

REGULAR IN PERSON COUNCIL “HYBRID/ZOOM” MEETING July 15, 2025

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, July 15, 2025, at the hour of 6:30 p.m., Hosted by “Hybrid/Zoom” and streamed live on “My Michigan City” Facebook Page.

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

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

PRESENT: COUNCIL MEMBERS Tim Bietry, Greg Coulter, Daisy Lee, Joe Nelson, Don Przybylinski, and Tracie Tillman (6)

ABSENT: COUNCIL MEMBER Bryant Dabney, Dr. Vidya Kora, and Nancy Moldenhauer (3)

President Tillman advised Councilmembers Dabney, Dr. Kora and Moldenhauer contacted her and will not be in attendance this evening and are excused.

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Council Attorney Tramel Raggs, City Clerk Gale Neulieb, and Deputy Clerk Amanda Pickens

AMENDED AGENDA

President Tillman requested to amend the agenda moving “Public Comments” to be held after the “Finance Committee” report.

Councilman Coulter made a motion to amend the agenda moving “Public comments” on tonight’s agenda to be held after the “Finance Committee” report, second by Councilman Nelson, the motion carried and was approved to amend this evening’s agenda to move “Public Comments” to be held after the “Finance Committee” report is completed by the following vote: **AYES:** Council members Lee, Nelson, Przybylinski, Tillman, Bietry, and Coulter (6) **NAYS:** None (0)

President Tillman asked if there were any reports of standing committee reports?

Councilman Przybylinski called a “Point of Order” requesting to have the approval of the minutes first.

APPROVAL OF MINUTES

President Tillman asked if there were any corrections, deletions, or additions to the Regular “Hybrid/Zoom” Council meeting minutes that was held on Tuesday, July 1, 2025, and the Executive Session held on July 9, 2025.

Councilman Przybylinski made a motion to approve the minutes of the Regular “Hybrid/Zoom” meeting held on July 1, 2025 and the Executive Session minutes held on July 9, 2025, second by Councilman Coulter, the motion carried with the regular July 1, 2025 Council meeting minutes and the Executive Session minutes held on July 9, 2025, were approved by the following vote: **AYES:** Council members Nelson, Przybylinski, Tillman, Bietry, Coulter, and Lee (6) **NAYS:** Council member (0).

REPORTS OF STANDING COMMITTEES

President Tillman asked if there were any standing committee reports, there was no response.

FINANCE REPORT

President Tillman (Chair) stated the Finance Committee did meet this evening July 15, 2025 at 6:00 p.m.; a quorum was present with the absence of Councilman Dr. Kora; stating the revised Michigan City Riverboat/ Boyd Claim Docket for July 15, 2025 was as follows; Riverboat EFT fund #2235 claim was zero; Rainy Day fund #2236 claims were \$15,912.50 paying Schneider Geometrics; and Boyd Development fund #2504 was \$34,000.00 paying Pyrotechnic Fireworks Inc.; with the total claims being \$49,912.50.

Councilman Przybylinski made a motion to approve the July 15, 2025, Riverboat/Boyd Development Claim Docket in the total amount of \$49,912.50, second by Councilman Bietry, the motion carried and the July 15, 2025, Riverboat/Boyd Development Claim Docket in the total amount of \$49,912.50 was approved by the following vote:

AYES: Council members Przybylinski, Tillman, Bietry, Coulter, Lee, and Nelson (6)

NAYS: None (0)

President Tillman advised the statement of cash position for July 15, 2025, Riverboat Fund #2235 was \$3,243,234.04 and the Rainy-Day Fund #2236 was \$1,799,648.71 with the fiscal grand total ending balance was \$5,042,882.75.

COMMENTS FROM THE PUBLIC

President Tillman asked if there were any comments from the public at this time advising that "Public Comments" are for three (3) minutes; and that they are comments and not questions and answers.

Tommy Kulavik, 1316 Ohio Street, addressed the council sending a quick recovery wish for Councilman Dabney; announced that Michigan City Fire Department is currently hiring for firefighters reading the requirements to apply.

Ernie Hullihan, 302 Gladys Street, addressed the council stating he does not agree with moving "Public Comments" to the beginning of the meeting as this does not provide the public input of items on the agenda.

Dakota Euler, 718 Emma Street, invited the council and the public to attend the Midnight Hoops Basketball League at the Michigan City Family YMCA every Sunday through August at 6:30p.m.- 8:30p.m. (ages 13-15) and 9:00 p.m. -12:00 p.m. (ages 16-25).

President Tillman stated this the last call for public comment.

Jim McCay, 111 Mayfield Drive, addressed the council stating his concerns with the construction process and several questions regarding the proposed Data Center project at 402 Royal Road.

President Tillman advised Mr. McCay to submit his questions to the City Clerk's office and she will disperse them to the councilmembers.

President Tillman stated "Public Comment" are closed.

Councilman Przybylinski called a "Point of Order" asking President Tillman to ask for any other public comments.

President Tillman stated she called for Public Comments” repeating three (3) times and indicated “Public Comments” were now closed.

President Tillman explained the reason why “Public Comments” was being moved; that in the past “Public Comments” were always at the end of the Council meeting, but a decision can be made to change when “Public Comments” are going to be done for this meeting.

REPORTS FROM BOARDS AND COMMISSIONS

President Tillman asked if there were any reports from any boards or commissions.

Councilman Bietry, liaison to the Veterans Commission, provided an update of events including a “Military Stand Down” that will address the needs for Veterans on August 23, 2025, from 9:00 a.m. to 3:00 p.m. at the LaPorte Civic Auditorium and that transportation will be provided picking up veterans at the American Legion, Skwiat Post 451.

President Tillman asked if there were any other reports from Boards and Commissions, there was no response.

REPORTS OF SPECIAL or SELECT COMMITTEES

President Tillman asked if there were any reports from special or select committee, there was no response.

REPORTS FROM THE MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS

President Tillman asked if there were any reports from the mayor or other city officers and departments.

