The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, May 16, 2017 at the hour of 6:30 p.m., local time in the Common Council Chambers, located in the lower level of the City Hall Building, 100 East Michigan Boulevard, Michigan City, Indiana.

The meeting was called to order at 6:30 p.m. by Council President Schwanke.

Roll call was authorized and the following were noted present and/or absent.

PRESENT: COUNCIL MEMBERS Tim Bietry, Pat Boy, Sharon Carnes, Bryant Dabney, Ron Hamilton, Don Przybylinski, Chris Schwanke, Candice Silvas and Allan Whitlow (9).

ABSENT: None (0)

A QUORUM WAS NOTED PRESENT

ALSO PRESENT: Jim Meyer – Council Attorney; Gale Neulieb – City Clerk and Kim Sliwa – Deputy Clerk

APPROVAL OF MINUTES

President Schwanke inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Meeting of May 2, 2017.

Councilman Przybylinski made a motion to approve the Regular meeting minutes held on May 2, 2017; second by Councilman Hamilton. The minutes were approved as printed.

REPORTS OF STANDING COMMITTEES

Councilman Przybylinski presented the following Finance Committee meeting minutes: Minutes of the Council Finance Committee Meeting for Claims, 6:00 p.m. on May 16, 2017. The Finance Committee met this evening prior to the Council meeting to review claims filed since the May 2, 2017 meeting. Committee members Dabney, Silvas and Przybylinski were present. The meeting was called to order by Committee Chair Przybylinski at 6:05 p.m. A motion was made by Councilman Dabney and seconded by Councilwoman Silvas to approve the claims; all committee members voted in favor (3-0). The meeting was adjourned at 6:08 p.m. with a motion being made by Councilman Dabney and seconded by Councilwoman Silvas (3-0) vote. Claims reviewed totaled $91,549.16; $2,314.00 to Haas & Associates, LLC, which was paid for out of the Boyd Development Fund, for Cheney Run FIS Review; also, out of the Boyd Development Fund, Butler, Fairman & Seufert, Inc. $1,099.31 for Redesign Phase I Singing Sands; Marquiss Electric Inc. for bus shelter construction on Westwind Avenue for $10,876.41; HP Inc. for 2017 Laptop Replacements for $19,708.00; Larson-Danielson Construction Co. Inc. for Cleveland Park for $30,750.19; Miner Electronics Corp. for 2016 Fleet Rotation for $2,390.00; James Meyer & Associates PC for Legal Services for $350.00; Global Eng. & Land Surveying, LLC for 2017 Projects for $24,01.25 for a total of $91,549.16.
Councilwoman Carnes presented the following Planning and Zoning Committee minutes:

5/10/2017 Meeting of the Michigan City Common Council Planning and Zoning Committee

Chairperson Sharon Carnes called the meeting to order at 5:00 PM CDT in the Emergency Operations Center of City Hall 100 E. Michigan Bvld. Michigan City, IN.

<table>
<thead>
<tr>
<th>Members Present</th>
<th>Members Absent</th>
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<td>Sharon Carnes</td>
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<td>Pat Boy</td>
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<td>Chris Schwanke</td>
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Also in attendance were City Council members Tim Bietry, Allan Whitlow, Bryant Dabney, and Don Przybylinski. Assistant City Planner Skyler York, Plan Commission Member Dale Engquist, and Tim Smith chairperson of the Mayor’s Special Planning and Zoning Committee were also in attendance.

The purpose of the meeting was to discuss an ordinance 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.

Councilperson Sharon Carnes detailed the changes to the ordinance:
- Addition of the Plan Commission to the Concept Plan Review upon request of the City Planner.
- Addition of a Development Plan requirement for subdivisions
- Requirement for a traffic analysis for subdivisions greater than 10 lots

Councilperson Sharon Carnes further stated reasons for the changes including public safety concerns, access for emergency vehicles, and drainage issues as a result of the steepness of slopes.

Councilperson Pat Boy asked whether this ordinance would affect a homeowner splitting a single lot.

Planning and Zoning Committee Chairperson Tim Smith replied that it was intended for larger developments.

Assistant Planner Skyler York stated that it would not affect minor subdivisions. 2 or more lots is a major subdivision.

Councilperson Chris Schwanke expressed concern about the provision allowing the enforcement official (City Planner) to forward review of the concept plan at his discretion to the Plan Commission.

Councilperson Chris Schwanke stated he like that provision to be more concrete and less subjective.

Discussion ensued concerning whether the Plan Commission should be required to review Concept Plans or if that review could be at the City Planner’s discretion.

Councilperson Chris Schwanke expressed concern that the traffic study is subjective.

Councilperson Sharon Carnes replied that it is excerpted from the INDOT Standard Traffic Analysis.

Discussion ensued about why a traffic analysis could be required in some areas as opposed to others. Municipalities have the authority to require it in special districts. Traffic studies are put in place where there is a concern about traffic loading, access, and egress.

Councilperson Don Przybylinski asked is traffic study required?

Councilperson Sharon Carnes replied that is and she would not be in favor of taking it out of the ordinance.

Discussion ensued about the timing of the traffic study in relation to the other requirements of the Development Plan.

Councilperson Allan Whitlow wants the role of the Plan Commission defined in reference to the Concept Plan.

Councilperson Tim Bietry stated that there was value in both the Plan Commission and the Plan Director reviewing the Concept Plan.

Councilperson Sharon Carnes clarified the differences between the proposed Development Plan and the current requirements for subdivisions.
Councilperson Chris Schwanke stated that there would be a lot more upfront engineering costs without guarantee of approval.

Councilperson Bryant Dabney asked without a primary plat review how would developers know what to put in Development Plan?

Councilperson Sharon Carnes stated that it is spelled out in the ordinance.

City Council Attorney James Meyer stated that Mayor Meer suggested that the city could do a traffic study and plan for this whole area. Developers could use that plan.

Discussion ensued about when the last traffic study done.

14 members of the public expressed opinions, concerns, and asked for clarification.

