REGULAR MEETING – May 6, 2019

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, May 6, 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 Vice-President Rich Murphy, who presided.

Noted present: Rich Murphy and Virginia Keating (2) Absent: Janus (1)

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich, Corporate Counsel
John Gorczyca, M.C. Sanitary District
Kalon Kubik, Administrator, Mayor’s Office
Charles “Spike” Peller, City Engineer
Sue Downs, Code Enforcement / Building Commissioner
Christine Vanderborg, Code Enforcement
Bob Zondor, Superintendent, Central Services/Maintenance
Paul Ruane, Associate Planner
Skyler York, Assistant City Planner
Chief Mark Swistek, M.C.P.D.
Captain Jeff Loniewski, M.C.P.D. Traffic Division
Randy Novak, Fire Chief, M.C.F.D.
Rob Shaffer, Fire Marshall, M.C.F.D.
Kyle Kazmierczak, Training Officer, M.C.F.D.

Gale Neulieb, City Clerk
Kim Sliwa, Deputy Clerk

APPROVAL OF MINUTES

Vice-President Murphy asked if there were any corrections to the minutes of the Regular meeting of April 15, 2019, the Special Meeting on April 16, 2019 and the Special Meeting on April 22, 2019

Virginia Keating made the motion to approve the minutes from the April 15, 2019 Regular meeting, the Special meeting on April 16th and the Special meeting on April 22, 2019. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR SIDEWALK CLOSURE- Abdou Ibrahim, All Brick, LLC, is requesting a continuation to close the sidewalk along Harrison and Franklin Street for the remodeling of Restaurant Leo located at 2701 Franklin Street from May 6, 2019 thru June 6, 2019

Charles “Spike” Peller, City Engineer, addressed the Board stating arrangements need to be made to make the sidewalks ADA compliant.
Abdou Ibrahim, All Brick LLC, addressed the Board stating he has a commitment from Mayor Meer to be placed on the 2019 Sidewalk budget.

Virginia Keating made the motion to approve the request for sidewalk closure for Restaurant Leo located at 2701 Franklin Street from May 6, 2019 thru June 6, 2019. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR SIDEWALK CLOSURE AND TABLE SPACE RENTALS – John Ryszka, The Rising Phoenix Gallery, LLC, is requesting the closure of the sidewalk along Franklin and DeWolf Streets for sidewalk sales on Sundays starting on May 19, 2019 thru October 27, 2019 from 10:00 a.m. till 2:00 p.m. and approval for table space rentals for other local artists

John Ryszka, The Rising Phoenix Gallery, LLC, 2803 Franklin Street, addressed the Board regarding his request to have Sunday sidewalk sales; advising this would generate further art outlets for the Michigan City Community.

Charles “Spike” Peller, City Engineer, addressed the Board stating this request must be ADA compliant; advising there needs to be four (4) feet for a wheelchair to pass through.

Discussion ensued between Corporate Counsel, Amber Lapaich and Mr. Ryszka regarding if he has a map or a layout of what this will look like and has he gone over it with the Planning Department or anyone else to see if they are in agreement of the request. Mr. Ryszka responded he has not; stating coming before the Board was his first step; advising he is willing to address any issues to make this happen.

Skyler York, Assistant City Planner addressed the Board stating there needs to be four (4) feet between the edge of the tables and the back of the curb.

Corporate Counsel, Amber Lapaich made the recommendation to table this request; stating Mr. Ryszka has time to make a layout and have it approved by the Board.

Virginia Keating made the motion to table this matter while the applicant prepares a layout and submits it for review by City Departments and also place it on the pending items/unfinished business list. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR PARADE PERMIT AND STREET CLOSURE – Bob Hock, John Franklin Miller Post No. 37 is requesting a parade permit and street closure from Franklin to Decatur Street then east on Decatur Street to Greenwood Cemetery for the annual Memorial Day Observance and parade on Monday, May 27, 2019 between 9:00 a.m. - 11:30 a.m.

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating this is the same route as previous years; recommending approval.

