REGULAR MEETING – May 2, 2017

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, May 2, 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 City Clerk

APPROVAL OF MINUTES

President Schwanke inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of April 18, 2017.

Councilman Hamilton made a motion to approve the Regular meeting minutes held on April 18, 2017; second by Councilman Dabney. The minutes were approved as printed.

REPORTS OF STANDING COMMITTEES

Councilman Whitlow advised there was a Labor Relations Executive Session held prior to the scheduled Labor Relations Committee held Monday April 21, 2017.

The Labor Relations Committee met with the Michigan City Firefighters Local # 475 for union negotiations on Friday, April 21, 2017 at 1:00 p.m. in the West conference Room in City Hall.

Present were committee members: Al Whitlow and Don Przybylinski. Also noted in attendance were: Amber L. Lapaich-Stalbrink, Corporation Counsel, James Meyer, Common Council Counsel, Shelly Dunleavy, Personnel Director, Richard Murphy, Controller, Michael Neulieb, negotiating Member of Local #475, Kevin Hutson, Negotiating Member of Local #475, and Judd Rose, Negotiating Member of Local #475.

Meeting was called to order by Chairman Whitlow at approximately 1:05 p.m.

The main item that Local #475 would like the Labor Relations Committee to explore is increasing pensions, which are calculated based on base pay for 1st Class Fireman. Local #475 did not present specific details on how to accomplish this, rather Local #475 is conferring with the Fraternal Order of Police (FOP) regarding FOP’s information regarding using a certified payroll for purposes of increasing pensions only and researching what measures, if any, Valparaiso undertook regarding the same issue. Local #475 said any and all contract terms were open for discussion, including minimum manning.
The Committee explained to Local #475 that no financial decisions would be made by the Committee until such time as the City received its June tax draw and a recommendation from Mayor and Controller’s Office as to the financial position of the City. The Committee also informed Michigan City Firefighters Local #475 that health insurance premiums recently increased by 14.5% per employee.

Meeting adjourned at approximately 2:00 p.m.

Councilman Przybylinski presented the following Finance Committee meeting minutes: Minutes of the Council Finance Committee Meeting for Claims, 6:00pm on May 2, 2017. The Finance Committee met this evening prior to the Council meeting to review claims filed since the April 18th meeting. Committee members Dabney, Silvas and Przybylinski were present. The meeting was called to order by Committee Chair Przybylinski at 6:03 p.m. A motion was made by Councilman Dabney and seconded by Councilwoman Silvas to approve the claims of $88,253.85; all committee members voted in favor of it (3-0). Claims reviewed totaled $88,253.85; $2,139.25 claim to Haas & Associates LLC for Floodplain Map Revisions, $19,812.50 claim to Global Engineer and Land Surveying for the Village Green Project II, $10,810.80 claim to Larson-Danielson Construction for Cleveland Park, $18,790.00 claim to Star Uniform for the 2017 Ballistic Vests & Panels, $5,000.00 claim to Global Engineering and Land Surveying for the MCPD Construction Administration inspection, $556.30 claim to Enterprise Rent-a-car for the MCPD 2017 Fleet Rotation, and $31,145.00 claim to Global Engineering and Land Survey for the Community Crossing Project.

REPORTS OF SPECIAL OR SELECT COMMITTEES

Councilman Bietry presented the following minutes for the Workshop held on Tuesday, April 25, 2017:

PURPOSE: To answer questions concerning the nature and extent of the proposed partnership with Zagster, Inc., to provide a bike-share program in Michigan City.

PRESENT: Council members: Tim Bietry, Pat Boy, Don Przybylinski, Chris Schwanke, and Al Whitlow, City Planner Craig Phillips, and Planning staff member Aaron Borngrabler.

It was explained that the bike-share program would be city-wide with multiple points of connectivity. All liability is covered by the fee charged for the bike (approx. $1,800 per bike). Sponsorships are available for bike racks and on some individual bikes. There was much discussion about how having bikes available in winter made little or no sense. Some members of the Council are not convinced that the proposal makes sense monetarily. No additional issues were brought forward that hadn’t already been discussed and the meeting adjourned at 6:15 p.m.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

President Schwanke introduced Ms. Kesha Pate, Michigan City’s new appointed Special Events/Marketing Director who addressed the Council regarding goals and events to promote Michigan City; advising not just in our region but throughout the Country as a wonderful place to live, work, and visit.

President Schwanke stated he has had several opportunities to meet with Ms. Pate and that all of them have been very enjoyable; learning a tremendous amount working with her.
Ms. Rose Scovel of Prosperity Indiana presented the completed Michigan City Midtown Quality of Life Plan to the Council; addressing identity, recreation, housing, business, infrastructure and WIFI in this area.

Councilwoman Silvas added that part of the reason this plan took so long to be brought to the Council is because sometimes it seemed like community support was lacking during the meetings; advising it was important that all the stake holders in the Midtown area had ample time to meet with her to review and go over the proposed plan.

Councilman Przybylinski thanked Ms Scovel for attending the meeting and presenting the Midtown plan stating there are many monumental great ideas in this plan and is hoping the Council will support appropriations to move forward with some of the ideas being presented for the Midtown area.

Councilman Przybylinski asked if we could emphasize and start working on beautifying Franklin Street and Michigan Boulevard; cleaning them up after our hard winter and start planting flowers and plants, sweeping the streets and curbs; these streets are the show case before entering the Art Space area in our City and should look inviting.

Councilman Dabney stated that WIFI was proposed in the Midtown plan; asking if the WIFI access could be proposed in the Eastport area as well; agreeing with Councilman Przybylinski that Michigan Boulevard is one of the main streets into our City and needs to be cleaned up making it attractive when coming into our city.

Craig Phillips, Planning Director added that he and Skylar York would be happy to work with Councilman Przybylinski and Councilwoman Silvas along with anyone else interested in the Midtown or Eastport programs; addressing adding similar types of incentives or programs that we have in other parts of our City.

President Schwanke thanked Ms. Scovel for the presentation she did this evening regarding the Midtown Plan.