Councilperson Chris Schwanke questioned the boundaries of the area under discussion. Councilperson Sharon Carnes, Assistant City Planner Skyler York, and Plan Commission Member Dale Engquist verified that the area under discussion is the Waterfront View Protection Overlay Zoning District, depicted on the map attached to the City Council ordinance, the Plan Commission recommendation, and projected on the screen in the EOC.

Councilperson Chris Schwanke stated that the city can’t do traffic study without knowing what was going to be built.

Discussion ensued about a city funded traffic study that could be done based on the underlying zoning, followed by a developer’s traffic study when more is known about the type of development.

Councilperson Pat Boy moved to recommend approval of the ordinance with amendments to 3B clarifying role of Plan Commission in the Concept Plan. Councilperson Sharon Carnes seconded the motion. The committee voted 2 – 1 for approval, Councilperson Pat Boy and Councilperson Sharon Carnes recommending approval. Councilperson Chris Schwanke voted against recommending approval.

There being no other questions or discussion the meeting was adjourned at 6:31 PM

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

REPORTS OF SPECIAL OR SELECT COMMITTEES

President Schwanke asked if there were any Reports of Special or Select Committees; there was no response.

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

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

CLAIM DOCKETS

President Schwanke stated the Claims for Fund #9000 – Riverboat was $88,135.85 and Fund #0417 – Boyd Development $3,413.31.

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

PETITIONS

There were no petitions.
COMMUNICATIONS
There were no communications received.

RESOLUTIONS

The Clerk read the following Resolution by title only,

MICHIGAN CITY COMMON COUNCIL
RESOLUTION 4677

AUTHORIZED THE USE OF EXCESS APPROPRIATED FUNDS FOR
MICHIGAN CITY FIRE STATION #4 PAVEMENT REPAIRS

WHEREAS, on December 2, 2008, the Common Council passed Ordinance No. 4042 entitled “An Ordinance of the Michigan City Common Council Establishing Procedures and Limitations of Capital Project Expenditures in the Boyd Development Fund and the Riverboat Gaming Fund,” which provided “that excess funds remaining at the end of a project will be returned to the unappropriated balance of the respective fund at the completion of the project unless, at the request of the Mayor, it has been transferred by the Common Council to another capital project;”

WHEREAS, for purposes of the 2016 Budget, $164,889.00 was appropriated from the Riverboat Fund #9000 to Fund #9000 000 04 443.006 for driveway replacement for Michigan City Fire Station #4 (hereinafter referred to as “Station #4”), and since said funds were not extended in 2016, said Funds were encumbered in the 2017 Budget for driveway replacement for Station #4; and

WHEREAS, for purposes of the 2017 Budget, $150,000.00 was appropriated from the Riverboat Fund #9000 to Fund #9000 0000 04 442.006 for driveway replacement for Michigan City Fire Station #3 (hereinafter referred to as “Station #3”); and

WHEREAS, as a result of competitive procurement, the costs for pavement repair for Station #3 and Station #4 are as follows:

Station #4 pavement repair: $215,034.25
Station #3 pavement repair: $121,382.25

WHEREAS, the Fire Department does not anticipate fully utilizing the $150,000.00 for Station #3, and, to that effect the Controller’s Office has determined that excess funds in the amount of $28,617.75 will remain in Fund #9000 0000 04 442.006; and

WHEREAS, the Mayor and the Common Council now desire that $28,617.75 in the excess funds remaining in Fund #9000 0000 04 442.006 be utilized for pavement repairs to Station #4.

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

Section 1. That $28,617.75 in excess funds remaining in Fund #9000 0000 04 442.006 originally appropriated for pavement repairs to Station #3 now be transferred within the same account for pavement repairs to Station #4.

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

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

Passed by the Common Council of the City of Michigan City, Indiana, this 16th day of May, 2017.

/s/ Chris Schwanke, President
Michigan City Common Council

1 MCFD has $50,000.00 in 2017 Budget for Station Repairs. MCFD will utilize $21,527.50 from said budgeted amount for the additional monies needed to fully fund Station #4 pavement repairs.
President Schwanke explained the request for the transfer of excess appropriated funds, and how the funding would be utilized; advising the additional cost includes the front apron at Station #4; further explaining the Fire Department will utilize additional funding for the project from their repair and maintenance budget.

Councilman Przybylinski commented on the overrun of the bid and the use of funding for the project.

Councilwoman Boy asked to have author’s amendments to correct two (2) typographical errors.

President Schwanke stated these could be corrected as Scribner’s errors.

Council Attorney James Meyer agreed.

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

Councilwoman Boy made a motion to approve the proposed Resolution; supported by Councilmen Hamilton and Whitlow.

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

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

**ORDINANCE**

The Clerk read the following proposed ordinance on second 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 reiterated that the Cemetery was inadvertently left off the list and this fixes it.

President Schwanke asked if there were any comments from the public; there was no response; asking if there were any Council comments; there was no response; advising the proposed ordinance would be held over for third reading at the June 6, 2017 Council meeting.

The Clerk read the following proposed ordinance on second 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 explained the two (2) amendments that were made to this ordinance at the workshop, with the first amendment on page 3 – advising the items that you see underlined in red are supposed to be underlined in the original ordinance, that is the part that was added to section 04.02 of Article 4; the amendment that the Council
made at the workshop is the part that is underlined in black, which is “The enforcement official may, or at the request of the developer, shall forward review of concept plans for land located within the Waterfront View Protection Overlay District to the Plan Commission for review at a regular Plan Commission meeting”; the other amendment was the traffic study as there were concerns by the developers about the traffic study and it was proposed, actually Attorney Meyer relayed a message from the Mayor that possibly the City would do part of the traffic study and today they did receive information that the City will do part of the traffic study dealing with the analysis of adjacent roadways, level of service, traffic counts – including peak and daily seasonal counts, so with that they are going to strike subsection (b) from part (i) the capacity analysis part; the other two (2) parts of the access management – the trip generation data and the analysis needed for additional traffic control warning devices and methods in the vicinity of the development will remain on page 4.