Virginia Keating made the motion to approve the request for a parade permit and street closure on May 27, 2019 from 9:00 a.m. - 11:30 a.m.; street closure from Franklin to Decatur Street then east on Decatur Street to Greenwood Cemetery for the annual Memorial Day Observance and parade. The motion was seconded by Vice-President Murphy and
carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR STREET CLOSURE – Kim Gondek, Queen of All Saints, 1715 E. Barker Avenue is requesting street closure of Barker Avenue from Woodland to Carroll Avenue from June 6-9, 2019 for the 2019 Queen of All Saints Festival

Captain Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board stating this is an annual request, same as last year; recommending approval.

Virginia Keating made the motion to approve the request for street closure for the Queen of All Saints Festival; closing Barker Avenue from Woodland to Carroll Avenue from June 6-9, 2019; Thursday from 5:00 p.m. – 10:00 p.m.; Friday from 5:00 p.m. – 12:00 a.m.; Saturday from 1:00 p.m. – 12:00 a.m.; and Sunday from 1:00 p.m. – 10:00 p.m. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR STREET CLOSURE – Abby May, Michigan City Mainstreet Association, is requesting the closure of Franklin Street from 6th Street south to 8th Street between Washington and Pine Streets on August 2nd – 4th, 2019 for the Taste of Michigan City; also requesting the closure of Washington Street from U.S. Highway 12 to 10th Street and Franklin Street from 10th Street to 4th Street for the Boat Parade on Saturday, August 3, 2019

Abby May, Michigan City Mainstreet Association, addressed the Board stating this is the same request as last year; advising she spoke to Captain Loniewski, M.C.P.D. Traffic Division and he is fine with this request.

Virginia Keating made the motion to approve the request for street closure for Franklin Street from 6th Street south to 8th Street and 7th Street between Washington and Pine Streets on August 2nd–4th, 2019 for the Taste of Michigan City; also approving the closure of Washington Street from U.S. 12 to 10th Street and Franklin Street from 10th to 4th Street for the Boat Parade on Saturday, August 3, 2019. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST TO USE PARK – Abby May, Michigan City Mainstreet Association is requesting the use of Wescott Park for the Mini Maker Faire from Friday June 21, 2019 to Sunday, June 23, 2019

Abby May, Michigan City Mainstreet Association, addressed the Board regarding the South Shore Mini Maker Faire; stating the insurance will be handled by the Mainstreet Association; advising she spoke to Captain Loniewski, M.C.F.D. Traffic Division and he is fine with the request; explaining no alcohol will be served at this event and the hours are 11:00 a.m. – 5:00 p.m.

Virginia Keating made the motion to approve request to use Westcott Park for the Mini Maker Faire from Friday, June 21, 2019 to Sunday, June 23, 2019. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.
REQUEST FOR BIKE LANE – Councilman Stimley, 3205 Tilden Avenue, is requesting a painted bike lane from U.S. Highway 12 to Springland Avenue on Karwick Road

Charles “Spike” Peller, City Engineer, addressed the Board stating this is on the epoxy painting contract this year.

Vice-President Murphy stated approval is not needed for this request.

HORIZONTAL DRILLING PERMIT – Kevin Maxwell, BSM Groups/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 (this was tabled at the April 1, 2019 meeting)

Charles “Spike” Peller, City Engineer, addressed the Board stating Corporate Counsel, Amber Lapaich and himself have reviewed the request and it is fine.

Corporate Counsel, Amber Lapaich addressed the Board advising the only letter missing from the respective departments reviewing the boring is the Planning Department.

Virginia Keating made the motion to approve the request from BSM Group/Intelligent Fiber Network for horizontal drilling to take place on E Street and Trail Creek Greenway; this is subject to the provisions in the 03/25/19 letter from the Sanitary District. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

HORIZONTAL DRILLING PERMIT – Diane Werner, OSP Engineering Design Construction & Engineering, is requesting a Horizontal Drilling Permit to directional bore and place approximately 210’ of fiber with IPP – project location Davidson Street and Del Plain Avenue

Charles “Spike” Peller, City Engineer, addressed the Board stating Corporate Counsel, Amber Lapaich and himself have reviewed the request and it is fine.

Gale Neulieb, City Clerk advised letters were not received from the M.C.F.D., the Port Authority and Transit Department.

