REGULAR MEETING – June 17, 2019

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, June 17, 2019, at the hour of 8:30 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City Indiana – a regular meeting room of this Board.

The meeting was called to order by President Steve Janus, who presided.

Noted present: Steve Janus, Rich Murphy and Virginia Keating (3) Absent: None (0)

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich, Corporate Counsel
Charles “Spike” Peller, City Engineer
Clarence Hulse, Executive Director Economic Development
Gale Neulieb, City Clerk
Dawn Debald, Assistant Deputy Clerk

APPROVAL OF MINUTES

President Janus asked if there were any corrections to the minutes from the Regular meeting of May 20, 2019; stating the Board did not have a quorum to approve the minutes at the last meeting.

Virginia Keating made the motion to approve the minutes from the Regular meeting of May 20, 2019. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Murphy and Keating (2). ABSTAIN: Janus (1). Motion Carries.

President Janus asked if there were any corrections to the minutes from the June 3, 2019 Regular meeting.

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

AWARDING OF BIDS – 2019 CITY WIDE PAVEMENT REPAIR PROJECT

Corporate Counsel, Amber Lapaich addressed the Board advising Rieth-Riley Construction Company, Inc. was the lowest most responsive bidder in the amount of $104,200.00; recommending issuing the Notice of Award to Rieth-Riley Construction Company, Inc. for this project.

Vice-President Murphy made the motion to award the bid for the 2019 City Wide Pavement Repair Project to Rieth-Riley Construction Company, Inc. in the sum of $104,200.00. The motion was seconded by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.
AWARDING OF BIDS – 2019 CITY WIDE SIDEWALK REPAIR PROJECT

Corporate Counsel, Amber Lapaich addressed the Board advising Walsh & Kelly, Inc. was the lowest most responsive bidder in the amount of $375,661.00; recommending issuing the Notice of Award to Walsh & Kelly, Inc. for this project.

Virginia Keating made the motion to award the bid for the 2019 City Wide Sidewalk Repair Project to Walsh & Kelly, Inc. in the sum of $375,661.00. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

AWARDING OF BIDS – 2019 Community Crossings Matching Grant (CCMG) Eastport Resurfacing Project – Haas & Associates

- Division 1- Pleasant Avenue from Michigan Boulevard to Holliday Street
- Division 2- Ridgeland Avenue from Michigan Boulevard to Holliday Street

Corporate Counsel, Amber Lapaich addressed the Board advising Walsh & Kelly, Inc. was the lowest most responsive bidder in the total amount of $95,763.50; recommending issuing the Notice of Award to Walsh & Kelly, Inc. for both Division 1 and Division 2.

Vice-President Murphy made the motion to award the bid for the 2019 Community Crossings Matching Grant (CCMG) Eastport Resurfacing Project to Walsh & Kelly, Inc. for both Division 1 and Division 2 in the total sum of $95,763.50. The motion was seconded by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

AWARDING OF BIDS – 2019 Michigan City Grant Paving Project (CCMG) – Global Engineering and Land Surveying

- Division 1 – Springland Avenue from IN-212 to Royal Road
- Division 2 – Tall Timbers Drive from Springland Avenue to South Dead End
- Division 3 – Tall Timbers from Tall Timbers Drive to West Dead End
- Division 4 – Willow Springs Drive from Springland Avenue to South Dead End
- Division 5 – Willow Springs Drive from Willow Springs Drive to West Dead End
- Division 6 – White Birch Drive from Tall Timbers Drive to Willow Springs Drive
- Division 7- Barker Avenue from West Dead End to Woodland Avenue
- Division 8 – Vail Street from Michigan Boulevard to Springland Avenue

Corporate Counsel, Amber Lapaich addressed the Board advising Rieth-Riley Construction Company Inc. was the lowest most responsive bidder; recommending issuing the Notice of Award to Rieth-Riley Construction Company, Inc. for Divisions 1-8 in the amount of $1,860,690.91; rejecting both alternates for Division 7.

Virginia Keating made the motion to award the bids for the 2019 Michigan City Grant Paving Project (CCMG) – Global Engineering and Land Surveying to Rieth-Riley Construction Company, Inc. for Divisions 1-8 in the sum of $1,860,690.91; and rejecting both alternates in
Division 7. The motion was seconded by Vice-President Murphy and carried as follows:
AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

REQUEST FOR STREET CLOSURE – Michael T. Eaton, Delta III, Inc. is requesting approval for street closure (approximately 300 feet) from Westwind Drive to Franklin Street at Centier Bank for a sewer tap connection on June 24-25, 2019 from 7:00 a.m. – 3:30 p.m. weather permitting

Michael Eaton, Delta III, Inc. addressed the Board asking for approval for the street closure.

Charles “Spike” Peller, City Engineer addressed the Board stating he is fine with the request as long as they use proper signage that meets MUCTD requirements.