Mayor Angie thanked the Michigan City Leadership Academy graduates for hosting the “Midnight Hoops” basketball league; Mayor Angie also addressed the following;

- Stated that public comments are still available after every reading of resolutions and ordinances.
- Update on the “Data Center” stating that a private developer can do as they want on their own property, and that there is no agreement with the City and has asked that the council and herself be removed from the NDA, stating a “Press Release” was sent out last week advising this will not be a community benefit; if the company is to come back they would have to obtain the approval from the council and residents of the benefits it would bring to the community.
- Asking the community to help manage situations before they escalate; advising that over weekend, a pop-up event ended, and that a crowd of young adults relocated to another area, a shooting occurred, which led to a larger gathering where a large number of people became disrespectful and violent with law enforcement stating that is not allowed in Michigan City and that you will be arrested.

Councilman Przybylinski thanked Mayor Angie for taking a stand against these criminal activities.

Mayor Angie advised that a few people could ruin it for the rest of our community and that people would be arrested for being disrespectful.

Councilwoman Lee asked Mayor Angie about the continued construction happening at the “Data Center” site.

Mayor Angie advised that this property is owned by a private investor and this site has had ongoing construction and that they have permits to do what they are doing.

President Tillman asked if the council had any questions or comments for Mayor Angie, there was no response.

Clarence Hulse, Michigan City Economic Development Corporation Director, addressed the council regarding the 2025 CF-1 Compliance reports received; advising that there are currently thirteen (13) total tax abatements and ten (10) companies; that the Tax Abatement Committee met and reviewed that all 2025 CF-1 forms and are in compliant; asking for the council's approval.

Councilman Bietry stated that he previously met with City Clerk Gale Neulieb, Lilana Franco, EDC, prior to the Tax Abatement committee meeting; reading the Tax Abatement Select Committee minutes was held on July 9, 2025.

MINUTES

JULY 9, 2025

TAX ABATEMENT COMMITTEE

Present: Tim Bietry, Chairperson and 4th Ward City Council; Daisy Lee, 2nd Ward City Council; Clarence Hulse, Director of Economic Development Corporation; Liliana Franco, Operations Manager for EDC; Karaline Cartegena, Economic Development Manager for EDC and Drew White from ALCO

Mr. Bietry opened the meeting at 10:00 AM and noted that the Tax Abatement Committee has three members. Two are present so a quorum exists. He briefly described the work that had been done with Liliana Franco and City Clerk Gale Neulieb prior to today's meeting. He was the only committee member present so there was no violation of the Open Door.

Mr. Hulse then gave an informative discussion of what Tax Abatement is about, how it is created, how and why it is evaluated each year, and the responsibilities of the City Council to monitor each request.

This year there were 13 separate abatements up for renewal from 10 different companies. They represent almost \$31,000,000 in Real Estate Investment and over \$45,500,00 in Equipment Investment. After careful consideration of each request, it was determined that the companies had all made a good faith effort to comply with the commitments to the City in terms of investment dollars and work force development.

Councilwoman Lee motioned that the Tax Abatement Committee should approve the requests and recommend approval to the City Council at the next meeting. Councilman Bietry seconded the motion. There being no "nay" votes, the motion passed unanimously.

There were no further comments from those in attendance, so Councilwoman Lee moved to adjourn. Councilman Bietry adjourned the meeting at 10:12 AM

Submitted by Council Chairperson Councilman Tim Bietry

Councilman Bietry made a motion to approve the 2025 Tax Abatement CF-1 forms that were received in the Clerk's Office, second by Councilwoman Lee, the motion carried, and the 2025 Tax Abatement CF-1 forms were approved by the following vote: **AYES:** Council members, Tillman, Bietry, Coulter, Lee, Nelson and Przybylinski, (6) **NAYS:** Council member None (0)

Jeff Loniewski, Cemetery Superintendent, presented their 2025 Annual Report (**NOTE:** This presentation is filed in the Clerk's Office under 2025 "Council Matters").

Discussion ensued between Mr. Loniewski, Council President Tillman, and Council members Coulter, and Przybylinski thanking Mr. Loniewski and Roxanne Derolf, Assistant Superintendent for doing a great job, recommended the Cemetery to get a "Sustainability Award" for making improvements with the Cemetery LED lighting update.

PETITIONS

President Tillman asked Clerk Neulieb if there were any petitions.

Clerk Neulieb read the following petition received in the Clerk's Office.

PETITION FOR ESTABLISHMENT OF ECONOMIC IMPROVEMENT DISTRICT PURSUANT TO INDIANA CODE 36-7-22

President Tillman stated that at the July 14, 2025, Redevelopment Commission meeting Resolution 6-25 **"Michigan City Redevelopment Commission Approving Amendments to the Declaratory Resolution and the Economic Development Plan for the Consolidation of the Economic Development Area for the Purpose of Establishing a New Allocation Area Regarding Certain Related Matters"** was adopted.

Skyler York, Redevelopment Director advised that the City has recently created two (2) LLC's so that the city will be able to move forward to disperse the property and create the Economic Improvement District (EID); advising a board will be established for the Economic Improvement District and the property will transfer to the developers once the funding is in place.

Alan Schathman, SOLA Development Partners, thanked the council for agreeing to adopt the Economic Improvement District (EID); stating that once this is in place it will allow them to start selling bonds that will bring in revenue to help finance the development and that the project will have no financial impact on the city; that without the approval of these bonds this project would be very difficult to finance.

Mr. York advised Councilman Nelson that this is very unique; stating that this is a vertical EID (one building) rather than a horizontal EID and that there are only two (2) in the state of Indiana that are vertical can be found in Hammond and Fort Wayne; advising that they will be coming back to the Council with a formal presentation and the proposed TIF bond regarding the SOLA project.

President Tillman asked if there were any other comments from the council, there was no response.

COMMUNICATIONS

President Tillman asked if there was any correspondence received.