Councilwoman Carnes made a motion to amend the ordinance with those three (3) amendments; second by Councilwoman Boy.

President Schwanke stated there was a motion by Councilwoman Carnes, supported by Councilwoman Boy to adopt the amendments; asking the City Clerk to call the roll on the motion to amend.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed amendments to the Ordinance was approved by the following vote: AYES: Council Members Boy, Dabney, Carnes, Hamilton, Schwanke, Silvas, Whitlow and Bietry (8). NAYS: Przybylinski (1).

President Schwanke stated they now have an ordinance that has been amended; asking if the author had anything to add in regards to that.

Councilwoman Carnes added that she would be asking for 2nd & 3rd Reading tonight on this if there is no objection; stating she thinks they have a good ordinance; they had a very productive workshop with a lot of input from the public; little input from developers, but knows they weighed in on this at some other meetings with the Mayor’s special committee; advising Mr. Phillips was here this evening to answer any questions.

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

Jim Melowitcz, 803 Lakeshore Drive, addressed the Council stating he was here to speak in favor of the ordinance; urging the Council to pass it; stating he owns a home at 803 Lakeshore Drive, which is adjacent to some property where one of the developments would potentially be happening; further expressing his concerns with the long term impact, density, configuration that it would be and how it would impact traffic patterns, public safety and drainage issues; commenting that the proposed ordinance would be a smart and very important way to address those issues; also taking a look at the long impact of this type of development and what it means to the community and adjoining properties.

Christopher Willoughby, Attorney with Braje, Nelson and Janes, 126 E. 5th Street, addressed the Council on behalf of clients that are owners of property that are subject to this ordinance; expressing his concerns with the proposed ordinance; committee meetings held; amendments that have been made; traffic study; his clients property; this being interim legislation; the comprehensive plan the City will be doing; appeals; discouraging development in this town; limit the development/developers; and plan commission meetings; urging the Council to vote against this ordinance and starting the process over.

Craig Phillips, Planning Director addressed the Council to clarify some of Mr. Willoughby’s comments/concerns regarding the traffic study; number of homes in a development; impacts of a new developments; not singling out Mr. Willoughby’s client; that there are several property owners that are affected by the proposed regulations, which affects the entire waterfront view protection overlay district; the importance of this process, which does include the intention for this to be an interim measure; stating although the proposed ordinance has provisions in it that allow the Plan Commission to do most of the things that are listed in this proposed language; that the developer gains clarity and certainty from this process; further explaining the process that goes before the Plan Commission that
includes getting through the concept plan, which is a simple submittal of documents and comments received from him as it stands currently in the ordinance, and that he cannot stop a developer from moving forward in a process beyond the concept plan if they have submitted the required documentation that’s required by the ordinance; that he would then offer comment based on the information that they provide, which is then considered by the plan commission and the developer; continuing to explain the process the plan commission takes.

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

Councilwoman Boy stated as a reminder that in section “I” “3 b” where they deleted that section by amendment that section “c” below it now has to become “b”.

Councilman Przybylinski explained his “no” vote on the amendments that were offered; stating his “no” vote was centered about the amendment in Section 3 – item b, under administrative review where it says “shall” or “may” for the enforcement official; advising he thought the wording should be “shall” instead of “may” be reviewed by the Planning Commission; further commenting on his vote of the amendment for the proposed ordinance; further advising he is not voting no on the particular ordinance.

Discussion ensued between Councilman Dabney and Craig Phillips, Planning Director regarding the amendments to the proposed ordinance; the amount of properties/ lots (10); a licensed traffic engineer doing a traffic analysis and if a traffic engineer was consulted when the number 10 was selected. Mr. Phillips stated “yes” traffic engineers were consulted in the writing of this information of the proposed ordinance language; and stated again that the number 10 comes from essentially the average of lots sizes that are found in the area they are talking about, which range from 40 to 60 feet in width; commenting on a standard city block, which is about 300 feet long, looking at the fact that basically a small cul-de-sac consisting of one (1) city block in length would have roughly 10 lots on it based on those averages; further commenting on this being based on a standard city block and that anything above that would have a larger impact on the surrounding roadways and adjacent developments.

Discussion continued between Councilman Dabney and Mr. Phillips regarding the proposed ordinance where it says evidence that the design and location of proposed street/highway access, minimizes safety hazards and #3 proof that the capacity of adjacent streets; asking what the watermark is to constitute “proof”. Mr. Phillips explained if either in the current case, if the plan commission requests a traffic analysis or if the City, if ultimately this amendment passes as presented, either the City or the developer provides a base line level of analysis of the existing capacity and level of service of roadways that are affected by the proposed project; what that simply is saying is that if the development causes any sort of decrease in the level of service or substantial impact to the capacity of the streets as presented; continuing to explain if that baseline is affected substantially than that’s the watermark by which that becomes a concern; further explaining the specifics of a phase II traffic analysis (baseline data and the impacts of the developers proposed lots/subdivision upon the area based on that baseline analysis).

Discussion continued between Councilman Dabney and Mr. Phillips regarding the “district” and the area included in that. Mr. Phillips advised the effort that began this discussion with regards to the lakefront area began based on taking a look at that area as a whole, between Karwick Road/Washington Park – east to west, and between U.S. Highway 12 and the lake – north to south; and it was determined that the most appropriate interim measure was to take a look at basically the existing overlay district since the majority of the properties that were concerned about fall within that district; explaining this was the easiest way to propose interim measures; further stating what is before the Council tonight is based on the waterfront overlay district only, referring to a map that was provided as part of the Council’s packet.

Discussion continued between Councilman Dabney and Mr. Phillips regarding properties that would be coming out onto U.S. Highway 12. Mr. Phillips stated the additional analysis from the comprehensive plan is based on the larger area that he confirmed.
Discussion continued between Councilman Dabney and Mr. Phillips regarding the traffic analysis and if it could answer the particulars of the proposed ordinance. Mr. Phillips stated “yes”, and that he bases that on conversations with certified traffic engineers; and that the total package would answer those questions.

