



FILED

AUG 15 2025

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

A G E N D A

COMMON COUNCIL – IN PERSON - REGULAR MEETING

Tuesday, August 19, 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.”

CALL TO ORDER BY COUNCIL PRESIDENT

PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER

ROLL CALL

APPROVAL OF MINUTES

Regular Council (Hybrid/Zoom) July 15, 2025
Executive Session July 23, 2025
Regular Council (Hybrid/Zoom) August 4, 2025

REPORTS OF STANDING COMMITTEES

FINANCE COMMITTEE MEETING

CLAIMS DOCKET

August 19, 2025

Fund #2235 – Riverboat – Claims -	\$	314,928.25
EFT	\$	0.00
Rainy Day (Fund 2236)	\$	0.00
Fund #2504 – Boyd Development -	\$	0.00
EFT	\$	0.00
TOTAL CLAIMS	\$	314,928.25

REPORTS FROM BOARDS AND COMMISSIONS

REPORTS OF SPECIAL or SELECT COMMITTEES

REPORTS from MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS

PETITIONS

COMMUNICATIONS

Correspondence was received in the Clerk's Office on August 15, 2025, from Kathleen Earle regarding Data Centers Information and Requests.

Correspondence was received in the Clerk's Office on August 14, 2025, from the Michigan City Firefighters Association Local 475, regarding opening contract negotiations.

Correspondence was received in the Clerk's office on August 13, 2025, from Tom Nazimek regarding a Petition "Opposition to the proposed Drug Rehabilitation Facility at Ann & Wabash Streets"

Correspondence was received in the Clerk's Office on August 5, 2025, from "Indiana State Representative" Pat Boy, listing the questions she asked at the August 4, 2025 Council meeting regarding the proposed "Data Center".

A "Formal Public Hearing" notice was received in the Clerk's Office on August 5, 2025, regarding the proposed "Crew Carwash" located at 4353 Franklin Street, Michigan City.

Correspondence was received in the Clerk's Office on August 1, 2025, from Eileen Mark, regarding the proposed "Data Center" project.

RESOLUTIONS

**APPROVING A RESOLUTION ADOPTED BY THE MICHIGAN CITY
REDEVELOPMENT COMMISSION REGARDING CERTAIN
MODIFICATIONS TO THE LOCAL RULES APPLICABLE TO THE
RIVERFRONT ALCOHOL BEVERAGE LICENSE PROGRAM**

Introduced by: Tracie Tillman

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
MICHIGAN CITY, INDIANA, APPROVING AN ORDER OF THE CITY OF
MICHIGAN CITY PLAN COMMISSION APPROVING A CERTAIN
DECLARATORY RESOLUTION FOR THE CONSOLIDATED
ECONOMIC DEVELOPMENT AREA ADOPTED BY THE MICHIGAN
CITY REDEVELOPMENT COMMISSION**

Introduced by: Tracie Tillman

ORDINANCES

**ORDINANCE
1st READING**

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF
THE PARK CONCESSION NON-REVERTING FUND #2507 TO
CONSTRUCT A NEW WINGS OF WONDER AVIARY EXHIBIT AT
WASHINGTON PARK ZOO**

Introduced by: Bryant Dabney

**(DECREASE Park Concession Non-Reverting Fund #2507 Unappropriated balance
\$289,109.00 INCREASE ACCOUNT #2507.000.439.090 \$289,109.00
Contractual Services)**

**ORDINANCE
2nd READING**

**ESTABLISHING A MUNICIPAL MOTOR VEHICLE LICENSE EXCISE
SURTAX AND MUNICIPAL WHEEL TAX AND CREATING DIVISION 4
(EXCISE WHEEL SURTAX AND WHEEL TAX) IN ARTICLE VI
(FINANCE) IN CHAPTER 2 (ADMINISTRATION) IN THE MICHIGAN
CITY MUNICIPAL CODE**

**Introduced by: Bryant Dabney
Nancy Moldenhauer**

NEW BUSINESS

Mayor Angie is requesting the advice and consent of the Michigan City Common Council regarding her re-appointment of Jennifer Birchfield to the Michigan City Tree Board with her term beginning immediately and expires August 1, 2028.

UNFINISHED BUSINESS

NOMINATIONS: The Council has one (1) appointment with the Michigan City Police Civil Service Commission– Incumbent Lela Simmons- Term expires September 7, 2025

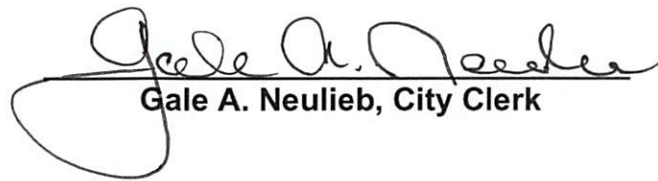
Applications Received

Sheryl Krachinski
Shauna Hill
Scott Meland

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE COUNCIL

ADJOURNMENT



Gale A. Neulieb, City Clerk

You are invited to a Zoom webinar.