Clerk Neulieb read the following correspondence:

Correspondence was received in the Clerk's Office on July 9, 2025, from the Michigan City Firefighters Association Local 475, regarding opening contract negotiations.

A notice was received in the Clerk's Office on July 8, 2025, from Attorney Alan Sirinek regarding the Notice of Intent to File a Petition for the Establishment of an Economic Improvement District for the SOLA Project.

Correspondence was received in the Clerk's Office on July 7, 2025, from the Michigan City Police Department, regarding the National Night Out event.

A Formal Public Hearing notice was received in the Clerk's Office on June 26, 2025, regarding the proposed Crew Carwash located at 4252 Franklin Street, Michigan City

RESOLUTIONS

The Clerk read the following proposed resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4965

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA GRANTING D. MARTIN ENTERPRISES, INC. AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR DEPRECIABLE PERSONAL PROPERTY INSTALLED AND PLACED INTO SERVICE, PURSUANT TO INDIANA CODE 6-1.1-12.1

WHEREAS, a Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code 6-1.1-12.1 *et seq.* (the “Act”) in the form of deductions of assessed value for: (i) qualified real property improvements under Section 3; (ii) the installation of qualified personal property under Section 4.5; and (iii) of the occupancy of an eligible vacant building primarily used for commercial or industrial purposes under Section 4.8 of the Act, each as a result of new development, redevelopment and/or rehabilitation; and

WHEREAS, Resolution No. 4940 (the “ERA Resolution”) of the Common Council of the City of Michigan City, Indiana (the “Common Council”), as approved and adopted on December 17, 2024, re-designated and re-established a certain area located within the City of Michigan City, Indiana (the “City”), being the entire corporate municipal jurisdiction of the City, as the Economic Revitalization Area (the “ERA”); and

WHEREAS, The ERA Resolution remains in full force and effect as adopted and approved, such that the designation of the ERA and the effectiveness of the ERA Resolution expires on December 31, 2026; and

WHEREAS, D. Martin Enterprises, Inc. (the “Company”), pursuant to Section 4.5(a) of the Act has filed with the Common Council a **Statements of Benefits Personal Property (FORM SB-1/PP)** (the “Statement of Benefits”) dated June 25, 2025, **EXHIBIT A** attached hereto, which proposes the purchase and acquisition of certain equipment (including, but not limited to “Robotic racking system, forklift, paddle mixers, mixing dust exhaust system, welding machines with portable exhaust systems, overhead cranes, batch dryers, a plotter, and network infrastructure to allow for the shaping of refractory pieces utilized in the melt shop of steel mills to line vessels containing liquid steel”) deemed to be depreciable personal property machinery and equipment (“PPME”) for installation and placement into service “(the “Project”) on real property located at 50 S. Motts Parkway in the City (real property tax number: 46-01-35-476-004.000-022 consisting of approximately 13.6 acres) with a personal property tax number to be determined upon the first assessment date filing of a FORM 103 of the Company as issued by the Michigan Township Assessor or other duly authorized state of Indiana assessing official, and

WHEREAS, the Company, upon approval of economic development incentive(s) by the City, intends to purchase and acquire said certain equipment and new PPME as part of a capital investment plan during the period from September 1, 2025 through December 31, 2027 in a total amount anticipated to be **\$4,120,000** for the Project, to be placed into service and assessed for the January 1, 2026; January 1, 2027; and January 1, 2028 assessment dates (the “Assessment Dates”); and

WHEREAS, The Economic Development Corporation, Michigan City, Indiana (“EDCMC”) submitted to the Common Council, as the designating body pursuant to Section 4.5(a) of the Act, the following documents related to the Company’s request for an assessed valuation deduction of qualified depreciable personal property within the ERA: (i) the Statement of Benefits (“FORM SB-1/PP”) as completed and (ii) other supplemental information related to said request for an ERA assessed valuation deduction; and

WHEREAS, The Common Council has confirmed that the Company's facility located at 50 S. Motts Parkway in the City (real property tax number: 46-01-35-476-004.000-022) is within the boundaries of the ERA, and therefore the Common Council may make a determination pursuant to Section 4.5 of the

Act, based upon the evidence, as to whether Company shall be allowed an assessed valuation deduction of qualified depreciable personal property investments made within the ERA.

NOW, THEREFORE, BE IT RESOLVED that the actions of the Common Council of the City of Michigan City, Indiana pursuant to Section 4.5(b) of the Act are based upon the evidence as presented by the Company after review of the Statement of Benefits as well as other pertinent information provided by the EDCMC and upon the following findings in the affirmative also pursuant to Section 4.5(b) of the Act, that:

1. The Project is reasonable for a project of its nature;
2. The estimated number of individuals who will be employed or whose employment will be retained (an estimated total of 54 employees) can reasonably be expected to be a result of the Project and the installation of depreciable personal property;
3. The estimated annual salaries of those individuals who will be employed or whose employment will be retained (an estimated total salary of \$1,978,528) can reasonably be expected to be a result of the Project and the installation of depreciable personal property; and
4. The totality of the benefits is sufficient to justify an assessed valuation deduction as a result of the Project and the installation of depreciable personal property.

BE IT FURTHER RESOLVED that pursuant to Section 2(k) of the Act, the Common Council acknowledges that the Project is located within a designated allocation area of the Redevelopment Commission of Michigan City, Indiana under Indiana Code 36-7-14-39 or Indiana Code 35-7-15.1-26, more specifically pursuant to Redevelopment Commission Resolution No. 3-15 approved and passed on February 23, 2015 designating the Eastside Allocation Area.

BE IT FURTHER RESOLVED that the Common Council hereby grants the Company an assessed valuation deduction (Tax Abatement) from qualified depreciable personal property investments – machinery and equipment (“PPME”) as newly purchased limited to a cost of \$4,120,000 to be installed and placed into service by the Company between September 1, 2025 and December 31, 2027, which is to be fully assessed on one of the identified Assessment Dates (January 1, 2026; January 1, 2027, and January 1, 2028) to be stated and identified on the Company’s FORM 103-Long and FORM 104 filings for a tax identification number to be determined by the Michigan Township Assessor or other duly authorized state of Indiana assessing official upon initial filing of said forms, all in accordance with the Act as it relates to the Project and as identified on the Statement of Benefits attached to **EXHIBIT A** hereto.

