

REGULAR IN PERSON COUNCIL “HYBRID/ZOOM” MEETING November 4, 2025

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, November 4, 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 Greg Coulter, Bryant Dabney, Daisy Lee, Nancy Moldenhauer, Joe Nelson, Don Przybylinski, and Tracie Tillman (7)

ABSENT: COUNCIL MEMBER Dr. Vidya Kora, and Tim Bietry (2)

President Tillman stated that Councilman Bietry and Councilman Dr. Kora did indicate their absence from this meeting and are they are excused.

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Council Attorney Jewell Harris, and City Clerk Gale Neulieb

APPROVAL OF MINUTES

President Tillman asked for a motion to approve the September 16, 2025 Regular Council (Hybrid/Zoom) meeting minutes, the Executive Session minutes from October 1, 2025, the October 7, 2025, Regular Council (Hybrid/Zoom), and the October 21, 2025, Regular Council (Hybrid/Zoom) meeting minutes.

Councilwoman Moldenhauer made a motion to TABLE the October 21, 2025, Regular Council (Hybrid/Zoom) meeting minutes until the November 18, 2025 Council meeting, second by Councilman Coulter, the motion carried to TABLE the October 21, Regular Council (Hybrid/Zoom) meeting minutes until the November 18, 2025 Council meeting by the following vote: AYES: Council members Coulter, Dabney, Lee, Moldenhauer, Nelson, Przybylinski, and Tillman(7) NAYS: Council members None (0).

Councilman Dabney made a motion to approve the September 16, 2025, Regular Council (Hybrid/Zoom) meeting minutes, the Executive Session minutes from October 1, 2025, and the October 7, 2025, Regular Council (Hybrid/Zoom), second by Councilman Przybylinski, the motion carried with the September 16, 2025, Regular Council (Hybrid/Zoom) meeting minutes, the Executive Session minutes held October 1, 2025, and the October 7, 2025, Regular Council (Hybrid/Zoom) were approved by the following vote: AYES: Council members Coulter, Dabney, Lee, Moldenhauer, Nelson, Przybylinski, and Tillman (7) NAYS: Council members None (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 not meet this evening due to not having a quorum; hoping that the council did review the claim docket for November 4, 2025.

Councilwoman Tillman reported the Michigan City Riverboat/ Boyd Claim Docket for November 4, 2025, was as follows; Riverboat fund #2235 claims were \$442,125.68 paying the LaPorte Chrysler Inc. \$7,053.93 and Rieth and Riley Construction Co., Inc., \$435,071.75; Riverboat EFT fund #2235 was zero (0); Rainy Day fund #2236 was zero (0); and Boyd Development fund #2504 was zero (0) with the total claims being \$442,125.68.

Councilman Dabney made a motion to approve the November 4, 2025, Riverboat/Boyd Development Claim Docket in the total amount of \$442,125.75 second by Councilman Przybylinski, the motion carried and the November 4, 2025, Riverboat/Boyd Development Claim Docket in the total amount of \$442,125.75 was approved by the following vote: AYES: Council members Nelson, Przybylinski, Tillman, Coulter, Dabney, Lee, Moldenhauer, (7) NAYS: Council members None (0)

President Tillman advised the statement of the cash position for November 4, 2025, Riverboat Fund #2235 was \$4,765,733.60, Rainy-Day Fund #2236 was \$1,562,508.17 with the fiscal grand total ending balance on November 4, 2025, was \$6,328,241.77.

REPORTS FROM BOARDS AND COMMISSIONS

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

Councilwoman Moldenhauer liaison to the Michigan City Sustainability Commission, reported that the Northwest Indiana Green Drinks meeting is scheduled for Thursday, November 6th, 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; "Pottawatomie Indigenous lands in Chicago and Northwest Indiana" will be presented by Dr. John Lowe, Ohio State University.

Councilwoman Moldenhauer announced the "Recycle Smart Do Your Part" Workshop is scheduled for Wednesday, November 19, 2025, at 5:30 -9:00 p.m. located in the EOC Room and is hosted by the Michigan City Refuse Department and the Sustainability Commission; to help educate the public to recycle and decrease the amount being took to the landfill.