Councilman Dabney continued expressing his concerns with the proposed ordinance and the traffic study.

Further discussion ensued between Councilman Dabney and Mr. Phillips regarding if this was being done anywhere else and what the affect it is having on development. Mr. Phillips clarified that traffic analysis are used all throughout Northwest Indiana for the consideration of subdivisions; further commenting on the matter and surrounding areas that use traffic analysis for development.

Councilman Dabney further expressed his concerns with regards to development in Michigan City.

Mr. Phillips assured the Council that traffic analysis is a very standard practice in areas that are experiencing growth.

Discussion ensued between Councilman Przybylinski and Mr. Phillips regarding if the City has any plans to build roadways that would be going from Beachwalk or any of these developments that may take place off of U.S. Highway 12. Mr. Phillips advised the City is planning on doing a comprehensive plan effort overall; referring to a conversation he had with Council Attorney Meyer regarding doing this base line level of analysis; further explaining the base line level of analysis is a pretty good standard way of maintaining the inventory in our community and determining where upgrades are needed; further commenting on new roadways in the community and an access management plan, thoroughfare plan, and traffic analysis, which is standard practice in Indiana.

Further discussion ensued between Councilman Przybylinski and Mr. Phillips regarding the installation of sidewalks for pedestrian traffic. Mr. Phillips advised that sidewalks are require in new subdivisions regardless; stating the City does have a pathway and greenway masterplan; further commenting on the matter and the City’s comprehensive plan.

Councilman Przybylinski continued to comment on the matter and what the developers should be required to do.

Mr. Phillips advised that was corrected when the ordinance that we have currently was adopted in 2011; explaining any developer proposing a new subdivision is required to provide sidewalks throughout the development as part of the infrastructure.

Councilwoman Carnes moved to suspend the rules and have third reading of the proposed ordinance.

President Schwanke advised Councilwoman Carnes that they were still under Council comments.

Councilwoman Carnes reiterated that she made the motion to suspend the rules and have third reading of the proposed ordinance tonight; seconded by Councilwoman Boy. Councilman Hamilton stated he objected.

President Schwanke reiterated that Councilman Hamilton objected to having third reading.

Discussion ensued between President Schwanke and Council Attorney James Meyer regarding the motion/second and the objection. Council Attorney Meyer explained Council rules provide that there will be three (3) readings of every ordinance; stating this is a zoning ordinance and under state law could have been passed on 1st reading; further stating the only point of interest is if the proposed ordinance is not passed tonight and if the Council doesn’t call a special meeting, at which you pass or vote it down, between now and the end of the month the original version of the proposed ordinance will become law, because it will be 90 days from March 2, 2017 that it was received by the City Clerk’s
Office and the law says if the Council does not act within 90 days of it being filed with the City Clerk’s Office the original proposed ordinance becomes law.

Councilman Hamilton removed his objection.

President Schwanke stated there is a request to have third reading on the proposed ordinance; asking if there were any objections; there was no response; advising they can have third reading this evening, but they are still under Council comment on second reading; asking if there were any other Council comments on second reading.

Councilwoman Carnes pointed out that they could have Council comments under third reading as well.

President Schwanke stated he had a couple comments under second reading; asking Mr. Phillips about his consulting with some traffic engineers; asking Mr. Phillips to provide the Council with a list of the traffic engineers he contacted.

Mr. Phillips replied he contacted traffic engineers with DLZ and American Structurepoint; advising both companies do those kinds of studies on a routine basis.

Discussion ensued between President Schwanke and Mr. Phillips regarding doing a traffic study. Mr. Phillips advised he has a quote for adding it to our comprehensive plan scope, and are preparing to figure out how that is going to be done; further commenting on the comprehensive plan and scope.

Discussion continued between President Schwanke and Mr. Phillips regarding the timeline for the comprehensive plan. Mr. Phillips stated the lakeshore element of this is expected to be completed in six (6) months, and it’s possible the City could receive the elements they are talking about here even earlier than that; continuing to comment on the timeline and requirements of the comprehensive plan for the lakefront area as well as the entire city.

President Schwanke commented on the timeline for the comprehensive plan and moving forward with this particular interim ordinance.

Discussion ensued between Councilman Dabney and Mr. Phillips regarding the comprehensive plan and the proposed interim ordinance. Mr. Phillips explained that comprehensive plans are guidance documents and policy, with the exception of the thoroughfare plan that was mentioned earlier; what would happen is once the comprehensive plan process is complete there would be suggestions in terms of changes to the zoning ordinance, but we would have to go through the process, just like we did with this, of going to the Plan Commission, then the Council, and the Council makes the decision on whether or not they want to adopt those proposed amendments; further explaining what would come out of this is a policy statement of land use policies going forward for the lakefront area as well as a suggested list of amendments to the zoning ordinance that would then be translated into an actual amendment process that would go before the Plan Commission and Council; further commenting on the timeline and process.

Discussion continued between Councilman Dabney and Mr. Phillips regarding the comprehensive plan; and meetings to allow stakeholder input. Mr. Phillips advised there will be stakeholder input process right up front beginning the second week in June; commenting further on the process for stakeholder input for the entire comprehensive plan as well as for the lakefront area.

Councilwoman Boy stated the ordinance came before the Council because the Plan Commission did a Resolution, and if we didn’t have an Ordinance to make any changes to it, it would be law if the Council didn’t change it.

Discussion ensued between Councilwoman Boy, President Schwanke and Mr. Phillips regarding the process and the ninety (90) day rule.