BE IT FURTHER RESOLVED that the final determination of the amount of assessed valuation deduction of the Project for investments in qualified depreciable personal property shall be made by the appropriate Michigan Township, Indiana Assessor, LaPorte County, Indiana Assessor, LaPorte County, Indiana review board, or State of Indiana agency.

BE IT FURTHER RESOLVED that pursuant to Sections 4.5(c) and 17 of the Act, the Common Council, based upon its affirmation of criteria pursuant to Section 4.5(b) of the Act as stated above, hereby grants the Company an assessed valuation deduction period of five (5) years from the first assessment date on which PPME is assessed on a FORM 103-Long and FORM 104 filings, including all required deduction form required by the Act and the Indiana Department of Local Government Finance (the “DLGF”) for submission and filing, for which said deduction percentage schedule for qualified depreciable personal property applies over said this five (5) year abatement period, more specifically identified in **EXHIBIT B** attached hereto.

BE IT FURTHER RESOLVED that the assessed valuation deduction percentages as set forth in **EXHIBIT B** during the five (5) year abatement period is attached hereto in order to meet the requirements of Sections 4.5(c) and 17 of the Act.

BE IT FURTHER RESOLVED that the assessed valuation deduction percentages as identified in **EXHIBIT B** shall begin upon the installation, placement into service, and the full assessment of depreciable personal property as a result of the Project (to be not later than January 2, 2028) by the appropriate assessing authority, regardless of the expiration date of the ERA as established by the ERA Resolution.

BE IT FURTHER RESOLVED that the Common Council may impose a fee on the tax savings realized by the Company pursuant to Section 14 of the Act as a result of the application of an ERA deduction as calculated by the Office of the LaPorte County, Indiana Auditor and as billed by the Office of the LaPorte County, Indiana Treasurer.

BE IT FURTHER RESOLVED that, pursuant to Ordinance No. 4417 (“Establishing a fee as provided for in IC 6-1.1-12.1-14 for tax abatements granted pursuant to IC 6-1.1-12.1-3, -4.5, or -4.8”) of the Common Council, adopted and approved on January 3, 2017 and having received the written consent of the Company in accordance with Section 14(b) of the Act, a copy of which is attached hereto as **EXHIBIT C** and is made a part hereof and incorporated herein, and pursuant to Section 14(b) of the Act, for each year the Company’s personal property tax liability is reduced by an assessed valuation deduction related specifically to the installation, placement into service, and the full assessment of depreciable personal property as a result of the Project, the Company shall pay to the LaPorte County, Indiana Treasurer a fee in the amount computed and determined by the LaPorte County, Indiana Auditor pursuant to the provisions of Section 14(c) of the Act (the “Imposed Fee”) such that:

1. The Common Council hereby determines that **fifteen percent (15%)** shall be the percentage to be applied by the LaPorte County, Indiana Auditor for purposes of STEP TWO of Section 14(c) of the Act;
2. Accordingly, for each year the Imposed Fee is payable by the Company, the Imposed Fee shall be equal to the lesser of One Hundred Thousand Dollars (\$100,000) or fifteen percent (15%) of the additional amount of personal property taxes that would have been paid by the Company during that year if the deductions approved in this Resolution had not been in effect, i.e., 15% of the Company’s personal property tax savings attributable to a deduction from the assessed valuation from the Project; and
3. Pursuant to Section 14(d) of the Act, the Imposed Fee, as collected, shall be distributed to the **Economic Development Corporation, Michigan City, Indiana** as a tax exempt governmental (nonprofit) entity established to promote economic development within the corporate limits of the City as determined by the Common Council as the designating body.

BE IT FURTHER RESOLVED that the Company has agreed to the following imposed reasonable conditions during the abatement period upon approval of an assessed valuation deduction for PPME as herein specified and authorized under Section 2(i)(6) of the Act and to be included under Item G (page 2) of the approved FORM SB-1/PP:

Condition #1: The Company by May 10 of each calendar year during the period for which an ERA assessed valuation deduction is applicable shall submit to the City or its authorized representatives as it applies to the Project, the FORM 103, FORM 103-EL and/or FORM 103-ERA to supplement the FORM CF-1/PP (“Compliance with Statement of Benefits”) that is annually filed with the City for each personal property ERA assessed valuation deduction so that the City may verify and confirm the following: (i) the ERA assessed valuation deductions reported by the Company and/or approved by the Office of the Assessor for Michigan Township, Indiana and (ii) the calculation of the Imposed Fee by the Office of the LaPorte County, Indiana Auditor.

Condition #2: The Company understands and agrees that the annual deductions during the five (5) year abatement period shall be **limited to a cost of \$4,120,000 of the Project and** as a result of ERA assessed valuation deductions from depreciable personal property installed, placed into service, and assessed on the Assessment Dates, and for which ERA assessed valuation deductions are applied. The City, from the first year of assessment for which a depreciable personal property ERA assessed valuation deduction is applied and for the duration of the five (5) year abatement period, shall annually cause to be prepared a schedule monitoring the annual, total, and cumulative tax savings realized; such that, once this limit of cost investment is realized or attained, the City’s Common Council will: (i) notify the Company and (ii) take action to terminate subsequent assessment date ERA assessed valuation deductions to be applied by the appropriate Michigan Township, Indiana Assessor,

LaPorte County, Indiana Assessor, LaPorte County, Indiana review board, or State of Indiana agency.