Virginia Keating made the motion to approve the request from OSP Engineering Design Construction & Engineering for placement of 210’ of fiber with IPP – to take place on Davidson Street and Del Plain Avenue. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

HORIZONTAL DRILLING PERMIT – Olivia Carlin, ESPO Engineering, is requesting a Horizontal Drilling Permit to directional bore to install underground CATV underneath Woodland Avenue – project location – 1607 Coolspring Avenue along South Woodland to 947 South Woodland

Charles “Spike” Peller, City Engineer, addressed the Board stating Corporate Counsel, Amber Lapaich and himself have reviewed the request and it is fine.

Gale Neulieb, City Clerk advised letters were not received from the Planning & Inspection Departments, M.C.F.D. and Transit Department.
Virginia Keating made the motion to approve the request from ESPO Engineering for horizontal drilling for the installation and boring of underground CATV underneath Woodland Avenue – 1607 Coolspring Avenue along South Woodland Avenue to 947 South Woodland; subject to the provisions in the letter dated April 30, 2019 from the Sanitary District. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR SIGNAGE – James Tomcheck, St. Paul Lutheran School, is requesting a “school zone speed limit sign(s) fifteen (15) MPH when children are present” posted for child safety on Pine Street.

Charles “Spike” Peller, City Engineer, addressed the Board stating he will investigate this request and get back to the Board at the next meeting on Monday, May 20, 2019.

Virginia Keating made the motion to refer the matter of the St. Paul Lutheran School request for a school zone fifteen (15) MPH speed limit sign(s) on Pine Street to the City Engineer for his review and recommendations; and place this item on the pending items/unfinished business list. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR STREET CLOSURE – Janet Bloch, Executive Director for the Jack & Shirley Lubeznik Center for the Arts, is requesting street closure of Washington Street north of U.S. Highway 12 and Franklin Street from the crosswalk at Water Street to 2nd Street for the Lubeznik Art and Artisan Festival for the weekend of August 16-18, 2019 between 8:00 a.m. on Friday – 7:00 p.m. on Sunday.

Janet Bloch, Executive Director for the Jack & Shirley Lubeznik Center for the Arts, addressed the Board stating this is an annual event and the closures are the same as last year; advising she had spoken to Captain Loniewski, M.C.P.D. Traffic Division regarding this request; explaining EMA will be helping with the event; further stating the hours will be 8:00 a.m. – 7:00 p.m. on Sunday so the artists can unload.

Virginia Keating made the motion to approve the request for street closure for the Jack & Shirley Lubeznik Center for the Arts; the closure of Washington Street north of U.S. Highway 12 and Franklin Street from the crosswalk at Water Street to 2nd Street for the annual Lubeznik Art and Artisan Festival for the weekend of August 16-18, 2019 between 8:00 a.m. on Friday – 7:00 p.m. on Sunday. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST TO HANG BANNERS – Ryan Laughlin, Board Director, Michigan City Mainstreet Association is requesting to hang banners (designed by local artists and Michigan City residents) on light poles in the Uptown Arts District.

Abby May, Michigan City Mainstreet Association, addressed the Board stating this is a new project; advising they would like to hang banners featuring work by local artists; explaining they would be hung on the open light poles (poles with no signage on them) in the Uptown Arts District; further stating Michigan City Mainstreet Association will look into the cost of the installation.

Discussion ensued between Vice-President Murphy and Ms. May regarding if this is an expansion of the existing banner concept. Ms. May responded yes, but besides having the
Uptown Arts District logo, the goal is to accept art from local artists of all ages and turn it into banner format.

Discussion ensued between Corporate Counsel, Amber Lapaich, Skyler York, Assistant City Planner and Ms. May regarding if Mainstreet has put a plan together as to which light posts they will be using, what the artwork will look like and what the design/shape will be, etc. Counsel Lapaich asked if Mainstreet has run this past the City Engineer and Planning Department. Ms. May responded once the “call for art” has been completed and they have reviewed the submissions and made their selections, at that time Mainstreet would be happy to work with the City Engineer and the Planning Department on which light poles would be best to use. Ms. May stated they also have written artist guidelines. Counsel Lapaich asked Ms. May if she can submit the guidelines to the City so various departments can review them and also requested a list of the light poles they would like to use. Mr. York suggested that Mainstreet talk to MAC (Public Art Committee) to get their views and thoughts on this matter. Ms. May stated at today’s meeting she is just looking for approval to use the light poles.