Johnny Stimley, President of the Zoological Society, addressed the Council regarding the Zoological Society’s plans and visions they have for the Zoo; advising that they are a unpaid board; stating several things they do for the zoo, and that they are planning a special event for next year since the zoo will be ninety (90) years old. Mr. Stimley thanked the Council for supporting the WPA projects; asking to have a workshop with the Council to discuss funding ideas and future projects in the zoo.

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 $66,302.10 and Fund #0417 – Boyd Development $21,951.75.

President Schwanke asked if there were any comments and hearing none, a motion was made by Councilman Przybylinski, second by Councilmen Hamilton and Dabney, and was approved. **Motion carried 9 – 0.**

**PETITIONS**

City Clerk Neulieb advised there were no petitions received.

**COMMUNICATIONS**

City Clerk Neulieb stated there were no communications received in the Clerk’s Office.
RESOLUTIONS

The Clerk read the following proposed Resolution by title only,

MICHIGAN CITY COMMON COUNCIL

RESOLUTION 4675

RESOLUTION INCREASING AND DECREASING CERTAIN APPROPRIATIONS WITHIN THE BUDGET OF THE RIVERBOAT FUND #9000 FOR THE YEAR 2017 IN MICHIGAN CITY, INDIANA FOR PURPOSES OF THE PARK DEPARTMENT

WHEREAS, there exists certain circumstances within the budget of the Riverboat Fund of Michigan City which require increasing and decreasing of appropriations for the line items in Fund #9000 for the year 2017; and

WHEREAS, more specifically, $91,200.00 was appropriated from the Riverboat Fund for park equipment, namely golf carts, radios, and bunker rake, and after competitively procuring said equipment, $13,101.00 remains in said line item in the Riverboat Fund; and

WHEREAS, the Park Department would like to utilize the $13,101.00 towards re-crowning the fields at Patriot Park.

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

Section 1. It is deemed advisable and necessary, in order to meet the circumstances facing said Riverboat Fund, that the Common Council approve the following transfer of appropriations, as listed, to-wit:

RIVERBOAT FUND

DECREASE A/C #9000 000 04 444.011

Park Equipment $13,101.00

INCREASE A/C #9000 000 04 443.006

Other Improvements $13,101.00

Section 2. This Resolution shall be in full force and effect after passage and approval by the Mayor.

INTRODUCED BY: /s/ Bryant Dabney, Member
Michigan City Common Council

Councilman Dabney stated the proposed resolution is monies left over after they purchased the equipment they needed for this year; requesting to transfer the money to help crown the fields at Patriot Park.

Councilman Biety stated he was proud of the Park Department for coming forward with this resolution because this is one of the things that when going through the budget in 2016 many departments didn’t ask the Council to transfer surplus monies within the same accounts; not letting the Council know what they were doing with the monies they were transferring; advising he would be supporting the proposed transfer.

Jeremy Kienitz, Park Superintendent advised President Schwanke that the crowning of the fields will more than likely be done at the end of the baseball season this year; since the season has already started.

President Schwanke asked if there were any public comments and there was no response.
Councilman Bietry made a motion to approve the proposed resolution, second by Councilwoman Boy.

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

The resolution is adopted and will be forwarded to the Mayor for his signature.

The Clerk read the following proposed Resolution by title only,

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4676

APPROVING THE STATEMENT OF BENEFITS (SB-1/RP) FOR AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR CERTAIN REAL PROPERTY OWNED BY AMERIPLEX MARQUETTE JV, LLC WITHIN MICHIGAN CITY, INDIANA AND WAIVING CERTAIN REQUIREMENTS PURSUANT TO INDIANA LAW, INCLUDING, WITHOUT LIMITATION, L.C. 6-1.1-12.1-9.5

WHEREAS, Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code 6-1.1-12.1 et seq. (the "Act") in the form of deductions of assessed value for (i) qualified real property improvements under Section 3; (ii) the installation of qualified personal property under Section 4.5; and (iii) of the occupancy of an eligible vacant building primarily used for commercial or industrial purposes under Section 4.8 of the Act, each as a result of new development, redevelopment and/or rehabilitation; and

WHEREAS, the Michigan City Common Council, by Ordinance No. 2648, as subsequently amended, established a Tax Abatement Area in the City of Michigan City, Indiana, and a Tax Abatement Program (the "Program") pursuant to the terms of I.C. 6-1.1-12.1-1, et seq; and

WHEREAS, the most recent amendment to ordinance No. 2648 was Ordinance No. 4586, approved November 5, 2014, whereby the designation of the Economic Revitalization Area and the Tax Abatement Program (the "Program") was extended to and shall expire on December 31, 2018; and

WHEREAS, the municipal boundaries of the City of Michigan City, Indiana were established as the Economic Revitalization Area pursuant to Resolution No. 4586 dated November 5, 2014; and

WHEREAS, The Resolution 4586 remains in full force and effect as confirmed; and WHEREAS, AMERIPLEX MARQUETTE JV, LLC (the "Company") pursuant to Section 3(a) of the Act has filed with the Common Council a Statements of Benefits Real Estate Improvements (FORM SB-1/Real Property) (the "Statement of Benefits") dated April 18, 2017 which proposes the redevelopment and construction of an approximate 64,000 square foot facility including the use of 4.10 acres of real property by AMERIPLEX MARQUETTE JV, LLC to provide opportunity to promote economic development within Michigan City (the "Project") located on Cleveland Ave, just south of US Highway 20 upon approval of economic development incentives by the City, but no later than December 31, 2017 for the January 1, 2018 assessment date (the "First Assessment Date"); and

WHEREAS, The Economic Development Corporation Michigan City (EDCMC) submitted to the City Council, as the designating body, before the public hearing held pursuant to Section 2.5(c) of the Act the following documents related to the Company's request for an assessed valuation deduction of real property with the ERA: (i) an Application for assessed valuation deduction (tax abatement) (the "Application"); the Statements of Benefits as completed, and (iii) other supplemental information related to said request and the Application; and
WHEREAS, The City Council has confirmed that the Company's facility located on Cleveland Ave, just south of US Highway 20 (real property key number 45-05-09-127-031.000-009) is within the boundaries of the Michigan City ERA, and therefore the City Council may make a determination based upon the evidence as to whether Company shall be allowed an assessed valuation deduction of real property improvements made within the Michigan City ERA.