BE IT FURTHER RESOLVED that the City agrees to comply with the privacy notices of said FORM 103, FORM 103-EL and FORM 103-ERA as confidential filings in accordance with I.C. 6-1.1-35-9 and that said documents: (i) are not statutorily required filings to the City to review a personal property assessed valuation deduction of the Company but as a reasonable condition as herein specified and included under Item G (page 2) of an approved FORM SB-1/PP and (ii) are submitted to supplement the Company's annually filed FORM CF-1/PP for each personal property ERA assessed valuation deduction such that the City may only utilize said forms to verify and confirm: (a) ERA assessed valuation deductions reported by the Company and/or as approved by the appropriate Michigan Township, Indiana Assessor, LaPorte County, Indiana Assessor, LaPorte County, Indiana review board, or State of Indiana agency, and (b) the calculation of an Imposed Fee by the Office of the LaPorte County, Indiana Auditor; and, therefore said documents are deemed not to be public record(s) and shall not be made available to the public.

BE IT FURTHER RESOLVED that the City agrees not to impose a claw back provision for tax savings for any tax liability years in which the Company complies with the Statement of Benefits, the annual filings required pursuant to the Act, the conditions of this Resolution and the reasonable and timely payment of an applicable Imposed Fee during the five (5) year abatement period for which an ERA assessed valuation deduction is applied.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the filing of all appropriate approval documents related to this Resolution with the Office of the Assessor for Michigan Township, Indiana as it applies to this Resolution and the approval of the Company's ERA assessed valuation deduction, more specifically the following documents or information:

1. The Statement of Benefits, as approved, properly completed consistent with this Resolution and as signed and attested by the appropriate City officials;
2. A certified copy of this Resolution; and
3. An approved and signed copy of the minutes of the meeting at which the Common Council approves this Resolution and the Statement of Benefits.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the filing of all appropriate approval documents related to this Resolution with the Office of the LaPorte County, Indiana Assessor as it applies to this Resolution and the approval of the Company's ERA assessed valuation deduction, more specifically the following documents or information:

1. The Statement of Benefits, as approved, properly completed consistent with this Resolution, and as signed and attested by the appropriate City officials;
2. A certified copy of this Resolution; and
3. An approved and signed copy of the minutes of the meeting at which the Common Council approves this Resolution and the Statement of Benefits.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to cause the filing of all appropriate approval documents related to this Resolution with the Office of the LaPorte County, Indiana Auditor as it applies to this Resolution and the approval of the Company's ERA assessed valuation deduction, more specifically the following documents or information:

1. The Statement of Benefits, as approved, properly completed consistent with this Resolution and as signed and attested by the appropriate City officials;
2. A certified copy of this Resolution; and
3. An approved and signed copy of the minutes of the meeting at which the Common Council approves this Resolution and the Statement of Benefits.

BE IT FURTHER RESOLVED that if any part, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause, or portion of this Resolution.

This Resolution shall be in full force and effect from and after its passage and adoption by the Common Council and upon approval of the Mayor.

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

NOTE: Exhibit's "A-C" is attached to Council Resolution No. 4965 in file CR-113.

President Tillman asked if the authors had anything to add at this time.

Councilman Bietry advised D. Martin Enterprise's first tax abatement they received last year was for the property they own and are building a new facility on; the proposed Tax Abatement they are requesting is for personal property which they will be purchasing equipment to start production with; stating that they are family owned business and have been here since 1975 and that they provide solutions for electric art for the steel mills; explaining some of local businesses they partner with.

Karaline Carterina Edwards, the Economic Development Corporation, stated that D. Martin Enterprise Inc. is a local family-owned business in our community that has been here for over thirty (30) years and is currently ready to expand their company in Michigan City.

Cassie Martin Graham, VP of Operation for D. Martin Enterprises Inc., advised that the new building is over 50% complete and are in the process of hiring new employees.

President Tillman asked if there were any questions or comments from the public, there was no response.

President Tillman asked if the council had any questions or comments.

Discussion ensued between Ms. Graham, President Tillman, Council members Nelson, Przybylinski and Bietry regarding the number of new jobs availability, employee wages and benefits, and the arrival and installation of new equipment.

Councilman Bietry made a motion to approve the proposed resolution, second by Councilman Przybylinski, the motion carried, and the proposed resolution was approved by the following vote **AYES**: Council members Bietry, Coulter, Lee, Nelson, Przybylinski, and Tillman (6) **NAYS**: None (0).

The Clerk read the following proposed resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4966

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA ACCEPTING A PETITION FOR THE CREATION OF AN ECONOMIC IMPROVEMENT DISTRICT, AND REGARDING OTHER MATTERS RELATED THERETO

WHEREAS, on July 8, 2025, there was filed with the Clerk of the City of Michigan City, Indiana (the "City") a petition (the "Petition") requesting that the City establish an economic improvement district (the "District") within the City pursuant to Indiana Code 36-7-22, as amended (the "Act"); and

WHEREAS, the Common Council of the City (the "Common Council") now seeks to acknowledge receipt of the Petition and authorize the publishing and mailing of a notice of public hearing on the proposed District pursuant to the Act;

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

Section 1. The Common Council hereby acknowledges receipt of the Petition, a copy of which is attached hereto as Exhibit A, requesting that the City establish the District as an economic improvement district within the City pursuant to the Act.

Section 2. The Clerk of the City is hereby authorized and directed to cause to be published and mailed a notice of a public hearing on the proposed District in accordance with the Act. The public hearing will take place on Monday, August 4, 2025, during the regularly scheduled meeting of the Common Council at 6:30 p.m. (local time) in the Council Chambers, located at City Hall, 100 East Michigan Boulevard, Michigan City, Indiana.

Section 3. This Resolution shall be in full force and effect immediately from and after is passage by the Common Council and upon compliance with the procedures required by law.

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

INTRODUCED BY: /s/Tracie Tillman, Member
Michigan City Common Council

NOTE: Exhibit "A" is attached to Council Resolution No. 4966 in file CR-113.

President Tillman asked if the authors had anything to add at this time, there was no response.

Skyler York, Redevelopment Director, introduced Thomas Evertt, Barnes & Thornberg and Mr. Alan Schathman, SOLA Development Partners to further explain this proposed resolution regarding the (EID) Economic Improvement District and what the petition is concerning.