When: **Tuesday, August 19, 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:

FILED

AUG 15 2025

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

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. _____

**APPROVING A RESOLUTION ADOPTED BY THE MICHIGAN CITY
REDEVELOPMENT COMMISSION REGARDING CERTAIN MODIFICATIONS
TO THE LOCAL RULES APPLICABLE TO THE RIVERFRONT ALCOHOL
BEVERAGE LICENSE PROGRAM**

WHEREAS, the Michigan City Redevelopment Commission (the “Redevelopment Commission”), the governing body of the Department of Redevelopment of the City of Michigan City, Indiana (the “City”), pursuant to Indiana Code 36-7-14, and as amended from time to time, on July 14, 2025, approved and adopted its Resolution No. 7-2025 entitled “A Resolution Recommending Modifications to the Local Rules Applicable to the Riverfront Alcohol Beverage License Program (the “Commission Resolution”); and

WHEREAS, on March 12, 2008, Common Council for the City of Michigan City, Indiana (the “Common Council”) approved Resolution Number 4388 (the “Resolution”) identifying the Trail Creek Municipal Riverfront District pursuant to I.C. 7.1-3-20-16 et seq. (the “Act”); and

WHEREAS, in accordance with the Resolution, the Redevelopment Commission has promulgated and adopted Local Rules initially on March 17, 2008 and amended from time to time so to govern the issuance and renewal of any license issued pursuant to the Resolution; and

WHEREAS, the Indiana General Assembly further amended the Act in 2019 to, inter alia, expand the geographic boundary for a riverfront district to three thousand (3,000) feet or six (6) city blocks from the designated waterway – i.e. Trail Creek (I.C. 7.1-3-20-16.1 (d)(2)(A) and (B)); and

WHEREAS, on August 14, 2023, the Commission combined what was formally recognized as the North Tax Increment Financing District (NTIF) with the South Tax Increment Financing District (STIF), respectively, as well as expanded parts of both former TIF Districts, with certain portions of the formally known NTIF now included in the riverfront district based on the 2019 amendments to the Act; and

WHEREAS, since the enactment of the Resolution and in conjunction with other redevelopment initiatives, the City of Michigan City has observed a revitalization of the Franklin Street corridor and the overall downtown district; and

WHEREAS, attached and incorporated herein as **Exhibit A** with this Resolution is a map depicting the expanded Riverfront District following the 2019 amending of the Act and the expansion of the formally known NTIF District; and

WHEREAS, that in addition to expanding the boundaries of the Riverfront District to the maximum amount now permitted under the Act, the Commission Resolution also approved the creation of a Riverfront Dining Marketing Fund (the “Fund”) as included within the original

March 17, 2008 Local Rules, with all establishments previously approved and all future approvals for a 3-Way Alcohol Permit now required to provide an annual payment of Two Thousand Five Hundred U.S. Dollars (\$2,500.00) to said Fund.

WHEREAS, the Common Council now desires to approve the Resolution in order to permit the Commission to proceed with the further expansion of the Riverfront District and the corresponding offer to various establishments that are now included and may well be eligible for approval by inclusion in the Riverfront District and the utilization of the benefits therein.

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

1. All of the stated "WHEREAS" clauses are incorporated herein by reference as if fully set forth herein.
2. The Redevelopment Commission Resolution attached hereto and incorporated herein as **EXHIBIT B** is hereby approved, ratified and confirmed in all respects.
3. That the Council endeavors to work with the Office of the City of Michigan City Comptroller to create, establish and account for the Riverfront Dining Marketing Fund to be disbursed by further direction of the Council.
4. This Resolution shall be in full force and effect from and after its adoption 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:

Tracie Tillman, President
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this 19th day of August, 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

RIVERFRONT LIQUOR LICENSE DISTRICT

UPDATED AUGUST 2025

Legend:

- 3000 ft Buffer of Trail Creek centerline west of E St Bridge
- RLLD2025Parcels
- Michigan City Parcels 2023

Map Labels:

Streets: PARKER PKY, FEDDERS ALLEY, PARK ENTRANCE, BROWNE BASIN ST, LAKE SHORE DR MC, HEISMAN HARBOR DR, ON THE LAKE, MARINE DR, WATER ST, W 2ND ST, W 3RD ST, W 4TH ST, W 5TH ST, W 6TH ST, W 7TH ST, W 8TH ST, W 9TH ST, W 10TH ST, W 11TH ST, W 12TH ST, W 13TH ST, W 14TH ST, W 15TH ST, W 16TH ST, W 17TH ST, W 18TH ST, W 19TH ST, W 20TH ST, W 21ST, W 22ND, W 23RD, W 24TH, W 25TH, W 26TH, W 27TH, W 28TH, W 29TH, W 30TH, W 31ST, W 32ND, W 33RD, W 34TH, W 35TH, W 36TH, W 37TH, W 38TH, W 39TH, W 40TH, W 41ST, W 42ND, W 43RD, W 44TH, W 45TH, W 46TH, W 47TH, W 48TH, W 49TH, W 50TH, W 51ST, W 52ND, W 53RD, W 54TH, W 55TH, W 56TH, W 57TH, W 58TH, W 59TH, W 60TH, W 61ST, W 62ND, W 63RD, W 64TH, W 65TH, W 66TH, W 67TH, W 68TH, W 69TH, W 70TH, W 71ST, W 72ND, W 73RD, W 74TH, W 75TH, W 76TH, W 77TH, W 78TH, W 79TH, W 80TH, W 81ST, W 82ND, W 83RD, W 84TH, W 85TH, W 86TH, W 87TH, W 88TH, W 89TH, W 90TH, W 91ST, W 92ND, W 93RD, W 94TH, W 95TH, W 96TH, W 97TH, W 98TH, W 99TH, W 100TH, W 101ST, W 102ND, W 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-  3000 ft Buffer of Trail Creek centerline west of E St Bridge
 RLLD2025Parcels
 Michigan City Parcels 2023

