The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, April 1, 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, Rich 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
Kalon Kubik, Administrator, Mayor’s Office
Charles “Spike” Peller, City Engineer
Sue Downs, Code Enforcement / Building Commissioner
Christine Vanderborg, Code Enforcement
Jeff Loniewski, Captain, M.C.P.D. Traffic Division
Kevin Urbanczyk, Asst. Chief, Michigan City Police Department
Bob Zondor, Superintendent, Central Services/Maintenance
Steve Stanford, Operations Manager, Sanitary District
Craig Phillips, City Planner
Clarence Hulse, Executive Director, Economic Development Corporation, M.C.

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 March 18, 2019.

Virginia Keating made the motion to approve the minutes from the March 18, 2019 Regular meeting. The motion was second by President Janus and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

ORDER TO DEMOLISH – 111 Franklin Street

President Janus opened the Public Hearing.

Sue Downs, Building Commissioner, addressed the Board explaining what she intended to do at this point, after negotiating with the owner of the structure, was to ask that the hearing be delayed just for a short time.
Discussion ensued between President Janus and Ms. Downs regarding the length of time for the delay of the hearing. Ms. Downs stated “30 days”.

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

Virginia Keating asked what the purpose of the delay was. Ms. Downs stated the owners are attempting to work with the Inspection Department regarding the time frame for actually making the structure a usable structure.

Corporate Counsel Amber Lapaich asked Ms. Downs if there was anyone present that’s an owner of 111 Franklin Street. Ms. Downs explained she thought Mr. Adams for Mark Valudos was going to be here today.

Mike Conners, 1130 Tryon Road, addressed the Board stating he represents Mr. Adams and BFLP Finance, who have entered into an agreement with the City for strict performance on bringing the property into full compliance with all City codes within a short amount of time; continuing that document is still being negotiated between the principals and the City Planner at this time; further commenting that they have asked Ms. Downs to speak on the City Planner’s behalf to grant a period of time to perfect that document for approval by this Board.

Corporate Counsel Lapaich commented that there was no document at this time for the Board to approve, and that it may not be this Board who approves the document it may just be between the owners and the Planning/Inspection Departments; further questioning if the owner agrees to the continuance for thirty (30) days as requested by Ms. Downs.

Mr. Conner replied “yes”; that he was here on the owner’s behalf.

Ms. Downs stated for the record that there has been no agreement entered at this time; further commenting on the matter.

Corporate Counsel Lapaich clarified that the owner is Adams Property Holdings, LLC.

Mr. Conner stated that was correct.

Corporate Counsel Lapaich asked if there were any other owners at this time?

Mr. Conner stated there are no other owners at this time; commenting that there is an agreement between Adams and BFLP Finance to invest the money required to bring the property up to code.

Corporate Counsel Lapaich commented on the thirty (30) day continuance, which would be the first Board of Public Works and Safety meeting in May.

President Janus asked what the Board’s pleasure was; closing the Public Hearing.

Vice-President Rich Murphy made the motion to delay the Public Hearing for thirty (30) days while the owner speaks to the City about moving forward on the project. The motion was second by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.

REQUEST FOR STREET CLOSURE – Larry Wisler, Asplundh Tree Expert Co., is requesting the closure of the East bound lane of Coolspring Avenue closed east of Ohio Street to Hoyt Street for the purpose of tree trimming for N.I.P.S.Co. lines on Wednesday, April 3, 2019 from 8:00 a.m. to 11:00 a.m.
Captain Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board stating he spoke with a representative of the Tree Service last week; explaining they are going to be doing some maintenance on the trees right at the intersection of Coolspring Avenue and Ohio Street; further explaining the only way they can safely take down the branches at that sharp turn is to close one (1) block of Coolspring Avenue; continuing that Coolspring Avenue will be closed right around the curve there for east bound traffic only and west bound traffic will still be open; recommending approval of the request.