Thomas Evertt, Barnes & Thornberg, addressed the council stating that this petition has been filed by the current owners of the property within the proposed EID district located on the square block of the proposed SOLA project; this proposed resolution is to create an "Economic Improvement District" (EID); advising after the EID is created it will allow the current owners in the EID district to receive assessments; stating again that this will not affect any properties in the city outside of the EID; advising that once this proposed resolution is adopted it will be the receipt of the petition, and it authorizes to advertise a formal public hearing by the Common Council to be held at the August 4, 2025 council meeting; advising that after the formal public is held there is will be a proposed ordinance that must be adopted to establish the Economic Improvement District (EID) before moving forward.

Mr. Evertt advised Mr. York that under the Indiana State Statue a notice of the proposed petition is filed in the Clerk's office; advising that Attorney Sirinek did file that notice and petition in the Clerk's Office; explaining the next steps that need to be done moving forward and that there is a timeframe of 120-days to complete.

President Tillman asked if there were any comments or questions from the public, there was no response.

President Tillman asked if there were any comments from the council.

Councilman Przybylinski made a motion to approve the proposed resolution, second by Councilman Nelson, the motion carried, and the proposed resolution was approved by the following vote: **AYES:** Council members Coulter, Lee, Nelson, Przybylinski, Tillman, and Bietry (6) **NAYS:** None (0).

ORDINANCES

The Clerk read the following proposed ordinance on first reading by title only.

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, AUTHORIZING THE CITY OF MICHIGAN CITY, INDIANA, TO ISSUE ONE OR MORE SERIES OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO IN CONNECTION WITH THE SOLA PROJECT

Introduced by: Tracie Tillman

President Tillman stated that being the author of this ordinance she had no comments at this time.

President Tillman asked if there were any questions or comments from the public, there was no response.

President Tillman asked if the Council had any questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our August 4, 2025, Council meeting.

The Clerk read the following proposed ordinance on first reading by title only.

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, AUTHORIZING THE CITY OF MICHIGAN CITY, INDIANA, TO ISSUE ONE OR MORE SERIES OF ITS ECONOMIC DEVELOPMENT TAX INCREMENT REVENUE BONDS AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO IN CONNECTION WITH THE SOLA PROJECT

Introduced by: Tracie Tillman

President Tillman asked if the author had anything to add at this time.

President Tillman stated that Skyler York, Redevelopment Director, and Thomas Evertt Barnes & Thornburg have explained in detail the proposed ordinance regarding the Economic Improvement District (EID) and what these bonds will be used for.

President Tillman asked if there were any questions or comments from the public, there was no response.

President Tillman asked if there were any questions or comments from the council.

Councilman Nelson asked for clarification of why there are two (2) sperate proposed bonds.

Skyler York, Redevelopment Director, advised Councilman Nelson that one (1) bond is for the Economic Improvement District (EID) and the other one is from a TIF that would be established; stating they would be using two different (bonds) funding sources for the same location/project.

Mr. York, advised Councilman Przybylinski that when doing large development projects like the double track and what we call a "project-specific TIF" they would be TIF'ing the project (the building and the area it is built on) itself which is creating the incentive; those funds would in turn pay off the bond that is what is being proposed in this ordinance.

President Tillman asked if the Council had any questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our August 4, 2025, Council meeting.

The Clerk read the following proposed ordinance on first reading by title only.
**ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY,
 INDIANA ESTABLISHING AN ECONOMIC IMPROVEMENT DISTRICT AND
 AUTHORIZING AND APPROVING OTHER ACTIONS WITH RESPECT THERETO**

Introduced by: Tracie Tillman

President Tillman stated as author of the proposed ordinance she had no comments at this time.

Skyler York, Redevelopment Director, advised that a workshop was held on July 7, 2025 to explain what the Economic Improvement District was and that a formal public hearing along with a presentation regarding the proposed Economic Improvement District (EID) will take place at our next council meeting on August 4, 2025.

President Tillman stated that she sent each councilmember the power point/presentation that was presented at the workshop by the developers.

President Tillman asked if there were any questions or comments from the public, there was no response.

President Tillman asked if there were any questions or comments from the council.

President Tillman asked if the Council had any questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our August 4, 2025, Council meeting.

The Clerk read the following proposed ordinance on first reading by title only.
**AMENDING SEC. 2-403(a) AND (b) IN THE MICHIGAN CITY MUNICIPAL CODE
 REGARDING THE RESIDENT WORKER TRAINING DEVELOPMENT FUND**

**Introduced by: Tim Bietry
 Dr. Vidya Kora
 Daisy Lee
 Don Przybylinski
 Bryant Dabney**

President Tillman asked if the author had anything to add at this time, there was no response.

President Tillman asked if there were any questions or comments from the public.

Mayor Angie, stated that this is a fund that needs to be established so the city can accept donations/sponsorships; that the city is hosting their first "Indiana Plan" classes in October and there will be an open house and orientation scheduled in September at City Hall and the graduates will receive a stipend.

Councilman Bietry advised that there are funds available in this account and that once this ordinance is adopted moving forward they will be able to accept donation/sponsorships which will be an asset; suggesting that we have 2nd and 3rd reading at the next council meeting on August 4, 2025.

Mayor Angie stated the sponsorship letter has been created and once the proposed ordinance is approved this will go before the Board of Works to get the contract signed and approved to do the Indiana Plan program

President Tillman asked if there were any questions or comments from the public, there was no response.

President Tillman asked if the Council had any questions or comments.

Councilman Przybylinski advised that all this proposed ordinance is doing is creating a non-reverting fund that cannot be used for any other program.

Councilman Nelson asked to be added as a sponsor.

President Tillman asked if the Council had any questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our August 4, 2025, Council meeting

The Clerk read the following proposed ordinance on first reading by title only.
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE
GOLF NON-REVERTING FUND #2508 TO REPLACE THE SATELLITE
IRRIGATION SYSTEM AT THE MICHIGAN CITY MUNICIPAL GOLF COURSES**

Introduced by: Bryant Dabney

President Tillman asked if the author had anything to add at this time.