NOW, THEREFORE, BE IT RESOLVED that the actions of the of the City of Michigan City Common Council pursuant to Section 3(b) of the Act are based upon the evidence as presented by the Company after review of the Statement of Benefits as well as other pertinent information provided by the Economic Development Corporation Michigan City and upon the following findings in the affirmative also pursuant to Section 3(b) of the Act, such that:

1. The real property improvements included in the Project and the estimates and expectations contained in the Statement of Benefits are reasonable for improvements, redevelopment, rehabilitation and renovations of that type;

2. The estimated number of individuals who will be employed can reasonably be expected to result from the Project, its improvements and redevelopment;

3. The estimated annual salaries of those individuals who will be employed can reasonably be expected to result from the Project, its improvements and redevelopment;

4. Other estimated benefits about which information was requested, specifically related to employment of City of Michigan City residents can be reasonably expected to result from the Project, its improvements and redevelopment; and

5. The totality of the benefits is sufficient to justify an assessed valuation deduction on the Project.

BE IT FURTHER RESOLVED that pursuant to Section 2(k) of the Act, the City Council acknowledges that the Project is located within a designated allocation area of the City of Michigan City Redevelopment District under Indiana Code 36-7-14-39 or Indiana Code 35-7-15.1-26.

BE IT FURTHER RESOLVED that the final determination of the amount of assessed valuation deduction of the Project for the real property improvements shall be made by the appropriate LaPorte County agency, review board, or State of Indiana agency.

BE IT FURTHER RESOLVED that pursuant to Sections 3(c) and 17 of the Act, the City Council, based upon its affirmations above in accordance with Section 3(b)(1), (2), (3), (4) and (5) hereby approves a deduction schedule for an abatement period applicable to the tangible real property improvements of AMERIPLEX MARQUETTE JV, LLC over a ten (10) year period as more specifically identified in EXHIBIT A attached hereto, as it relates to the Project and as identified on the Statement of Benefits.

BE IT FURTHER RESOLVED that the assessed valuation deduction percentages as set forth in EXHIBIT A during the 10-year abatement period is attached hereto in order to meet the requirements of Sections 3(c) and 17 of the Act.

BE IT FURTHER RESOLVED that the assessed valuation deduction percentages as set forth as identified in EXHIBIT A shall begin upon full assessment of the Project (anticipated to be January 1, 2018) by the appropriate assessing authority, regardless of the expiration date of the AMERIPLEX MARQUETTE JV, LLC ERA as established by the Resolution 3199.

BE IT FURTHER RESOLVED that the City Council may impose a fee on the tax savings realized by the Company pursuant to Section 14 of the Act as a result of the application of an ERA deduction as calculated and as applied by the Office of the LaPorte County Auditor.

BE IT FURTHER RESOLVED that having received the consent of the Company and in accordance with Indiana Code 6-1.1-12.1-14(b), a copy of which is attached hereto as EXHIBIT B and is made a part hereof as incorporated herein, and pursuant to Indiana Code 6-
1.1-12.1-14 for each year the Company's real property tax liability is reduced by an assessed valuation deduction related specifically to the Project, the Company shall pay to the LaPorte County Treasurer a fee in the amount computed and determined by the LaPorte County Auditor pursuant to the provisions of subsection (c) of Indiana Code 6-1.1-12.1-14 (the "Imposed Fee") such that:

1. The City Council hereby determines that fifteen percent (15%) shall be the percentage to be applied by the LaPorte County Auditor for purposes of STEP TWO of subsection (c) of Indiana Code 6-1.1-12.1-14;

2. Accordingly, for each year the Imposed Fee is payable by the Company, the Imposed Fee shall be equal to the lesser of One Hundred Thousand Dollars ($100,000) or fifteen percent (15%) of the additional amount of real property taxes that would have been paid by the Company during that year if the deductions approved in this Resolution had not been in effect (i.e., 15% of the Company's real property tax savings attributable to a deduction from the assessed valuation from the Project; and

3. The Imposed Fee as collected shall be distributed to the Economic Development Corporation Michigan City, a nonprofit entity established to promote economic development within the corporate limits of the City as determined by the City Council as the designating body.

BE IT FURTHER RESOLVED that the City agrees not to exercise the discretion granted to it by the Resolution to impose a claw back provision for tax savings for any tax years in which the Company complies with the Statement of Benefits, the annual filings required pursuant to the Act, the conditions of this Resolution and the reasonable and timely payment of an applicable Imposed Fee during the 10-year abatement period for which an ERA assessed valuation deduction is applied.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the filing of all appropriate approval documents related to this Resolution and the designation of the AMERIPLEX MARQUETTE JV, LLC ERA with the Office of the LaPorte County Auditor as it applies to this Resolution and the approval of the Company's assessed valuation deduction, more specifically the following documents or information:

1. The Statement of Benefits, as approved, properly completed consistent with this Resolution and as signed and attested by the appropriate City officials;

2. A certified copy of this Resolution; and

3. An approved and signed copy of the meeting minutes which approved this Resolution and the Statement of Benefits.

BE IT FURTHER RESOLVED that if any part, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause, or portion of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect from and after its passage and adoption by the Common Council and upon the signature of the Mayor of the City as the executive of the City.

BE IT FURTHER RESOLVED that this Resolution shall be in full force and effect from and after its passage and adoption by the Common Council and upon the signature of the Mayor of the City as the executive of the City.

Introduced by: /s/ Pat Boy, Member
Michigan City Common Council

/s/ Tim Bietry, Member
Michigan City Common Council

/s/Sharon Carnes, Member
Councilman Bietry stated this is a great project that is going to create a “spec” building within our City which has been needed for a long time; advising we have a developer who wants to take some risks and we should work with that developer as much as we can to abide the incentives that they will need to create new business opportunities within our community; advising Clarence Hulse from EDC and Mike Mika from Holiday Properties are present to answer any questions the Council may have.

