# REGULAR IN PERSON COUNCIL "HYBRID/ZOOM" MEETING
# September 16, 2025

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, September 16, 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, Bryant Dabney, Dr. Vidya Kora, Daisy Lee, Nancy Moldenhauer (ZOOM), Don Przybylinski, and Tracie Tillman (8)

**ABSENT:** COUNCIL MEMBER Nelson (1)

President Tillman stated Councilwoman Moldenhauer will be attending by Zoom, and Councilman Nelson will be absent and is excused.

**A QUORUM WAS NOTED PRESENT**

**ALSO, PRESENT:** Council Attorney Jewel Harris, City Clerk Gale Neulieb, and Deputy Clerk Amanda Pickens

**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, September 2, 2025, and the Executive Session August 27, 2025.

Councilman Dr. Kora made a motion to approve the minutes of the Regular "Hybrid/Zoom" meeting minutes held on September 2, 2025 and the Executive Session held on August 27, 2025, second by Councilman Dabney, the motion carried, and the regular September 2, 2025 and the Executive Session held on August 27, 2025, were approved by the following vote: AYES: Council members Przybylisnki, Tillman, Bietry, Coulter, Dabney, Dr. Kora, Lee, Moldenhauer (8) NAYS: Council member (0).

> **NOTE: Councilman Dr. Kora advised President Tillman that he has a point he would like to make; with President Tillman stated he could.**

Councilman Dr. Kora stated he is considering introducing a motion to reconsider the three (3) proposed resolutions regarding "Project Maize" on tonight's agenda, asking Counsel Attorney Harris's his legal opinion.

President Tillman stated before moving forward she indicated, if this would go forward, a motion would have to be made before that can happen and there was no motion made at this time; advising there would also have to be a motion to suspend the rules to change the agenda.

Councilman Dr. Kora stated that he wanted to hear from Attorney Harris first.

Attorney Harris stated he understood the question being asked, if whether there is an option available to the council to reconsider the actions taken at the last council meeting (September 2, 2025) that adopted several resolutions related to "Project Maize": advising the idea of reconsidering an action taken by the council regarding this is found in Robert's Rules of Order and in general and in theory is "yes", the council has until the next council meeting (September 16, 2025) to reconsider any official action taken at the prior meeting (September 2, 2025) and is not without exception to general authority; advising one of the exception is if the subject matter of the resolution in this instance, it's not an ordinance – there are several resolutions and if any of those resolutions are the subject of a contract then that isn't an option, is not an option that's available to the council, because the council is not only bound by terms of the resolution that was adopted but is also bound by the terms of the contract; advising in this instance, you have another party with a taxpayer agreement, which was included with the resolution who's relied upon the terms of that agreement, which is fully executed, is filed in the Clerk's Office, they have a copy of it and now they've relied upon the terms of that contract entered into the agreements with NIPSCO, with the end user and ordered equipment; stating in this instance he would not advise the council to go forward with a motion to reconsider because it would expose the city to liability because the agreement that's in place.

Councilman Dr. Kora advised that his question was answered.

**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 September 16, 2025 at 6:00 p.m.; a quorum was present and the Michigan City Riverboat/ Boyd Claim Docket for September 16, 2025 was as follows; Riverboat fund #2235 claims zero(0); Riverboat EFT fund #2235 claims zero (0); Rainy Day fund #2236 claims were $298,293.15 paying Reith and Riley Construction $289,758.15 and Schneider Geomatics $8,535.00; and Boyd Development fund #2504 were $200,000.00 paying Michigan City Economic Development; with the total claims being $498,293.15.

Councilman Dabney made a motion to approve the September 16, 2025, Riverboat/Boyd Development Claim Docket in the total amount of $498,293.15 second by Councilman Przybylinski, the motion carried and the September 16, 2025, Riverboat/Boyd Development Claim Docket in the total amount of $498,293.15 was approved by the following vote: **AYES**: Council members Tillman, Bietry, Coulter, Dabney, Dr. Kora, Lee, Moldenhauer, and Przybylinski (8) **NAYS:** None (0)

President Tillman advised the statement of the cash position for September 16, 2025, Riverboat Fund #2235 was $5,146,123.95 and the Rainy-Day Fund #2236 was $1,167,490.42 with the fiscal grand total ending balance on September 16, 2025, was $6,313,614.37.