EXHIBIT B

RESOLUTION NO. 7 - 2025

**A RESOLUTION RECOMMENDING MODIFICATIONS TO THE LOCAL
RULES APPLICABLE TO THE RIVERFRONT ALCOHOL BEVERAGE
LICENSE PROGRAM**

WHEREAS, the Michigan City Redevelopment Commission (the "Commission"), the governing body of the City of Michigan City, Indiana Department of Redevelopment (the "Department") and the Redevelopment District of the City of Michigan City, Indiana (the "Redevelopment District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code 36-7-14-1 *et seq.*, as amended from time to time (the "Act"); and

WHEREAS, pursuant to I.C. 7.1-3-20-16.1 *et seq.* (the "Statute"), the common council of local municipalities are permitted to establish Riverfront Alcohol Beverage License Programs in accordance with statutory rules and criteria as an economic and redevelopment tool to promote development in local communities; and

WHEREAS, pursuant to the Statute, modifications to the boundaries for the Riverfront Alcohol Beverage District (the "District") must be approved by the common council for the local municipalities, and;

WHEREAS, on or about March 17, 2008, the Michigan City Common Council (the "Common Council") adopted such a program which has been implemented and modified from time to time based on program success and statutory amendments; and

WHEREAS, in the enabling ordinance, the Common Council delegated to the Commission program administration and oversight for the consideration of local establishment's application for a 3-Way alcohol license, and if approved, recommendation to the State of Indiana Alcohol and Tobacco Commission for issuance of said license; and

WHEREAS, the creation of the Riverfront Alcohol Beverage License Program in conjunction with other localized redevelopment incentives, has resulted in the revitalization of the downtown area through the operation of various restaurants offering a variety of ethnic cuisine; and

WHEREAS, the Statute permits expansion of the current boundaries of the Michigan City District beyond the most recent expansion approved by the Common Council in March, 2017.

WHEREAS, the original ordinance approved by the Common Council in March, 2008 provided for the creation of a Riverfront Dining Marketing Fund with all establishments approved for a 3-Way Alcohol Permit required to provide payments to said fund in an amount not to exceed \$200.00 U.S. Dollars per month, although no fund was ever created nor have any funds ever been collected.

WHEREAS, within the original ordinance approved by the Common Council in March, 2008, while it can be presumed that with the administrative oversight by the Commission over the Riverfront Alcohol Beverage License Program permits revocation of a 3-Way Alcohol Permit for violations of the local rules, objectives and / or criteria, a more definitive statement related to permit revocations would be of assistance to the administration of the Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MICHIGAN CITY REDEVELOPMENT COMMISSION, GOVERNING BODY OF THE MICHIGAN CITY DEPARTMENT OF REDEVELOPMENT, AS FOLLOWS:

1. That the declarations as set forth in the preamble, are hereby affirmed and adopted and made a part of this Resolution by incorporation and reference as if repeated in toto.
2. That the Commission hereby recommends to the Michigan City Common Council approval for three substantive modifications to the Riverfront Alcohol Beverage License Program as follows:
 - a. Expansion of the boundaries for the District to the entirety of the Economic Development Area, a Redevelopment Project Area and / or an Urban Renewal Area. L.C. 7.1-3-20-16.1 (b) (3).
 - b. In conjunction with the Office of the Comptroller, authorize the creation of a Fund Account for receipt of an annual \$2,500.00 fee as a condition for all establishments approved for a 3-Way Alcohol Permit through the Riverfront Alcohol Beverage License Program with the collection of said fee to commence instant.
 - c. Formally authorize the Commission with the authority to revoke all 3-Way Alcohol Permits that have been granted but are otherwise no longer in effect, or where the establishment has been notified of a violation of the Local Rules but has failed to correct the violation within a reasonable period of time.

Adopted, enacted and approved at the Regular Meeting of the Michigan City Redevelopment Commission held on the 14th day of July, 2025.

