.

Councilman Bietry commented on the Resolution, that there isn’t another issue before the City that’s more important than this one they are considering tonight; further commenting on the great strides that have been made over the last 5-7 years in Michigan City; commenting on following the recommendation of Hyatt Palma and the Lake Michigan Gateway Implementation Strategies which have positioned Michigan City as a prized destination for future developers; continuing to comment on new development and attractive opportunities to attract more businesses in Michigan City and the proposed Resolution for the Riverfront District Liquor Licenses; continuing to express his views on the matter.
President Schwanke stated he would be opening up Public Comment, but before he does, since there are a lot of people here and is sure a lot of them want to speak on this issue; asking the Public to keep their comments as short as possible and try not to repeat what someone else has already said; keeping the comments to new information; opening Public Comment.

Councilman Dabney stated he had a couple of questions he would like to address with Mr. Phillips before Public Comment was opened.

Discussion ensued between Councilman Dabney and Craig Phillips regarding: 1) who the licenses would be sold to (language/stipulations in Res. No. 4388; 2) when licenses are sold and the business leaves are they able to take the license with them; and 3) competitive disadvantages.

President Schwanke state he would now open Public Comment; asking speakers to please state their name and address for the record.

The following individuals commented on the proposed Resolution: Aaron O’Riely, owner of Fiddlehead Restaurant at 422 Franklin Street, resident at 357 S. Campbell Street, Valparaiso IN; Angie Nelson-Deuitch, 126 Lady Lane, M.C.; George Dobie, trustee at First Congregational Church, 6th & Washington Streets, M.C.; Bruce Baker, 224 Whispering Blvd., LaPorte; Rick Health, 2915 E. Michigan Blvd., M.C. owner of a New Buffalo, MI salon for 25 years; Frank Torez, 110 Krueger Place, owner Mucho Mas; Clarence Hulse, Economic Development Corporation, 2 Cadence Park Plaza, M.C.; Chris Bowman, 951 West Street, Valparaiso, IN; Mary Jo Orlowski, President, M.C. Chamber of Commerce, 100 E. Michigan Blvd., M.C.; Carin Lyshaugh, 2804 Lyndale Way Long Beach, currently living in Valparaiso, IN; Bernie Scott, 2028 E. Coolspring Avenue, Trail Creek, IN, owner Joy of Flowers, 613 Franklin Street, M.C.; Robert Andrzejak, 109 Rue De Luc West, M.C., owner 100 Washington Street, along with Jason Gatza and Frank Torez; Kesha Pate, 2 Cadance Park Plaza, resident at 1401 L Street, LaPorte, IN and 1308 Getmen Street, Pittsburg, PA; Rick Dekker, owner Dekker Vacuum Technologies, 935 W. Woodland Avenue, resident at 5709 W. 150 N., LaPorte, IN; Mike Conner, 1130 Tryon Road, M.C., owner of 9 commercial storefronts in the Historical District, of those 9, 5 are restaurants; Donavon Garletts, 207 Fogarty Street, M.C.; Corbin Wagner, 312 Wilshire Avenue, M.C., business at 418 Franklin Street, M.C.; Ferando Roma, 385 Cherry Hills Drive, Chesterton, IN, owner EL Cantarito Mexican Cuisine, 336 Dunes Plaza, M.C.; Ryan Laughlin, 622 Franklin Street, M.C.; John Sheets, 2503 Ohio Street, M.C., owner of 3-Sheets Bar & Grill, 227 W. Barker Avenue; Johnny Stimley, 401 Franklin Street, M.C., owner Ryan’s Irish Pub – presented a petition signed by local bar owners; Bill Sullivan, Attorney, 401 Washington Street, spoke on behalf of the established business/tavern owners; John Haynes, 2030 Ohio Street, owner 4-Stop Bar; Mark Yagelski, LaPorte County Council, 125 Boyd Circle, M.C.; Tim Janitik, 503 S. Porter Street, M.C.; Ross Bailing, 117 W. Williams Street & 206 Lindenwood Drive, M.C.; Larry Fegaras, 107 Pontiac Drive, owner Galveston Steakhouse, 10 Commerce Square, M.C.

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

Councilwoman Silvas commented on her commitment to Michigan City; stating however, this proposed Resolution does not sit right with her, and she cannot support it.

Councilman Dabney commented on the proposed Resolution and it being an economic issue moving Michigan City forward, and is in support of it.