**REPORTS FROM BOARDS AND COMMISSIONS**

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

Councilwoman Moldenhauer advised the public that the Northwest Indiana Green Drinks will be meeting on Tuesday, October 2nd, 2025, at 6:30 p.m. and you can join on Save the Dune's Facebook Live, or a zoom link can be obtained em@savedunes.org; "Bird Migration", presented by Jen Jensen, Ottabon Society.

**REPORTS OF SPECIAL or SELECT COMMITTEES**

President Tillman asked if there were any reports from special or select committee.

Councilman Przybylisnki, liaison to the LaPorte County Solid Waste District, thanked Sasha Burns, LaPorte County Environmental Educator/ Public Outreach, for hosting an education program on recycling.

Councilman Przybylisnki, liaison to the Michigan City Public Art Committee, thanked Artist Chris Silva for his murals at Pulman Skate Park that was celebrated by a ribbon cutting ceremony that took place on Saturday, September 13, 2025; recognizing the following individuals for their help with this event Carol Ann Brown, Art Committee Member, Shannon Eason, Park Superintendent, William Walker, Assistant Park Superintendent, Pat Voltz, Park Maintenance Director, and Melissa Moore, AP Clerk Park Department.

**REPORTS FROM THE MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS**

Mayor Angie Nelson Deuitch, sent condolences to the family of Fireman Richard Nagely and that his funeral will be held Saturday, September 20, 2025, at Lake View Freemasonry and Funeral Home, LaPorte from 10:00 a.m. – 2:00 p.m. and addressed the following:

- Congratulated the new Michigan City Police Chief Steve Forker, and new Assistant Chief Kyle Shaparski.
- Indiana Plan pre-apprenticeship program classes will be taking place October 6th – 17th, 2025.
- Restoring Communities Grant application are due by October 15, 2025, and can be found on the emichgancity website; and the grants will range from $5,000-$25,000 that will be paid from the Opioid funds.

Mayor Angie, present the proposed 2026 Budget

> **NOTE: This presentation is filed in the Clerk's Office under 2025 Council Matters).**

Councilman Dr. Kora thanked Mayor Angie for her presentation are happy to that more students are participating and receiving scholarships through our Michigan City Promise Scholarship Program.

President Tillman thanked Mayor Angie for her presentation.

**COMMENTS FROM THE PUBLIC**

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

Tommy Kulavik, 1316 Ohio Street, sent his condolences to the family of MCFD fireman Ricky Naggie who recently passed away; congratulated Michigan City High School Football Coach as he was named Indianapolis Colts NFL region one coach; announcing that there is a county tax sale on October 7, 2025 held at the LaPorte County Fairgrounds; reminding the public to attend the last two weeks of the Farm and Foraged Farmers Market on Saturday mornings located at the 8th and Washington lot.

Councilman Przybylinski called "Point of Order" asking why public comment has been moved to the beginning of the Council agenda.

President Tillman stated that changes can be made by the residing president, and that it is the President's agenda and can be changed as it is presented; advising that "Public Comment" will no longer be at the end of the agenda it will be held before we get into the council's business; stating that this is according to Robert's Rules.

Councilman Przybylisnki stated that the public needs to be notified of your change due to "Public Comment" being at the end of the meeting for years; that many people do not attend until the end of our council meetings to speak.

President Tillman advised that the agenda is available for the public prior to the meeting for their review and that any council member can make a motion to amend any agenda item if they would like, for the record.

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

Sal Dunlap, 729 E. Michigan Blvd., presented pictures of garbage that was placed in his front yard, stating his concerns regarding the trash he sees throughout our community.

Jay owner of Paul's Construction, wanted to report to the Council that his union company is currently working at the "Maize Project", explaining what they are doing.

Scott Meland, 200 Kenwood Place, stated the council attorney did not say there was a contract in place only an agreement; advising that the pay scale in the proposed budget the Mayor did this evening is a great idea moving forward and that the Mayor, City Clerk and Common Council members should decline their raises; asked for a copy of the funds that was donated to the Elston Campus last year; and that the tax abatement that is on the agenda he feels this should not be 100 % but possibly only 50%.