Vice-President Murphy made the motion to approve use of the light poles contingent on Michigan City Mainstreet Association submitting their concept to MAC (Public Art Committee). The motion was seconded by Virginia Keating and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

APPROVAL FOR ADDITIONAL EMPLOYEES – Ron Landtroop, owner of “A Slice of Heaven” is requesting approval to hire additional employees on his vendor license

Ron Landtroop “A Slice of Heaven” addressed the Board stating this is a request to hire additional employees for summer help.

Corporate Counsel, Amber Lapaich stated everything is in order; recommending approval.

Virginia Keating made the motion to approve the request for Ron Landtroop “A Slice of Heaven” to hire additional employees on his vendor license. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST TO USE CITY STREETS – Julie McGinnis and Shellie Kermin, Pedal Pub Michiana, is requesting permission to be allowed to operate on the streets of Michigan City from May 2019 thru December 2019 from 9:00 a.m. – 10:00 p.m.

Shellie Kermin, 420 Outlook Cove, LaPorte and Julie McGinnis, 383 Sandcreek Drive, Chesterton addressed the Board stating they have purchased a franchise called Pedal Pub which is a 15-person bicycle; advising they have been in contact with the Planning Department.

Vice-President Murphy explained there has been discussion within various City departments regarding this matter; stating he does not believe the City is ready to move forward with this; explaining the City will be in contact with them.

Discussion ensued between Skyler York, Assistant City Planner and Vice-President Murphy regarding what the next steps are. Mr. Murphy responded he will refer this to the appropriate City departments for their review and recommendations and place this item on the pending/unfinished business list.
Vice-President Murphy made the motion to refer this matter to the appropriate City departments for their review and recommendations and place this item on the pending/unfinished business list. The motion was seconded by Virginia Keating and carried as follows: **AYES:** MEMBERS Murphy and Keating (2). **NAYS:** None (0). **Motion Carries.**

**EMPLOYEE PAYROLL DEDUCTIONS** – Kris Pate, United Way of LaPorte County, is requesting modification of the City policy regarding employee payroll deductions for United Way contributions

Kris Pate, United Way of LaPorte County, 422 Franklin Street, addressed the Board regarding her request.

Vice-President Murphy stated Ms. Pate and himself had a phone conversation last week regarding this matter; advising this is a policy of the City and he would like time to research this request and find the best practice in the region regarding charitable donations and payroll deductions.

Virginia Keating made the motion to table this matter and place it on the pending items/unfinished business list. The motion was seconded by Vice-President Murphy and carried as follows: **AYES:** MEMBERS Murphy and Keating (2). **NAYS:** None (0). **Motion Carries.**

**REQUEST FOR SOLICITATION OF BIDS** – Haas & Associates, LLC and Global Engineering is requesting to solicit bids for the 2019 CCMG (Community Crossings Matching Grant) project

Charles “Spike” Peller, City Engineer, addressed the Board stating two (2) of the roads being developed are being done by Haas & Associates and the other eight (8) are being done by Global Engineering and Land Surveying; stating half of the money, one (1) million dollars will come from a State grant (that the City was awarded) and the other one (1) million dollars will come from the City.

Corporate Counsel, Amber Lapaich addressed the Board advising there are actually two (2) separate bid packets; stating one (1) is from Haas & Associates and it is called the 2019 CCMG (Community Crossing Matching Grant) Eastport Resurfacing project; the second one is from Global Engineering and Land Surveying and it is called the 2019 Michigan City Grant Paving Project; explaining it is all the same funding but two separate bid packets.