Discussion ensued between Councilwoman Boy and Craig Phillips, City Planner/Executive Director Redevelopment Commission regarding the proposed Resolution and the cost of a regular license; who they are purchased from; the reason for the value of a license; riverfront licenses being “free”; annual fees; restrictions for the licenses; variances being granted; Blocksom and the riverfront district. Mr. Phillips stated license costs vary; they are purchased from the state; every license issued pays an annual fee; and since Mayor Meer has taken office the course of the direction that Redevelopment is heading in Michigan City has switched from the Blocksom and Trail
Creek area south of Highway 12 to the area north of Highway 12 between it and Trail Creek and the Uptown Arts District; and so that’s the subject of the petition tonight is to make that equal the Redevelopment Area. Discussion continued with regards to concerns to Hotel licenses; riverfront licenses of a business that has closed – would the license go back to the state or be available to someone else; possibility of selling old license from the riverfront district to someone outside the district and then buy a riverfront license; state statute states there is a 2 year waiting period from the time any license becomes inactive or put into escrow, and applying for a “special” license; riverfront licenses already exist, they are just increasing the boundaries of it; increasing the area where the license already exits, which there are 3 in use and there being no limit to these types of licenses.

Discussion ensued between Councilman Przybylinski and Mr. Phillips regarding the proposed Resolution and the 3 active riverfront licenses, and there being an unlimited number of riverfront licenses available; local rules for the issuance of the licenses; new development areas formed; the annual fee of $1,000.00 per year; market rate for the regular licenses; and the information presented here tonight.

Councilman Przybylinski commented that with all the information presented this evening and trying to find a mutual agreement between the established bar owners and the owners of the newly proposed riverfront district that would benefit from getting a “free” liquor license to postpone the vote on the proposed Resolution.

Mr. Phillips advised that the State Statute does not allow the transfer of an existing three-way license to a riverfront or any other “special” type of license for a period of 2 years, and we can’t pass a local law that would allow this to happen; so there is no way around that.

Councilman Przybylinski stated he thinks this needs to be “Tabled” as there seems to be more questions that need to be answered, and more information made available as there seems to be a lot of grey areas; further commenting on who will get the “free” liquor licenses and who won’t.

Mr. Phillips commented on how the State made these licenses available despite the downturn of population to use as an economic development tool to create these “special” districts to help cities remain competitive; advising he was involved previously to establish one of these districts to help cities remain competitive.

Councilman Przybylinski commented on the riverfront district being developed for use in the Trail Creek corridor, and that Blocksom still sits there as it did back in 2008 and hasn’t moved; thinking that was the sole purpose as to why these licenses were granted at that particular time; further commenting on making a more vibrant downtown and to bring more foot traffic into the downtown area and make that area grow that there would be a focus on trying to sit down with Blocksom and negotiating their move to another location, or Blocksom will sit there forever and that corridor will not be developed, which causes the City to lose an awful lot in development along that Trail Creek area; further commenting on the issue at hand.

Mr. Phillips commented on the Blocksom issue, and the Trail Creek corridor south of Highway 12; further commenting on the Uptown Arts District and the area north of Highway 12 and the development that has taken place in those areas; continuing to comment on the Blocksom property and the issues there (environmental and ownership issues that need to be resolved); commenting that the Redevelopment Commission is still working to try to resolve some of the issues along that corridor through the avenues available to them, but thinks that the City appropriately with this administration switched gears and focused on the areas of the City that previously existed and where the most potential existed market wise moving forward.

Councilwoman Carnes commented on what she learned on liquor licenses in the last six weeks; that there are more than 50 types of licenses available in the State of Indiana; the $1,000.00 fee per year, and what bothers her is that it seems like this regulation has created some sort of commodity market, which she does not agree with; commenting on
the “Sunday sales” and the argument for and against “Sunday sales” has nothing to do with why the law was originally established, and see the liquor licenses in the same way in that these liquor licenses are investments; further commenting on the matter and that she is in support of the proposed Resolution.

Councilman Whitlow commented on how long he has lived here; that times change; likes and dislikes; growing his own vegetable and eating at home; dining out; current trend setters; the revitalization of Franklin Square/Street; economic changes and working together as a “team” on this; and his support of the proposed Resolution.

Councilman Bietry commented on fellow Councilmembers wishing to “table” the proposed Resolution; agreeing with Councilwoman Carnes; that he has talked with a lot of people on the subject, both for and against; expressing his comments on the proposed Resolution and that “tabling” this is the wrong thing to do; commenting on making decisions on tough issues; doing what you feel is best for the community at large; and his support of the proposed Resolution.

Councilwoman Boy commented on the questions she asked Mr. Phillips earlier; stating she already knew the answers, but wanted everyone else to hear them; and that this is in the best interest of the City.