President Schwanke asked if there were any other Council comments; there was no response.
The Clerk read the following proposed ordinance on third reading by title only,

MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. 4433

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING SECTION 04.02 OF ARTICLE 04 OF APPENDIX B - SUBDIVISION ORDNANCE 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 ORDNANCE BY ADDING A PROVISION FOR ADDITIONAL DEVELOPMENT PLAN INFORMATION TO BE SUPPLIED FOR PROPERTY LOCATED IN THE WATERFRONT VIEW PROTECTION OVERLAY ZONING DISTRICT

WHEREAS, the Plan Commission of the City of Michigan City, Indiana has the responsibility in accordance with Appendix B - Subdivision Ordinance of the City of Michigan City Municipal Code (also referred to herein as "the Subdivision Ordinance") as set out in Section 10.02, and in accordance with Indiana Code 36-7-4-701(b) and (c), to act as an advisory board to the Common Council of the City of Michigan City concerning the Subdivision Ordinance; and,

WHEREAS, the Plan Commission of the City of Michigan City may, pursuant to Indiana Code 36-7-4-701(b) and (c) initiate a proposal to amend or partially repeal the text of the Subdivision Ordinance; and,

WHEREAS, the Plan Commission of the City of Michigan City, Indiana has the responsibility in accordance with Appendix C - Joint Zoning Ordinance of the City of Michigan City Municipal Code (also referred to herein as "the Zoning Code") as set out in §27.03 and in accordance with Indiana Code 36-7-4-605 to act as an advisory board to the Common Council of the City of Michigan City concerning the Zoning Code of the City of Michigan City, Indiana; and,

WHEREAS, the Plan Commission of the City of Michigan City, Indiana may, pursuant to Indiana code 36-7-4-602(b), initiate a proposal to amend or partially repeal the text of the Zoning Code; and,

WHEREAS, upon notice having been duly published and a public hearing held, the Plan Commission of the City of Michigan City, Indiana certified a favorable recommendation for an amendment of both the Subdivision Ordinance and the Zoning Code, concerning providing for Plan Commission review of subdivision concept plans and also providing for additional development plan information to be supplied for property located in the Waterfront View Protection Overlay District (together collectively referred to as "the Amendments") as evidenced by Resolution 1-17 of the Plan Commission filed with the Common Council of the City of Michigan City; and,

WHEREAS, upon notice having been duly published, a public hearing was held before the Common Council of the City of Michigan City, Indiana on __________, 2017; and,

WHEREAS, the Common Council has reviewed the Resolution of the Plan Commission of the City of Michigan City, Indiana, its Findings of Facts, and related information and has received and considered comments from the public regarding the proposed changes to the Subdivision Ordinance providing for Plan Commission review of subdivision concept plans and regarding the proposed changes to the Zoning Code providing for additional development plan information to be supplied for property located in the Waterfront View Protection Overlay District.
WHEREAS, the Michigan City Common Council has determined that amending the Subdivision Ordinance and the Zoning Code as set out in the Amendments shall promote the development of the City of Michigan City; and,

WHEREAS, the Michigan City Common Council now finds that the Subdivision Ordinance should be amended to add language to Section 04.02 of Article 4 and that the Zoning Code should be amended to add language to Section 12.03 of Article 12, in each case as described below.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA:

Section 1. That the foregoing recitals are incorporated herein by reference.

Section 2. That, after reviewing the Plan Commission Resolution No. 1-17 and the related Findings of Fact and other information provided to the Common Council during the public hearing, and the Common Council, as required by IC 36-7-4-603, having given due consideration to how the proposed changes will affect or conform to: 1) the City's Comprehensive Plan; 2) the current conditions and the character of current structures and uses in the entire City of Michigan City; 3) the most desirable uses for which residential property in the City of Michigan City is adapted; 4) the need to conserve property values throughout the City of Michigan City; and 5) whether the proposed change is consistent with responsible development and growth in the City of Michigan City; and having considered all of the evidence in the record before it and using the appropriate standards to guide its determination, the Common Council finds that it has been demonstrated to be in the best interest of the City of Michigan City that the change in the Subdivision Ordinance and in the Zoning Code, as recommended by the Plan Commission in its Resolution No. 1-17, be approved by the Common Council.

Section 3. That the following underlined sentence shall be added to the end of Section 04.02 of Article 04 of the Subdivision Ordinance so that, following said addition Section 04.02(b) shall read as follows:

(b) Administrative Review. The enforcement official will review the concept plan. The enforcement official may request comments from other departments. The enforcement official will discuss the plan and provide guidance to the subdivider as to the suitability of the land for subdivision and the design and layout of proposed lots and improvements. The enforcement official may, or at the request of the developer, shall forward review of concept plans for land located within the Waterfront View Protection Overlay District to the Plan Commission for review at a regular Plan Commission meeting.

Section 4. That a new subsection (h) and a new subsection (i) shall be added to Section 12.03 of Article 12 of the Zoning Code, to follow Section 12.03(g), which shall read as follows:

(h) Subdivision of Land. Any subdivision or re-subdivision of land within this overlay district shall require the submission of a development plan for review and approval by the Plan Commission at a public hearing in compliance with the requirements of the 1400 Series of Indiana Code 36-7-4 prior to the submission of an application for a Primary Plat review. The development plan shall include the following:

(i) All information required for a concept plan as per Subdivision Ordinance Article 05, Section 01.
(2) A map detailing the proposed vehicle and pedestrian systems (including street layout and access points), common parking areas, location and number of lots, and proposed areas of open space and/or recreation within the proposed development.

(3) An indication of all proposed phases within the development and land to remain undeveloped.

(4) All proposed architecture and design standards and information regarding approval bodies and procedures.

(5) Proposed drainage plan, including location and capacity of proposed storm sewer and other stormwater management facilities and any proposed alternative methods for handling stormwater within the development, such as best management practices (BMPs).

(i) Access management. Any subdivision of 10 or more lots (including lots in all phases of larger subdivisions) shall require the provision of a traffic analysis conducted by a traffic engineer licensed by the State of Indiana. At a minimum, the analysis shall include the following:

(1) A statement of how the development plan is designed in a manner that provides for safe vehicular flow at points of access and within the development.

(2) Evidence that the design and location of proposed street and highway access points minimizes safety hazards and congestion.