Virginia Keating made two (2) motions; the first being the approval to solicit bids from Haas & Associates for the 2019 CCMG (Community Crossings Matching Grant) Eastport Resurfacing Project; the second is approval to solicit bids from Global Engineering and Land Surveying for the 2019 Michigan City Grant Paving Project. The motions were seconded by Vice-President Murphy and carried as follows: **AYES:** MEMBERS Murphy and Keating (2). **NAYS:** None (0). **Motion Carries.**

**REQUEST FOR SOLICITATION OF BIDS** – Tom Weinmann, Haas & Associates, LLC. is requesting to solicit bids for the 2019 City Wide Sidewalk Repair Project

Charles “Spike” Peller, City Engineer, addressed the Board stating this is an annual project to fix and repair sidewalks throughout the City; recommending approval.
Virginia Keating made the motion to approve the request by Tom Weinmann, Haas & Associates, LLC. to solicit bids for the 2019 City Wide Sidewalk Repair Project. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

REQUEST FOR SOLICITATION OF BIDS – Tom Weinmann, Haas & Associates, LLC. is requesting to solicit bids for the 2019 City Wide Pavement Repair Project

Charles “Spike” Peller, City Engineer, addressed the Board stating this is an annual project to mill and resurface potholes and repave the streets; recommending approval.

Virginia Keating made the motion to approve the request by Tom Weinmann, Haas & Associates, LLC. to solicit bids for the 2019 City Wide Pavement Repair Project. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

CONTRACT PROPOSAL – Fire Chief Randy Novak, M.C.F.D., is requesting the acceptance of the contract proposal from Wayne Heating and Air Conditioning Company, Inc. for preventative maintenance on the department’s heating and air conditioning units

Fire Chief, Randy Novak, M.C.F.D., addressed the Board stating this is the same contract as last year; advising it is a renewal of their current contract for maintenance; recommending approval.

Virginia Keating made the motion to approve the request for the acceptance of the contract proposal from Wayne Heating & Air Conditioning Company, Inc. for the preventative maintenance on the M.C.F.D.’s heating and air conditioning units. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

MICHIGAN CITY FARMER’S MARKET AGREEMENT – Abigale Thayer, Event Coordinator, is requesting approval of the Farmer’s Market Agreement between City and Vendor – Virginia Lowry – Go Beez Honey Farm

Corporate Counsel, Amber Lapaich, addressed the Board stating she reviewed the agreement and the Certificate of Insurance and they are acceptable; recommending approval.

Virginia Keating made the motion to approve the Farmer’s Market Agreement from Abigale Thayer for Virginia Lowry- Go Beez Honey Farm. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

APPROVAL OF CITY POLICY CHANGES – Andrea Smith, Director, Human Resources, is requesting approval of revisions/changes to Tobacco Use Policy & addition of Whistleblower Protection Policy to the Employee Handbook

Corporate Counsel, Amber Lapaich, addressed the Board stating some time ago (2014) the Board approved “No Smoking” in any City vehicles, however the policy was never placed in the Employee handbook; advising they are wanting to correct this; asking for approval of policy #505 – regarding Tobacco Use; further explaining Policy #515 – Whistleblower Protection, the City Common Council passed the Whistleblower Ordinance earlier this year.
and the Ordinance required the Board of Public Works and Safety to put this in the City’s Policy; recommending approval.

Virginia Keating made the motion to approve the request for City policy changes; that being the revision to Policy #505-Tobacco Use; to correct and include “No Smoking” in any City vehicle; and the approval of adding Policy #515 – Whistleblower Protection to the City’s policy. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

CEASE AND DESIST ORDER – Councilman Sean Fitzpatrick, 230 Walnut Street is requesting the review of the order against Calumet Pallet located at 4333 Ohio Street and restoration of the utilities

Councilman Sean Fitzpatrick, 230 Walnut Street, addressed the Board regarding his request.

Jeff Bridegroom, Owner of Calumet Pallet, addressed the Board regarding Calumet Pallet’s Cease and Desist order and the progress being made to comply with the Fire Marshall’s order; asking the Board to re-instate the electricity.

Christopher Willoughby, Attorney, Braje, Nelson & Janes, addressed the Board commenting on what needs to be done to resolve this situation.

Rob Shaffer, Fire Marshall, M.C.F.D., addressed the Board regarding this request and presented his findings; summarizing some of the codes that are still not being adhered to; stating the inside of the building seems to be in compliance as far as clean-up is concerned; advising three (3) life safety hazard code violations have to be addressed before the “Cease and Desist” order is lifted.