President Tillman stated the sponsor is absent this evening.

President Tillman asked if there were any questions or comments from the public.

Shannon Eason, Park Superintendent and Michael Moore Greens Supervisor addressed the council advising that the replacement of the satellite irrigation system will be paid for by the Golf Course non-reverting fund and that no city funds are being used; that this is only requesting for transfer of funds in the budget.

President Tillman suggests to have 2nd and 3rd reading at the next council meeting on August 4, 2025.

President Tillman asked if there were any questions or comments from the public, there was no response.

President Tillman asked if the Council had any questions or comments.

Councilman Przybylinski asked what the Satellite Irrigation System does.

Michael Moore, Greens Superintendent, advised Councilman Przybylinski that it's a satellite placed at each hole that controls the heads that are placed in the ground to water the golf course.

President Tillman asked if the Council had any questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our August 4, 2025, Council meeting.

The Clerk read the following proposed ordinance on first reading by title only.
**REPEALING, AMENDING, AND CREATING VARIOUS ARTICLES AND SECTIONS
IN THE MICHIGAN CITY MUNICIPAL CODE REGARDING STORMWATER AND
DRAINAGE**

Introduced by: Don Przybylinski

President Tillman asked if the author had anything to add at this time.

Councilman Przybylinski read the proposed ordinance in its entirety.

**REPEALING, AMENDING, AND CREATING VARIOUS ARTICLES AND SECTIONS
IN THE MICHIGAN CITY MUNICIPAL CODE REGARDING STORMWATER AND
DRAINAGE**

WHEREAS, the Indiana Department of Environmental Management (IDEM) requires Indiana MS4 entities, such as counties, cities, and towns to update their existing local ordinances regarding stormwater and drainage; and

WHEREAS, the Michigan City Board of Sanitary Commissioners has studied the existing conditions, as well as the current state recommendations and has proposed a new stormwater and drainage ordinance, a copy of which is attached hereto and incorporated herein as **Exhibit A**, which was initially approved by the Michigan City Board of Sanitary Commissioners on January 22, 2025 and also on June 25, 2025; and

WHEREAS, also, while in the process of reviewing the Michigan City Municipal Code ("Code") to draft the new stormwater and drainage ordinance, it was discovered that provisions for stormwater and drainage are randomly scattered through various chapters of the Code, including sections and articles within the City's Joint Zoning Ordinance and Subdivision Ordinance; and

WHEREAS, the need exists to recodify the City's stormwater and drainage ordinance in one (1) central location in the Code, more specifically in Chapter 46 under Article IX to be known as *Stormwater Management Regulations* and repeal all other articles and sections in the Code regarding stormwater and drainage, including repealing certain articles and sections in the City's Joint Zoning Ordinance and Subdivision Ordinance; and

WHEREAS, the Plan Commission of the City of Michigan City, Indiana (the "Plan Commission") has the responsibility, in accordance with Appendix B-*Subdivision Control* ("the Subdivision Code") and Appendix C-*Joint Zoning Ordinance* of the City of Michigan City Municipal Code ("the Zoning Code") 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 and Subdivision Code of the City of Michigan City, Indiana; and

WHEREAS, the Plan Commission 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 Subdivision Code; and,

WHEREAS, the Plan Commission has reviewed and studied the recommendations provided by its own Planning Department staff and staff of the Michigan City Sanitary District; and

WHEREAS, as presented to the Plan Commission at its May 27, 2025 public meeting, and as approved by the Plan Commission at its June 24, 2025 public meeting, the following Article and Sections should be repealed:

Section 06.07 *Stormwater Management* and Section 06.08 *Soil Erosion* in the Michigan City Subdivision Ordinance, which is codified in the Michigan City Municipal Code as Appendix B *Subdivision Control*;

Article 20 *Stormwater Management* in the Michigan City Joint Zoning Ordinance, which is codified in the Michigan City Code as Appendix C *Joint Zoning Ordinance*; and

WHEREAS, also presented to the Plan Commission at its May 27, 2025 public meeting, and as approved by said Commission at its June 24, 2025 meeting, the Plan Commission made findings of fact approving **Exhibit A** and also the additional amendments to accurately reflect cross-references to the Appendix B *Subdivision Control and Condominium Division Standards* and Appendix C *Joint Zoning Ordinance* as contained in **Exhibit B** attached hereto and made a part hereof; and

WHEREAS, upon notice having been duly published and a public hearing held, the Plan Commission: made findings of fact approving a copy of which is in the offices of the Plan Commission and the Michigan City Clerk; approved and adopted Plan Commission Resolution

No. 2-2025 with a favorable recommendation to the Common Council of the City of Michigan City, Indiana (the "Common Council") and recommended that the Common Council approve and adopt said amendments; and

WHEREAS, pursuant to Indiana Code 36-7-4-607, the Common Council has the authority and duty to consider, adopt, reject or amend changes to the Zoning Code and the Subdivision Code; and, as evidenced by Resolution 2-2025 of the Plan Commission filed with the Common Council together with the Exhibit to said Resolution, which is the entire text of the proposed amendment and which is incorporated into this Ordinance and made a part hereof; and

WHEREAS, upon notice having been duly published, the Common Council considered the repeal of the various sections and article of the Joint Code and Subdivision Code at the regular monthly meeting of the Common Council; and

WHEREAS, the Michigan City Common Council has reviewed the Certified Resolution 2-2025 of the Plan Commission of the City of Michigan City, Indiana, the Findings of Fact contained therein, and related information and has received and considered comments from the public regarding the proposed amendments and the changes and provisions contained in **Exhibit A** and **Exhibit B**; and

WHEREAS, the Common Council has determined that amending the City Code, Zoning Code, and the Subdivision Code to adopt and incorporate the amendments would be in the best interests of the entire City; and

WHEREAS, in addition, the Common Council reasonably believes it is in the best interest of the City to adopt the recommendations of the Michigan City Board of Sanitary Commissioners and the Michigan City Plan Commission and adopt a new stormwater and drainage ordinance and recodify the same into Chapter 46, Article IX to be known as *Stormwater Management Regulations*.