(3) Proof that the capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.

a. Trip generation data and model based on the characteristics and land usage of the parcel proposed to be developed.

b. A statement of analysis regarding the need or lack of need for additional traffic control and warning devices and methods in the vicinity of the proposed development.

(4) Evidence that entrances, streets, and internal traffic circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments.

Section 5. That from and after the passage and publication of this Ordinance, the amendments and additions described above shall be included in the Subdivision Ordinance and Zoning Code respectively which are hereby amended and revised accordingly.

Section 6. That this Ordinance, after its passage and approval by the Mayor of Michigan City, Indiana, shall be published once each week for two consecutive weeks in the Michigan City News-Dispatch, a daily newspaper of general circulation.

Introduced by: /s/ Sharon Carnes, Member
President Schwanke asked if the author had any additional comments.

Councilwoman Carnes replied that she had no additional comments at this time.

President Schwanke asked if there were any comments from the public; commenting that the Plan Commission held a Formal Public Hearing on February 28, 2017 in regards to this.

Christopher Willoughby, Attorney with Braje, Nelson and Janes, 126 E. 5th Street, addressed the Council on behalf of clients; commenting on the committee meeting that was held; expressing his views and concerns with the proposed ordinance; traffic analysis/study; costs associated with the proposed development; the process that has been taken with regards to the proposed ordinance; the area of development; the clients he represents owning over 150 acres in the proposed development area; starting this process the right way including the proposed comprehensive plan/study; and the timeline for the comprehensive plan that will include the traffic study.

Tim Smith, 15 Jamestown Drive, addressed the Council, advising he was the Chair of the Committee; commenting on the process and all those who were invited to attend the meetings and workshop; the traffic study; the developers/clients of Mr. Willoughby; the market for the development itself; commenting on the development that is currently taking place in the lakefront area; making the process better; and public comments that have taken place during the process.

Craig Phillips, Planning Director, addressed the Council to clarify one point with regards to the traffic study; he named the firms he contacted; he did receive a detailed email from one of the firms; there is also an INDOT manual that's available, that is a standard piece of documentation that is available through INDOT with regards to traffic studies and is the basis for what consultants use; commenting on the email he received from American Structurepoint; that he contacted DLZ just to basically get a concurrence that the information he received from American Structurepoint was correct and similar to what they would do; verified that was the case and that's where the information came from; further commenting on discussion with Mr. Willoughby regarding documentation of the process, and the information that was given to him, which did not include the traffic study document; stating again it was a standard document available through INDOT. Christopher Willoughby, Attorney with Braje, Nelson and Janes, 126 E. 5th Street, addressed the Council on behalf of his clients; commenting on what was said by Mr. Smith regarding the names of his clients; his clients being taxpayers; proposed development; not being provided with the documentation he requested from Mr. Phillips, other than the Resolution; commenting that he hoped the Council would vote against the proposed ordinance.

Jim Melowicz, 803 Lakeshore Drive, addressed the Council; commenting on the proposed development; how it will affect surrounding properties long term; the proposed ordinance being a very smart way to address those issues and analyze them and review them by the experts who will be able to provide information that would be very beneficial to the Planning Commission and the Council down the road in making decisions about these types of developments as they do have a long term impact.
President Schwanke asked if there was any other Public comment; there was no response; asking if there were any comments from the Council.

Councilwoman Carnes stated to clarify a few points regarding Mr. Przybylinski’s concern about the enforcement official; pointing out that the developer can request that the Plan Commission hear the information about the concept plan, and if the developer requests that they shall forward review of the concept plan to the Plan Commission; further stating she wanted to clarify once again that the area that is being talked about here is only the Overlay District, which was the map that was projected on the screen during the workshop and the map that is associated with the packet they received from the City Clerk’s Office; advising the Plan Commission could require a traffic study of any of these subdivision ordinances; commenting on losing site of the public safety aspects of this ordinance and that they need to keep all those in mind; commenting that the biggest stakeholders would include the citizens, the residents, the bikers, and the walkers in this area and she was glad they got to hear from them at the workshop.

Councilman Bietry stated a lot of hours have been invested in this ordinance by the Plan Commission as well as by City Council and he appreciates Councilwoman Carnes picking up this ordinance and sponsoring it, because otherwise it would have become law without the public hearing, and thought the public workshop was critical; commenting on the supposed opposition to this ordinance by developers; however the developers have remained nameless and faceless, and if there is a lot of opposition from them, he wished they would have come to one of the public hearings that was held or the workshop; further commenting on criticism by people who remain anonymous is hollow to him; commenting they have heard from several members from the public who live in adjacent areas and other than Mr. Hugh J. Totten of Valparaiso who wrote the letter that was received prior to the last meeting, which was very informative, other than that correspondence all the other testimonies that he has gotten has largely been in favor of the proposed ordinance, with maybe some modifications; continuing to comment on input from the Plan Commission members; advising he will be in support of the ordinance.

Councilman Przybylinski commented on his “objection” to the amendment; advising he was aware that the enforcement official may or at the request of the developer forward a review of the concept of the plans; stating that is why he spoke in favor of “shall” instead of “may”, so that all developers, by the enforcement official would have all the developers plans go to the Planning Commission in this area to make it a level playing field of all the developers, so whereby the Planning Director doesn’t pick and choose which ones he wants to send to the Planning Commission for whatever reason; further commenting on the language in the proposed ordinance.

Discussion ensued between Councilman Przybylinski and Mr. Phillips regarding the comprehensive traffic plan and if it would delay any development. Mr. Phillips stated any developer who proposes a development today, he would be required to process it based on the current zoning law and the requirements of submitting a petition to the Plan Commission; explaining only at such time as amendments are signed by the Mayor do they become affective and that would reset the situation in terms of requirements for submittal; as it stands today a developer can propose a subdivision and he would process it according to the current standards that are in the zoning ordinance as it stands; the comprehensive plan process does not result in any delay.

President Schwanke asked if there were any other Council comments.