Andy Skwiat, 203 E. Harrison Street, gave an update to the council regarding their involvement at "Project Maize".

John Watson, Business Agent for Local 150, asked the council to rescind the incentives that were adopted in the resolutions passed for "Project Maize" and Phoenix at last Council meeting on September 2, 2025; that this council has the opportunity to rescind those resolution this evening; that Local 150 has had conversations with Phoenix but no commitment to Local 150 or any local residents; advising that Local 150 is challenging the legal advice that was provided to this council this evening by Attorney Harris.

Corey Campbell, representing Local Labor 81, stated that the union will be challenging the advice provided by Attorney Harris asking if there are any contracts actually being signed and actually a resilience on it; that union people working at "Project Maize" is minimal for the size of this project that is happening; advising that this is an real ongoing project that already has equipment and employees; asking for the council to rescind the tax abatement incentives until further commitment can be made to local labors and contractors.

Marcella Kunstek, 400 East, LaPorte, Construction Analyst for the Indiana, Illinois and Iowa Foundation for Fair Contracting advised the Council and Attorney Harris that she will be submitting an FOIA for any contracts signed within the last two (2) weeks regarding "Project Maize"; that Attorney Harris has given this council assurance what they entered into.

Tom Donegan, 205 E. 11$^{th}$ Street, addressed the council reading the following into record.

I want to thank all of you for passing the resolution about the prison on September 2. Great job.

> Ms. Lee, you said, "There is fear in the public that it will be used as an ICE detention facility." What about the fear in the public about all the shootings in Michigan City this year? You had one in your ward. There were three within a few blocks of me. There's been two since the last meeting!
>
> Dr. Kora, at the Council meeting on August 18, you said "If we don't have good roads its not good for safety and it's not good for business". Are five people shot dead in Michigan City good for safety and business?
>
> Mr. Bietry, at the same meeting, you made a joke about the catalytic converters that were stolen off the school buses. You and the council should have been outrages that thieves shut down the school system. You had a shooting in your ward, too.
>
> Ms. Moldenhauer, you go on and on about the environment. When is the last time you took a walk around Franklin Street south of the train tracks downtown? The amount of trash in the streets is amazing. I guess since it's a budding ghetto and not the beach it is not a problem.

Mr. Dabney and Mr. Przybylinski, you asked in amazement how someone could vandalize the "Water Tower Park' and the "Gold Course". Do you think a slap on the wrist and hug from a judge sends a message that there's consequences for your actions? What about the County Prosecutor making a plea deal with Arthur Smith, who is only getting probation after shooting up Loran Drive in broad daylight on June 10.

Mr. Nelson, there's been two shootings in your ward this year, but I haven't heard anything from you about them or in the news or social media.

Mr. Coulter, you should be embarrassed! Your ward leads the city in shootings this year. There were ten! And not a peep out of you when your ward is up, for grabs with people getting shot and drugged out by vagrants harassing people on Franklin Street.

As a council this year, you're more concerned about people driving golf carts around than people getting murdered You spent months arguing about how tall grass can be. But not once have you addressed the maiming and killing at a city council meeting.

Shootings are up 55% this year. Murders are up 66%. You are city leaders! Where is the outrage?

Where is the resolution calling on the County Prosecutor to not make plea deals with people arrested for shootings in Michigan City? He's about to make another one with Kizzy Harper, who allegedly shot up the BP on Franklin on March 9th.

Where is the resolution calling on LaPorte County judges to keep high bonds for people accused of shooting up Michigan City? Especially when they're also charged with Unlawful Possession of a Firearm by a Serious Violent Felon? Would you be shocked to learn that Lashaun Murry, who allegedly shot two people at the BP on Franklin on March 9th, was set free on his own recognizance? Ther's now a warrant for his arrest!

Where's the resolution calling on the State Legislature to increase bonds for people charged with shootings and serious violent felons with guns?

Where's the resolution calling on the courts to make prison mandatory for people convicted of shootings in Michigan City? They often get probation which puts them back on the street and which they routinely violate?

And now you want to raise taxes, and you're worried about people smoking too close to government buildings? This isn't Mayberry and there's serious problems in Michigan City. It's about time for you people get your priorities straight.