President Schwanke commented on the proposed Resolution and that he is not in support of it; further stating the reasons he is not in favor of it is 1) it’s an unfair competitive advantage, and if you’ve been in business you would understand this; 2) when this was originally created by the Redevelopment Commission it was created specifically for the Riverfront District, which was the area from 8th Street to Washington Park along Trail Creek and that’s the area it should stay; commenting if there is a difficulty in acquiring property there then let’s fix that hurdle; when the Riverfront District was created, it was created to create a Boardwalk; if you want to create additional foot traffic into our downtown there is a big stepping stone from that area that could be developed and utilizing these 10 or 11 liquor licenses in that area, then you build those town homes that have been boosted about that will go on the Memorial Hospital property and now you have foot traffic; commenting on the connectivity there would be when this is established and kicking this back to the Redevelopment Commission for further study versus moving the Riverfront District to another area; commenting on the comments made by the Redevelopment Commission Attorney regarding legal information that he had received from the Alcohol, Tobacco Commission and the State Statue in regards to this, so that’s still in question and we don’t have those answers; and wanting to get clarification on that before he can make any determination; commenting on being elected to represent the community and looking at all areas/property owners that have paid there due diligence and how this affects everyone and with that he would entertain the Council’s pleasure to either Table or to make a motion in favor or not.

Councilman Bietry made a motion to approve the proposed Resolution; supported 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 Whitlow, Bietry, Boy, Dabney and Carnes (5). NAYS: Przybylinski, Schwanke, Silvas and Hamilton (4).

President Schwanke stated the Resolution is approved, and will be forwarded to the Mayor.

President Schwanke called for a five (5) minute recess.
The Clerk read the following Resolution by title only,

**MICHIGAN CITY COMMON COUNCIL**

**RESOLUTION NO. ___________**

**SUPPORTING THE CITY OF MICHIGAN CITY ENTERING INTO A CONTRACT WITH ZAGSTER, INC. FOR A BIKE-SHARE PROGRAM**

**WHEREAS**, the Common Council finds that it is in the best interest of the City of Michigan City and its citizens to provide and promote bicycles as an alternative method of transportation and an additional option for recreation in and about the City; and

**WHEREAS**, a bike-share program would provide an affordable, effective, convenient, and efficient means for providing the opportunity to residents and visitors to use bicycles to move around the City to the various locations they may want to visit in the City; and

**WHEREAS**, Zagster, Inc. is in the business of providing the equipment and facilities necessary for a bike-share program and has offered to enter into an agreement with the City to provide up to 25 bicycles, including ADA accessible bicycles, with appropriate locking technology; appropriate docking facilities; complete maintenance, repairs, and replacement of the bicycles and docking facilities; program marketing; user-friendly Apps and software for program membership, reservations, and administrative reporting; marketing of the program; operation assistance; and appropriate indemnity terms and insurance; and

**WHEREAS**, Zagster, Inc. will allow the City to determine the rates to be charged for use of the bicycles and the City will be allowed to at least retain ninety (90%) of the revenues from the bike-share program; and

**WHEREAS**, Zagster, Inc. has offered to enter into a three (3) year contract to provide twenty-five (25) bicycles and the related equipment, materials, and services listed above for $45,000 per year plus $1,650 per each ADA accessible bicycle the City wishes, at its sole discretion, to include in the program; and;

**WHEREAS**, due to its positive impact on businesses in the City’s North TIF District, the Common Council believes the City’s Redevelopment Commission should fund the cost of the first year of the program and one of the other City Funds to fund remaining two (2) years of the program.

**NOW, THEREFORE, BE IT RESOLVED** by the Michigan City Common Council that:

1. It supports the City of Michigan City entering into a three (3) year contract with Zagster, Inc. for the purpose of implementing a bike-share program as described above in the City of Michigan City on the condition that the condition that the Michigan City Redevelopment Commission (Commission) funds the first year of the program; and

2. If the Commission agrees to fund the first year of the program, the Common Council commits to approve funding for the second and third year of the program; and

3. All revenues of the program are to be used to off-set the cost of the program; and

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

Introduced by:

______________________________  _________________________________  
Tim Bietry, Member  Chris Schwanke, President

Michigan City Common Council

Adopted by the Common Council of the City of Michigan City, Indiana this 7th day of March, 2017.
Michigan City Common Council

Councilman Bietry commented that after discussion with the Mayor and City Planner they are recommending that this is Tabled as there is still some more work that needs to be done on it, and there are some people who have concerns about it that represent other agencies that are affiliated with the city; making the motion to Table the proposed Resolution until the next meeting; the motion was seconded 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 was TABLED by the following vote: **AYES:** Council Members Schwanke, Silvas, Whitlow, Bietry, Boy, Dabney, Carnes, Hamilton and Przybylinski (9). **NAYS:** None (0).

President Schwanke stated the proposed Resolution is TABLED until the March 21, 2017 meeting.