President Schwanke stated he agreed the “may” or “shall” is unclear in the amendment, and he brought that to the attention at the committee meeting; reading “the enforcement official “may” submit it to the Plan Commission, that is what it originally said; and to be fair and honest and equal with all parties they should all (“shall”) be, according to this ordinance, they all “shall” be in his opinion, sent to the Plan Commission; if it’s going to be true and equal and fair for all potential developers; stating he does not agree with that section; commenting on the traffic study in the proposed development area; expressing his views and concerns with development; the comprehensive plan for the whole city, which will cost $355,000.00 to do and that doesn’t include the traffic study,
which would be done in 14 months and at that time they will have the correct document prepared, and will have to vote on it just like this one, he thinks is the right way to do it and will get the stakeholders involved; commenting on the other issue he has with the proposed ordinance is that when they did the workshop, which he suggested they slow down, is they get all those developers, so they would know who they all are at the same meeting; further expressing his views and concerns with the proposed ordinance, the comprehensive plan and the interim measures being proposed; advising he cannot support the way this proposed ordinance is presented.

Councilwoman Carnes commented on the public workshop that was held where the public was invited, which included developers, neighbors and anybody who wanted to attend and present their views and concerns; stating this is a good ordinance and was scrutinized by the Plan Commission that took into account comments by the public, comments by the City Council and comments from the development community; advising they are charged by the State with giving due consideration to the proposed changes in the zoning plan to make sure those proposed changes are consistent with responsible development and growth in the City of Michigan City; stating she is voting to support this ordinance and to support responsible growth.

Councilwoman Carnes made the motion to approve the proposed ordinance; seconded by Councilwoman Boy.

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

President Schwanke stated the ordinance is approved.

Council Attorney Meyer advised the approved ordinance now goes back to the Plan Commission for their recommendation in reference to the amendments; further advising they have 45 days to come back with a recommendation.

Discussion ensued between President Schwanke and Council Attorney Meyer regarding the Council still signing the document/ordinance and sending it back to the Plan Commission. Attorney Meyer stated that was correct; the Council voted to approve it, so it’s signed and forwarded back to the Plan Commission for its review and recommendation regarding the amendments that have been made.

The Clerk read the following proposed ordinance on second reading by title only, APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR BODY CAMERAS FOR THE MICHIGAN CITY POLICE DEPARTMENT

Introduced by: Chris Schwanke
Don Przybylinski

President Schwanke asked if any of the author's had anything to add.

President Schwanke advised Chief Royce Williams of the Michigan City Police Department was present this evening if anyone had any questions; commenting that he and Councilman Przybylinski met with all the Chiefs and discussed this; further commenting that he did sponsor this two years ago to get the body cameras in place for our Michigan City Police Department; stating it is a wonderful tool for our police officers and citizens both; explaining there was a two year term/contract with the providing company and this new term is a five year term and is a bumper to bumper warranty as described by Chief Swistek at the previous meeting; stating he is honored to work with the police department and sponsor this type of ordinance.
President Schwanke advised there will be a Formal Public Hearing on this today, May 16 2017; opening the Formal Public Hearing and repeating three (3) times: is there any comments from the public.

Royce Williams, Chief of Services with the Michigan City Police Department, addressed the Council asking them to move forward with third reading this evening, so they can get the cameras implemented before their busy season.

President Schwanke asked if there were any other comments from the public; there was no response; and the Formal Public Hearing was closed.

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

Councilman Przybylinski made the motion to have third reading on the proposed ordinance this evening.

President Schwanke stated they would have third reading on the proposed ordinance if there were no objections; asking if there were any further Council comments; there was no response.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4434

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR BODY CAMERAS FOR THE MICHIGAN CITY POLICE 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 for the funding of body cameras for the Michigan City Police Department; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #9000 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified, subject to the laws governing the same:

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<thead>
<tr>
<th></th>
<th>AMOUNT REQUESTED</th>
<th>AMOUNT APROPRIATED</th>
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</thead>
<tbody>
<tr>
<td>DECREASE</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Riverboat Fund # 9000 Unappropriated balance</td>
<td>$61,782.00</td>
<td></td>
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<tr>
<td>INCREASE ACCOUNT # 9000 0000 04 444.008 Police Equipment</td>
<td>$20,874.00</td>
<td></td>
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<tr>
<td>INCREASE ACCOUNT # 9000 0000 03 439.011 Contractual Services</td>
<td>$40,908.00</td>
<td></td>
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<tr>
<td><strong>TOTAL FOR FUND</strong></td>
<td><strong>$61,782.00</strong></td>
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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

/s/ Don Przybylinski, Member
Councilman Przybylinski reiterated that the current cameras are beginning to experience battery issues; the current cameras are generation 1 from two years ago; Taser has now developed an advanced blue-tooth enabled camera that is much more advanced with a longer recording and battery life; the current contract with Taser will be expiring in June, 2017, and this is latest and greatest technology, but the most important part of this whole program is #1 – it protects the officers on what they are dealing with on a day to day basis in the public and #2 – it also protects the public with any issues they may have with any officer that they believe is not treating them properly; further commenting that the Michigan City Police Department is the only police department in LaPorte County that has cameras for their officers, and he is very proud of that; stating he is in full support.

President Schwanke asked if there was any public comment; there was no response; asking if there was any Council comment.

Councilman Hamilton made the motion to approve the proposed ordinance; seconded by Councilwoman Boy.

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

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

The Clerk read the following proposed ordinance on third reading by title only,
WHEREAS, the Common Council reasonably believes the addition of subsection (b) to Section 62-31 is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City as follows:

SECTION 1. Sec. 62-31 (b) of the Michigan City Municipal Code is created to read as follows:

(b) The Director of the Planning and Zoning Department and/or his designee shall serve as a nonvoting advisor to the Historic Preservation Commission and shall attend meetings of the Commission and provide relevant information, documentation, and advice to the Commission regarding matters brought before the Commission.