Virginia Keating made the motion to approve the request for street closure of the east bound lane of Coolspring Avenue east of Ohio Street to Hoyt Street on April 3, 2019 from 8:00 a.m. to 11:00 a.m. to trim trees. The motion was second by Vice-President Rich Murphy and carried as follows:  

**AYES:** MEMBERS Janus, Murphy and Keating (1). **NAYS:** None (0). Motion carries.

**REQUEST FOR STREET CLOSURE** – Tim Johnson, Next Modular, is requesting the closure of Lakeshore Drive between N. Lake Avenue and Louisiana Avenue on Monday, April 29, 2019 from 8:00 a.m. to 5:00 p.m. for the placement of a modular at 411 Lakeshore Drive

Tim Johnson, 2000 Elkhart Road, Goshen, IN, Next Modular, LLC, addressed the Board explaining the request is similar to the last modular that was placed on Lakeshore Drive; explaining there are some additional streets that are closer, so they don’t have a full closure, more of a detour situation; further explaining he has a plan to put barricades in the street and people to direct traffic for the block; continuing to explain the closure/detour; asking for approval.

Captain Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board commenting as Mr. Johnson stated this area does have an alternate route that can be used for vehicle traffic to go east and west on Lakeshore Drive; stating as long as they have the required flagmen out there the Traffic Division would recommend approval.

Vice-President Rich Murphy made the motion to approve the request for street closure by Tim Johnson, Next Modular, for the closure of Lakeshore Drive between N. Lake and Louisiana Avenues on Monday, April 29, 2019 from 8:00 a.m. to 5:00 p.m. for the placement of a modular at 411 Lakeshore Drive. The motion was second by Virginia Keating and carried as follows:  

**AYES:** MEMBERS Janus, Murphy and Keating (3). **NAYS:** None (0). Motion carries.

**REQUEST TO USE PARK** – Shane Watson, Michigan City Mainstreet Association, is requesting the use of Westcott Park for the annual Swale Music Festival from Friday, June 7, 2019 to Sunday, June 9, 2019 from 8:00 a.m. to 10:00 p.m. with the festival being held on Saturday, June 8, 2019

Shane Watson, 210 Dewey Street, Vice-President of the Michigan City Mainstreet Association, addressed the Board explaining they held this same event last year, and are looking to do the same thing again this year; further explaining the event itself will be held on June 8, 2019 and June 7, 2019 is for set up and June 9, 2019 is for breakdown.

Captain Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board advising there is a request for a few officers to work this event as security; explaining the M.C.P.D. did provide Officers last year and they have no problem doing it again this year; recommending approval of the request.
Virginia Keating made the motion to approve the request from Mainstreet to set up and have a Swale Music Festival for Friday, June 7, 2019 to Sunday, June 9, 2019 from 8:00 a.m. to 10:00 p.m. with the festival being held on Saturday, June 8, 2019 subject to the receipt of the Certificate of Insurance in the Clerk’s Office 30 days prior to the event date. 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.**

**REQUEST FOR STREET CLOSURE – Bruce Woodruff, Woodruff and Sons, Inc. is requesting an extension of the closure on 5th Street between Washington Street and Wabash Street from April 8, 2019 to April 30, 2019 from 6:30 a.m. to 5:30 p.m.**

Kyle with Woodruff and Sons, Inc. addressed the Board explaining asphalt plants are not opened yet, so that is the only reason for the extension; advising as soon as they open up Woodruff already has them scheduled to come in to replace the pavement and then the project will be done.

Discussion ensued between President Janus and Kyle regarding the work being completed anytime during the requested time frame.

Vice-President Rich Murphy made the motion to approve the request by Woodruff and Sons, Inc. for the extension of the closure on 5th Street between Washington Street and Wabash Street from April 8, 2019 to April 30, 2019 from 6:30 a.m. to 5:30 p.m. The motion was second by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.**

**SPEED ASSESSMENT – Councilman Sean Fitzpatrick, 4th Ward, is requesting a “speed assessment” on Village Road and Crestwood Drive in the South Gate Neighborhood for safety concerns**

Sean Fitzpatrick, 4th Ward Councilman, 230 Walnut Street, addressed the Board explaining this was brought to his attention by residents of the South Gate Neighborhood about excessive speeds in that area; commending Capt. Jeff Loniewski of the Michigan City Police Department because within 24 hours of his request to this Board the Traffic Division installed their radar trailer and have had increased patrols; advising the residents are already pleased with this; further commenting after discussion with the residents of the area, which is densely populated and there are a lot of small children playing outside, that they have concerns with the speed limit in the neighborhood; further commenting on the matter and that the residents have asked for the speed limit to be reduced.