The Clerk read the following Resolution by title only,

**MICHIGAN CITY COMMON COUNCIL**

**RESOLUTION NO. 4671**

**RECOGNIZING THE ESSENTIAL ROLE OF WOMEN IN HISTORY DURING WOMEN'S HISTORY MONTH**

WHEREAS, 88 percent of women in the United States between the ages of 25 and 29 have obtained high school diplomas and 31 percent of that same population have earned bachelor's degrees, outpacing men in the same age group, yet according to the American Association of University Women (AAUW), Hoosier women make only 76% of what their male counterparts make for the same work, a gender gap worse for women in Indiana than in 40 other states; and

WHEREAS, The World Economic Forum predicts the gender gap won't close entirely until 2186; and

WHEREAS, while the 19th Amendment to the U.S. Constitution was passed by Congress on June 4, 1919 and was ratified by the States on August 18, 1920, a US Supreme Court decision was needed to ensure that women could vote throughout the Country, and 95 years ago, on February 27, 1922, the US Supreme Court upheld the 19th Amendment, which guaranteed the right to vote could not be denied based on sex, and *Leser v. Garnett* ensured that no matter what any state constitution said, women could vote; and

WHEREAS, American women were leaders in securing their own rights of suffrage and equal opportunity, but were also leaders in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements – especially the peace movement – helping to create a fairer and more just society for all; and

WHEREAS, a few of the many notable women and “firsts” include:

- Carrie Chapman Catt, who served as president of the National American Woman Suffrage Association (NAWSA) 1900 - 1904, and again from 1915 through the passage of the Nineteenth Amendment in 1920; and
- Alice Paul, who broke away from the NAWSA and founded the National Woman's Party (NWP) in 1917, organized the first picket of the White House in January 1917, where suffragettes with banners stood at the gates on and off throughout the year; and
- Alice Hamilton, who in 1918 became the first, and for many years, the only woman on the Harvard faculty. While teaching pathology at Northwestern University, she came to know Jane Addams and other reformers who encouraged her to find a way to apply her scientific knowledge to social problems. As an assistant professor of industrial medicine, she conducted pioneering research of industrial disease helping to promote safety in the
American workplace; and

• Dr. Mae Jemison, who was the first African American woman in space, worked as the Area Peace Corps Medical Officer, managing the health care system for Sierra Leone and Liberia in West Africa. She was selected by NASA for the astronaut program and in 1992, was selected as the science mission specialist for an eight-day mission on board the Endeavour, logging over 190 hours in space; and

• Sheila Brillson, who was an educator and the first woman Mayor of Michigan City, serving 1996 – 2003. She developed the Michigan City Community Enrichment Corporation which distributes over 600 thousand dollars’ worth of grants yearly to non-profits across the Michigan City Area School District, co-founded the Michigan City Economic Development Corporation, and developed the Safe Harbor After School program for learning and talent development for students K-9; and

• Evelyn Baker, who was the first woman elected to serve on the Michigan City Common Council, she held office continuously for 32 years and was instrumental in securing the needed funds for the creation of the Michigan City Senior Center in the late 1990s; and

• State Senator Anita Bowser of Michigan City, who was the first woman to act as a House Speaker (Deputy Speaker Pro Tempore) in the history of the State. She was also a founding member of and the first female teacher at Purdue University North Central.

• Becky Williams, who was a Michigan City resident, child advocacy proponent, founder and executive director of H.O.P.E, and Helping Our People Excel. She worked tirelessly to help young people succeed; and

• Hazel Thomas, who was one of the first graduates of Ivy Tech School of Practical Nursing in Michigan City, She practiced nursing at Memorial Hospital for 34 years but is best remembered for her resilient persistence to the commitment she made to serve the community through volunteer services and political action; and

• Sylvia Bankoff, who was a Michigan City social activist, founded the Sinai Forum, and as a more than 50 year member of the LaPorte County League of Women Voters, championed the implementation of an urban renewal program in Michigan City and was instrumental in changing the Michigan City Area Schools board from an appointed body to an elected board; and

• Mattie Sue McMillan-Dunlap, who was born in 1910, a longtime resident of Michigan City and LaPorte County, helped to found the LaPorte County NAACP in 1958; and

• Dorothy Jurney, who was born in Michigan City in 1909, began her career at the Michigan City News and was women’s editor at the Miami Herald, Detroit Free Press, and Philadelphia Inquirer. She shifted the focus of women’s pages from society news to serious issues, such as the women’s movement, female political candidates, and women in the workplace; and

• Harriet Colfax, who was the light house keeper in Michigan City, served from her appointment in 1861 until her retirement at age 80 in 1904. During those 43 years, the light never failed once.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Michigan City, Indiana that it recognizes the achievements of these and many other remarkable, tenacious women who have led the way for others, and:

(1) celebrates the social, economic, cultural, and political achievements of women because
visibility and awareness help drive positive change for women; and

(2) recognizes and honors the women in the United States and in other countries who have fought and continue to struggle for gender equality and women's rights; and

(3) thanks the members of the Michigan City Commission for Women for all their efforts in support of women; and

(4) proclaim and celebrate the month of March, 2017 as Women’s History Month; and

(5) hereby recognizes that March 8, 2017 is the 105th “International Women’s Day” in Michigan City, Indiana;

This Resolution shall be effective upon passage by the Common Council and approval by the Mayor.