Mike Mika, Holiday Properties, 6370 Ameriplex Drive, Portage, Indiana addressed the Council regarding the 64,000 square foot “spec” flex structure to be built on Cleveland Avenue and U.S. 20; asking for tax abatement this evening for this building, explaining they need the approval of the tax abatement before breaking ground which is the legal process of starting a new building. Mr. Mika advised there goal is to hire 50 to 65 employees with wages between $35,000 and $40,000.

President Schwanke asked if there was any public comments and there was no response.

Mr. Hulse addressed Councilman Przybylinski concerns regarding this proposed tax abatement being for a ten (10) year period instead of five (5) or eight (8) years was due to the companies financing; the bank wants them to do an extended abatement.

Mr. Mika advised Councilman Przybylinski that in other developments they have it worked out to be one employee per 1000 square feet with this building being 64,000 square feet they are looking at potentially 50 to 75 employees in this type of building.

Councilman Hamilton made a motion to approve the proposed resolution, second by Councilwoman Boy.

Council President Schwanke asked if there were any other comments from the general public or Council and hearing none, the resolution was adopted by the following vote: 

AYES: Council Members Schwanke, Silvas, Whitlow, Bietry, Boy, Dabney, Carnes, Hamilton, and Przybylinski (9).

NAYS: None (0).

The resolution is adopted and will be forwarded to the Mayor for his signature.

**ORDINANCE**

The Clerk read the following proposed ordinance on first reading by title only, **AMENDING SECTION SEC. 2-344 (a) IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE REGARDING THE PURCHASING AGENCIES FOR THE CITY**

**Introduced by:** Pat Boy

Councilwoman Boy advised the proposed ordinance is due to an oversight that was left off for the Cemetery Department as a purchasing agent for itself and it’s just correcting that.

President Schwanke asked if there were any comments by the public, there was no response.

President Schwanke asked if there were any comments from the Council, there was also no response.

President Schwanke advised the proposed ordinance will be held over on second reading at the May 16, 2017 Council meeting.

The Clerk read the following proposed ordinance on first reading by title only, **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING SECTION 04.02 OF ARTICLE 04 OF APPENDIX B – SUBDIVISION ORDINANCE BY ADDING A PROVISION FOR PLAN COMMISSION REVIEW OF SUBDIVISION CONCEPT PLANS AND AMENDING SECTION 12.03 OF**
ARTICLE 12 OF APPENDIX C – JOINT ZONING ORDINANCE BY ADDING A PROVISION FOR ADDITIONAL DEVELOPMENT PLAN INFORMATION TO BE SUPPLIED FOR PROPERTY LOCATED IN THE WATERFRONT VIEW PROTECTION OVERLAY ZONING DISTRICT

Introduced by: Sharon Carnes

Councilwoman Carnes addressed the Council with the outline of proposed changes to the subdivision and zoning ordinance for the proposed ordinance; stating currently the concept plan is reviewed by the planning department and with the amendment to the subdivision ordinance it will allow the Plan Commission to review that concept plan as well; changes to the zoning code are requiring a submission of a development plan for a new subdivision and the details included in the plan (such as streetscape, open spaces, drainage, and also a traffic analysis for subdivisions with ten (10) or more lots); advising this is the summary of what’s included in this ordinance.

Councilwoman Carnes stated on February 28, 2017 this was certified by the Plan Commission with a favorable recommendation to the City Clerk to be presented to the City Council; where it was languished until April 19, 2017 when she asked to be the sponsor of this ordinance and had it put on this agenda; advising her reasoning for this was if this was not put on the agenda and had not gone to the City Council it would of become law in ninety (90) days with no further discussion; asking this ordinance to be discussion.

President Schwanke asked if there was any comments from the general public, there was no response.

Councilwoman Carnes advised Councilman Dabney that it would be ninety (90) days from February 28, 2017 which would be June 1, 2017.

Attorney Meyer stated the 17-1 resolution that was adopted by the Plan Commission on February 28th was received in the Clerk’s Office on March 2, 2017; advising that is when the ninety (90) days starts.

Attorney Meyer advised that all three readings could be done at the next Council meeting on May 16, 2017 with the 48 hour notice on the agenda of when the formal public hearing was held by the Planning Commission if the Council waves their rules by unanimous consent to do so.

Councilman Dabney stated his concern is the time crunch the Council is under; can we schedule a Planning and Zoning committee meeting or call a special Council meeting to turn this around if amendments are made; stating that he feels with the confusion regarding this matter, the stakeholders and developers along with the City need time to get this resolved and move forward.

Attorney Meyer advised Councilman Hamilton that if the proposed ordinance is amended at our next meeting on May 16th the document would have to go back to the Plan Commission giving them forty-five days to review it, schedule a formal public hearing and bring back amendments as to whether or not they accept or deny the proposed Council’s recommendations.

Councilman Przybylinski stated after reading the ordinance and hearing information from several people along with receiving a letter regarding this matter there seems that possibly there were not enough stakeholder/developers meetings held; advising the Mayor established a committee to meet, discuss and address the proposed “Water View Overlay Zoning District”; stating that he doesn’t know what this committee has reviewed or what their final recommendation is; asking the “Water View Overlay Zoning District” committee to possibly give each Council member a copy of a report of how many meetings they had, who attended and what was discussed.

Councilman Przybylinski feels that there wasn’t enough public outreach and public comment from the public regarding this ordinance; that there are changes that want to
be made to make it livable with the people that live in this area; stating he feels the Council is being rushed once again knowing there is a ninety (90) day window; that he doesn’t like to be rushed when it comes to making discussions that are as important as this one, which is going to effect the whole lake front and beach area.

Councilman Przybylinski asked to have all three readings this evening, with Councilwoman Carnes objecting.

Attorney Meyer advised regardless of the objection we can’t because 48 hour notice was not advertised on the agenda.

Councilman Przybylinski wished Councilwoman Carnes luck to get the stakeholders and developers together for a viable ordinance for the citizens that live in this area.

