



**FILED**

**MAY 16 2025**

**GALE A. NEULIEB  
CITY CLERK  
CITY OF MICHIGAN CITY**

## **A G E N D A**

### **COMMON COUNCIL – IN PERSON - REGULAR MEETING**

**Tuesday, May 20, 2025**

Meeting to be held at **6:30 p.m.**, local time,  
in the Council Chambers, City Hall 100 E. Michigan Blvd.  
and **Hosted by “Hybrid/Zoom” and streaming live on the**  
**Access LaPorte County Facebook page**  
See attached to connect to “Hybrid/Zoom.”

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#### **CALL TO ORDER BY COUNCIL PRESIDENT**

#### **PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER**

#### **ROLL CALL**

#### **APPROVAL OF MINUTES**

Regular Council (Hybrid/Zoom) May 6, 2025

#### **REPORTS OF STANDING COMMITTEES**

#### **FINANCE COMMITTEE MEETING**

## **CLAIMS DOCKET**

**May 20, 2025**

Fund #2235 – Riverboat – Claims -	\$	0.00
EFT	\$	0.00
Rainy Day (Fund 2236)	\$	0.00
Fund #2504 – Boyd Development -	\$	0.00
EFT	\$	0.00
<b>TOTAL CLAIMS</b>	<b>\$</b>	<b>0.00</b>

## **REPORTS FROM BOARDS AND COMMISSIONS**

## **REPORTS OF SPECIAL or SELECT COMMITTEES**

## **REPORTS from MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS**

Sacha Gee Burns, Environmental Educator and Public Outreach of LaPorte County Solid Waste District, presenting "Recycle Smart: Do Your Part"

## **PETITIONS**

## **COMMUNICATIONS**

Correspondence was received in the Clerk's Office on May 9, 2025, from Chad Reidl regarding the proposed Substance Abuse Recovery Home .

A notice was received in the Clerk's Office on May 5, 2025, from IDEM regarding preliminary findings for the renewal of a minor source operating permit (MSOP).

## **RESOLUTIONS**

### **WAIVING THE BUILDING PERMIT FEE AND INSPECTION FEES FOR ST. STANISLAUSE CATHOLIC CHURCH**

**Introduced by: Daisy Lee**

### **A RESOLUTION INCREASING AND DECREASING CERTAIN APPROPRIATIONS WITHIN THE BUDGET OF THE PROMISE SCHOLARSHIP FUND #2312 FOR THE YEAR 2025 IN MICHIGAN CITY, INDIANA**

**Introduced by: Bryant Dabney**

## **ORDINANCES**

### **ORDINANCE 1<sup>st</sup> Reading**

### **AMENDING SEC. 78-6 IN THE MICHIGAN CITY MUNICIPAL CODE KNOWN AS DRINKING IN PUBLIC AND PRIVATE AREAS (DORA)**

**Introduced by: Greg Coulter**

**ORDINANCE  
2<sup>nd</sup> Reading**

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF  
THE GOLF NON-REVERTING FUND #2508 FOR THE PARKS  
DEPARTMENT**

**Introduced by: Bryant Dabney**

**(DECREASE Golf Non-Reverting Fund #2508 Unappropriated balance  
\$75,000.00. INCREASE ACCOUNT #2508000.429.013 \$75,000.00  
Golf Pro Merchandise)**

**Advertised in the  
Herald Dispatch  
May 7, 2025**

**Formal Public  
Hearing will be held  
May 20, 2025**

**ORDINANCE  
2<sup>nd</sup> Reading**

**ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF  
MICHIGAN CITY, INDIANA AUTHORIZING THE ISSUANCE OF  
THE CITY'S TAXABLE ECONOMIC DEVELOPMENT TAX  
INCREMENT REVENUE BONDS IN ONE OR MORE SERIES  
RELATING TO PROJECTS TO BE LOCATED IN THE TRYON  
MEADOW ECONOMIC DEVELOPMENT AREA, THE PROVISION OF  
THE PROCEEDS THEREOF TO TRYON MEADOW LLC OR AN  
AFFILIATE THEREOF, THE ESTABLISHMENT OF AN ECONOMIC  
DEVELOPMENT TARGET AREA, AND APPROVING AND  
AUTHORIZING OTHER ACTIONS IN RESPECT THERETO**

**Introduced by: Tracie Tillman  
Bryant Dabney**

## NEW BUSINESS

## UNFINISHED BUSINESS

## COMMENTS FROM THE PUBLIC

## COMMENTS FROM THE COUNCIL

## ADJOURNMENT



Gale A. Neulieb, City Clerk

You are invited to a Zoom webinar.