INTRODUCED BY:

/s/ Sharon Carnes, Member
Michigan City Common Council

/s/ Candice Silvas, Member
Michigan City Common Council

/s/ Patricia Boy, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of March, 2017 by a vote of 9 to 0.

/s/ Chris Schwanke, President
Michigan City Common Council

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

Councilwoman Carnes read the proposed Resolution in its entirety.

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

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

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed Resolution was approved by the following vote: AYES: Council Members Silvas, Whitlow, Bietry, Boy, Dabney, Carnes, Hamilton, Przybylinski and Schwanke (9). NAYS: None (0).

President Schwanke stated the Resolution is approved and will be forwarded to the Mayor for his signature.

President Schwanke “thanked” the Women’s Commission members for staying.
ORDINANCE

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

AMENDING SECTION 62-31 OF THE MICHIGAN CITY MUNICIPAL CODE
REGARDING MEMBERSHIP ON THE HISTORIC PRESERVATION COMMISSION

Introduced by: Chris Schwanke
Ron Hamilton

President Schwanke asked if the Author’s had anything to add at this time; there was no response.

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

Derik Derricks, 436 E. 8th Street, Chairperson for the Historical Review Board, addressed the Council regarding the proposed Ordinance, which will remove City employees from the Historic Review Board; expressing his concerns with City employees sitting on the Board as voting members; commenting on how the vote for the demolition of the buildings located at 701-705 Franklin Street was handled at their last Historic Review Board meeting, and the report from Landmark the Professional Preservation consultant that was hired by the Historic Review Board and their recommendation that there was nothing structurally wrong with the buildings and should not be torn down; further commenting on the development of the Plaza and that he is in favor of removing City employees from the Historic Review Board as it is a conflict of interest; also asking to re-visit the vote for the demolition of the buildings at 701-705 Franklin Street in the Historic Downtown area.

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

Councilwoman Boy commented on the amendment to correct the citation in Section 1; also in Section 1a in the second line it should be nine (9) voting members, not member.

President Schwanke commented that this is an Author’s Amendment or Scribner’s errors/typo.

Councilman Bietry commented that he has just recently been assigned as the Council liaison to the Historic Review Board, and has attended both meetings held this year; further commenting on the proposed Ordinance and information given by both the Planning Director and Building Inspector and that he believes they should stay on this board; asking that this be assigned to a committee for further review.

President Schwanke advised he would send the proposed Ordinance to the Planning and Zoning Committee for review.

President Schwanke commented that having served on that Board for over ten (10) years prior to being on the Council and serving a number as Council Liaison to that Board, his reasons why he felt a changed was needed is 1) to have the Planning Director more involved in planning than having to worry about an additional meeting every month and putting together information in regards to that as there is a very capable Board of individuals there and it would give them the opportunity to show their talents as they are appointed to that Board by the Mayor and this doesn’t really take someone away from Planning as there is a Planning Commission appointment on there that is a Mayor’s appoint from the Planning Commission, and as he reviewed the Ordinance he realized for the last fifteen (15) years there has never been someone on that Board from the City's Redevelopment Commission, so this will as it was supposed to be, and it brings it to light and now the Mayor can get someone from the City’s Redevelopment Commission to be on that Board; further commenting that this is in a TIF District in a Redevelopment Area and 2) make sure there is a licensed contractor on the Board, which has been Tom Przybylinski the Building Commissioner; continuing to
comment on the matter in that the Mayor supported this when he spoke with him about it; further expressing his views and concerns on the proposed Ordinance.

President Schwanke asked if there were any other comments from the Council; there was no response; stating the proposed Ordinance will be held over for second reading at the March 21, 2017 meeting, and that this will be referred to the Planning and Zoning Committee for further review.

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 A NEW SOFTWARE PROGRAM FOR THE CITY AND INFORMATION TECHNOLOGY-RELATED INFRASTRUCTURE TO SUPPORT SAID SOFTWARE**

**Introduced by:** Tim Bietry
Pat Boy

(DECREASE Riverboat Fund # 9000 Unappropriated balance $ 750,000.00 INCREASE ACCOUNT #9000 0000 04 443.006 Other Improvements $ 300,000.00 INCREASE ACCOUNT 9000 0000 03 439.011 Contractual Services $ 450,000.00)

President Schwanke asked if the Author's had anything to add; there was no response.

President Schwanke asked if there were any questions from the public; there was no response; advising they would be having a Formal Public Hearing on this at this time, opening the Formal Public Hearing and repeating three (3) times, is there anyone from the public who wished to comment on the proposed Ordinance; there was no response and the Formal Public Hearing was closed.

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

Councilman Bietry addressed the Council stating there was a request to have second and third reading on the proposed Ordinance this evening; asking for third reading if there were no objections.