President Tillman asked if there were any other public comments, there was no response.

## PETITIONS

President Tillman asked Clerk Neulieb if there were any petitions.

Clerk Neulieb advised that there were no petitions received in the Clerk's Office.

## COMMUNICATIONS

Correspondence was received in the Clerk's Office on September 11, 2025, from State Senator Rodney Pol, requesting a report on fiscal impact on government.

A public notice was received in the Clerk's Office on September 8, 2025, from Newby Lewis Kaminski & Jones, LLP regarding rezoning of real estate (504 Eastwood Road, Michigan City).

## RESOLUTIONS

The Clerk read the following proposed resolution by title only.

**MICHIGAN CITY COMMON COUNCIL**

# RESOLUTION NO. 4976

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA GRANTING AMERIPLEX MARQUETTE JV, LLC AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR REAL PROPERTY, 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, approved, and confirmed such that the designation of the ERA and the effectiveness of the Cooper ERA Resolution expires on December 31, 2026; and

**WHEREAS, Ameriplex Marquette JV, LLC** (the "Company"), pursuant to Section 3(a) of the Act has filed with the Common Council a **Statements of Benefits Real Property (FORM SB-1/Real Property)** (the "Statement of Benefits") dated August 26, 2025, **EXHIBIT A** attached hereto, which proposes the construction of a 54,000 square foot multi-tenant flex industrial building (the "Project"); and

**WHEREAS,** the Company, upon approval of economic development incentive(s) by the City, intends to implement redevelopment and rehabilitation improvements to facilities and structures related to the Project during the period of May 1, 2025 through December 31, 2026 in a total amount anticipated to be **$5,500,000** for the Project, with the existing structure improvements to be fully assessed by **January 1, 2027 (the "Assessment Date")**; and

**WHEREAS,** the Economic Development Corporation, Michigan City, Indiana ("EDCMC") submitted to the Common Council, as the designating body pursuant to Section 3 of the Act, the following documents related to the Company's request for an assessed valuation deduction of qualified real property within the ERA: (i) the Statement of Benefits ("FORM SB-1/Real Property") 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 real property located at located at 6101 Cleveland Avenue in the City, Coolspring Township (Real Property Key Number: 46-05-09-127-031.000-009) is within the boundaries of the ERA; and, therefore the Common Council may make a determination pursuant to Section 3 of the Act, based upon the evidence, as to whether Company shall be allowed an assessed valuation deduction of qualified real 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 3 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 3(b) of the Act, that:

1. The value of 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 can reasonably be expected to be a result of the Project;
3. The estimated annual salaries of those individuals who will be employed or whose employment will be retained can reasonably be expected to be a result of the Project; and
4. The totality of the benefits is sufficient to justify an assessed valuation deduction as a result of the Project.

**BE IT FURTHER RESOLVED 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, namely the **Combined Michigan City Allocation Area** (also known as the "**Combined TIF Area**") designated within the Southside EDA (T46200), and that this Resolution shall constitute the approval required by Section 2(k) of the Act.

**BE IT FURTHER RESOLVED** that the Common Council hereby grants the Company an assessed valuation deduction ("Tax Abatement") from qualified real property investments **limited to a cost of $5,500,000 for redevelopment and construction of the Project between May 1, 2025 and December 31, 2026**, with real property improvements to be fully assessed by **January 1, 2027 (the "Assessment Date")**, all in accordance with the Act as it relates to the Project and as identified on the Statement of Benefits.

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

**BE IT FURTHER RESOLVED** that the Common Council has considered the following factors under Section 17 in connection with the Project: (i) the total amount of investment in real and personal property; (ii) the number of new full-time equivalent jobs to be created as a result of the Project; (iii) the average wage of the new employees resulting from the Project compared to the state minimum wage; and (iv) the infrastructure requirements for the investment in the Project.

