REGULAR MEETING – June 20, 2017

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, June 20, 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 June 6, 2017.

Councilman Przybylinski made a motion to approve the Regular meeting minutes held on June 6, 2017; second by Councilman Hamilton and Councilwoman Carnes. 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 June 20, 2017. The Finance Committee met this evening prior to the Council meeting to review claims filed since the June 6, 2017 meeting. Committee members Przybylinski, Silvas and Dabney were present. Claims reviewed totaled $241,486.80. All of which is against the Riverboat Fund #9000. A motion was made by Councilwoman Silvas to pay the claims and seconded by Councilman Dabney. The Finance Committee voted unanimously to recommend to the council payment of the claims. The meeting was called to order by Chairman Przybylinski at 6:10 pm. The meeting was adjourned at 6:15 pm with a motion by Councilwoman Silvas, seconded by Councilman Dabney, and unanimously approved.

There was one addition to the claims docket of $140.00 for legal services for James Meyer & Associates, which was recommended to be approved by the Finance Committee, which brings the total of the docket to $241,486.80.

The summary of claims is as follows:

1. $21,335.05 to Haas & Associates for 2017 projects;
2. $51,502.50 to Global Engineering & Land Surveying for 2017 Community Crossing project;
3. $4,151.25 to DH2W Architecture for exterior repairs to Lighthouse;
4. $74,958.00 to ProPump & Controls, Inc. to rebuild pumps at Golf Course;
5. $59,400.00 to Midwest Golf & Turf for 22 golf carts;
6. $30,000.00 to Alternative Support Apparatus LLC for ATV for Park;
7. $140.00 to James Meyer & Associates for legal services.

Submitted by Finance Chairman Przybylinski

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 advised First Lady Agnus Meer would be introducing Mayor Ron Meer for the 2017 State of the City Address.

Mrs. Agnus Meer welcomed everyone to the 2017 State of the City Address; introducing Mayor Ron Meer.

Mayor Ron Meer addressed the Council and public presenting the 2017 State of the City Address. (Note: copy of presented material on file in the City Clerk’s Office)

President Schwanke introduced Mr. Ron Miller, President of the Michigan City Community Enrichment Corporation.

Ron Miller, President of the Michigan City Community Enrichment Corporation addressed the Council giving them an update on the 2017 Grant Application process.

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 $241,486.80 and Fund #0417 – Boyd Development $0.

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

PETITIONS

There were no petitions.

COMMUNICATIONS

There were no communications received.
RESOLUTIONS

President Schwanke advised there were no Resolutions this evening.

ORDINANCE

The Clerk read the following proposed ordinance on second reading by title only, CREATING SECTION 2-409 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO ESTABLISH A RESTRICTED, NON-REVERTING MARKETING/PROMOTIONAL FUND

Introduced by: Allan Whitlow

Councilman Whitlow requested the proposed ordinance be moved to third reading this evening if there were no objections; advising Ms. Kesha Pate was present this evening if anyone had any further questions for her.

President Schwanke asked if there were any comments from the public; there was no response; asking if there were any objections to third reading on the proposed ordinance this evening; there was no response/objection; asking the Clerk to read the proposed ordinance on third reading by title only.

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

MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. 4437
CREATING SECTION 2-409 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO ESTABLISH A RESTRICTED, NON-REVERTING MARKETING/PROMOTIONAL FUND

WHEREAS, the City intends to purchase and sell merchandise to promote and advertise the City of Michigan City, Indiana; and

WHEREAS, the need exists to create a restricted, non-reverting fund to be used to receive and disburse funds to be used for the purchase and sale of City promotional merchandise, and to specify how said funds may be spent.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, Indiana, that Section 2-409 shall be created in Chapter 2 of the Michigan City Municipal Code and shall read as follows:

Sec. 2-409. Marketing/Promotional Fund. There is hereby established a Marketing/Promotional Fund. This Fund shall be a restricted, non-reverting fund. The purpose of this Fund shall be for the receipt and disbursement of funds for the purchase and sale of City promotional merchandise, and all revenues from such sales shall be deposited into the Fund and those funds shall only be used by the City for expenditures directly related to the purchase of marketing/promotional materials, supplies, merchandise and services to promote the City of Michigan City, Indiana. The City shall not use the funds in its Marketing/Promotional Fund for any other purposes than those stated herein and such funds shall be administered by the Controller.