President Schwanke asked if there were any objections; there was no response; hearing no objections, President Schwanke stated they will allow third reading tonight; asking if there were any other comments from the Council.

Councilman Przybylinski commented on the attendance last week at the Workshop for the proposed Ordinance with the Company that will be supplying the software; continuing to comment that the software is very much needed and that the technology is outstanding; further commenting on the features of the software.

Councilwoman Boy commented on the new software and the old/no longer supported software; further commenting on the software and the need to get it implemented; agreeing that second and third reading take place this evening.

Councilman Dabney commented on the new software meeting the needs of the City's financial department.

Councilwoman Carnes commented on the features of the software and transparency for the public, and that she is in full support of the proposed Ordinance.

President Schwanke asked if there were any further comments from the Council; there was no response; advising the proposed Ordinance would now move to third reading.

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

**MICHIGAN CITY COMMON COUNCIL**
ORDINANCE NO. 4425

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR A NEW SOFTWARE PROGRAM FOR THE CITY AND INFORMATION TECHNOLOGY-RELATED INFRASTRUCTURE TO SUPPORT SAID SOFTWARE

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 a new software program for the City and information technology-related infrastructure to support said software; 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, La Porte 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:

<table>
<thead>
<tr>
<th>AMOUNT REQUESTED</th>
<th>AMOUNT APPROPRIATED</th>
</tr>
</thead>
<tbody>
<tr>
<td>$750,000.00</td>
<td>$750,000.00</td>
</tr>
</tbody>
</table>

DECREASE Riverboat Fund # 9000
Unappropriated balance

INCREASE ACCOUNT #9000 0000 04 443.006
Other Improvements

INCREASE ACCOUNT 9000 0000 03 439.011
Contractual Services

TOTAL FOR FUND $750,000.00

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, 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 March 2017 by a vote of 9 to 0.

/s/ Chris Schwanke, President
Michigan City Common Council

President Schwanke asked if the Author’s had anything to add at this time.

Councilwoman Boy explained that part of the money that is being appropriated is for the fiber loop to connect all the City departments in different areas around the City, which is also very important.

President Schwanke asked if there were any comments from the public; advising there was a Formal Public Hearing held on this earlier this evening; there was no response.

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

Councilman Hamilton made a motion to approve the proposed Ordinance; seconded 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 Ordinance was approved by
the following vote: **AYES**: Council Members Whitlow, Bietry, Boy, Dabney, Carnes, Hamilton, Przybylinski, Schwanke and Silvas (9). **NAYS**: None (0).

President Schwanke stated 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 PARK AND RECREATION FUND TO PROVIDE FUNDING FOR THE OPERATION OF THE PARKING STICKER PROGRAM FOR THE PARK DEPARTMENT**

*Introduced by:* Bryant Dabney

(DECREASE Park and Recreation Fund # 1301 Unappropriated balance $ 10,651.00
INCREASE ACCOUNT #1301 0802 01 411.014 Seasonal Salaries & Wages $ 3,807.00
INCREASE ACCOUNT #1301 0802 01 413.001 FICA $ 292.00 INCREASE ACCOUNT #1301 0802 03 436.001 Building Repair & Maintenance $ 6,552.00)

President Schwanke asked if the Author had anything to add.

Councilman Dabney commented on the Finance Committee meeting held on the
proposed Ordinance earlier this evening; how the financing of the appropriation would
go; and allowing the Park Department to use their funds for this project, and needing to
move forward on this to allow for the installation of the sticker operation window prior to
the season opening; asking for second and third reading tonight on this.

President Schwanke asked if there were any questions from the public; there was no
response; advising they would be having a Formal Public Hearing on this at this time,
opening the Formal Public Hearing and repeating three (3) times, is there anyone from
the public who wished to comment on the proposed Ordinance; there was no response
and the Formal Public Hearing was closed.

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

Councilman Przybylinski made a motion to TABLE the proposed Ordinance; explaining
the reason to TABLE is because he has contacted the Redevelopment Commission
President Don Babcock; and Mr. Babcock advised he would put the item on the
Redevelopment Commission Agenda for next week’s meeting to see if they will pay for
the installation of the sticker operation window and alarm; the motion to TABLE was
supported by Councilman Hamilton.

President Schwanke reiterated that he had a motion from Councilman Przybylinski;
seconded by Councilman Hamilton to TABLE the proposed Ordinance.

President Schwanke asked if there were any other questions or comments from the
general public or Council and hearing none the motion to TABLE failed by the following vote: **AYES**: Council Members Hamilton, Przybylinski and Schwanke (3). **NAYS**: Bietry, Boy, Dabney, Carnes, Silvas and Whitlow (6).

President Schwanke advised the motion to TABLE failed.

President Schwanke asked if there were any further Council comments.

Councilwoman Boy advised that there is a sense of urgency on this as they do have to
order the window and supplies; further commenting on the funding for the project; and
that second and third reading should take place this evening.