**BE IT FURTHER RESOLVED** that pursuant to Sections 3(c) and 17 of the Act, the Common Council, based upon its affirmation of criteria pursuant to Sections 3(b) and 17 of the Act as stated above, hereby grants the Company an assessed valuation deduction period of **seven (7) years** on fully assessed real property improvements from the Assessment Date of each new structure for which said deduction percentage schedule for qualified real property applies over said seven (7) 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 seven (7) year abatement period is attached hereto in order to meet the requirements of Sections 3(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 completion and the full assessment of real property improvement as a result redevelopment and rehabilitation activities related to the Project (anticipated to be not later than January 1, 2027 as the Assessment Date) by the appropriate assessing authority, regardless of the expiration date of the ERA as stated 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 Sections 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 construction and the full assessment of real 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 real 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 annual real 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 real property as herein specified and authorized under Section 2(i)(6) of the Act and to be included under Item D (page 2) of the approved FORM SB-1/Real Property:

*Condition #1:* The Company understands and agrees that the annual deduction to be applied **shall be limited to $5,500,000 of private investment or cost of real property improvements** as assessed on the Assessment Date as a result of ERA assessed valuation deductions from incremental real property improvements assessed; provided however, the Company may submit an amended SB-1 showing increased investment or cost for further amending approval by the Common Council.

**BE IT FURTHER RESOLVED** that the Common Council as the designating body at its discretion may impose a claw back provision attached hereto under **EXHIBIT D** for tax savings for any tax years in which the Company does not reasonably comply with the Statement of Benefits (FORM SB-1/RE), the annual filings required pursuant to the Act, and the conditions of this Resolution during each of the seven (7) 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 Coolspring Township, Indiana and the Office of the LaPorte County, Indiana Auditor as it applies to this Resolution and the approval of the Company's 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 the signature of the Mayor of the City as the executive of the City.

**INTRODUCED BY:** /s/ Tim Bietry, Member
/s/ Bryant Dabney, Member

NOTE: Exhibit's "A, B, C, D" is attached to Council Resolution No. 4976 in file CR-115.

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

Councilman Bietry stated this is the "Holladay Speck Building Project" allowing business to come to Michigan City without having to construct a new building as this will be an expansion of this project continuing to build east and will be using union labors on this project will include a seven (7) year tax abatement.

Clearence Hulse, Director of Michigan City Economic Development Corporation, stated that Holladay Projects will be building an additional industrial building to the east of the present site, along Cleveland Avenue.

Michael Conner and Ryan Kelley representing Holladay Properties, thanked Clearance and Karaline from EDC for their assistance; asking if there are any questions from the council, there was no response.

President Tillman asked if the public had any questions or comments at this time.

Scott Meland, 200 Kenwood Place, stated that the city is having to pay for a road to do this project, the city is facing a budget crisis; asking the council to stop giving away tax abatements to developers; questioning without this tax abatement would they still move forward and do this project in Michigan City.

President Tillman asked if there were any other public comments, there was no response.

President Tillman asked if the Council had anything to add.

Councilman Dabney stated this a seven (7) year tax abatement that is a total of $256,000.00; explaining how a tax abatement works advising that the percentage of the tax monies to the city will increase each year until the abatement is completed.

Mr. Hulse advised Councilman Przybylinski that the $5.5 million is the cost of the project and that the tax abatement has been shortened from 10(ten) years to seven (7) years for Real Estate and from 10 (ten) years to five (5) years for Real Property and that it starts at a 100% moving down until the end of the abatement.

Councilman Bietry made a motion to approve the proposed resolution second by Council Dabney, the motion carried and was adopted by the following vote: AYES: Council members Bietry, Coulter, Dabney, Dr. Kora, Lee, Moldenhauer, and Tillman (7) NAYS: Council members Przybylisnki (1).

**ORDINANCES**

The Clerk read the following proposed ordinance on first reading by title only.
**ORDINANCE OR RESOLUTION FOR APPROPRIATION AND TAX RATES**

**Introduced by:** Tracie Tillman

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

President Tillman stated this is a formality/process that is required by the state to be able to approve the 2026 Budget.

Marylynn Wall, City Controller, commented on the process that will be happening moving forward regarding the mayor's proposed 2026 budget that is on first reading this evening; that a formal public hearing will be posted on In.gov "Gateway" ten (10) days prior to the formal public hearing that will be held at our next council meeting on October 7, 2025 followed by third reading if the Council wishes to move forward at that time.

President Tillman asked if the public had any questions or comments; there was no response.