**MICHIGAN CITY
REDEVELOPMENT COMMISSION**


By: Sheila Matias President

ATTEST:


Secretary

FILED
AUG 12 2025
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. _____

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
MICHIGAN CITY, INDIANA, APPROVING AN ORDER OF THE CITY OF
MICHIGAN CITY PLAN COMMISSION APPROVING A CERTAIN
DECLARATORY RESOLUTION FOR THE CONSOLIDATED ECONOMIC
DEVELOPMENT AREA ADOPTED BY THE MICHIGAN CITY
REDEVELOPMENT COMMISSION**

WHEREAS, the Michigan City Redevelopment Commission (the “Redevelopment Commission”), the governing body of the Department of Redevelopment of the City of Michigan City, Indiana (the “City”), pursuant to Indiana Code 36-7-14, as amended from time to time (the “Act”), on July 14, 2025, approved and adopted its Resolution No. 6-25 entitled “Resolution of the Michigan City Redevelopment Commission Approving Amendments to the Declaratory Resolution and the Economic Development Plan for the Consolidated Economic Development Area for the Purpose of Establishing a New Allocation Area and Regarding Certain Related Matters” (the “Amending Declaratory Resolution”); and

WHEREAS, the Redevelopment Commission also previously has adopted and confirmed resolutions which established and amended an economic development area known as the “Consolidated Economic Development Area” (the “Area”), approved an economic development plan for the Area (the “Plan”), and designated portions of the Area from time to time as allocation areas pursuant to Section 39 of the Act (collectively, the “Allocation Area”); and

WHEREAS, the Amending Declaratory Resolution approved amendments to (i) designate an area, presently part of the Allocation Area and described at Exhibit A of the Amending Declaratory Resolution, as a separate allocation area pursuant to Section 39 of the Act to be known as the “SoLa Project Allocation Area” (the “SoLa Project Allocation Area”) and (ii) amend the Plan to include the SoLa Project Allocation Area therein (clauses (i) and (ii), collectively, the “2025 Amendments”); and

WHEREAS, on July 22, 2025, the City of Michigan City Plan Commission (the “Plan Commission”) met and adopted and approved its resolution, a copy of which is attached hereto as Exhibit A, determining that the Amending Declaratory Resolution and the 2025 Amendments conform to the plan of development for the City and designated such resolution as the written order of the Plan Commission approving the Amending Declaratory Resolution and the 2025 Amendments, as required by Section 16 of the Act (the “Plan Commission Order”); and

WHEREAS, Section 16 of the Act prohibits the Redevelopment Commission from proceeding until the Plan Commission Order is approved by the legislative body of the City; and

WHEREAS, the Common Council of the City (the “Common Council”) is the legislative body of the City and now desires to approve the Plan Commission Order in order to permit the Redevelopment Commission to proceed with the further development of the Area as a result of the 2025 Amendments;

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

1. All of the stated “WHEREAS” clauses are incorporated herein by reference.
2. The Plan Commission Order attached hereto is hereby approved, ratified and confirmed in all respects.
3. The determination that the SoLa Project Allocation Area constitutes an economic development area under the Act is hereby approved pursuant to Section 15 of the Act.
4. This Resolution shall be in full force and effect from and after its adoption 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:

Tracie Tillman, President
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this 19th day of August, 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

PLAN COMMISSION RESOLUTION

DMS 48549262v1

FILED

AUG 12 2025

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

RESOLUTION NO. 3-2025

**RESOLUTION OF THE PLAN COMMISSION OF THE CITY OF
MICHIGAN CITY, INDIANA, APPROVING A RESOLUTION OF THE MICHIGAN
CITY REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO THE
DECLARATORY RESOLUTION AND THE ECONOMIC DEVELOPMENT PLAN
FOR THE CONSOLIDATED ECONOMIC DEVELOPMENT AREA FOR THE
PURPOSE OF ESTABLISHING A NEW ALLOCATION AREA AND REGARDING
CERTAIN RELATED MATTERS**

WHEREAS, the Plan Commission of the City of Michigan City, Indiana (the "Plan Commission") is the body charged with the duty of developing a general plan of development for the City of Michigan City, Indiana (the "City"); and

WHEREAS, the Michigan City Redevelopment Commission (the "Redevelopment Commission"), which exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"), has previously adopted and confirmed resolutions which established and amended an economic development area known as the "Consolidated Economic Development Area" (the "Area"), approved an economic development plan for the Area (the "Plan"), and designated portions of the Area from time to time as allocation areas pursuant to Section 39 of the Act (collectively, the "Allocation Area"); and

WHEREAS, on July 14, 2025, the Redevelopment Commission adopted its Resolution No. 6-25 (the "Amending Declaratory Resolution"), pursuant to which the Redevelopment Commission determined to (i) designate an area, presently part of the Allocation Area and described at Exhibit A of the Amending Declaratory Resolution, as a separate allocation area pursuant to Section 39 of the Act to be known as the "SoLa Project Allocation Area" (the "SoLa Project Allocation Area") and (ii) amend the Plan to include the SoLa Project Allocation Area therein (clauses (i) and (ii), collectively, the "2025 Amendments"); and

WHEREAS, the Redevelopment Commission has submitted the Amending Declaratory Resolution (which Amending Declaratory Resolution is attached hereto as Exhibit A and made a part hereof), to the Plan Commission for approval pursuant to the provisions of the Act; and

WHEREAS, pursuant to the provisions of the Act, the Plan Commission desires to issue its written order approving the Amending Declaratory Resolution;

NOW, THEREFORE, BE IT RESOLVED by the Plan Commission of the City of Michigan City, Indiana as follows:

1. Pursuant to Section 16 of the Act, the Plan Commission hereby finds and determines that the Amending Declaratory Resolution and the 2025 Amendments conform to the plan of development for the City.
2. The Plan Commission hereby approves the Amending Declaratory Resolution and the 2025 Amendments in all respects.