When: **Tuesday, May 20, 2025, 6:30 PM** Central Time (US and Canada)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84298000057?pwd=RXVRUkhobXI2aVE2R1UUR0VEVTI3dz09>

Passcode : 463601

Webinar ID: 842 9800 0057 Passcode: 463601 Or One tap mobile:

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Agenda May 20, 2025

Posted May 16, 2025

**MICHIGAN CITY COMMON COUNCIL**

**RESOLUTION NO. \_\_\_\_\_**

**WAIVING THE BUILDING PERMIT FEE AND INSPECTION FEES FOR ST.  
STANISLAUSE CATHOLIC CHURCH**

**WHEREAS**, St. Stanislaus Catholic Church (hereinafter referred to as “Church”), which is located at 109 Ann Street in Michigan City, Indiana, is currently in the process of significant restorations to its’ building that will be completed in phases (hereinafter referred to as “Project”); and

**WHEREAS**, the first phase of the Project involves cleaning and restoration of the Bell towers; and

**WHEREAS**, the Church is requesting that the City waive the building permit fee and inspection fees for Phase 1 of Project to lessen the financial burden on the Church for the Project; and

**WHEREAS**, the Michigan City Planning & Inspection Department has advised that the building permit fee for the Project (Phase 1-Bell Towers and Alternate 1-Cleaning the Towners) is \$14,490.00 with additional inspections not expected to exceed \$1,000.00 for an anticipated total waiver amount not to exceed \$15,490.00; and

**WHEREAS**, the Michigan City Common Council, having considered the request, has determined that the waiving of the building permit fee and inspection fees will encourage and assist Church in serving the families in Michigan City, Indiana.

**NOW, THEREFORE, BE IT RESOLVED** the Common Council of Michigan City, Indiana, as follows:

1. The aforementioned “Whereas” sections are incorporated herein as if fully set forth herein.
2. The building permit fees and inspection fees for Phase 1 of the Project in the amounts as set forth above are hereby waived.

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

**INTRODUCED BY:**

\_\_\_\_\_  
Daisy Lee, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this \_\_\_\_\_  
day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Tracie Tillman, President  
Michigan City Common Council

**Approved/Veto (circle one)** by me, this \_\_\_\_\_ day of \_\_\_\_\_,  
2025.

\_\_\_\_\_  
Angie Nelson-Deutch, Mayor  
Michigan City, Indiana

**ATTEST:**

\_\_\_\_\_  
Gale A. Neulieb, Clerk  
City of Michigan City, Indiana

*Prepared by Corporation Counsel Upon Request*

MICHIGAN CITY COMMON COUNCIL

RESOLUTION \_\_\_\_\_

**A RESOLUTION INCREASING AND DECREASING CERTAIN APPROPRIATIONS  
WITHIN THE BUDGET OF THE PROMISE SCHOLARSHIP FUND #2312 FOR THE  
YEAR 2025 IN MICHIGAN CITY, INDIANA**

**WHEREAS**, there exist certain circumstances within the budget of Promise Scholarship Fund #2312 of Michigan City which require increasing and decreasing appropriations for certain line items in that Fund for the year 2025, and more specifically, a need exists to transfer monies from the contractual services to the salaries/wages within the Promise Scholarship Fund.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Michigan City, La Porte County, Indiana, that:

Section 1. Because it is deemed advisable and necessary, in order to meet the circumstances facing the budget of the Promise Scholarship Fund of the City, the Common Council approves the following transfer of appropriations, as listed, to-wit:

**PROMISE SCHOLARSHIP FUND #2312:**

DECREASE: A/C # 2312.000.439.090	
Contractual Services	\$13,952.00
INCREASE: A/C #2312.000.411.013	
Salaries/Wages	\$12,960.00
INCREASE: A/C #2312.000.413.001	
Employers share of FICA	\$ 992.00

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

**INTRODUCED BY:** \_\_\_\_\_  
Bryant Dabney, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Tracie Tillman, President  
Michigan City Common Council

Approved/Vetoed (circle choice) by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Angie Nelson Deutch, Mayor  
City of Michigan City, Indiana

ATTEST:

\_\_\_\_\_  
Gale A. Neulieb, Clerk  
City of Michigan City, Indiana

*Prepared by Corporation Counsel Upon Request*

**MICHIGAN CITY COMMON COUNCIL**

**ORDINANCE NO. \_\_\_\_\_**

**AMENDING SEC. 78-6 IN THE MICHIGAN CITY MUNICIPAL CODE KNOWN AS  
DRINKING IN PUBLIC AND PRIVATE AREAS**

**WHEREAS**, the Michigan City Common Council adopted an ordinance which became codified within the Municipal Code of the City of Michigan City under Sec. 78-6; and

**WHEREAS**, this ordinance makes it unlawful for any person to drink any malt, spirituous, or vinous liquor containing more than one-half of one percent of alcohol by volume, or to hold or to exercise dominion and control over any opened container containing such beverage in specified public areas of the City of Michigan City; and

**WHEREAS**, Sec. 78-6 states, in part, as exceptions to the general prohibition of the ordinance:

*“This section shall not be deemed to make punishable any act which is expressly prohibited or expressly permitted by any law of the State of Indiana; provided further that the provisions of this section shall not prohibit holding, exercise of dominion over, or consumption of such beverages upon any premises licensed for the consumption of such beverages on the premises; or upon any sidewalk wherein the board of works has approved outdoor dining for a restaurant; or at an organized private event upon public premises when a permit has been obtained from the administering authority upon finding that the consumption or sale of such beverages at the particular event will be under sufficient supervision or control and will not be detrimental to the public interest.”*

; and

**WHEREAS**, the Michigan City Common Council has, pursuant to Ind. Code § 7.1-3-31-1 *et seq* has established Designated Outdoor Refreshment Areas which allow for alcohol consumption in curtailed named public areas within Sec. 78-6; and

**WHEREAS**, the City has determined it is in the best interest of the City, its residents, and guests to amend the above quoted paragraph to use language making it clear that the DORAs are exceptions to the prohibition; and

**WHEREAS**, the Common Council finds that the need exists to now amend Sec. 78-6 of the Michigan City Municipal Code in line with that determination.

**NOW, THEREFORE, BE IT ORDAINED**, by the Common Council of the City of Michigan City, Indiana, that Sec. 78-6 is hereby amended in the Michigan City Municipal Code and shall read as follows:

*“This section shall not be deemed to make punishable any act which is expressly prohibited or expressly permitted by any law of the State of Indiana; provided further that the provisions of this section shall not prohibit holding, exercise of dominion over, or consumption of such beverages upon any premises licensed for the consumption of such beverages on the premises; or upon any place wherein the board of works has approved outdoor dining for a restaurant; or within the boundaries of any Designated Outdoor Refreshment Area; or at an organized private event upon public premises when a permit has been obtained from the administering authority upon finding that the consumption or sale of such beverages at the particular event will be under sufficient supervision or control and will not be detrimental to the public interest.”*

All portions of Section 78-6 not specifically referenced within this Ordinance shall remain as written.

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

**INTRODUCED BY:** \_\_\_\_\_,  
Greg Coulter, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2025 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Tracie Tillman, President  
Michigan City Common Council

Approved/Vetoed (circle appropriate action) by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Angie Nelson Deutch, Mayor  
City of Michigan City, Indiana

ATTEST:

\_\_\_\_\_  
Gale A. Neulieb, Clerk  
City of Michigan City, Indiana

*Prepared by Harris Law Firm, P.C. upon Request*

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. \_\_\_\_\_

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE  
GOLF NON-REVERTING FUND #2508 FOR THE PARKS 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 2025 Annual Budget for the Golf Non-Reverting Fund #2508 for the Parks Department; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Golf Non-Reverting Fund #2508 for the Parks Department to be appropriated for that purpose.