Councilwoman Carnes agreed with Councilman Przybylinski and wanted to reiterate that was her reason for bringing this ordinance to the Council; advising if she would not of done this the proposed ordinance would have become law with no more public discussion about it; stating she totally agree there needs to be a public discussion about not only the developers and the people that live in that area, but the entire city; there are public safety issues to be considered along Lake Shore Drive; welcoming everyone to attend this workshop when it is scheduled.

President Schwanke stated the Planning Commission approved this in February 2017 and we are just now getting it on first reading and again we are being rushed to make a discussion on something; stating he feels we are not going to have sufficient time between now and the next Council meeting on May 16th to meet with all the potential property owners, developers, stakeholders, and people of the first ward in the lakefront area.

President Schwanke stated he believes we should vote this ordinance down and bring it back with a better plan; advising he will be forwarding this ordinance to the Council’s Planning and Zoning Committee chaired by Councilwoman Carnes.

Councilman Przybylinski stated there were three of the “Water View Overlay Zoning District” committee members present this evening; asking if they could address the Council and tell us how many developers were spoken to, how many public meetings there were, and how many people from the public attended those meetings.

Tim Smith, 15 Jamestown Drive, Chairperson of the “Water View Overlay Zoning District” committee addressed the Council regarding what this committee has addressed, reviewed and discussed prior to this ordinance being brought to the Council.

Councilman Biety stated he feels we are doing the right thing this evening; stating he has been somewhat aware of what has been done in the past and understands we are being pushed due to the timeline; further stating he would like to meet with the nine members of the Plan Commission to see why they voted unanimously to move forward on this project.

Councilman Biety agrees with Councilwoman Carnes that a meeting needs to be scheduled to hear what everyone has to say before making any decision regarding this matter.

Councilman Hamilton stated what bothers him the most is this committee reached out to three (3) developers and two (2) of them don’t return our calls and are not willing to work with the City.

Councilman Whitlow stated he served on the Plan Commission for many years; advising there has always been a problem in that whole Beach Walk area; what we are trying to do is give the Planning Department more opportunities to look over the plans for development so we don’t end up with same mess there is in Beach Walk; and is in favor in having a workshop.
President Schwanke stated he would be referring the proposed ordinance to the Planning and Zoning Committee and report back at the May 16th Council meeting.

President Schwanke advised there being no further comments the proposed ordinance will be held over on second reading at the May 16, 2017 Council meeting.

The Clerk read the following proposed ordinance on 1st reading by title only,

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUND FOR BODY CAMERAS FOR THE MICHIGAN CITY POLICE DEPARTMENT**

*Introduced by:* Chris Schwanke
Don Przybylinski

(DECREASE Riverboat Fund # 9000 Unappropriated balance $61,782.00 INCREASE ACCOUNT # 9000 0000 04 444.008 Police Equipment $20,874.00 INCREASE ACCOUNT # 9000 0000 03 439.011 Contractual Services $40,908.00)

Council Przybylinski stated that Chief Swistek was present to make a brief statement regarding the proposed appropriation for Body Cameras for his department.

Chief Swistek addressed the Council regarding the proposed contract for the new body cameras being requested along with explaining the updates and changes to the taser axon body cameras; requesting to enter into a five year contract.

Councilman Przybylinski advised that the Michigan City Police Department is the only department in LaPorte County to have body cameras; stating he would be supporting this appropriation.

Councilwoman Boy thanked Chief Swistek for finding the best deal and five year guarantee coverage.

President Schanke advised he sponsored the first ordinance to purchase body cameras for our police department; stating he was proud for doing it again for the safety of our officers and safety of the citizens of Michigan City and will be supporting this appropriation.

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

President Schwanke advised the proposed ordinance will be held over on second reading at the May 16, 2017 Council meeting.

The Clerk read the following proposed ordinance on 2nd reading,

**CREATING SUBSECTION (B) IN SECTION 62-31 OF THE MICHIGAN CITY MUNICIPAL CODE REGARDING THE HISTORIC PRESERVATION COMMISSION**

*Introduced by:* Sharon Carnes
Pat Boy
Tim Bietry

Councilwoman Carnes reiterate that this proposed ordinance will be adding a member of the Planning Department as a non-voting advisory member to the Historic Review Board; the previous ordinance that was adopted removed the Plan Department from that board; advising she feels it is important that there is some professional advice given to the Historic Review Board.

Councilman Bietry stated he attended all four (4) meetings that they had this year and it is imperative someone from the Plan Department attend these meeting because they have the expertise that these members of the Historic Review Board are asking for.
President Schwanke asked if there were any public comments, there was no response.

President Schwanke asked if there were any Council comments and hearing none, the proposed ordinance will be held over on third at the May 16, 2017 Council meeting.

The Clerk read the following proposed ordinance on 3rd reading by title only,

**MICHIGAN CITY COMMON COUNCIL**

**ORDINANCE NO. 4432**

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE CUMULATIVE CAPITAL DEVELOPMENT FUND TO PROVIDE FUNDING FOR THREE (3) NEW VEHICLES FOR MICHIGAN CITY FIRE 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 three (3) new vehicles for the Michigan City Fire Department; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Cumulative Capital Development Fund #2391 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>Cumulative Capital Development Fund # 2391</td>
<td>Unappropriated balance</td>
</tr>
<tr>
<td>INCREASE ACCOUNT #2391 0000 04 444.010</td>
<td>Other Machinery &amp; Equipment - Fire</td>
</tr>
</tbody>
</table>

**TOTAL FOR FUND** $100,000.00

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/ Chris Schwanke, President
Michigan City Common Council

**CO-SPONSORED BY:** /s/ Pat Boy, Member
Michigan City Common Council

Councilman Przybylinski stated the Finance Committee had the opportunity to meet with Chief Noval to inspect the vehicles that they want to trade in; advising the committee made a positive recommendation that the Council accept the recommendation from the Finance Committee to move forward and spend the $100,000 (3 – 0).