3. The Plan Commission hereby finds and determines that it will be a public utility and benefit to designate the SoLa Project Allocation Area as a separate allocation area and undertake the activities set forth in the Plan, as amended by the Amending Declaratory Resolution, in the Area as set forth in the Amending Declaratory Resolution.

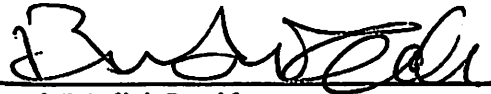
4. This Resolution shall constitute the Plan Commission's written order approving the Amending Declaratory Resolution and the 2025 Amendments.

5. This Resolution shall be in full force and effect after its adoption by the Plan Commission.

* * * * *

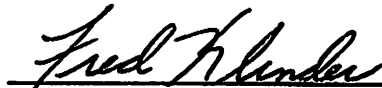
PASSED, ISSUED AND APPROVED at a meeting of the Plan Commission of the City of Michigan City, Indiana, held on the 22nd day of July, 2025.

**PLAN COMMISSION
OF THE CITY OF MICHIGAN CITY, INDIANA**



Bruce de'Medici, President

ATTEST:



Fred Klinder, Secretary

EXHIBIT A

AMENDING DECLARATORY RESOLUTION

(See attached)

RESOLUTION NO. 6-25

**RESOLUTION OF THE MICHIGAN CITY REDEVELOPMENT
COMMISSION APPROVING AMENDMENTS TO THE DECLARATORY
RESOLUTION AND THE ECONOMIC DEVELOPMENT PLAN FOR
THE CONSOLIDATED ECONOMIC DEVELOPMENT AREA FOR THE
PURPOSE OF ESTABLISHING A NEW ALLOCATION AREA AND
REGARDING CERTAIN RELATED MATTERS**

WHEREAS, the Michigan City Redevelopment Commission (the "Commission"), the governing body of the Michigan City Department of Redevelopment (the "Department") and Michigan City Redevelopment District (the "District"), exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission has heretofore adopted a declaratory resolution (as subsequently confirmed and amended from time to time, the "Declaratory Resolution") designating and declaring certain areas of the City of Michigan City, Indiana (the "City") collectively known as the "Consolidated Economic Development Area" (the "Area") as an economic development area pursuant to the Act, designating such areas from time to time as allocation areas pursuant to Section 39 of the Act (collectively, the "Allocation Area"), and approving an economic development plan for the Area (the "Plan"); and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to further amend the Declaratory Resolution and the Plan to designate an area, presently part of the Allocation Area and described at Exhibit A attached hereto, as a separate allocation area pursuant to Section 39 of the Act to be known as the "SoLa Project Allocation Area" (the "SoLa Project Allocation Area"); and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation and expansion of "allocation areas" to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said Section; and

WHEREAS, this Commission deems it advisable to apply the provisions of said Section 39 of the Act to the SoLa Project Allocation Area; and

WHEREAS, the Commission now desires to approve the designation of the SoLa Project Allocation Area and the amendment of the Plan to include the SoLa Project Allocation Area therein (collectively, the "2025 Amendments"); and

WHEREAS, the proposed 2025 Amendments and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED BY THIS MICHIGAN CITY REDEVELOPMENT COMMISSION AS FOLLOWS:

- 1. The recitals set forth above are incorporated herein and are approved as if set forth herein.**
- 2. The Commission hereby finds and determines that the 2025 Amendments, including the designation of the SoLa Project Allocation Area as an allocation area for purposes of Section 39 of the Act, will provide significant opportunities for the gainful employment of the citizens of the City, will assist in attracting major new business enterprises to the City, may result in the retention or expansion of significant business enterprises existing in the City, and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting the public health, safety and welfare, increasing the economic well-being of the City and the State of Indiana (the "State"), and serving to protect and increase property values in the City and the State.**
- 3. The 2025 Amendments cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of existing local public improvements, existence of conditions that lower the value of the land below that of nearby land, multiple ownership of land, and other similar conditions.**
- 4. The public health and welfare will be benefited by accomplishment of the 2025 Amendments.**
- 5. It will be of public utility and benefit to further amend the Declaratory Resolution and the Plan for the Area as provided in the 2025 Amendments and to continue to develop the Area, including the SoLa Project Allocation Area, as provided under the Act.**
- 6. The accomplishment of the 2025 Amendments will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.**
- 7. The Commission hereby finds that the further amendment of the Declaratory Resolution and the Plan, to designate the SoLa Project Allocation Area, conforms to the comprehensive plan of development for the City.**
- 8. The map and plat of the SoLa Project Allocation Area showing its boundaries, the location of the various parcels of property, streets and alleys, and other features affecting the acquisition, clearance, replatting, replanning, rezoning, redevelopment or economic development of the SoLa Project Allocation Area, and the parts of the SoLa Project Allocation Area that are to be devoted to public ways, levees, sewerage, parks, playgrounds and other public purposes under the Plan, are hereby approved and adopted as the map and plat for the SoLa Project Allocation Area.**
- 9. The 2025 Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution and the Plan and the purposes of the Act.**

10. The findings and determinations set forth in the Declaratory Resolution and the Plan are hereby reaffirmed to the extent not amended or modified hereby.