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

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Golf Non-Reverting Fund #2508 Unappropriated balance	\$75,000.00	
INCREASE ACCOUNT #2508000.429.013 Golf Pro Merchandise		\$75,000.00
<b>TOTAL FOR FUND</b>	<b>\$75,000.00</b>	

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: \_\_\_\_\_  
Bryant Dabney, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this \_\_\_\_\_  
day of \_\_\_\_\_, 2025 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Tracie Tillman, President  
Michigan City Common Council

Approved/Vetoed (circle choice) by me, this \_\_\_\_\_ day of \_\_\_\_\_  
\_\_\_\_\_, 2025.

\_\_\_\_\_  
Angie Nelson Deutch, Mayor  
City of Michigan City, Indiana

ATTEST:

\_\_\_\_\_  
Gale A. Neulieb, Clerk  
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request

**MICHIGAN CITY COMMON COUNCIL**

**ORDINANCE NO. \_\_\_\_\_**

**ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AUTHORIZING THE ISSUANCE OF THE CITY'S TAXABLE ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS IN ONE OR MORE SERIES RELATING TO PROJECTS TO BE LOCATED IN THE TRYON MEADOW ECONOMIC DEVELOPMENT AREA, THE PROVISION OF THE PROCEEDS THEREOF TO TRYON MEADOW LLC OR AN AFFILIATE THEREOF, THE ESTABLISHMENT OF AN ECONOMIC DEVELOPMENT TARGET AREA, AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO**

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**WHEREAS**, Indiana Code 36-7-11.9 and 12 (collectively, the "Act") declares that the financing and refinancing of economic development facilities constitutes a public purpose; and

**WHEREAS**, pursuant to the Act, the City of Michigan City, Indiana (the "City") is authorized to issue revenue bonds for the purpose of financing, reimbursing, or refinancing the costs of acquisition, construction, renovation, installation, and equipping of economic development facilities in order to foster diversification of economic development and creation or retention of opportunities for gainful employment in or near the City; and

**WHEREAS**, Tryon Meadow LLC, an Indiana limited liability company, and/or one or more subsidiaries, affiliates, designees, joint ventures, and/or related entity thereof (collectively, the "Developer"), desires to finance a residential housing project in multiple phases and related improvements and infrastructure consisting of the construction of: (i) approximately four rental buildings (each with approximately 16 units) in Allocation Area No. 1 (as defined below) ("Project 1"), (ii) approximately four rental buildings (each with approximately 16 units) in Allocation Area No. 2 (as defined below) ("Project 2"), and (iii) approximately thirty-four (34) for-sale single-family homes and fifty-six (56) for-sale townhome units in Allocation Area No. 3 (as defined below) ("Project 3") and together with Project 1 and Project 2, the "Projects", with the total investment for the Projects of approximately \$51,100,000; and

**WHEREAS**, the Michigan City Redevelopment Commission (the "Redevelopment Commission") has established the Tryon Meadow Economic Development Area (the "Area") and has designated portions of the Area as "allocation areas" in accordance with Indiana Code § 36-7-14-39 and Indiana Code § 36-7-14-56, as applicable, including designation of (i) the Tryon Meadow Allocation Area No. 1 ("Allocation Area No. 1"), (ii) Tryon Meadow Allocation Area No. 2 ("Allocation Area No. 2"), and (iii) Tryon Meadow Allocation Area No. 3 ("Allocation Area No. 3") and together with Allocation Area No. 1 and Allocation Area No. 2, the "Allocation Areas") for the purposes of capturing incremental ad valorem property taxes levied and collected on all taxable real property in each of such Allocation Areas; and