President Tillman asked if the Council had any comments or questions, there was no response; stating that the proposed ordinance will be held over to second reading at our October 7, 2025, council meeting.

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

**AN ORDINANCE SETTING SALARIES AND WAGES FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF MICHIGAN CITY, INDIANA, FOR THE CALENDAR YEAR 2026**

**Introduced by:** Tracie Tillman

President Tillman stated as being the sponsor of this proposed ordinance she asked for a motion by the council to amend by substitution; due to there were a few changes to the budget; advising that everyone has received a copy of these changes and was placed in front of them this evening;

Councilman Bietry made a motion to amend by substitution the document that the council received regarding the proposed ordinance, second by Councilman Dabney, the motion carried, and the amendment by substitution was approved by the following vote: AYES: Council members Coulter, Dabney, Kora, Lee, Przybylinski, Tillman, and Bietry (7) NAYS: Council members None (0). Abstained: Council member Moldenhauer (1)

President Tillman stated that the following positions were amended and approved for the record: Police Department Administrative Assistant III, Aviation Department for the Forman Maintenance Supervisor and Seasonal Labors and the PGA Professional Director of Golf Operations.

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

Tommy Kulavik, 1316 Ohio Street, addressed the council regarding the two (2) proposals he made at the Mayor's Workshop.

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 October 7, 2025, council meeting.

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

**AN ORDINANCE SETTING THE ANNUAL SALARY FOR THE MAYOR ($93,280.00)**

**Introduced by:** Tracie Tillman

President Tillman advised that the mayor has requested her salary stay the same as it was in 2025 $93,280.00.

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

Tom Donegan, 205 E. 11th Street, stated he believes the mayor should take a pay cut of 66% due to the crime in our community.

Scott Meland, 200 Kenwood Place, stated he feels that it is not good for any executive or elected officials to receive a raise that the only people that should receive a raise is our city employees/workers.

President Tillman asked if the council had any other questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our October 7, 2025, council meeting.

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

**AN ORDINANCE SETTING THE ANNUAL SALARY FOR THE CITY CLERK ($76,252.73)**

**Introduced by:** Tracie Tillman

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

President Tillman advised that the Clerk Neulieb also will be receiving the salary she received in 2025 $76,252.73.

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

President Tillman asked if the council had any other questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our October 7, 2025, council meeting.

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

**AN ORDINANCE SETTING THE ANNUAL SALARIES FOR THE COMMON COUNCIL MEMBERS ($15,734.68)**

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

President Tillman stated the council desires to set their annual compensation for 2026 with the 2% increase; advising that any council member can amend the proposed ordinance if they wish to.

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

Tommy Kulavik, 1316 Ohio Street, stated he feels the council should not receive a raise as we are a third-class city; but does believe that council members should have health insurance.

Tom Donegan, 205 E. 11th Street, stated he believes the council should not receive a raise, as the crime has risen to 66% in our community.

Scott Meland, 200 Kenwood Place, stated that he believes the mayor and city clerk have declined their 2% raise and that the council should also decline their raise.

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

Councilman Dr. Kora stated he would like to decline the 2% raise.

Councilman Przybylinski called a "Point of Order" stating if this is an amendment it needs to be in writing and presented to the city clerk.

Council Attorney Harris advised an amendment can be made and presented at our next council meeting on October 7, 2025, with the proposed ordinance on second reading at that time.

President Tillman asked if the council had any other questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our October 7, 2025, council meeting.

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

**CREATING SEC. 78-7 IN THE MICHIGAN CITY MUNICIPAL CODE TO PROHIBIT SMOKING WITHIN (20) TWENTY FEET FROM THE PUBLIC ENTRANCEWAYS OF MICHIGAN CITY GOVERNMENT BUILDINGS**

**Introduced by:** Don Przybylinski

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

Councilman Przybylisnki stated this is proposed ordinance was brought to him by employees and city attorney; stating several concerns they have regarding this issue; advising that the main amendment to change being able to smoke/vaping from eight (8) feet to twenty feet of an entranceway at any city building.

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

Tommy Kulavik, 1316 Ohio Street, stated this needs to be voted down as this will be impossible to enforce, will employees do need to have a smoking area.