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/ Allan Whitlow, Member
Michigan City Common Council
Passed by the Common Council of the City of Michigan City, Indiana, this 20th day of June, 2017 by a vote of 9 to 0.

/s/ Chris Schwanke, President
Michigan City Common Council

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

Councilwoman Boy advised this is creating a fund for the marketing/promotional items and that the Council is not allocating funds for this, just creating a place to put the funds when they are generated.

Councilman Whitlow made the motion to approve the proposed Ordinance; Councilwoman Boy seconded the motion.

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 Bietry, Boy, Dabney, Carnes, Hamilton, Przybylinski, Schwanke, Silvas and Whitlow (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 second reading by title only, **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BOYD DEVELOPMENT FUND FOR ENGINEERING COSTS TO PERFORM AN OVERLAY DISTRICT TRANSPORTATION ANALYSIS & U.S. 12 THOROUGHFARE PLAN**

**Introduced by:** Tim Bietry

Councilman Bietry explained the proposed ordinance is the result of the Mayor’s suggestion at the workshop on this issue that the City accept responsibility for doing the overlay district transportation analysis and some thoroughfare planning, which was asked that the developers do and they felt it was premature to ask them to do that prior to their development plans; and the Mayor offered that the City should take that up; advising that is what this proposed ordinance does; advising Craig Phillips, City Planner was present this evening; asking to expedite this by having second and third reading this evening if there are no objections from the Council.

President Schwanke stated there would be a Formal Public Hearing on this tonight; advising the Formal Public Hearing was now open; repeating three times, is there any comments from the public; there was no response and the Formal Public Hearing was closed; asking if there were any comments from the Council.

Discussion ensued between Councilman Hamilton and Mr. Phillips regarding when the study will be done; Mr. Phillips stated if the proposed ordinance was approved this evening the study would begin now as they are under contract with the consultants that they would already be using for this and that it would be worked into their current schedule and get started right away this summer.

Further discussion ensued between Councilman Przybylinski and Mr. Phillips regarding hiring a local consultant to do this study. Mr. Phillips explained the consultants they are using, Kendig Keast, are part of a contract they already have and is the simplest way for us to go about doing this; explaining the contract is with Kendig Keast Collaborative to study this area already as part of the comprehensive plan scope, and they already have a contract with the sub-consultant American Structurepoint to work on this project as well.

Discussion continued between Councilman Przybylinski and Mr. Phillips regarding hiring a local consultant to do the study. Mr. Phillips commented on time lines for the project if
they were to use a local consultant versus using the consultants already hired for the comprehensive study, of which this will become part of.

Councilman Przybylinski stated in the future for projects he would like to see Michigan City businesses as well as LaPorte County businesses get the work.

Discussion ensued between Councilman Dabney and Mr. Phillips regarding how long this thoroughfare plan and traffic study will take. Mr. Phillips stated this phase of the project is expected to take three (3) to six (6) months.

Councilman Whitlow commented about what he said in the workshop on this project, about a month or so ago now, that when this concept/idea came up to do this now as an incentive for developers to develop in that area, that it was a good idea; and that he supports it, understanding where Councilman Przybylinski is also coming from with regards to using local companies.

Mr. Phillips commented that this would just be enhancing the contract that is already in the works for this type of study/project.

President Schwanke asked if there were any other comments from the Council; there was no response; asking Councilman Bietry if he was asking for third reading tonight.

Councilman Bietry moved, without objection, to move the proposed ordinance to third reading this evening.

President Schwanke asked if there were any objections to having third reading; there was no response; asking the City Clerk to read the proposed ordinance without objection by title only on third reading.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4438

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BOYD DEVELOPMENT FUND FOR ENGINEERING COSTS TO PERFORM AN OVERLAY DISTRICT TRANSPORTATION ANALYSIS & U.S. 12 THOROUGHFARE PLAN

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 for engineering costs to perform an Overlay District Transportation Analysis & U.S. 12 Thoroughfare Plan for the overlay district generally bound by Lake Michigan, U.S. 12, Krueger Avenue, Monrovia Drive, and Oriole Trail, and Avondale Drive in Michigan City, Indiana, which said analysis shall be performed during summer months when this area experiences high traffic capacity; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Boyd Development Fund #0417 to be appropriated for that purpose.