President Schwanke thanked Chief Novak; stating he worked with them as well as others on the Finance Committee; congratulating him for looking at cost effective means to replace these vehicles and working with the Police Department and using the same vehicles which is a plus for Central Service when having to do repairs.
Councilwoman Boy made a motion to adopt the proposed ordinance, second by Councilman Przybylinski.

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

The ordinance was approved and will be forwarded to the Mayor for his signature.

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

**CO-SPONSORED BY:** /s/ Tim Bietry, Member
Michigan City Common Council
/s/ Pat Boy, Member
Michigan City Common Council

**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)

(Note: This was carried over from the March 7, 2017 Council meeting)

President Schwanke stated the vote will take place this evening for the Council’s appointment to the Michigan City Promise Scholarship Exceptions Committee:

**Nominations Kathy Angelo and Shelly Barnes.**

Shelly Barnes addressed the Council asking for their support; stating that she feels that she will do an exceptional job on the Board.

Councilmen Przybylinski and Dabney commented on her resume and that they would be supporting her for this positon

Councilman Whitlow advised Kathy Angelo was not present this evening; stating that she has been a Councilor in the Michigan City School system for several years and currently is working at AK Smith LaPorte County Career Center; working with students on career development and was excited when he approached her to service on this board.

President Schwanke asked if there were any other comments and hearing none, Shelly Barnes was appointed to the Michigan City Promise Scholarship Exceptions Committee by the following vote: **AYES:** Council Members (Angelo) Whitlow and Boy (2) Council Members (Barnes) Bietry, Dabney, Carnes, Hamilton, Przybylinski, Schwanke and Silvas (7)

President Schwanke asked if there was any other Unfinished Business; there was no response.

**NEW BUSINESS**

President Schwanke stated that it has come to my attention that as we search for new people to serve on boards and commissions representing the Council a lot of times we have just an application; advising he is going to form and appoint a committee to review applicants and interview them; asking the committee to report back to the Council on what they find.
Councilman Przybylinski asked that the Council make it mandatory that people that are nominated to serve on a committee or board attend the Council meeting to meet them.

President Schwanke stated he will have that committee formed by the next meeting on May 16, 2017.

President Schwanke asked the City Clerk to include a correspondence received on May 1, 2017 into the minutes for the public – the letter reads as follows:

Hugh J. Totten
297 Hunt Club Drive
Valparaiso, IN 46385
312-543-5712
bjJ.gl.11.t9.tten@gm Jl.colll

GALE A NEULIEB
CITY CL ERK
CITY OF MICHIGAN CITY

May 1, 2017

Via Hand Delivery

Mayor Ron Meer
Council Member  Bryant Dabney, First Ward Council Member Candice Silvas, Second Ward Council Member Ron Hamilton Jr., Third Ward Council Member Patricia Boy, Fourth Ward Council Member Sharon Carnes, Fifth Ward Council Member Chris Schwanke, Sixth Ward Council Member Allan Whitlow, Councilman At-Large
Council Member Donald Przybylinski, Councilman At-Large
c/o City Hall of Michigan City
100 East Michigan Boulevard
No. Two
Michigan City, IN 46360

Re: Proposed Ordinance For A Beachfront Overlay District

Dear Council Members:

I am writing as a concerned Beachwalk homeowner regarding the proposed ordinance to establish a special overlay district for the beachfront area that includes Beachwalk. Although I am also a member of the Beachwalk Property Owners Association board of directors, and have special responsibility for its legal matters with regard to the former developer's bankruptcy proceedings, I am writing only in my personal capacity as a homeowner. I cannot attend the May 2 council meeting, so I am writing in the hopes that you will consider this letter on your first reading of the proposed ordinance.

At this point, I feel I have no choice but to ask the Council to either reject the proposed ordinance or table it until there can be additional input from all the impacted constituencies. I understand that former Councilman Richard Murphy was and is a member of a committee, appointed by the Mayor, to study development along the beachfront. I understand that the proposed ordinance is a product of that committee's work. Although Mr. Murphy is a Beachwalk homeowner, I assure you that he does not speak for me or most Beachwalk homeowners I know regarding the proposed
ordinance. Indeed, throughout the time that he has served on the Mayor’s committee, he did absolutely nothing to keep the Beachwalk homeowners as a whole, or the BPOA board in particular, informed of the committee’s activities, nor did he solicit our input.

I first learned of the proposed overlay district ordinance several months ago in connection with a nefarious proceeding involving the BPOA board of directors. Without warning or explanation, one of the board members proposed a resolution to require a 2/3rd vote of BPOA members to approve newly platted lots and/or phases in Beachwalk. Without any discussion or meeting of the board itself, that board member and two others (consisting of three out of five members) voted in favor of the resolution over a weekend and less than 48 hours after it was proposed. I and another member dissented because we thought the measure to be blatantly anti-development and most likely not in the best interests of Beachwalk and its future property values. In the course of investigating the background of how this resolution came about - no one has ever claimed authorship or professed any knowledge as to where it came from and who asked that it be considered - I learned of the overlay legislation to be brought before the Plan Commission.

I appeared at the Plan Commission hearing and explained why I opposed this ordinance. The seven members of the Plan Commission unanimously voted against me and in favor of the proposed ordinance. I hope that you will not act similarly.

I was one of the original homeowners at Beachwalk and have owned a home there for 20 years. I grew up just a few miles down Highway 12, so I have seen the arc of development in Michigan City generally and along the beachfront specifically. My neighbor when I was a kid was Russ Manley, who was one of the owners of the Manley Sand Co. that mined the hills that created the topography for what is now Beachwalk. When I first built my home in 1997, Beachwalk was winning national awards for its design and construction and there was a vibrancy to the place that benefitted homeowners, the developer, and the city. It was a win-win-win situation.

I am aware there were frictions between the previous developer and various agencies of the city. I myself experienced disagreements with the developer, especially as it concerned the rights of the homeowners to self-governance. That issue was finally laid to rest just two short years ago when the United States Bankruptcy Court entered an order on July 13, 2015 granting the BPOA ownership of the common elements and basically establishing our association as a self-governing entity.