Captain Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board commenting that as stated he did take the radar trailer out there last week and did spend some time monitoring the situation and did find that there are people speeding in this area, and he is hoping that by placing the radar trailer where it is now at Village Road and Southwind Drive and moving it to different locations through this month he is hopeful that this will slow the traffic down to the posted 30 mph speed limit; stating at this point he would recommend that the Board hold off on reducing the speed limit; commenting that it has been his experience that just reducing the speed limit just increases the number of speeders; further commenting on the matter; and that he would still recommend that the Board allow the Traffic Division to continue to monitor the situation throughout the month and he would report back at the 1st meeting in May and see if there efforts have made any improvement.

Vice-President Rich Murphy made the motion to defer the speed assessment to the Michigan City Police Department’s Traffic Division for their monitoring and 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.**

Clerk Neulieb asked if this would be placed on the Board’s Pending Item List. President Janus stated “yes”.

**HORIZONTAL DRILLING PERMIT** – Kevin Maxwell, BSM Group/Intelligent Fiber Network, is requesting a Horizontal Directional Drilling Permit to do directional bore for placement of underground fiber optic cable – project location E. Street and Trail Creek Greenway

Charles Peller, City Engineer, addressed the Board stating somehow the petitioner received the wrong application, and he can recommend that the Board tentatively approve this HDD permit with BSM Group; advising the fee would be $70.50 for the 750 feet of cable they want to install; also commenting on the response letter from the M.C. Sanitary District requesting information from the petitioner; explaining that letter and the documentation should be attached to the permit.

Corporate Counsel Amber Lapaich asked Mr. Peller if the petitioner received the wrong application; or was the application just missing Exhibit B, the full attachment. Mr. Peller stated he thinks it’s the wrong one.

Steve Stanford, Michigan City Sanitary District, addressed the Board advising they have requested from the applicant a little extra information to verify that they will maintain the separation and the crossing criteria for their sewer system in that area and they have not yet received that from the applicant.

Corporate Counsel Lapaich asked if it would be wise for this Board to “TABLE” this to the next meeting so that the proper application and information can be submitted. Mr. Peller stated “yes”.

Virginia Keating made the motion to “TABLE” the matter concerning the BSM Group/Intelligent Fiber Network Horizontal Drilling permit to bore at the E. Street and Trail Creek Greenway area. 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.**

**AGREEMENT** – Agreement by and between the City of Michigan City, by and through the Board of Public Works and Safety and Indiana Landmarks – contract terms January 1, 2019 thru December 31, 2019 in the amount of $6,500.00

Corporate Counsel Amber Lapaich addressed the Board explaining Indiana Landmarks is who our Historic Review Commission utilizes for consulting; advising this contract is identical to contacts in previous years and the amount is the same as well; asking the Board for approval of this contract.

Vice-President Rich Murphy made the motion to approve the Agreement by and between the City of Michigan City, by and through the Board of Public Works and Safety and Indiana Landmarks with the contract terms January 1, 2019 thru December 31, 2019 in the amount of $6,500.00. The motion was second by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion carries.**
REQUEST TO PURCHASE VEHICLE – Assistant Chief Kevin Urbanczyk, Michigan City Police Department is requesting to purchase a 2019 Police Pursuit Dodge Charger through the State of Indiana’s QPA with Fletcher Chrysler Products, Inc. to replace the 2018 Ford Police Interceptor Sport Utility Vehicle that was involved in an accident and declared a total loss.

Assistant Chief Kevin Urbanczyk, Michigan City Police Department, addressed the Board stating he was present to answer any questions the Board may have regarding the request.

Corporate Counsel Amber Lapaich addressed the Board stating everything was in order for the Board to approve.

Virginia Keating made the motion to approve the request to purchase the 2019 Police Pursuit Dodge Charger through the State of Indiana’s QPA with Fletcher Chrysler Products, Inc. in the sum of $25,195.00. The motion was second by Vice-President Rich Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (1). NAYS: None (0). Motion carries.

REQUEST FOR SOLICITATION OF BIDS-APPROVAL OF BID PACKET – Sue Downs, Code Enforcement, is requesting approval to solicit bids for the demolition of 609 Benton Street, Michigan City, Indiana and approval of bid packet.

Sue Downs, Building Commissioner, addressed the Board explaining this is a standard bid packet; stating she would be happy to answer any questions the Board may have.

Corporate Counsel Amber Lapaich addressed the Board stating the Board has already approved the demolition; explaining this would be to go out to seek the bids to actually retain a contractor to do the demo.