**WHEREAS**, each of the Allocation Areas has been designated for the purpose of capturing incremental ad valorem property taxes levied and collected on all taxable real property in each of such Allocation Areas (the captured incremental property taxes from each, the “Allocation Area No. 1 Revenues,” the “Allocation Area No. 2 Revenues,” and the “Allocation Area No. 3 Revenues,” respectively); and

**WHEREAS**, Developer has advised the City, the Commission, and the Redevelopment Commission concerning the Projects, and has requested that the City authorize and issue its taxable economic development tax increment revenue bonds pursuant to the Act in multiple series as follows: (i) one or more series of economic development tax increment revenue bonds to be designated as the “City of Michigan City, Indiana Taxable Economic Development Tax Increment Revenue Bonds, Series 202\_A (Tryon Meadow, LLC Project)” (to be completed with the appropriate year of issuance, or different series designation as determined to be necessary or appropriate) (the “Series A Bonds”), (ii) one or more series of economic development tax increment revenue bonds to be designated as the “City of Michigan City, Indiana Taxable Economic Development Tax Increment Revenue Bonds, Series 202\_B (Tryon Meadow, LLC Project)” (to be completed with the appropriate year of issuance, or different series designation as determined to be necessary or appropriate) (the “Series B Bonds”), and (iii) one or more series of economic development tax increment revenue bonds to be designated as the “City of Michigan City, Indiana Taxable Economic Development Tax Increment Revenue Bonds, Series 202\_C (Tryon Meadow, LLC Project)” (to be completed with the appropriate year of issuance, or different series designation as determined to be necessary or appropriate) (the “Series C Bonds” and together with the Series A Bonds and the Series B Bonds, the “Bonds”), and provide (or be deemed to provide) the net proceeds of each series of the Bonds to the Developer for the purpose of financing a portion of the costs of each of the Projects, respectively, paying capitalized interest (if necessary), and to pay all incidental expenses on account of the issuance of each series of the Bonds; and

**WHEREAS**, as an inducement to the Developer to undertake the development of each of the Projects, the City proposes to issue each series of the Bonds consistent with the terms of this Ordinance, and pursuant to a Trust Indenture for each series of the Bonds, each to be dated as of the date of issuance of the applicable series of the Bonds (each a “Trust Indenture”), by and between the City and a corporate trustee to be selected by the City (the “Trustee”), in order to secure funds necessary to provide (or be deemed to provide) for the financing of a portion of the costs of each of the Projects in accordance with the terms of a separate Financing Agreement with the Developer for each series of the Bonds, each to be dated as of the date of issuance of the applicable series of Bonds (each a “Financing Agreement”), by and between the City and the Developer with respect to the use (or deemed use) of the proceeds of the applicable series of Bonds for the completion of each of the respective Projects; and

**WHEREAS**, the Michigan City Economic Development Commission (the “EDC”) has rendered its report regarding the proposed financing of a portion of certain economic development facilities for each of the Projects to be undertaken by the Developer; and

**WHEREAS**, the EDC has heretofore (i) conducted a public hearing in accordance with Section 24 of the Act and (ii) adopted a resolution subsequent to such public hearing, which resolution has been transmitted hereto, finding that the financing of a portion of certain economic development facilities to be developed by the Developer through the issuance of the Bonds in

multiple series complies with the purposes and provisions of the Act, and that such financing will be of benefit to the health, prosperity, economic stability and general welfare of the City and its citizens; and

**WHEREAS**, the EDC has heretofore approved and recommended the adoption of this form of ordinance by this Common Council of the City (the "Common Council"), has considered the issue of adverse competitive effect and has approved and has transmitted for approval by this Common Council, the forms of a Financing Agreement, a Trust Indenture, and the Bonds (collectively hereinafter referred to as the "Financing Documents") to be used as models for the issuance of each series of the Bonds; and

**WHEREAS**, the Redevelopment Commission has agreed to pledge a portion of the Allocation Area No. 1 Revenues to the repayment of the Series A Bonds (the "Pledged Project 1 TIF Revenues"); and