11. The Commission finds that no residents of the Area will be displaced by any project resulting from the 2025 Amendments, and therefore finds that it does not need to give consideration to transitional and permanent provision for adequate housing for the residents.

12. The 2025 Amendments are hereby in all respects approved.

13. The area described at Exhibit A is hereby removed from the Allocation Area, and is hereby designated as a separate "allocation area" pursuant to Section 39 of the Act to be known as the "SoLa Project Allocation Area," for purposes of the allocation and distribution of property taxes on real property for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable real property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39 of the Act, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the SoLa Project Allocation Area hereby designated as the "SoLa Project Allocation Area Allocation Fund" and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the SoLa Project Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit B. The base assessment date for the SoLa Project Allocation Area is January 1, 2025.

14. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and the allocation provisions herein relating to the SoLa Project Allocation Area shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal of and interest on bonds or lease rentals on leases payable from tax increment revenues derived from the SoLa Project Allocation Area.

15. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this Resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

16. This Resolution, together with any supporting data, shall be submitted to the Plan Commission (the "Plan Commission") and the Common Council of the City (the "Council") as

provided in the Act, and if approved by the Plan Commission and the Council, shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.


17. The officers of the Commission are hereby authorized to make all filings necessary or desirable to carry out the purposes and intent of this Resolution.

18. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

19. This Resolution shall take effect immediately upon its adoption by the Commission.

ADOPTED at a meeting of the Michigan City Redevelopment Commission held on July 14, 2025, in the Council Chambers located at City Hall, 100 East Michigan Boulevard, Michigan City, Indiana 46360.

**MICHIGAN CITY REDEVELOPMENT
COMMISSION**

By: 
Sheila Matias, President

ATTEST:


Clarence Hulse, Secretary

EXHIBIT A

Description of the SoLa Project Allocation Area

- 1. 42-01-29-251-013 E O S LT 1-4 EX NW COR LT 2 & MID PT W1/2 LT 3 BLK 8 & VAC ALLEY & W1/2 VAC FRANKLIN ST ADJ**
- 2. 42-01-29-251-025 EOS NW COR W 1/2 LT 2 BLK 8.**
- 3. 42-01-29-251-004 28.05 FT ON WASH. ST. CMG.27.5 FT N OF SW COR W 1/2 EOS LT 3 BLK 8**
- 4. 42-01-29-251-024 E O S LTS 5-8 BLK 8 & W1/2 VAC FRANKLIN ST ADJ & VAC ALLEY BTWN LTS 6 & 7**

EXHIBIT B

2025 Plan Supplement

The Plan is further supplemented and amended to add the description for the territory to be known as the SoLa Project Allocation Area as set forth at Exhibit A.

Tax Increment Revenues from the SoLa Project Allocation Area may be used to support all or any portion of the acquisition, construction and equipping of a mixed-use development including (i) an approximately 242-room hotel; (ii) approximately 21,000 square feet of retail and/or commercial space; (iii) approximately 188 condos/townhomes and related improvements; and (iv) an approximately 385 parking structure and any supporting areas to be located in the SoLa Project Allocation Area and for any other economic development projects that are located in or serve the SoLa Project Allocation Area.

The Commission anticipates capturing tax increment revenues from the SoLa Project Allocation Area and applying such tax increment revenues to offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the unit, or to pay principal and interest on economic development revenue bonds issued by the unit to provide incentives to a developer, in furtherance of the economic development or redevelopment purposes of the SoLa Project Allocation Area.

Based on representations made to the Commission, the Commission has determined that the full development of the SoLa Project Allocation Area with the improvements described above, will not proceed as planned without the contribution of tax increment revenues to be derived from the SoLa Project Allocation Area to the projects described above.