Vice-President Rich Murphy made the motion to approve the request for solicitation of bids from Sue Downs, Code Enforcement to solicit bids for the demolition of 609 Benton Street. 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 – Indiana Department of Transportation-Local Public Agency Project Coordination Contract with the City of Michigan City for Supplement No. 2 EDS No.: A249-14-320453 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 at the last Board meeting this Board has already approved this contract; continuing that is was discovered that when we returned the document to INDOT they incorrectly had this labeled as Supplement No. 1 and it should have been Supplement No. 2, so all the paperwork is correct; advising this is being brought back in front of this Board so the minutes are accurate to approve Supplement No. 2; further explaining the Board has already approved the dates and the release of the funding dates, and we are just correcting the typo that was on the last document.

Virginia Keating made the motion to approve the request to correct the matter of the Indiana Department of Transportation-Local Public Agency Project Coordination Contract with the City of Michigan City to read Supplement No. 2. 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.
REVOLVING LOAN MODIFICATION – Clarence Hulse, Economic Development Corporation, M.C. on behalf of Zorn Brewery, is requesting approval for a Revolving Loan Modification

Clarence Hulse, Executive Director, Economic Development Corporation, M.C., addressed the Board regarding the request; commenting on the first note with Horizon Bank and the people they have been dealing with are both on vacation, and that he is trying to get more information on that first mortgage; explaining this project began in 2015 and the company, Zorn Real Estate, bought the old carriage house and is now Zorn Microbrewery; advising they have invested about over $800,000.00 in that project and they came to EDCMC to help them bridge the loan they had with the bank; stating Zorn borrowed $260,000.00; commenting on the loan terms of 120 payments with interest roughly $33,271.00; continuing that towards the end of 2016 Zorn got into trouble and they were losing a lot of money and came back to the EDCMC Revolving Loan to get the interest only payments for three (3) months, and were still struggling to even pay that; just from talking with Mr. John VanProoyen, who will be here any minute, they had to go back to the bank and restructure their note, and he has been trying to figure out the details for the Board on that, which he does not have today; continuing to comment on the restructuring of Zorn’s mortgage note and their struggle to repay the City; stating they have had numerous emails and phone calls, referring to the packet that was provided to the Board, which contains a list of the payments that have been made to the City with copies of the check; stating when Mr. VanProoyen came to the EDCMC to get their note modified they started looking into it by calling a loan processor to give the EDCMC what the outstanding payments were and in the packet there is the 3/20 note; stating as of 3/20 this is what is outstanding with interest; this was taken to EDCMC Revolving Loan Committee, who had a lot of issues with how the note was being paid; commenting on the Revolving Loan Committee’s recommendation of either going to foreclosure or modify the loan note, but not forgive the interest; advising that Mr. VanProoyen agreed to pay up all the outstanding interest to date, so that is how they came to the amount of $220,000.00 plus interest and that Mr. VanProoyen has asked for the note to be modified from ten (10) years to fifteen (15) years to lower his payments; commenting those terms are within the new schedule, which is on the last page of the packet, which includes roughly $18,000.00 in interest and Mr. VanProoyen is asking to start this process over; commenting at the bottom of the note in the packet the new interest going forward has gone from $33,000.00+ to $43,000.00+, so he has brought his interest up to date and is trying to restart the clock, which would make the past note interest only, for lack of a better explanation; stating the project has it’s pros and cons, and has been a great project in terms that Mr. VanProoyen has done what he said he was going to do, and has struggled along the way; advising Mr. VanProoyen has not come to the EDCMC asking for any kind of tax abatement, which he would be entitled to as the property is in the Enterprise Zone, and also has not asked for any type of grants, in terms of UEZ (Urban Enterprise Zone) who has grants for internal modifications and those types of improvements; continuing to comment that property values in that area have gone up since the brewery has opened; commenting that there are some good things that have happened with this project; stating all they are asking is that the Board honor Mr. VanProoyen’s request to move forward and figure out a way to make sure he can pay his note to the City; further stating one of the changes they made to the secured note is this time Mr. VanProoyen is personally responsible for it.

Virginia Keating asked Mr. Hulse if this was the second modification of the Revolving Loan? Mr. Hulse replied “yes”; commenting that the first one was for three (3) months only for interest.

Discussion ensued between President Janus and Mr. Hulse regarding what happened after those three (3) months. Mr. Hulse stated that Mr. VanProoyen struggled to pay in those three (3) month; advising the Board could look up the payment records. President Janus commented that it is hard for the Board to look at something that was just given to them
today. Mr. Hulse replied that he was just giving the Board the history of where they have been with this.