Councilman Dabney provided an update regarding the Labor Relation meeting:

Labor Relations Committee Meeting Minutes- October 30, 2025

The Labor Relations Committee (LRC) met with the Michigan City Firefighters Local #475 for union negotiations on Thursday, October 30, 2025 at 3:30p.m and the Fraternal Order of Police #75 at 4:30pm.

Present were committee members: Bryant Dabney and Tracie Tillman.

Also noted in attendance were:

Amber L. Lapaich-Stalbrink, Corporation Counsel

Jewell Harris, Common Council Counsel

Melisha Henderson, Personnel Director

Mary-Lynn Wall, Controller

Keith Karson, Attorney Local #475

Members of Local #475: Greg Fletcher, Anthony Stahoviak, Nick Pabon, Christopher Zibutis, Jake Irvin, Jonathan Zerbes, Brian Smith, and Jacob Ott.

Members of Fraternal Order of Police Dunes Lodge #75:

Meeting was called to order by Chairman Bryant Dabney at approximately 3:30 p.m.

Chairman Dabney opened negotiations and all parties introduced themselves. Chairman Dabney also read a statement he prepared in advance regarding the City's financial situation.

MC Firefighters Local #475. Prior to the meeting, both parties had exchanged proposals. The Union presented their counter proposal, which included, but not limited to the following:

1. 4% raise for all members
2. Including Firefighter Bill of Rights language (IC 36-8-2.1, et seq.) by reference
3. Increasing sick days from 10 to 12
4. Declining City's proposal for spousal carve out for health insurance
5. Declining City's proposal to modify cost of retiree insurance from 2/3 City and 1/3 retiree to a 50/50 split of costs
6. Increasing birth leave time from 1 day to 3 days
7. Requesting 3 personal days
8. Adding language for light duty
9. Modifying language regarding responsibility for costs for arbitration
10. Changing language for specializations in Article XVII in contract.

The LRC indicated that they would review the Unions counter proposal and advise.

FOP Dunes Lodge #75: Prior to the meeting, both parties had exchanged proposals. The Union presented their counter proposal to the LRC, which initially was as follows:

1. 1 year contract as opposed to a 2 year contract
2. 2% wage increase- union supported
3. 3% master degree incentive- union supported
4. Certified Chemical Test Operators- union supports adding additional personnel
5. Spousal carve out for insurance- union opposes
6. Retirement Bonus removal- Attorney Lapaich-Stalbrink acknowledges that this should not be removed until Lt. Ramon retires
7. Changing retiree Health insurance costs to 50/50- union opposes
8. Take Home Vehicle Break in Reimbursement- Union opposes.

During the meeting, the Union further indicated that it was going to present the LRC with additional new proposals. Since the LRC had not had a chance to review these additional new proposals in advance (ie: such as creating maternity/paternity paid leave of 6 weeks), the LRC asked the Union to email the additional new proposals to Attorney Lapaich-Stalbrink to then distribute to LRC. LRC would need to meet to review and then further advise the Union.

Once Labor Relations Committee analyzes they will reach back out to the respective unions.

Meeting adjourned at approximately 5:35 p.m.

REPORTS OF SPECIAL or SELECT COMMITTEES

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

Councilman Przybylinski, Liaison to Sanitary Board, reported their meeting that took place November 29, 2025 advising that Attorney Harris reported that the Michigan City Sanitary District won the lawsuit against the City of Long Beach.

Council Attorney Harris advised the judge ruled in favor the Michigan City Sanitary District/Town of Long Beach for the payment of outstanding engineering costs in excess of \$400,000.00 and that they will be working with the Town of Long Beach to resolve the judgement and will report back to the council.

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.

Marylynn Wall, City Controller, presented The Financial Statement Audit Report of the City of Michigan City 01/01/2024 to 12/31/2024 has been released and filed by the State Board of Accounts and can be viewed on in.gov Gateway or the Indiana State Board of Accounts website.