That was the good news from the bankruptcy. The bad news was the developer's bankruptcy, combined with the 2008 real estate recession, basically killed development in Beachwalk. Home prices were depressed for years, development efforts were stalled, and the fights between the homeowners and the former developer created an unwelcoming vibe. I worked with the BPOA's bankruptcy counsel and together we forged a deal with the former developer and his creditors, and the city as well, to move the bankruptcy forward and, eventually, into a liquidation phase. That facilitated the organizing of an auction for the developer's assets. It was nationally advertised and very well attended. Yet the developer's banks were unable to attract any offers for the prime real estate that remained to be developed. Instead, only a few individual homes and lots were bought by unaffiliated buyers. Since then, one developer has expressed interest in acquiring Lake Kai and the surrounding properties, and he is in on-going discussions with the banks about completing that deal.

In the meantime, the Mayor's committee continued to operate without input from Beachwalk's homeowners and then sprung upon us the proposed special overlay district legislation. I am not a developer, but from what I understand from reading the proposed ordinance and from researching how similar laws have been used elsewhere in Indiana, the clear purpose of the ordinance is to move up-front many development costs that would otherwise be incurred by a developer over time as the developer simultaneously benefits from sales of homes he is developing. In addition, it seems likely to stretch the development period out, perhaps as many as several years. It seems to me that the combination of the two will have the effect of basically deterring if not killing future development at Beachwalk altogether.
Again, these are just my impressions of the bill. My input has not been sought, yet I would think that the City Council would want its homeowners to be fully informed about the laws it passes- or at least be given the opportunity to understand them before they are voted on. It seems to me that very basic principles of inclusion and transparency have been absent from this proposed legislation and its drafters, and that is what has motivated me to write this letter asking you to either reject the proposal or slow it down so the very vital Beachwalk constituency can weigh in.

Our community has been in stasis now for almost ten years. That has been due to one factor - the perception that development activities at Beachwalk, and the growth of the investments at Beachwalk, are behind us. There are many Beachwalk homeowners who would welcome well-planned, well-executed, and well-funded development consistent with the character of the community. As those of you who have been involved in the city's redevelopment efforts well know, attracting a developer who shares the city's and the homeowners' visions and values, and who is adequately capitalized, is not an easy task. My fear is that the proposed ordinance is likely to have the opposite effect and may make Beachwalk in effect, a stranded investment.

After I appeared before the Plan Commission, I never heard a word from any member of the Mayor's committee studying this issue. I understand that the committee met last week with several developers about the proposed ordinance. From what I understand, they strongly criticized the ordinance, yet it doesn't appear that any changes to it are going to be made. I was not invited to any of those meetings, nor was any member of the BPOA board of directors, nor was any other Beachwalk resident or homeowner. On Friday evening, an intermediary told me I was free to contact the chair of the committee but I didn't do so because it was an obvious waste of time. If they wanted to hear from me or other Beachwalk residents, the committee members would have done so long ago; inviting me to initiate a phone call with a single committee member who already has an entrenched viewpoint didn't seem like a productive use of time.

I hope you will consider the matters I've raised in this letter and take to heart that the homeowners at Beachwalk have an enormous investment in the future development of the lakefront. Not a single one of us will benefit from ill-advised or ill-conceived development concepts. I estimate that the approximate 180 Beachwalk homeowners have a collective investment of perhaps as much as $75 million or more. Although most of us are not local voters because our homes are vacation homes or rentals, we contribute a substantial amount of tax revenue to Michigan City because we don't have a property tax cap and we don't fully consume local services, such as schools, just as we don't want to see that collective investment and contribution squandered by a bad development, we just as fervently don't want to see that investment stranded because ill-advised legislation has made future development so costly that no one is interested in starting a development project. Mistakes have been made at Beachwalk over the years, but I think it's safe to say that it hasn't been the homeowners who have made them. My neighbors and I want to be both good neighbors and good stewards of our community- and we want to give it a fighting chance to grow and evolve.

I do not have ties to any existing or potential developer. Nor do most of my fellow homeowners. So, I am not writing because I am trying to promote anyone's interests except those of existing homeowners. I am similarly not aware of any specific development proposal for the undeveloped land at Beachwalk. So, to those who might be suspicious of my motivation, let me disabuse every one of the notion that I am a shill for some undisclosed developer. I'm not. But I am deeply concerned about the proposed overlay district legislation and its impact on the Beachwalk community and I ask you to either reject it or table it so I and other Beachwalk residents can weigh in.