Discussion continued between President Janus and Mr. Hulse regarding what’s changed that would allow Mr. VanProoyen to make the payments now. Mr. Hulse stated before Mr. VanProoyen went to the EDCMC Revolving Loan Committee and this Board, they asked for the past year’s financials for Zorn Brewery and saw where Mr. VanProoyen/Zorn Brewery is actually making a profit, so he can actually start paying; continuing that there was no reason to come before the Board if the EDCMC knew Mr. VanProoyen was not going to be able to pay. President Janus asked if the Horizon Loan was going to be refinanced? Mr. Hulse stated it was two (2) years ago/a year and a half ago (1 ½) because that is when he got into trouble; further commenting on this being before the Board in late 2016; continuing that for those six (6) months that he was having a lot of issues with the first note.

Mr. Hulse stated the EDCMC Revolving Loan has three (3) outstanding notes, this is for the background; two (2) are restaurants and one (1) is manufacturing; and the EDCMC Revolving Loan Committee is looking to change their rules so they do not loan money to any more restaurants, as the Board knows they are the highest failing business in America; continuing to comment the EDCMC Revolving Loan Committee is getting out of that business and are trying to do more manufacturing type/business services.

President Janus stated as the Board just received some of this information this morning he would entertain a motion to postpone this matter for another thirty (30) days.

Virginia Keating made the motion to postpone this matter due to the complexity of the matter and because the Board needs additional information.

Mr. John VanProoyen addressed the Board stating he was present if the Board had any questions for him at this time.

President Janus stated the Board does not know what to ask him at this time because they just got the information, so that is why they will be postponing this matter, so the Board had time to review the information they just received.

Mr. Husle stated that was fine and during that time the Board should please email him any questions they have, and he will try to get Horizon Bank to respond to the three (3) items previously discussed.

The motion was second by President Janus and carried as follows: **AYES:** MEMBERS Janus, and Keating (2). **NAYS:** Rich Murphy (1). Motion carries.

President Janus stated there are two (2) AYES and one (1) NAY that this be postponed for thirty (30) days, or until the Board’s first meeting in May.

**RESIGNATION –** Driver/Operator Robert Yates of the Michigan City Fire Department has resigned effective March 24, 2019 at 0700 hours (note: for informational purposes only)

President Janus read into the record that Driver/Operator Robert Yates of the Michigan City Fire Department has resigned effective March 24, 2019 at 0700 hours; stating this is for informational purposes only.
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:

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<th>Page</th>
<th>Date</th>
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Allowance of claims as set forth in the Register of Claims for the Board of Public Works and Safety and the Department of Redevelopment (which Register is in the possession of the City Controller) as follows:

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UNFINISHED BUSINESS

President Janus stated the first item on the Pending Item List is a request for the demolition of 212 Green Street by Mr. Phil Ream, which was referred to the Inspection Department to report back at this meeting.

Sue Downs, Code Enforcement, addressed the Board stating this particular building is a derelict structure, and she agrees; the Inspection Department did cite them in 2016 and they cleaned the property up; it was then sold in 2017 to another owner who went in and did some work and then in 2018 it was gutted and the newest owner started doing work, unfortunately they have now basically walked away from it; advising the property was on the Commissioner’s sale and she has not yet heard if it was sold at that sale; commenting that although it is a derelict structure it certainly is not one of the worst that we have in the City; stating there are far worse that the City needs to address with a limited amount of funds with which to address them, so it is on a list to be observed and the Inspection Department will work toward that goal, but its just not one of the worst the City has out there.

Corporate Counsel Amber Lapaich recommended this be removed from the Pending Item List; commenting that the Planning Department always has the jurisdiction to issue any order to repair and order to demolish; advising this Board is the review body.

Virginia Keating made the motion to remove the matter of 212 Green Street from the Pending Item List. 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.
President Janus stated the next item on the Pending Item List is a request for sidewalk replacement and a trash can at 2701 Franklin Street.

Charles Peller, City Engineer, addressed the Board stating he spoke with the Mayor and he’s approved the sidewalk work as soon as a contract is made, and will be done sometime this summer; commenting that he is not sure if Central Services has a trash can or where the City can find one, but he does not have them.

Discussion ensued between President Janus and Mr. Peller regarding the placement of trash cans in the downtown area. Mr. Peller stated the City did, but believes they are spoken for; continuing that if the City gets another haul of trash can’s then one can be set out there; advising this could be taken off the Pending Item List.