Corporate Counsel, Amber Lapaich, addressed the Board commenting on the appeal hearing from last year; stating the Board at that time affirmed the Cease & Desist order; asking if the Board wants to open this back up for a re-hearing or not.

Vice-President Murphy opened public comment on this issue.

Beth Pishkur, a long-time resident of the 4th Ward, addressed the Board regarding Calumet Pallet’s state of disrepair; advising it is very unsafe.

Karen Bridegroom, wife of Jeffrey Bridegroom, addressed the Board regarding the hazards on the property; advising for fourteen (14) months they have been trying to work with the City on a compromise; their goal is to open the business/building, get people employed, and get the yard cleaned up.

Kyle Kazmierczak, Training Officer, M.C.F.D., addressed the Board stating the outstanding violations have been an issue since 2015; advising the M.C.F.D. has been trying to work with Mr. Bridegroom to get to some type of compliance; explaining this has not happened; further advising the Cease & Desist order should stay in place until Mr. Bridegroom has complied and all violations have been corrected.

Jeff Bridegroom further commented he did not received citations in 2014, 2015, and 2016; asking for compromise.

Rob Shaffer, Fire Marshall, M.C.F.D. further commented on the Cease and Desist order; stating citations were given and not addressed.
Virginia Keating made the motion to deny the re-opening of the hearing; stating it would be a dereliction of the Boards duties. Vice-President Murphy commented on the matter; then seconded the motion and it carried as follows: **AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.**

**FORMAL PUBLIC HEARING – Sale of Fogarty Street Property – Parcel #460121361005000022**

Corporate Counsel, Amber Lapaich addressed the Board stating the Board has tried to sell parcel a few times in the past; advising it has been unsuccessful, no bids were received; commenting on the documents she has prepared; explaining this should be opened for public comments.

Vice-President Murphy advised at this time he will be opening the Public Hearing on the sale of the Fogarty Street property.

Mary Rapier, 220 Fogarty Street and Ellie Hartman, representing the Neighborhood residents (Fogarty Street) addressed the Board commenting on their views and concerns on the proposed sale of the Fogarty Street property in regard to the neighborhood, traffic, public health and safety, etc.; explaining a map they presented; requesting this matter be tabled for future consideration.

Virginia Keating stated the Board needs to recognize the impact this will have on the community.

Vice-President Murphy asked what the Board’s pleasure was; closing the Public Hearing.

Virginia Keating made the motion to close the Public Hearing and table this matter and place on the pending/unfinished business list. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.**

**REQUEST FOR SOLICITATION OF BIDS- Sale of Fogarty Street Property – Parcel #460121361005000022**

Corporate Counsel, Amber Lapaich addressed the Board stating this has been tabled with the last motion.

**ORDER TO DEMOLISH – 111 Franklin Street – Adams Property Holdings LLC – Thomas Adams (Note: tabled at the April 1, 2019 meeting)**

Vice-President Murphy opened the Public Hearing.

Sue Downs, Building Commissioner, addressed the Board stating PLFP and Mark Valudos (individuals in charge of the development) have submitted plans and pulled a building permit; asking for a continuance on this matter for 60 days (the first meeting in July).

Vice-President Murphy asked what the Board’s pleasure was; closing the Public Hearing.

Virginia Keating made the motion to close the Public Hearing and continue this matter of 111 Franklin Street – Adams Property Holdings LLC – Thomas Adams; the order to demolish for 60 days (the first Board of Works meeting in July). The motion was seconded by Vice-
President Murphy and carried as follows:  AYES: MEMBERS Murphy and Keating (2).
NAYS: None (0). Motion Carries.

ORDER TO DEMOLISH – 816 Pine Street – Virginia R. & G.W. Plunk

Vice-President Murphy opened the Public Hearing.

Sue Downs, Building Commissioner addressed the Board stating the owner’s have walked away from the property; advising taxes & mortgage fines were not paid; explaining there is an IRS tax lien for $218,000.00; advising it would cost too much to repair the house; further stating the house is in the Elston Grove neighborhood in the Historic District; further advising she has their approval to demolish.

Discussion ensued between Corporate Counsel, Amber Lapaich and Ms. Downs regarding if there were any other owners; and how were the owners served with notice of today’s hearing. Ms. Downs responded they were given notice verbally, first class mail and certified mail.