President Schwanke asked if there were any further Council comments.
Councilwoman Carnes commented on the funding amount of $6,552.00, which is already in the Parks and Recreation Fund, and that this is a fund transfer; further commenting on funding from the Redevelopment Commission and this being a transfer within the Park Department budget of $6,552.00.

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

Councilman Przybylinski commented on the funding and how the initial project was designed and funded using Redevelopment Commission funds; future additional appropriations requests from the Park Department; change orders to the North Pointe Pavilion regarding the Sticker Operation; and the time frame for the project.

Councilwoman Carnes commented on funding for the project and where it comes from, and that ultimately it comes from the taxpayers; this passing with the Redevelopment Commission; and passing the proposed Ordinance for $6,552.00 tonight, so the project can be addressed.

Councilman Dabney commented on the timing of the project.

President Schwanke commented on the time frame for ordering the materials and the installation; that the Park Sticker Operation will begin before the project is complete; further commenting on the proposed Ordinance and the project; and sending this back to the Redevelopment Commission for funding as this was included in the original project which they funded; continuing to comment on the Council’s responsibility to have funding available for the day to day operations of the building.

Councilwoman Boy commented on the funding for the project and still asking the Redevelopment Commission to fund it, and if they do they can reimburse the Park Department the $6,552.00; continuing to comment that the project needs to be completed.

President Schwanke asked if there was any other Council comment.

Councilman Dabney reiterated that there was a request to have second and third reading on the proposed Ordinance.

President Schwanke asked if there were any objections to having third reading; there was no response.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4427

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE PARK AND RECREATION FUND TO PROVIDE FUNDING FOR THE OPERATION OF THE PARKING STICKER PROGRAM FOR THE PARK DEPARTMENT

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 the operation of the parking sticker program for the Park Department; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Park and Recreation Fund #1301 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte 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:

<table>
<thead>
<tr>
<th>AMOUNT</th>
<th>AMOUNT</th>
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<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
REQUESTED | APPROPRIATED
---|---
DECREASE Park and Recreation Fund # 1301 | 
Unappropriated balance | $ 10,651.00
INCREASE ACCOUNT #1301 0802 01 411.014 | 
Seasonal Salaries & Wages | $ 3,807.00
INCREASE ACCOUNT #1301 0802 01 413.001 | 
FICA | $ 292.00
INCREASE ACCOUNT #1301 0802 03 436.001 | 
Building Repair & Maintenance | $ 6,552.00
TOTAL FOR FUND | $ 10,651.00

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/ Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of March, 2017 by a vote of 7 to 2.

/s/ Chris Schwanke, President
Michigan City Common Council

President Schwanke asked if the Author had anything to add at this time; there was no response; asking if there were any comments from the public.

Larry Silvestri, 314 Kenwood Place, Vice-President Redevelopment Commission, addressed the Council regarding the funding in the proposed Ordinance and the use of Redevelopment Commission money; further commenting on funding for the WPA structures in Washington Park; and the trivial amount of dollars for the completion of the Park Sticker Operation window and alarm.

President Schwanke asked if there were any other comments from the public.

Jeremy Kienitz, Park Superintendent, addressed the Council regarding the timing of the project for the Park Sticker Operation.

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

Councilman Dabney made a motion to approve the proposed Ordinance; second by Councilwoman Boy.

Councilman Przybylinski commented on funding for the project and the use of Redevelopment Commission funds for the Parking Sticker Operation; past practices; and it being legal to have the Redevelopment Commission finish the project they started.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed Ordinance was approved by the following vote: AYES: Council Members Boy, Dabney, Carnes, Hamilton, Silvas, Whitlow and Bietry (7). NAYS: Przybylinski and Schwanke (2).

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

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

MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. 4426

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

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 Michigan City Park Board has determined that the need exists to remove the position of Golf Pro and create the position of Pro Shop Manager in the Park Department; and

WHEREAS, the Michigan City Park Board has determined that it is in the best interest of the Park Department to maintain the position of Golf Pro as an independent contractor versus a City employee; and

WHEREAS, the Controller’s Office has advised that sufficient funds exist in the 2017 salary budget to fund the position of Pro Shop Manager in the Park Department; and

WHEREAS, there exists the following typographical errors in the rate of pay in the following departments in Section 1 of Ordinance No. 4408:

<table>
<thead>
<tr>
<th>Department</th>
<th>Position</th>
<th>Annual Salary or Rate per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vector Control</td>
<td>Seasonal Laborer</td>
<td>$9.00</td>
</tr>
<tr>
<td>Park Administration</td>
<td>Seasonal Assistant Parking Supervisor</td>
<td>$8.93 - $9.44</td>
</tr>
<tr>
<td></td>
<td>Seasonal Parking Supervisor</td>
<td>$11.48 – 11.99</td>
</tr>
</tbody>
</table>