Vice-President Rich Murphy made the motion to remove this item 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 (). Motion carries.

President Janus stated the next item on the Pending Item List is a request for parking signs by Kim & James Grosse - Sevick Gardens at 228 W. 8th Street.

Cathy Jesse, Director at the Women’s Care Center at 732 Wabash Street, addressed the Board explaining they are a pregnancy resource center and are non-for-profit; continuing they serve many women and children through this center and putting the 15 minute parking limit signs on the street parking would really be a hardship to their pregnant women and children that they serve; advising they are parking all staff members on Wabash Street so as not to tie up those spaces all day, but the 15 minute parking across the street from this center would be very hard on the women and children who utilize this facility; stating they provide ultra sounds for the women for free, as well as providing classes where they would need more than ten (10) parking spaces four (4) days a week; and would like the Board to consider this for their patrons.

Charles Peller, City Engineer, addressed the Board stating he discussed this with the Planning Department and they don’t believe the City should be putting in these 15-minute parking spaces; commenting that apparently the City has some and he doesn’t know when they were put in, but it would be his recommendation to deny this request.

President Janus stated it would be his feeling that this needs to go back to Planning to come back to the Board with a recommendation on those that the City has already approved; he believes the City started a precedent that the City can’t continue, but that’s just his opinion.

Captain Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board advising they too would recommend denial of the request; explaining they do not have the man power to go out there and sit for 15-minutes to see if someone is in violation of the time restriction; commenting that in the past this Board has always denied those requests.

Craig Phillips, Planning Director, addressed the Board stating the City Engineer did consult with the Planning Department on this matter, and going along with the comment Captain Loniewski made, the only case where you can have effective enforcement of these types of parking standards is if you have parking enforcement personnel dedicated to parking enforcement; commenting that some cities do that in various areas, but those types of spaces are scattered throughout the entire parking inventory within a downtown and in our case we do not have that capability in this city; stating the Planning Department recommends denial of
the request, and they can re-evaluate the ones the City currently has, but this is the request that is before the Board today.

President Janus asked if there was any further discussion; there was no response; stating he would entertain a motion.

Vice-President Rich Murphy made the motion to deny the request for parking signs based on the recommendations of the Michigan City Police Department’s Traffic Division and Planning and Engineering. 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 stated the next item on the Pending Item List is a request for the installation of a street light mid-block in the 300 block of Walker Street by Lavern Childs.

Lavern Childs, 307 Walker Street, addressed the Board regarding this request; commenting on how dark it is in this area; advising she spoke to all the residents in the neighborhood and was told many of them have had their vehicles broken into, and the main reason they have not reported these incidents is because some of them don’t have vehicle insurance, the others have insurance but if they reported it their deductible is so high it wouldn’t make sense for them to report that claim; stating again they are just requesting that a street light be installed in the mid-block just to relieve some of that darkness; commenting that there are only lights at the ends of the block; continuing to comment on the street light placement on Walker Street and how dark it is in her block.

Captain Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board stating after the last meeting he was asked to pull the crime statics for that area, specifically the 300 block of Walker Street; advising going back to about 2015 he found that there were 3 criminal mischief reports, 2 accident reports, 3 theft reports and 2 calls of suspicious activity; stating there were some other crimes that aren’t directly related or wouldn’t be improved by lighting that he didn’t include; explaining if you are familiar with that area there is a street light at the intersection of Tryon Street and Walker Street, and also a street light at the intersection of Vail Street and Walker Street; continuing that the problem with this area is there is no utility poles that run down that street, so the installation of a mid-block street light would entail quite a bit of an expense; stating he did ask Mr. Peller to look into an estimate on how much it would cost to install a street light, but those are the crime statics that he found and the Traffic Division would defer to the Board on their judgement.

Charles Peller, City Engineer, addressed the Board stating he looked up the Michigan City Code and basically the code says to put street lights at intersections and if the block is more than 600 feet long then you can put one (1) mid-block, which is what the 400 block is; explaining the 400 block of Walker Street is greater than 600 feet, and the 300 block is much less than 600 feet, so he would recommend that this request be denied.

President Janus asked if there was any more discussion on the matter; there was no response; stating he would entertain a motion.

Virginia Keating made the motion to deny the request for a mid-block street light on the 300 block of Walker Street. 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.**
President Janus stated the next item on the Pending Item List is a request for street lights on Pahs Road for pedestrian safety; stating the Board did get a recommendation for installation.