**WHEREAS**, the Redevelopment Commission has agreed to pledge a portion of the Allocation Area No. 2 Revenues to the repayment of the Series B Bonds (the "Pledged Project 2 TIF Revenues"); and

**WHEREAS**, the Redevelopment Commission has agreed to pledge a portion of the Allocation Area No. 3 Revenues to the repayment of the Series C Bonds (the "Pledged Project 3 TIF Revenues" and collectively with the Pledged Project 1 TIF Revenues and the Pledged Project 2 TIF Revenues, the "Pledged TIF Revenues"); and

**WHEREAS**, no member of this Common Council has any pecuniary interest in any employment, financing agreement or other contract made under the provisions of the Act and related to the Bonds authorized herein, which pecuniary interest has not been fully disclosed to this Common Council, and no such member has voted on any such matter, all in accordance with the provisions of Indiana Code 36-7-12-16; and

**WHEREAS**, the EDC also recommended that the Common Council designate a portion of the Area identified and described on Exhibit A attached hereto and incorporated herein by reference (the "Target Area"), as an "economic development target area" pursuant to Indiana Code § 6-1.1-12.1-7, as amended; and

**WHEREAS**, the Common Council has reviewed such recommendation and determined that such designation will further the economic development and redevelopment purposes of the City.

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

**Section 1.** The foregoing recitals are fully incorporated herein by this reference.

**Section 2.** It is hereby found that the financing of a portion of the economic development facilities for the Projects previously approved by the EDC and described herein, the issuance and sale of the Bonds, the use (or deemed use) of the proceeds of each series of the Bonds by the Developer for the financing of a respective portion of the costs of each of the Projects, the

payment of each series of the Bonds from the applicable Pledged TIF Revenues and other sources pursuant to the Financing Documents, and the securing of the Bonds under a Trust Indenture comply with the purposes and provisions of the Act and will be of benefit to the health, prosperity, economic stability and general welfare of the City and its citizens.

**Section 3.** At the public hearing held before the EDC, the EDC considered whether the Projects would have an adverse competitive effect on any similar facilities located in or near the City. This Common Council hereby confirms the findings set forth in the EDC's resolution, and concludes that the Projects will be of benefit to the health, prosperity, economic stability and general welfare of the citizens of the City. The proposed financing of a portion of the costs of the Projects by the issuance of the Bonds under the Act, in the form that such financing was approved by the EDC, is hereby approved.

**Section 4.** The substantially final forms of the Financing Documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the Clerk of the City (the "Clerk"). In accordance with the provisions of Indiana Code § 36-1-5-4, two (2) copies of the Financing Documents are on file in the office of the Clerk for public inspection.

**Section 5.** The City shall issue the Bonds in multiple series as follows: (i) the Series A Bonds shall be issued in one (1) or more series in the maximum aggregate principal amount not to exceed Three Million Two Hundred Thousand Dollars (\$3,200,000) with a final maturity of not later than twenty-five (25) years after the date of issuance of such series and shall bear interest at a per annum rate not exceeding nine and five tenths percent (9.5%) per annum; (ii) the Series B Bonds shall be issued in one (1) or more series in the maximum aggregate principal amount not to exceed Three Million Two Hundred Thousand Dollars (\$3,200,000) with a final maturity of not later than twenty-five (25) years after the date of issuance of such series and shall bear interest at a per annum rate not exceeding nine and five tenths percent (9.5%) per annum; and (iii) the Series C Bonds shall be issued in one (1) or more series in the maximum aggregate principal amount not to exceed Nine Million Five Hundred Thousand Dollars (\$9,500,000) with a final maturity of not later than twenty (20) years after the date of issuance of such series and shall bear interest at a per annum rate not exceeding nine and five tenths percent (9.5%) per annum. Each series of Bonds authorized hereby shall (i) be dated as of the date of their delivery, (ii) be issuable in the denominations of One Hundred Thousand Dollars (\$100,000) or any integral multiple of One Thousand Dollars (\$1,000) in excess thereof or as set forth in the Financing Documents, (iii) be issuable only in fully registered form, (iv) be subject to registration on the bond register as provided in the Trust Indenture, (v) be subject to optional redemption at any time prior to maturity with the consent of the holder or holders thereof or as otherwise provided in the Financing Documents, and (vi) contain such other terms and provisions as may be provided in the Financing Documents. Each series of the Bonds are to be issued for the purpose of procuring funds to pay (or be deemed to pay) (a) the costs of a portion of the acquisition and construction of each of the respective Projects, as more particularly set out in the Financing Documents, (b) capitalized interest on the Bonds (if necessary), and (c) costs of issuance of the Bonds. Each series of the Bonds shall be numbered R-1 upward. The Bonds of a series shall be special and limited obligations of the City, payable solely from the revenues and other amounts derived from the Financing Documents, including any modifications and additions to the Financing Documents as authorized by Section 6 hereof, and the respective trust estate created and established under the respective Trust Indenture for each