WHEREAS, these typographical errors in said departments should be corrected to accurately reflect the 2017 Annual Budget, which is as follows:

<table>
<thead>
<tr>
<th>Department</th>
<th>Position</th>
<th>Annual Salary or Rate per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vector Control</td>
<td>Seasonal Laborer</td>
<td>$7.25 - $10.00</td>
</tr>
<tr>
<td>Park Administration</td>
<td>Seasonal Assistant Parking Supervisor</td>
<td>$9.18 - $9.69</td>
</tr>
<tr>
<td></td>
<td>Seasonal Parking Supervisor</td>
<td>$11.73 – 12.24</td>
</tr>
</tbody>
</table>

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, that Ordinance 4408 shall be amended as follows:

1. The position of Golf Pro and corresponding salary of $47,500.00 shall be deleted from Section 1, specifically under “Golf” in the Park Department.

2. The position of Pro Shop Manager shall be added to Section 1, specifically under “Golf” in the Park Department and shall read as follows:

<table>
<thead>
<tr>
<th>Position</th>
<th>Annual Salary or Rate per Hour</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pro Shop Manager</td>
<td>$ 28,000.00</td>
</tr>
</tbody>
</table>
3. Section 1, with respect to the Seasonal Laborer in Vector Control and the Seasonal Assistant Parking Supervisor and the Seasonal Parking Supervisor in the Park Administration, shall be amended to read as follows:

<table>
<thead>
<tr>
<th></th>
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<tr>
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</tbody>
</table>

4. All other provisions of Ordinance No. 4408, not in conflict herewith, shall remain in full force and effect.

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/ Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 7th day of March, 2017 by a vote of 9 to 0.

/s/ Chris Schwanke, President
Michigan City Common Council

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

Councilman Dabney made the motion to approve the proposed Ordinance; second by Councilwoman Carnes 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 Dabney, Carnes, Hamilton, Przybylinski, Schwanke, Silvas, Whitlow, Bietry and Boy (9). 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 the Council has one (1) appointment to the Urban Enterprise Association due to Ms. Tina Mahone resigning. (term would start immediately and expire 12-31-2020)

President Schwanke stated to his knowledge the Council has not received a completed Boards & Commission form for this appointment; and the item would stay on the Agenda.
NEW BUSINESS

President Schwanke advised under New Business – FYI: Mayor Meer is requesting the advice and consent of the Michigan City Common Council regarding his re-appointment of Ms. Connie Anderson to the Historic Review Board. (term will begin immediately and expire on March 15, 2020)

President Schwanke advised Ms. Anderson is in the audience if anyone had any questions for her this evening; there was no response.

President Schwanke asked if the Council’s pleasure was to approve this tonight.

Councilman Whitlow made the motion to approve the requested advice and request for Ms. Connie Anderson to the Michigan City Historic Review Board; second by Councilman Przybylinski.

President Schwanke advised there was a motion by Councilman Whitlow to approve the appointment of Ms. Connie Anderson to the Michigan City Historic Review Board; seconded by Councilman Przybylinski; asking all in favor to signify by saying “AYE”; all responded “AYE”; asking if there were any opposed; there was no response; “congratulating” Ms. Anderson on her appointment and “thanking” her for her service to the Historic Review Board.

President Schwanke advised the last item under New Business is – FYI: Mayor Meer is requesting the advice and consent of the members of the Michigan City Common Council regarding his appointment of Mr. Joshua Pillivant to the Michigan City Human Rights Commission. Mr. Pillivant will be replacing former member Ms. DeShawn Gordon. (Mr. Pillivant’s term will begin immediately and would expire on November 1, 2018); asking what the pleasure of the Council was.

Councilman Przybylinski made a motion to approve the appointment; the motion was seconded by Councilman Dabney, Councilman Hamilton and Councilman Whitlow.

President Schwanke stated there was a motion by Councilman Przybylinski; seconded by Councilman Dabney, Councilman Hamilton and Councilman Whitlow to approve the appointment; asking all in favor to signify by saying “AYE”; all responded “AYE”; asking if there were any opposed; there was no response; stating the appointment was approved; “thanking” Mr. Pillivant for serving on this commission.

COMMENTS FROM THE PUBLIC

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

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

Councilman Whitlow commented on the typos/corrections that needed to be made in the Resolution on the Riverfront District.

City Clerk Neulieb advised she has spoken with Council Attorney Meyer and the corrections will be taken care of.
President Schwanke asked if there were any other comments from the Council; “thanking” everyone for sitting through this long meeting; commenting this is the longest meeting he has had in six (6) years.

**ADJOURNMENT**

A motion by Councilman Hamilton, supported by Councilwoman Boy and there being no further business to transact, President Schwanke declared the meeting **ADJOURNED** (approximately 9:56 p.m.)

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Gale A. Neulieb, City Clerk