Charles Peller, City Engineer, addressed the Board stating he has been trying to work with N.I.P.S.Co. to find out what it would cost to put up some street lights in the requested area; advising so far N.I.P.S.Co. has not responded back to him; continuing that he has one of our consultants working on lighting this stretch of Pahs Road and they are trying to figure out the spacing; further commenting that NIRPC has a funding program which the City has applied for and one of the projects is to redo Pahs Road, so regarding the sidewalk issue that might be something that can be done during the reconstruction/resurfacing of Pahs Road, which supposedly the money is available between 2020 and 2024, but he thinks it would not hurt to put in the street lights now, as soon as he figures out how much it is going to cost and where they should be placed; recommending continuing the matter.

Discussion ensued between President Janus and Mr. Peller regarding the time frame for reporting back.  Mr. Peller stated thirty (30) days would be fine, he should have something by then.

Vice-President Rich Murphy made the motion to keep this on the Pending Item List for Mr. Peller to report back in thirty (30) days the information on cost and placement of the street lights.  The motion was second by Virginia Keating and carried as follows:  AYES: MEMBERS Janus, Murphy and Keating (1). NAYS: None (0).  Motion carries.

President Janus stated the next item on the Pending Item List is Order to Demolish 609 Benton Street, which the Board has previously approved.

Virginia Keating made the motion to remove the matter of 609 Benton Street from the Pending Item List.  The motion was second by Vice-President Rich Murphy and carried as follows:  AYES: MEMBERS Janus, Murphy and Keating (1). NAYS: None (0).  Motion carries.

President Janus stated the next item on the Pending Item List is a request by Mark Valudos/Rob Hart to purchase city owned property on Fogarty Street; stating the Board was waiting for updated valuations.

Corporate Counsel Amber Lapaich addressed the Board advising she did receive the new appraisals; stating this property was last appraised by two appraisal companies in 2014, and unfortunately the values have gone down slightly; explaining in 2014 one of the appraisals said it was $95,500.00 and now it’s $88,000, and the other appraisal in 2014 was $94,000.00 and now they have it valued at $82,000.00; continuing that she did speak with Mr. Craig Phillips, City Planner, to see if this would change any of his prior recommendations as to whether the City should place this out for bid or not, Mr. Phillips recommendation to sell the property remains unchanged and the City does not see a viable use for the property from the City prospective, so with this Board’s permission she will prepare the bid documents for the Board’s next meeting for their approval and this can be removed from the Pending Item List.

Virginia Keating made the motion to remove the matter of the purchase of City property on Fogarty Street from the Pending Item List, and to address the matter of the bid packets at the next meeting.  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.
President Janus stated the next item is deferred to their next meeting.

PUBLIC COMMENTS

President Janus asked if there were any public comments.

Craig Phillips, City Planner, addressed the Board recommending that they reconsider the request for the street light in the 300 block of Walker Street, given the fact that there were some concerns with regard to safety and the concerns that were mentioned by the resident as well as the record that was shown by the Police Department of activity in the area; recommending the Board put that back on the Agenda and “Table” it and reconsider it for the next meeting.

Vice-President Rich Murphy made the motion to reconsider the issue of the street light mid-block in the 300 block of Walker Street by Lavern Childs per the Planning Departments request that the Board revisit this and address at the next meeting. 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 if there was anyone else who wished to speak at this time.

Steve Stanford, Sanitary District Operations Manager, addressed the Board stating on Thursday last week the Sanitary District submitted a tardy request for a street closure; explaining it would be the half block of Elk Street, east of Jackson Street, for storm water drainage improvements.

President Janus stated the request is from April 1, 2019 to April 26, 2019.

Mr. Stanford advised the latest on that is the work is much more likely to begin on April 8, 2019 and possibly as earlier as the later half of this week.

Discussion ensued between President Janus and Mr. Stanford regarding the project being done in a month. Mr. Stanford replied “yes”; explaining the contractors contract requires it.

Virginia Keating made the motion to approve the request for the closure for the improved storm drainage and installation of curbs and gutters and repaving of Elk Street from Jackson Street to the alley east of Jackson Street from the period of April 1, 2019 thru April 26, 2019, potentially. 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.

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

BOARD COMMENTS

President 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 9:21 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 (2). NAYS: (0). Motion Carries.

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Gale A. Neulieb, City Clerk