Respectfully,
Hugh J. Totten
Owner of 125 Upland Court
COMMENTS FROM THE PUBLIC

Craig Phillips, City Planner addressed the Council with a couple of announcements he wanted to make with some information for the Council’s benefit; commenting on the process for the said Closet Project which is moving along; advising there have been some questions from the public about what’s going on with that project; stating he will be scheduling a meeting for business owners, property owners, etc. that are concerned about that issue, particularly the merchants and business owners are most concerned from what he has been hearing, as they just want to know what’s going on; the intended timeline for the project etc. regarding the demolition of the buildings, etc.; advising he will shoot to have that here at City Hall, but has not determined the exact room yet, but next Thursday, May 11, 2017 and has been putting the word out on that, so he just wanted to give them a heads up on that; continuing to comment in more detail he wanted to bring the Council up to speed on the fact that the process for the development of the new comprehensive plan for the City is underway, stating as the Council recalls as part of the budget last year the City Council approved the funding/portion of the funding for the development of the City Wide Comprehensive Plan and the Board of Public Works and Safety recently approved the contract along with the financial assistance from the Redevelopment Commission as well to put that together and it’s customary for various boards and organizations to be a part of that process as far as the advisory or steering committee, whichever form that ends up taking and the Council will definitely have representation on that; typically what happens is that given the fact that it’s a Planning and Zoning related effort it’s suggested that the Liaison to the Planning and Zoning Committee be the representative from the City Council for that, but that can be discussed in more detail, but wanted to just give the Council some/little bit of background, as you recall there was a Workshop some time ago about Comprehensive Plans, why we do them, the benefits, with one of the biggest things that was mentioned was our ability to secure additional grant money for the City and there have been cases where they have really had to stretch to explain in grant applications how the supporting documentation exists for some of the grants that we have been successful in most cases in obtaining, but they feel that’s coming to a thin point where we feel like that may not be able to happen more in the future if we don’t get this plan put into place, so they have hired Kendig Keast Collaborative, the company they have worked with for the South Corridor Gateway study as you are aware some of you participated in that process with us, we anticipate the process is going to take about 14 to 18 months to complete, it will take place over the course of 5 phases and those would include basically 1st phase being kind of a gathering of initial information/information about the city demographics, existing conditions, interviews with various agencies and departments of the City, it would take a look at the economy of the community, growth capacity, things like our utilities and infrastructure, our public safety at more of a 30,000 foot level, takes a look specifically at the situation with regard to transportation arteries in our town whether its roadways or non-motorized transportation, obviously land use and community land development, housing and neighborhoods, parks environment and heritage resources and then community well-being and health; those are kind of like the background elements of the plan that will be put together; from that there will be a 2nd phase where there are a number memorandums that are put together and reviewed by the committee and where the committee would offer guidance based upon that input; and should say in phase 1 there is going to be stakeholder input with various groups, organizations and stakeholders, as well as public input and will talk a little bit more in detail about when those things are happening in a minute; the 2nd Phase as mentioned will have those memorandum, then follow up from the assessments that are done; then they will start the work on the Chapters that actually take a look at the future City and the goals of the City, specifically things like looking at population projections, opportunities for economic advancement, both infill and annexation-what their calling mobility, which is streets, rail, thoroughfares and pedestrian and recreational types of facilities, land use and community design, specifically how do we want to see our
community grow and develop in the future; our housing in neighborhoods; some suggestions and recommendations with regard to policies according to those; again the parks environment/heritage recourses — things like trails, environmental heritage resources, indoor recreation, those kinds of things and then community stewardship, which includes sustainability, that’s a term that’s batted around a lot, healthy communities — ways in which our community can become healthier and resilient, which has to do with climate change and other issues like that in the future; then there’s also an implementation plan that’s developed, so that this plan, as you’ve heard a lot of times-plans can sit on a shelf, the goal is not for that plan to sit on the shelf; and thinks the Council can all agree that our plans have not sat on a shelf that have been done over the past several years, and then the adoption phase itself of going through the statutory process of adoption of a comprehensive plan, which involved the Plan Commission and the City Council, and there’s a very regimented process that they go through in order to do that; then finally there is a lakeshore component to this as well that will take a much more in depth look into the issues that were brought up tonight as well, and so that’s kind of the elements that go into this; the first steps are going to be the week of May 22, 2017, there’ll be a combination of meetings and kick-off meetings with staff; listening sessions with groups such as developers, realtors, not-for-profit organizations, area residents, etc. to discuss community issues, needs and priorities; there will be a meeting with representatives from the City Council, Planning Commission, Redevelopment Commission, EDC and City staff; they will come back again after that during the week of June 12, 2017 and there will be a public workshop, but he doesn’t know exactly what day that’s going to be yet, but just to give you an idea that week of June 12, 2017 sometime, whatever works best for that here at City Hall obviously and that will be kind of the big picture, public input session to gain input from the community about how we’d like to see our community grow and develop in the future, but from that there is going to be a lot of work for several months with the committee, specifically on the development of the chapters that were mentioned and getting feedback from the committee, and then ultimately them drafting a document that will be presented for ultimate adoption; there will also be a mid-point briefing, again the exact date of that is not known, but sometime during the middle of the process they will come back and they will report to the Redevelopment Commission, Plan Commission and Council as to the status and the progress of the project; so kind of in a nut shell that’s what they are looking to do and what to expect; advising he would be happy to answer any questions the Council may have at this point, and just wanted to let the Council know that this process is underway and that the Council will be encouraged to be involved in the process, and have representation as well on the Advisory Committee.

Discussion ensued between Council President Schwanke and Mr. Phillips regarding when the Comprehensive Plan will be about 100% complete and implementable from the Planning Commission and Council time. Mr. Phillips advised 14 to 18 months from now; discussion continued regarding the timeline. Mr. Phillips stated he would get the Council a copy of the both the scope, as well as the schedule; stating the schedule may change because of whatever issues may come up; it has in the past where these things have changed because of weather specifically, but as of today he can share the schedule and the scope with the Council, so they can get a better idea of what’s involved.

President Schwanke asked if there were any questions from the Council for Mr. Phillips; there was no response; “thanking” Mr. Phillips for the update.

President Schwanke asked if there was any further public comment.

Christopher Willoughby, Attorney with Braje, Nelson & Janes, 126 E. 5th Street, Michigan City, addressed the Council regarding the proposed ordinance that was
discussed earlier; expressing his concerns with the “overlay district” and the changes proposed, as well as meetings that took place; advising the Council he would be available through his office if they had questions or wanted information on his clients.

Tim Smith, 15 Jamestown Drive, addressed the Council to refute some of the things said by Mr. Willoughby; commenting on the scheduling of meetings; those who were present at the meeting; commenting on developers in that area of development; how the area will be changed and how traffic patterns will be affected.

COMMENTS FROM THE COUNCIL

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

President Schwanke advised the Animal Control Board is hosting a fundraiser event that he would like to share for June 1, 2017 at ShadyCreek Winery; entitled “Paws & Pours”; tickets will be available at the end of the week; anyone who wants a ticket can go to the City Controller's Office at City Hall, 100 E. Michigan Boulevard, the Michigan City Police Station, 1201 E. Michigan Boulevard, and any Animal Control Board member; tickets are $40.00 and include appetizers and two (2) glasses of wine; asking everyone to mark their calendars.

Councilman Hamilton stated he had a quick question for Mr. Smith; asking “if he planned the meeting with the developers after the Planning Commission already voted on this or before”?

Mr. Smith replied it was after the Planning Commission; the reason being is we knew that there were some issues with them and they wanted to try to address them.

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 8:32 p.m.)

Gale A. Neulieb, City Clerk