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

Council members Coulter, Dr. Kora and Bietry asked to be added as cosponsors to the proposed 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 October 7, 2025, council meeting.

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

**AMENDING CERTAIN SUBSECTIONS IN SEC. 38-33 IN THE MICHIGAN 1st Reading CITY MUNICIPAL CODE REGARDING THE REVOLVING LOAN FUND**

**Introduced by:** Don Przybylinski

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

Councilman Przybylinski advised the amendments being made to the Revolving Loan Ordinance is to be able to use funds from this account to pay the city's annual contract with the Economic Development Corporation in the amount of $200,000 for two years and to us other funds for a local match for the parks and recreational "Capital Projects" or "Beautification Projects they have but not limited to the proposed "Destination Playground" located at Fedders Alley.

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

Scott Meland, 200 Kenwood Place, stated he is a member of the Revolving Loan Fund Committee and voted for this to move forward, advising that he is confused that he thought the motion he made was matching funds was especially for the all-inclusive playground at Fedders Alley and not made as an expansion for all parks; stating what the Revolving Loan Committee's redefined their mission moving forward is and who they can help in our community.

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

Councilman Dabney stated he was never in favor of the Revolving Loan Fund as the city is not a bank; although this is set up to help small businesses, questioning, how will the city get their funds/loans back if there is nonpayment on this loan.

President Tillman asked if the council had any other questions or comments, there was no response; stating that the proposed ordinance will be held over to second reading at our October 7, 2025, council meeting.

**NEW BUSINESS**

President Tillman asked if there was any new business.

Clerk Neulieb advised there was no new business this evening.

**UNFINISHED BUSINESS**

President Tillman asked if there was any unfinished business.

Clerk Neulieb advised there was no unfinished business.

**COMMENTS FROM THE COUNCIL**

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

Councilman Dabney stated that the council and the city can not force Phoenix Investors, LLC or the end user to hire all local union workers; advising Indiana is a "right to work state"; advising that the city does not have leverage with the "Data Center" it was a closed deal and that the $5 million dollars and the $500,000 that city will be receiving will help with budgets shortfall as the "LIT tax" monies will be ending in 2028; stating several local union companies working at the Data Center site; questioning how did these local union companies be able to work at the DATA Center and why the others were not.

Councilman Bietry stated that there will be plenty of opportunities for unions to work at "Project Maize" once the end user is identified to set the perimeters and agrees with Councilman Dabney's projects; that there has been several workshops and tons of opportunities for unions to get involved and that the council favors local unions for projects as well as the "Indiana Plan".

Councilman Coulter stated he agrees with Councilman Dabney and Bietry and that the city could be sued by rescinding the tax abatement that was approved for the DATA Center; that his plan is to meet with our local unions to create an ordinance regarding the issues we are facing today. And that he also supports having "Public Comment" at the beginning of the agenda; thanked "Framed Forged" for hosting the City's Farmers Market on their webpage; that people using Snap Benefits tripled at the Farmers market this year; and announced that Coaling Tower on Hwy 12 that was built in 1923 has been successfully torn down in the first ward.

Councilman Dr. Kora thanked Mayor Angie for hosting a community meeting on gun violence and suggested to have a council workshop to address this problem as a community.

Councilman Przybylinski stated that the southside of Michigan City is dealing with panhandling and have moved to the center median on Franklin Street and Highway 20; advising that the City Attorney and Chief of Police have been contacted by him to address this issue before an accident happens.

President Tillman invited the public to "Let's Talk Solution" Michigan City Town Hall scheduled for Thursday, September 25, 2025, at 5:30 p.m. at New Hope Missionary Baptist Church, 819 W. 7th Street; thanked the MC High School Ms.Tice, for inviting members of the Council to help with an AP Geography project regarding Council Wards in our city; that included posters and historical information.

**ADJOURNMENT**

A motion by Councilman Dr. Kora, second by Councilman Bietry and there being no further business to transact, President Tillman declared the meeting **ADJOURNED** (approximately 8:20 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:*

Michigan City Common Council September 16, 2025
https://www.youtube.com/watch?v=W36TET5S-RM&list=PL8L8Y5g9S6bqw-rohSfvSUA8dwegrb6st&index=6

Tracie Tillman, President

Gale A. Neulieb, City Clerk