INTRODUCED BY: /s/ Sharon Carnes, Member
Michigan City Common Council

/s/ Pat Boy, Member
Michigan City Common Council

/s/ Tim Bietry, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 16th day of May, 2017 by a vote of 5 to 4.

/s/ Chris Schwanke, President
Michigan City Common Council

President Schwanke asked if any of the authors have anything to add.

Councilwoman Carnes stated for the clarification of the public this is adding the Director of the Planning and Zoning Department or their designee to serve as a non-voting advisory member to the Historic Preservation Committee; stating she thinks this is important as we have the expertise in house and thinks the member of the Planning and Zoning Department needs to provide their opinions in an advisory capacity in matters of Historic Preservation.

Councilman Bietry commented on the respect he has for the Planning Commission in their decisions that they made relative to the ordinance that was passed, and the same respect for these people who faithfully serve on the Historic Review Board and they are asking unanimously to please give them the input that they need at their meetings and the only way to do that is to get someone from the Planning Department there to provide the input that they need; asking his fellow Councilmembers to support this ordinance.

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

President Schwanke commented that this ordinance is essentially requiring our Planning Department Director to attend these meetings; he gives information and shares information and guides boards, such as the Planning Commission, Redevelopment Commission, the Council; he gave the Council information tonight, but is not required to be here, but he was here doing his job providing us information and sharing information about an ordinance and he’s allowed to do that; commenting on the current way the ordinance is written, so there is no reason to say that he has to be there, which is what the proposed ordinance is doing, and there’s not necessarily a need for him to be at every single meeting as he is a very busy person and we all know that; further expressing his views and concerns; advising the City pays around $40,000.00 per year for Landmarks to be there and be those professionals to guide the board; continuing to comment on the Planning Department and Building Officials and
other department heads could attend a Historic Preservation Commission meeting and give input, which he encourages; clarifying the proposed ordinance would require him to be there; continuing to express his views and concerns with the proposed ordinance.

Councilwoman Carnes stated the proposed ordinance states the Planning Director or designee or a member of the Planning Department or designee, and Mr. Phillips has never expressed any concern to her about issues with attending the Historic Preservation Committee meetings; and as she has pointed out before State Statute suggests that if we have this sort of expertise in house that we should use it.

Councilwoman Carnes made the motion to approve the proposed ordinance; seconded by Councilwoman Boy.

President Schwanke asked if there were any other questions or comments from the general public or Council and hearing none the proposed ordinance was approved by the following vote: **AYES:** Council Members Silvas, Whitlow, Bietry, Boy and Carnes (5). **NAYS:** Hamilton, Przybylinski, Schwanke and Dabney (4).

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

**UNFINISHED BUSINESS**

President Schwanke advised the Council has one (1) appointment to the Urban Enterprise Association due to Ms. Tina Mahone resigning. (term would start immediately and expire 12-31-2020)

President Schwanke stated the Council is still actively looking for someone to fill this position.

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

**NEW BUSINESS**

President Schwanke stated under New Business, Mayor Meer is requesting the advice and consent of the Common Council for the re-appointment of Bruce Manner to the Michigan City Port Authority Commission. Mr. Manner’s term would begin immediately and would expire on May 15, 2021; asking what the pleasure of the Council would be.

Councilman Przybylinski made the motion to approve the advice and consent of the re-appointment of Mr. Manner to the Michigan City Port Authority; seconded by Councilwoman Boy, Councilmen Whitlow and Hamilton.

President Schwanke asked all those in favor to signify by saying “Aye”; all responded “Aye”; asking if there were any opposed; there was no response.

**COMMENTS FROM THE PUBLIC**

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

**COMMENTS FROM THE COUNCIL**

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

Councilman Dabney commented on the Lakefront Overview ordinance process; expressing his views and concerns with the process, stakeholder involvement, learning
from the Beachwalk development/PUD, city official’s involvement, and making the process more efficient.

Councilwoman Carnes reminder everyone that this Saturday at the Police Station there will be a dedication ceremony for the park there.

Asst. Chief Royce Williams, Michigan City Police Department, advised they are still working on a name; further advising it will be “grand” park opening as it stands right now.

Councilwoman Carnes elaborated on some of the events that will be there include: build a bike; sports equipment giveaways.

Chief Williams advised they will be giving away several basketballs, participants at the basketball court playing with kids, McDonalds is supporting the build a bike program, which they already have 50 kids pre-selected through different organizations that are going to receive those bikes, bouncy house, clowns, law enforcement engaging with the public, with food and drinks provided; further advising it is a dog friendly park and they will be installing 4 doggie bag stations implemented in the park; just need to keep dogs on a leash.

Councilman Przybylinski commented on the Mayor’s Committee on Lead; advising this month in the water bills they sent out a flyer with the 5 things you can do to help lower your child’s lead level; continuing to comment on the flyer, lead levels and how it affects children; that the school system will be sending out letters regarding lead levels; commenting on the Human Rights Commission holding their major fundraiser on June 8, 2017 and as the Council Liaison for the Human Rights Commission he is selling tickets for the event for $25.00; explaining the Humanitarian of the Year will be announced and honored, but they are also giving away two (2) $1,000.00 scholarships to graduating seniors from the high school; also commenting on Saturday’s park “grand” opening, and that he and Councilwoman Carnes were the sponsors for the $250,000.00 to renovate that park; commenting on the amenities of the park and the new safety rubber that was installed there.

President Schwanke commented on the new park, and that on September 9, 2017 they will be having their second annual doggie strut at the new park; asking that the name be set so they can advertise this event; further commenting on the event and location; commenting on the ground breaking ceremony for the Haskell Building, which is located behind the new Chrysler Dealership; congratulating all those involved in that project; continuing to comment on the new Haskell Building.

**ADJOURNMENT**

A motion by Councilman Hamilton, supported by Councilman Whitlow and Councilwoman Boy and there being no further business to transact, President Schwanke declared the meeting **ADJournED** (approximately 8:11 p.m.)

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Gale A. Neulieb, City Clerk