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE
PARK CONCESSION NON-REVERTING FUND #2507 TO CONSTRUCT A NEW
WINGS OF WONDER AVIARY EXHIBIT AT WASHINGTON PARK ZOO

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 Park Concession Non-Reverting Fund #2507 for the Parks Department to construct a new Wings of Wonder Aviary Exhibit at the Washington Park Zoo; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Park Concession Non-Reverting Fund #2507 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 Park Concession Non-Reverting Fund #2507 Unappropriated balance	\$289,109.00	
INCREASE ACCOUNT #2507.000.439.090 Contractual Services		\$289,109.00
TOTAL FOR FUND	\$289,109.00	

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

INTRODUCED BY: _____
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. _____

**ESTABLISHING A MUNICIPAL MOTOR VEHICLE LICENSE EXCISE SURTAX AND
MUNICIPAL WHEEL TAX AND CREATING DIVISION 4 (EXCISE WHEEL SURTAX
AND WHEEL TAX) IN ARTICLE VI (FINANCE) IN CHAPTER 2 (ADMINISTRATION)
IN THE MICHIGAN CITY MUNICIPAL CODE**

WHEREAS, I.C. 6-3.5-10, et seq. (the “Excise Tax Act”) authorizes the Common Council of any municipality within the State of Indiana having a population of at least ten thousand (10,000) to impose, by ordinance, an annual license excise surtax (the “Municipal Motor Vehicle Excise Surtax”) at a rate of at least Seven Dollars and Fifty Cents (\$7.50) and not more than Twenty Five Dollars (\$25.00) on certain vehicles registered in the municipality; and

WHEREAS, I.C. 6-3.5-11, et seq. (the “Wheel Tax Act”) authorizes the Common Council of any municipality within the State of Indiana having a population of at least ten thousand (10,000) to impose, by ordinance, at a rate of not less than Five Dollars (\$5.00) nor more than Forty Dollars (\$40.00) on certain classifications of vehicles not exempted from the Wheel Tax and registered in the municipality; and

WHEREAS, the Excise Tax Act and the Wheel Tax Act (collectively, the “Acts”) each require that the Municipal Motor Vehicle License Excise Surtax and the Municipal Wheel Tax must be adopted and imposed concurrently (*see* I.C. 6-3.5-10-2(c) and I.C. 6-3.5-11-2(b)); and

WHEREAS, recently the Indiana General Assembly enacted HEA 1461, which is codified at I.C. 8-23-30, et seq., created a second pot of Community Crossing Matching Grant (CCMG) funding only for municipalities that have adopted a wheel tax (*See* I.C. 8-23-30-2(k)) and funding will be based on total lane miles beginning in fiscal year 2027; and

WHEREAS, thus, effective as of July 1, 2025, municipalities without a wheel tax are limited to receiving funding only from the first pot of CCMG monies; and

WHEREAS, over the last few years, the City of Michigan City, Indiana (“City”) has seen a dramatic decline in revenue necessary to support the safe operation of a streets and road system within the City, based on changes to state law, which include but are not limited to the following:

- a. The Indiana General Assembly enacted legislation reducing the percentage of gas tax given to the Motor Vehicle Highway Fund (MVH);
- b. The Indiana General Assembly enacted legislation requiring a governmental unit to deposit Motor Vehicle Highway Funds as follows:
 1. 50% of MVH funding must be designated as unrestricted and used for operating; and
 2. 50% of MVH funding must be used for construction, reconstruction, and preservation of a unit’s streets and roads, however, maintenance expenditures no longer counted toward this 50% requirement; and
- c. Recently, the Indiana General Assembly enacted Senate Bill 1 regarding property taxes and as a result, all municipalities are expected to lose significant property tax revenue in incremental phases for the next several years; and

WHEREAS, in addition to the statutory changes to the MVH Fund by the General Assembly and the recent adoption of Senate Bill 1, the City has experienced and expects to continue to experience a decline in riverboat funds as well; and

WHEREAS, in 2024, the City’s financial consultants, Baker Tilly, determined that the City could generate additional revenue in the amount of \$667,523.00 with the adoption of a municipal wheel tax at the maximum rate of \$40.00 and a surtax with a maximum rate of \$25.00; and

WHEREAS, State Representative, Jim Pressel, recently provided the Mayor with the potential amounts of monies the City would receive from the second pot of CCMG funding if the City enacted a wheel tax, which would be as follows:

<u>2027:</u>	<u>2028:</u>	<u>2029:</u>	<u>2030:</u>
\$204,428.00	\$354,479.00	\$197,069.00	\$213,832.00

WHEREAS, after due consideration, the Common Council believes it is in the best interest of the City and residents herein to establish the Michigan City Excise Surtax and the Michigan City Wheel Tax on motor vehicles to generate additional monies to help cover the costs of maintaining and repairing the streets and roads in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MICHIGAN CITY COMMON COUNCIL, as follows:

- I. Division 4 (Excise Wheel Surtax and Wheel Tax) in Article VI (Finance) of Chapter 2 (Administration) is hereby created and shall read as follows:

DIVISION 4. EXCISE WHEEL SURTAX AND WHEEL TAX

Sec. 2-441. *Establishing Motor Vehicle License Excise Wheel Surtax*

- (a). *Tax Rate.* Effective January 1, 2026, the following vehicles, registered in the City of Michigan City, Indiana, and subject to the motor vehicle license excise tax shall be subject to a surtax in the amount of \$25.00 in accordance with the provisions of I.C. 6-3.5-10, et seq. (the “Excise Tax Act”):
 - (1). Passenger motor vehicles;
 - (2). Motorcycles;
 - (3). Motor driven cycles; and
 - (4). Trucks with a declared gross weight of eleven thousand (11,000) pounds or less.
- (b). *Definition(s).* The definitions of passenger motor vehicles, motorcycles, and motor driven cycles as set forth in I.C. 9-13-2, et. seq., as well as those set forth in the Excise Tax Act shall apply to this subsection.
- (c). *Creation of Fund; Uses of Fund.* There is hereby created a Municipal Surtax Fund which shall be a non-reverting fund. Revenues received from the Department of Motor Vehicles from taxes imposed under this Section shall be deposited into that Fund. Pursuant to the I.C. 6-3.5-10-10(b), funds in this Fund may be used for the following purposes:
 - (1). To construct, reconstruct, repair, or maintain streets and roads under the City’s jurisdiction; or
 - (2). For the City’s contribution to obtain a grant from the local road and bridge matching grant fund under IC 8-23-30.
- (d). *Transportation Asset Management Plan.* As required by I.C. 6-3.5-10-2(e), the City uses a Transportation Asset Management Plan approved by the Indiana Department of Transportation.
- (e). *Accounting of Fund.* Pursuant to I.C. 6-3.5-10-11, on or before October 1 of each year, the City Controller shall provide the Common Council with an estimate of the surtax revenues to be received by the City during the next calendar year. The City shall include the estimated surtax revenues in the City’s budget estimate for the calendar year.

Sec. 2-442. *Establishing the Wheel Tax.*

- (a). *Tax Rate.* Effective January 1, 2026, the following classes of vehicles, registered in the City of Michigan City, Indiana shall be subject to a wheel tax in the amount of \$40.00 in accordance with the provisions of I.C. 6-3.5-11, et seq. (the “Wheel Tax Act”):
 - (1). Buses;

- (2). Recreational Vehicles;
- (3). Semitrailers;
- (4). Trailers with a declared gross weight of more than nine thousand (9,000) pounds; and
- (5). Trucks and tractors with a declared gross weight of more than eleven thousand (11,000) pounds.

In accordance with I.C. 6-3.5-11-4, a vehicle is exempt from wheel tax if the vehicle is:

- (1). Owned by the state;
- (2). Owned by a state agency of the state;
- (3). Owned by a political subdivision of the state;
- (4). Subject to the municipal vehicle excise tax imposed under I.C. 6-3.5-10;
- (5). A bus owned and operated by a religious or nonprofit youth organization and used to transport persons to religious services or for the benefit of its members;
- (6). A school bus; or
- (7). A motor vehicle that is funeral equipment and that is used in the operation of funeral services (as defined in IC 25-15-2-17).

- (b). *Definition(s)*. The definitions as set forth in the Wheel Tax Act shall apply to this subsection.
- (c). *Creation of Fund; Uses of Fund*. There is hereby created a Municipal Wheel Tax Fund which shall be a non-reverting fund. Revenues received from the Department of Motor Vehicles from taxes imposed under this Section shall be deposited into that Fund. Pursuant to the I.C. 6-3.5-11-14, funds in this Fund may be used for the following purposes:
 - (1). To construct, reconstruct, repair, or maintain streets and roads under the City's jurisdiction;
 - (2). As contribution to a multiple county infrastructure authority established under IC 36-7-23; or
 - (3). For the City's contribution to obtain a grant from the local road and bridge matching grant fund under IC 8-23-30.
- (d). *Transportation Asset Management Plan*. As required by I.C. 6-3.5-11-2(c), the City uses a Transportation Asset Management Plan approved by the Indiana Department of Transportation.
- (e). *Accounting of Fund*. Pursuant to I.C. 6-3.5-11-15, on or before October 1 of each year, the City Controller shall provide the Common Council with an estimate of the wheel tax revenues to be received by the City during the next calendar year. The City shall include the estimated wheel tax revenues in the City's budget estimate for the calendar year.

- II. Pursuant to I.C. 6-3.5-10-6 and I.C. 6-3.5-11-8, the City Clerk, on behalf of the Michigan City Common Council, shall send a copy of this Ordinance and a copy of the letter from the Indiana Department of Transportation approving the City's Transportation Asset Management Plan, which is attached hereto and incorporated herein as "Exhibit A" to the Indiana Bureau of Motor Vehicles, 100 N. Senate Avenue, 4th Floor, Indianapolis, Indiana 46204 immediately and no later than August 31, 2025.

The Clerk shall take all reasonable and necessary measures, including but not limited to U.S. Mail, Certified Mail, and Overnight Mail to ensure the prompt delivery of this Ordinance by the August 31, 2025.

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

_____,
Nancy Moldenhauer, 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

Veto / Approved (*circle action taken*) 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

EXHIBIT A



October 08, 2024

Tim Werner
City Engineer
Michigan City

RE: Asset Management Plan Approval Letter – Michigan City

This letter is to confirm that the Asset Management Plan that was submitted by Michigan City to INDOT has been approved. Please feel free to let me know if you need additional information.

Sincerely,

Kathy Eaton-McKalip

Kathy Eaton-McKalip
Director, Local Programs
Kaeaton-mckalip@indot.in.gov