Vice-President Murphy made the motion to approve the request for street closure by Michael T. Eaton, Delta III, Inc.; closure from Westwind Drive to Franklin Street at Centier Bank for a sewer tap connection on June 24-25, 2019 from 7:00 a.m. – 3:30 p.m.; weather permitting. The motion was seconded by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

LIABILITY INSURANCE POLICY – Charles Keene, General Insurance Services, is presenting Insurance coverage options for the skydive/parachute exhibition at the Michigan City Patriotic Parade – Policy term: 06/29/2019 to 06/30/2019

Charles Keene, General Insurance Services addressed the Board presenting the Spectator Liability Insurance for the 2019 Michigan City Patriotic Parade on June 29, 2019; advising this policy is designed to protect the public in the event of an accident; explaining the coverage the Board has approved in the past.

Virginia Keating made the motion to approve the liability insurance policy for the skydive/parachute exhibition at the 2019 Michigan City Patriotic Parade; policy term 06/29/2019 to 06/30/2019; the limit being five (5) million dollars in the sum of $1,020.00. The motion was seconded by Vice-President Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

REVOLVING LOAN REQUEST – Clarence Hulse, Economic Development Corporation, Michigan City, is requesting approval for Revolving Loan Funds for Meyer Glass & Mirror Company, Inc. in the amount of $40,000.00

Clarence Hulse, Director, Economic Development Corporation Michigan City, addressed the Board explaining his request for Revolving Loan Funds for Meyer Glass & Mirror Company, Inc. in the amount of $40,000.00; advising this is a three (3) year loan; asking for approval.

Vice-President Murphy made the motion to approve Revolving Loan request for Meyer Glass & Mirror Company, Inc. presented by Clarence Hulse, Director, Economic Development Corporation, Michigan City in the amount of $40,000.00. The motion was seconded by Virginia Keating and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

POLICY CHANGE – Amber Lapaich, Corporate Counsel, is asking to amend the Michigan City Horizontal Directional Drill Policy for Third Person Seeking Permission to Horizontally Drill Under any City Street, Right-of-Way, or City Owned Property
Amber Lapaich, Corporate Counsel, addressed the Board stating Engineers and the Sanitary District have requested additional changes to the Horizontal Direction Drill Policy and Application; explaining some of the major changes that are being made to the Policy and Application.

Discussion ensued between President Janus, Counsel Lapaich and Charles “Spike” Peller, City Engineer, regarding if there is a time limit to repair property that is damaged. Mr. Peller stated he will determine this. Counsel Lapaich explained we are diligent about getting the Certificates of Insurance and making sure the City, Water Department and Sanitary District is named as additional insured.

Virginia Keating made the motion to approve the amendments to the Michigan City Horizontal Directional Drill Policy for Third Person Seeking Permission to Horizontally Drill Under any City Street, Right-of-Way, or City Owned Property. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**APPROVAL OF SUPPLEMENTAL AGREEMENT** – Shannon Eason, Assistant Park Superintendent is requesting approval of the amendments to Supplemental Agreement No. 6 between the City of Michigan City Board of Public Works and Safety and Butler, Fairman and Seufert, Inc. for the design of the improvements of the Singing Sands Lighthouse Trail – Phase I- Des No. 0301165 – Total overall fees remain at $359,000.00

Corporate Counsel, Amber Lapaich addressed the Board stating Butler, Fairman and Seufert, Inc. are the Engineers that are designing the Singing Sands Trail; advising the amendments are not increasing the overall cost of contract; explaining monies are just being moved around in the contract to cover different scopes; further stating the underlying amount in the contract remains the same.

Discussion ensued between President Janus and Counsel Lapaich regarding if this project has started. Counsel Lapaich advised it has been bid out, but she is not sure if the project has been awarded.

Vice-President Murphy made the motion to approve Supplemental Agreement No. 6 between the City of Michigan City Board of Public Works and Safety and Butler, Fairman and Seufert, Inc. for the design of the improvements of the Singing Sands Lighthouse Trail – Phase I – Des No. 0301165; total overall fees remain at $359,000.00; and amounts in the contract will be amended per what is proposed. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**AMENDMENT TO AGREEMENT** – Andrea Smith, Personnel Director is requesting approval of an amendment to the Contractor Professional Services Agreement between the City of Michigan City Board of Public Works and Safety and Waggoner, Irwin, Scheele & Associates for consulting services to conduct a job classification and compensation study – amending verbiage in the agreement statement

Corporate Counsel, Amber Lapaich addressed the Board stating the overall amount of the contract is not increasing; advising monies are being moved around internally within the contract to cover additional fees.
Virginia Keating made the motion to approve the amendment to the Contractor Professional Services Agreement between the City of Michigan City Board of Public Works and Safety and Waggoner, Irwin, Scheele & Associates for consulting services to conduct a job classification and compensation study- amending verbiage in the agreement statement; adding there will be no increase in overall costs. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**ALCO AGREEMENT** – Mike Dempsey, Director of Operations, Access LaPorte County, Inc. is requesting the Second Amendment to the Third Extension of Agreement for Government Access Channel Programming (Channel 97) Public Access Channel Programming (Channel 99) and Public Access Studio between the City of Michigan City Board of Public Works and Safety and Access LaPorte County, Inc. (ALCO) to provide payments monthly rather than quarterly; commencing in July 2019

Corporate Counsel, Amber Lapaich addressed the Board stating this is just a change to the contract; advising ALCO would like payments provided monthly rather than quarterly.