Vice-President Murphy asked what the Board’s pleasure was; closing the Public Hearing.

Virginia Keating made the motion to close the Public Hearing and affirm the order to demolish for 816 Pine Street. The motion was seconded by Vice-President Murphy and carried as follows:  AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

OPENING OF BIDS – 609 Benton Street

Vice-President Murphy asked if there was anyone wishing to render a bid at this time; there was no response.

Virginia Keating made the motion to close the acceptance of bids for 609 Benton Street. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

Corporate Counsel, Amber Lapaich addressed the Board advising four (4) bids were received as follows:

Pavey Excavating Company, Inc. $7,980.50
Actin Contracting, LLC. $10,395.00
JSG – J. Shoffner General Contractor $9,850.00
Smith & Sons, Excavating $7,500.00

Virginia Keating made the motion to refer the bids to the appropriate City departments for review and recommendations. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: None (0). Motion Carries.

RESIGNATION – Michigan City Fire Department announces the resignation of Kevin Hudson effective April 30, 2019 (Note: 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 Murphy and Keating (2). **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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<tr>
<th>Page</th>
<th>Date</th>
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<tbody>
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</tr>
<tr>
<td>1 of 3</td>
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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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<td>$26,540.11</td>
</tr>
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UNFINISHED BUSINESS

Vice-President Murphy stated the first item on the Pending Item List is a request for a speed assessment on Village Road & Crestwood Drive – South Gate neighborhood.

Captain Jeff Loniewski, M.C.P.D. addressed the Board stating a radar trailer was placed at this location about a month ago; advising the radar trailer and increased traffic enforcement appears to have helped reduce the speeds of the motorist; recommending denial of the request to reduce the speed limit; explaining the Southgate neighborhood is bordered by Ohio Street, Kieffer Road and Franklin Streets; further stating when you enter the neighborhood from any of these major routes there are no speed limit signs alerting motorists what the speed limit is; further explaining he came up with a list of locations he would like to add thirty (30) MPH speed limit signs; specifically Village Road and Franklin Street; Village Road and Ohio Street; Southwind Drive and Ohio Street; South Court and Ohio Street; Southwind Drive and Kieffer Road; further advising this is his recommendation.

Virginia Keating made the motion to deny the request for the change in the speed limit at the area of Village Road & Crestwood Drive – the Southgate neighborhood; and approval to install the suggested thirty (30) MPH speed limit signs at the areas Captain Jeff Loniewski, M.C.P.D. recommended. The motions were seconded by Vice-President Murphy and carried as follows: **AYES:** MEMBERS Murphy and Keating (2). **NAYS:** None (0). Motion carries.
Vice-President Murphy stated the next item on the Pending Item List is a request for street lights on Pahs Road for pedestrian safety.

Charles “Spike” Peller stated they are still working on this; advising half the road in some areas is owned by the County; explaining they are in negotiations with the County to put up the street lights.

Discussion ensued between Corporate Counsel, Amber Lapaich and Mr. Peller regarding who will pay for the lights.

Vice-President Murphy stated this will stay on the pending items/unfinished business list for 30 days so the City Engineer can get a detailed plan together of what the implementation will be, the cost of the project and who will pay for it.

Vice-President Murphy stated the last item on the Pending Item List is +WeCreate Media-Marketing Contract for 2019 – the 60-day update will be on the July 1, 2019 at the B.O.W. meeting.

PUBLIC COMMENTS

Vice-President Murphy asked if there were any public comments.

Jim Tomsheck, St. Paul Lutheran School addressed the Board stating the signs he is requesting - school zone speed limit sign(s) are not just on Pine Street but the entire area of the school.

BOARD COMMENTS

Vice-President Murphy asked if there were any Board comments; there was no response.

ADJOURNMENT

Vice-President Murphy stated as there were no other items on the agenda to be considered by the Board at this time, declared the meeting ADJOURNED (approximately 10:13 a.m.). Virginia Keating made the motion to adjourn. The motion was seconded by Vice-President Rich Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). NAYS: (0). Motion Carries.

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Gale A. Neulieb, City Clerk