series of the Bonds (the “Trust Estate”), which Trust Estate shall consist of the funds and accounts created under the applicable Trust Indenture together with a pledge of the respective Pledged TIF Revenues and other sources pursuant to the applicable Financing Agreement and upon such terms and conditions as otherwise provided in the Financing Documents and this Ordinance. The Bonds shall never constitute a general obligation of, an indebtedness of, or charge against the general credit of the City.

**Section 6.** The Mayor, Clerk and Controller of the City (the “Controller”) are, and each of them is, authorized and directed to execute, attest and affix or imprint by any means the seal of the City to the Financing Documents approved herein on behalf of the City and any other document which may be necessary or desirable prior to, on or after the date hereof to consummate or facilitate the transaction, including the Bonds authorized herein. The Mayor, Controller and Clerk are, and each of them is, hereby expressly authorized to approve any modifications or additions to the Financing Documents which take place after the date of this Ordinance without further approval of this Common Council or the EDC if such modifications or additions do not affect the terms set forth in this Ordinance or the terms required to be addressed in the Financing Documents pursuant to Indiana Code 36-7-12-27(a)(1)-(10). The approval of said modifications or additions shall be conclusively evidenced by the execution and attestation thereof. The signatures of the Mayor and Clerk on the Bonds may be either manual or facsimile signatures. Each of the Controller and the Clerk is authorized to arrange for delivery of such Bonds to the Trustee, and payment for the Bonds will be made (or deemed to be made) to the Trustee, and after such payment, the Bonds will be delivered by the Trustee to the purchaser thereof. If the Bonds of a series are sold to a purchaser that so agrees, the City may receive payment for such series of Bonds in installments (or deemed installments), and principal shall not be payable and interest shall not accrue on such series of Bonds until such principal amount has been advanced pursuant to requests made by, or on behalf of, the City to such purchaser. In the event that the total principal amount of the Bonds sold to such purchaser is not advanced to the City, the principal amount of such series of Bonds shall be reduced accordingly.

**Section 7.** The provisions of this Ordinance and the Financing Documents securing the Bonds shall constitute a contract binding between the City and the holders of the Bonds, and after the issuance of the Bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders of the Bonds so long as the Bonds or the interest thereon remains unpaid.

**Section 8.** This Common Council does hereby acknowledge and approve the pledge of the respective Pledged TIF Revenues to the payment of the applicable series of Bonds pursuant to the respective Trust Indenture. Pursuant to Indiana Code 5-1-14-4, the pledge of the respective Pledged TIF Revenues pursuant to the respective Trust Indenture is intended to be binding from the time the pledge is made, with such Pledged TIF Revenues so pledged and thereafter received by the City to be immediately subject to the lien of the pledge without any further act, and the lien of such pledge to be binding against all parties having claims of any kind, in tort, contract, or otherwise against the City, regardless of whether the parties have notice of any such lien.

**Section 9.** This Common Council hereby finds that (a) each of the Projects and the related financing assistance for each such Project as described herein are consistent with the economic development plan for the Area; (b) the Developer would not develop each of the Projects

in the respective Allocation Areas, and the Allocation Areas could not be developed pursuant to the economic development plan, without the financing assistance provided herein; (c) each of the Projects furthers the economic development and redevelopment of the Area; and (d) the Projects will be of benefit to the health, prosperity, economic stability and general welfare of the City and its citizens.