Vice-President Murphy made the motion to approve the amendment between Access LaPorte County (ALCO) and the City of Michigan City to provide payments monthly rather than quarterly; commencing in July 2019. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**APPROVAL OF CONTRACTS** - Abigale Thayer Kuchta, Event Coordinator is requesting approval of the following contracts to secure performances at the Michigan City Patriotic Parade to be held on Saturday, June 29, 2019

- Michigan City Municipal Band in the amount of $500.00
- Costume World in the amount of $1,050.00

Virginia Keating made the motion to approve the contracts to secure performances at the Michigan City Patriotic Parade to be held on Saturday, June 29, 2019; the payments to be made to the Michigan City Municipal Band in the amount of $500.00; and Costume World in the amount of $1,050.00. The motion was seconded by Vice-President Murphy and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**

**REQUEST FOR PARKING SPOTS** – Mayor Ron Meer is requesting approval to provide two (2) ADA (Americans with Disabilities Act) parking spots located in front of the High Praise Ministries Church located at 301 E. 9th Street

Charles “Spike” Peller, City Engineer addressed the Board stating he looked at the situation; advising there are existing parallel parking spots in front of the church; explaining the request is to set signage that reads “for ADA parking”; explaining Mayor Meer is asking for approval of this request.

Vice-President Murphy made the motion to approve two (2) ADA parking spots located in front of the High Praise Ministries located at 301 E. 9th Street. The motion was seconded by Virginia Keating and carried as follows: **AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.**
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 Murphy and carried as follows: AYES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

The Board signed: Payroll items in Register of Claims for informational purposes (which Register is in the possession of the City Controller) as follows:

<table>
<thead>
<tr>
<th>Page</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 of 5</td>
<td>06/17/2019</td>
<td>$1,377,582.86</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Page</th>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 of 13</td>
<td>06/07/2019</td>
<td>$625,982.48</td>
</tr>
</tbody>
</table>

UNFINISHED BUSINESS

President Janus stated the first item on the Pending Item List - 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

Vice-President Murphy stated the Controller’s Office is still in the process of researching this matter; advising he will have an update soon; recommended this item stay on the pending items/unfinished business list.

President Janus stated the next item on the Pending Item List is a request for Sean Fitzpatrick – request for street lights on Pahs Road for pedestrian safety

Charles “Spike” Peller, City Engineer addressed the Board stating he is still working with the County on this request; this will be revisited at the next Board of Public Works and Safety meeting on July 1, 2019.

President Janus stated the next item on the Pending Items List is Attorney Barry McDonnell, representing McDonald’s Real Estate Company, requesting acceptance of Deed of Dedication for new public right-of-way (alley)

This item is on the pending list, pending the construction of the alley being completed; per the Planning Department.
President Janus stated the next item on the Pending Item List is a request for the order to demolish 111 Franklin Street

This item was continued for 60 days; will be revisited at the Board of Public Works and Safety meeting on July 1, 2019.

President Janus stated the next 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.

President Janus stated the last item on the Pending Item List is a request for the sale of Fogarty Street Property – Parcel #460121361005000022 (this was tabled from the May 6, 2019 meeting)

This item will stay on the pending items/unfinished business list for six (6) months – report back at the November 18, 2019 meeting.

PUBLIC COMMENTS

President Janus asked if there were any public comments.

Charles “Spike” Peller, City Engineer addressed the Board stating he received a request from Mayor Ron Meer to place crosswalks on Franklin Street at Homer and Charles Streets for pedestrian safety; advising he is investigating this request; recommending approval.

Vice-President Murphy made the motion to approve the request to add crosswalks on Franklin Street at Homer and Charles Streets for pedestrian safety. The motion was seconded by Virginia Keating and carried as follows: YES: MEMBERS Janus, Murphy and Keating (3). NAYS: None (0). Motion Carries.

BOARD COMMENTS

President Janus asked if there were any Board comments; stating he has been traveling on Garfield going westbound; advising on the corner of York Street the Social & Learning Institute is parking their busses on York Street; explaining a four (4) way stop would make it easier at that intersection.

Charles “Spike” Peller, City Engineer addressed the Board stating he will investigate the matter and report back at the next meeting on Monday, July 1, 2019.

ADJOURNMENT

President Janus stated as there were no other items on the agenda to be considered by the Board at this time, declared the meeting ADJOURNED (approximately 9:03 a.m.). Virginia Keating made the motion to adjourn. The motion was seconded by Vice-President Murphy and carried as follows: YES: MEMBERS Janus, Murphy and Keating (3). NAYS: (0). Motion Carries.