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

<table>
<thead>
<tr>
<th>AMOUNT REQUESTED</th>
<th>AMOUNT APPROPRIATED</th>
</tr>
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<tbody>
<tr>
<td>DECREASE Boyd Development Fund # 0417 Unappropriated balance</td>
<td>$ 20,000.00</td>
</tr>
</tbody>
</table>
INCREASE ACCOUNT # 0417 0000 03 431.002
Engineering Services $ 20,000.00

TOTAL FOR FUND $ 20,000.00

This Ordinance to be effective upon passage by the Council, approval by the Mayor, any necessary publication, and any necessary approval by the Indiana Department of Local Government Finance.

INTRODUCED BY: /s/ Tim Bietry, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this 20th day of June, 2017 by a vote of 9 to 0.

/s/ Chris Schwanke, President
Michigan City Common Council

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

Councilman Bietry made the motion to approve the proposed Ordinance; Councilwoman Boy seconded the motion.

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 Boy, Dabney, Carnes, Hamilton, Przybylinski, Schwanke, Silvas, Whitlow and Bietry (9). NAYS: None (0).

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); advising they were still looking for nominations.

Councilman Dabney nominated Amy Penrod; supported by President Schwanke contingent on verification of the nominee’s address; commenting this has been the issue in the past, to find someone who actually lives in that area; advising the Council now has an “Applicant Review Committee” and trusts that will be scheduled shortly.

Councilman Bietry commented on not having the Applicant Review Committee scheduled to interview the applicant; and will have a meeting with the committee members to collaborate on what they would like to ask the candidates, and will have that meeting prior to interviewing any candidates themselves; further stating he doesn’t think the fact that they didn’t have a committee meeting on her should preclude us from voting on her as the Council has been doing it this way for six (6) years.

Discussion ensued between President Schwanke and Councilman Bietry regarding having ample time, as the Council is only taking nominations today, and will vote on this in approximately two (2) weeks to get a recommendation back to the Council from the committee. Councilman Bietry reiterated he did want to meet with the committee members prior to interviewing candidates.
President Schwanke asked if there were any other nominations at this point; there was no response.

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

NEW BUSINESS

President Schwanke asked if there was any other New Business; advising a new Council Committee Assignment sheet was prepared to add the Applicant Review Committee; removing the M.O.G. Committee (NICTD/Southshore), which was replaced by the new NICTD Committee created by the Mayor’s Office; asking again if there was any other new business; there was no response.

COMMENTS FROM THE PUBLIC

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

COMMENTS FROM THE COUNCIL

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

Councilwoman Carnes invited the public to a free seminar at City Hall on Thursday, June 29, 2017 at 6:00 p.m. with Historian Glory June Greiff will present a free public seminar on the story of Washington Parks and Indiana Historic Structures that as a legacy of Franklin Delanore Roosevelt’s New Deal; sponsored by the Washington Park Zoological Society and the Michigan City Historical Society; commenting that Ms. Greiff wrote the application to put Washington Park on the National Register of Historic Places back in the late 1980’s.

Councilman Whitlow reported as the Council Liaison to the Redevelopment Commission on the Ohio Street project that there will be upcoming workshops between the Council and the Redevelopment Commission this summer for discussion of that project.

Councilwoman Boy reminded everyone that the Kiddie Parade is on Friday, June 30, 2017; and the Fourth of July Parade is on Saturday, July 1, 2017; wishing everyone a happy and safe 4th of July.

Councilman Bietry “thanked” Mayor Meer for the State of the City Address; commenting on the information that was presented and the accomplishments made.

President Schwanke asked if there were any other comments from the Council; there was no response; stating he would entertain a motion for adjournment.

ADJOURNMENT

A motion by Councilman Hamilton, supported by Councilwoman Boy and there being no further business to transact, President Schwanke declared the meeting ADJOURNED (approximately 7:42 p.m.)

Gale A. Neulieb, City Clerk