**Section 10.** The Common Council hereby finds that the Target Area has become undesirable for, or impossible of, normal development and occupancy because of lack of development, cessation of growth, deterioration of improvements or character of occupancy, age, obsolescence, substandard buildings or other factors that have impaired value or prevent normal development of property.

**Section 11.** The Common Council further finds that the designation of the Target Area as an economic development target area will not cause the City to exceed the fifteen percent (15%) limit on the geographic territory in the City that may be so designated.

**Section 12.** The Common Council hereby designates the Target Area as an economic development target area for purposes of Indiana Code § 6-1.1-12.1-7, as amended.

**Section 13.** If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**Section 14.** All ordinances, resolutions and orders or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

**Section 15.** It is hereby determined that all formal actions of the Common Council relating to the adoption of this Ordinance were taken in one or more open meetings of the Common Council, that all deliberations of the Common Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, and that all such meetings were convened, held and conducted in compliance with applicable legal requirements, including Indiana Code 5-14-1.5, as amended.

**Section 16.** The Mayor, Controller and Clerk and any other officer of the City are hereby authorized and directed, in the name and on behalf of the City, to execute, attest and deliver such further instruments and documents, and to take such further actions, in the name of the City as in their judgment shall be necessary or advisable in order fully to consummate the transactions described herein and carry out the purposes of this Ordinance, and any such documents heretofore executed and delivered and any such actions heretofore taken, be, and hereby are, ratified and approved.

**Section 17.** This Ordinance shall take effect, and be in full force and effect immediately upon adoption and compliance with Indiana Code § 36-4-6-14.

\* \* \* \* \*

This Ordinance to be effective upon passage by the Council and approval by the Mayor.

INTRODUCED BY:

\_\_\_\_\_  
Tracie Tillman, President  
Michigan City Common Council

\_\_\_\_\_  
Bryant Dabney, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this \_\_\_\_ day of \_\_\_\_\_, 2025 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Tracie Tillman, President  
Michigan City Common Council

(Approved)(Vetoed) by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Angie Nelson Deutch, Mayor of the  
City of Michigan City, Indiana

ATTEST:

\_\_\_\_\_  
Gale A. Neulieb, City Clerk of the  
City of Michigan City, Indiana

## EXHIBIT A

### Map of Economic Development Target Area

Map:



### Legal Description:

Commencing at the Northeast corner of the Northwest Quarter of Section 26, Township 38 North, Range 4 West, Second Principal Meridian, LaPorte County, Indiana; thence South 02 degrees 17 minutes East, 40 feet along the East line of said Northwest Quarter and being the point of beginning of this description; thence continuing South 02 degrees 17 minutes East, 1287 feet along said East line; thence North 87 degrees 18 minutes West, 175 feet; thence North 02 degrees 17 minutes East, 6 feet; thence North 88 degrees 03 minutes West, 189 feet; thence South 52 degrees 43 minutes West, 152 feet; thence South 02 degrees 00 minutes East, 127 feet; thence North 86 degrees 41 minutes East, 12 feet; thence South 02 degrees 17 minutes East, 49 feet; thence South 02 degrees 37 minutes East, 167 feet; thence South 89 degrees 31 minutes West, 531 feet along the south line of the parent tract; thence North 02 degrees 17 minutes West, 998 feet along the west line of said parent tract; thence North 52 degrees 47 minutes East, 565 feet; thence North 73 degrees 37 minutes East, 235 feet; thence North 20 degrees 55 minutes East, 124 feet; thence North 02 degrees 31 minutes West, 181 feet; thence North 89 degrees 25 minutes East, 267 feet along the north line of the parent tract to the point of beginning, containing 27.0 acres more or less.

### Parcel Information:

<b>State Parcel Numbers:</b>	<b>Owner</b>	<b>Address</b>
46-01-26-126-006.000-022	Tryon Meadow LLC	Tryon Road