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

1. The following Articles and Sections in the Michigan City Municipal Code are hereby repealed:
 - a. Article XII in Chapter 22 entitled *MS4 Post-Construction Activity Stormwater Management Plan Program*;
 - b. Article XIII in Chapter 22 entitled *MS4 Construction Activity Erosion and Sediment Control Program*;
 - c. Sec. 50-143 entitled *Penalty for Violation of Article XII (Post-Construction Activity Stormwater Management Plan Program)* in Chapter 50; and
 - d. Sec. 50-144 entitled *Penalty for Violation of Article XIII (Construction Activity Erosion and Sediment Control Program)* in Chapter 50.
2. **Exhibit B**, which is attached hereto and incorporated herein, is hereby adopted, which reflects all the amendments to cross reference numbers in Appendix B *Subdivision Control and Condominium Division Standards* and Appendix C *Joint Zoning Ordinance*.
3. Article V entitled *MS4 Illicit Discharges and Connections Program* in Chapter 46 of the Michigan City Municipal Code is hereby repealed.
4. Article IX entitled *Stormwater Management Regulations* is hereby created in Chapter 46 and shall read as set forth in **Exhibit A**, which is attached hereto and incorporated herein.
5. Sec. 50-262 in Chapter 50 of the Michigan City Municipal Code is hereby amended to now read as follows:

Sec. 50-262. Fines for Violation of Stormwater Management Regulations

The fine required by Section 46-336(c) shall be not more than \$2,500.00 for each offense, plus costs, damages, and expenses.

This Ordinance shall be in full force and effect after passage by the Michigan City Common Council and approval by the Mayor and any necessary publication.

Introduced by: Don Przybylinski

President Tillman asked if there were any questions or comments from the public.

Ernie Hollihan, 302 Gladys Street, thanked Councilman Przybylinski for reading the proposed ordinance that so many of the ordinances and resolutions being proposed the public has no clue what they are about; advising there are plugged drains at Barker Avenue and Dewey Street.

President Tillman asked if there were any questions or comments from the public, there was no response.

President Tillman asked if the Council had any questions or comments.

Councilman Coulter asked to be added as a sponsor and asked Mr. Walus what parts of the proposed ordinance are new and will be helpful for our community.

Al Walus, Operations Manager Sanitary District, stated that in final tab in the Stormwater Recommendation Binder shows a table comparing the proposed ordinance to those in surrounding areas that match the Purdue University Model Ordinance; advising that Christopher Burke Engineering took the Storm Water Ordinances from 2007 to make changes to follow the Purdue Model Ordinance along with meeting the needs for our community.

Mr. Walus advised Councilman Coulter that the current ordinance is outdated and that in 2021 IDEM issued a new general permit and requirements for both cities and construction sites that needs to be updated to follow the IDEM standards.

Councilman Bietry thanked Mr. Walus for this information; stating that any new or updated ordinance should be reader friendly; advising that this proposed ordinance is creating a struggle for new developers, due to restrictions and the new requirements; asking why a bond is required for work that the developer has done.

Mr. Walus stated that this proposed ordinance is regarding all stormwater and that the maintenance bond for stormwater is required for construction sites to maintain the site to avoid localized flooding on the adjacent properties; advising that surrounding areas have approved their updated stormwater ordinance to be following the Purdue Model Ordinance and state requirements that all developers and engineers are held to uniform standards.

Councilman Przybylinski thanked Mr. Walus for the detailed information.

Mr. Walus stated this is a very technical ordinance and that any questions can be sent to him.

President Tillman asked if the Council had any questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our August 4, 2025, Council meeting.

NEW BUSINESS

President Tillman asked if there was any new business.

Clerk Neulieb advised there is no new business.

UNFINISHED BUSINESS

President Tillman asked if there was any unfinished business.

Clerk Neulieb advised there is no unfinished business.

COMMENTS FROM THE COUNCIL

President Tillman asked if there were any comments from the Council at this time.

Councilman Przybylinski thanked City Engineer Tim Werner, and Board of Public Works Director Wendy Vachet, for their hard work getting the CSX to fix the Woodland Avenue crossing and that they are still working on the Buffalo Street location; advising that Ames Field is switching to all LED this fall recommending them to "Sustainability Award"; announced that Tiffany Dixon started a program that is taking donated bikes, fixing them and giving them to children in need for free.

Councilwoman Lee stated the new program started by Tiffnay Dixon is called "City Kids New Wave" and that she has currently gave out 70 bikes this summer that helps our kids get healthy and active.

President Tillman reminded the public that a notice was sent out that the Michigan City Common Council meeting that was scheduled for Tuesday, August 5th, 2025, has been rescheduled to Monday, August 4, 2025 at 6:30 p.m. in the Council Chamber; also the Michigan City Finance Committee Meeting has been changed to Monday, August 4th, 2025, at 6:00 p.m. in the Council Chamber.; inviting the public to attend the MCPD National Night Out on Tuesday, August 5, 2025.

ADJOURNMENT

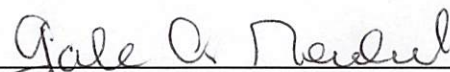
A motion by President Tillman, second by Councilwoman Lee and there being no further business to transact, President Tillman declared the meeting **ADJOURNED** (approximately 8:25 p.m.)

These minutes are a summary of actions taken at the Michigan City Common Council meetings. The full video archive of the meeting is available for viewing at:

<https://www.youtube.com/watch?v=HiGzoeBDe9o&list=PL8L8Y5g9S6bqw-rohSfvSUA8dwegrb6st>



Tracie Tillman, President



Gale A. Neulieb, City Clerk