NOTE: This report is filed in the Clerk's Office -2025 "Council Matters" for the record..

Councilman Przybylinski thanked Marylynn and her staff for doing a great job.

Councilman Dabney thanked the Controller Office for doing a great job handling the city finances

Chief Taylor, MCFD, provided the October 2025 monthly stat report.

Chief Taylor stated that on October 11, 2025, the Fire Department held an open house for "Fire Prevention" week; thanking Marquette School for allowing the MCFD to use their property for demonstrations, handed out smoke detectors and is looking forward to next year's event; advising that on October 18, 2025, Northern Indiana Safety Educators Association, MCFD, American Red Cross, and the graduating class of Indiana District 1 Firefighter Training Council went from house to house in the Eastport neighborhood to pass out smoke detectors; stating they successfully provided 56 detectors to residence in that area; also reported on a program the MCFD is working on to visit schools and educate them about fire safety, that they applied for a grant and didn't receive it but they are working hard to reach out to our community to help with the cost to move forward.

Chief Taylor advised Councilwoman Moldenhauer that most smoke detectors are dual including the carbon dioxide in the same detector and that the MCFD will install them for residents.

Chief Forker, MCPD, provided the October 2025 monthly stat report.

Chief Forker announced that the MCPD is accepting applications through November 13th, 2025, and that testing will take place on Saturday, November 15th, 2025; reporting on the Citizens Police Academy that has 35 community members, that they had a successful multi jurisdictions active shooter drill at Michigan City High School during fall break; and there is more police presence in the downtown area on Franklin Street.

Councilman Nelson asked Chief Forker if he would send the council his monthly stat report and to break it down by wards.

Mayor Angie Nelson Deutch addressed the council regarding the following

- Letters received from Phoenix Investors, Local Union 150 and a copy of the MCPD Incident Report
- Addressed the council regarding her press release "City Of Michigan City Clarifies Facts Surrounding Local 150 and the Phoenix Data Center Project
- Invited the Public to the December 10, 2025 Mayor's Town Hall that will be held at City Hall in the Council Chamber
- Advised that a meeting took place regarding homelessness in our community and that there are services in our community that will help those individuals as SNAP benefits may not be loaded.

PETITIONS

President Tillman asked Clerk Neulieb if there were any petitions.

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

**FORMAL PETITION AND LEGAL OBJECTION TO ECONOMIC
IMPROVEMENT DISTRICT (EID) DECLARATION (PURSUANT TO
INDIANA CODE 36-7-22 ET SEQ. AND 6-1.1-11-4)**

Carlie Dunn, Meadow Blvd, addressed the council explaining she why filed the formal petition and legal objection regarding the Economic Improvement District (EID) Declaration (Pursuant to Indiana Code 36-7-22 ET Seq. and 6-1.1-11.4) that was filed in July, 2025

Ms. Dunn answered Attorney Harris that her address was 499 Meadow Drive for the record.

President Tillman referred this to Council Attorney Harris, Attorney Rompala and Attorney Sirinek regarding the filed petition/application.

Attorney Harris stated that a brief response for the record should be done objecting to this petition, he will then advise the council.

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

Rodney McCormick 617 Union Street stated that he agrees with Ms. Dunn's statement regarding why she filed this petition: stating several reasons why and that he doesn't believe that this was a scrivener's error by Mr. Hulse and that all city residents should be able to bid on properties that are being sold.

President Tillman asked if there were any other questions or comments regarding this petition, there was no response, and public comments were closed.

Attorney Randy Rompola and Tom Everett - Barnes and Thornburg, South Bend, Indiana and serving as bond counsel for the proposed transaction; stating the two (2) claims this petition makes is regarding the Economic Improvement District (EID) being created, advising who owned the property when filing the petition, the two (2) LLC's that were created, the timeframe when creating the EID, why the property wasn't just transferred to the developer, when Economic Development agreed to create the two (2) LLC who have the ability and authority to do this under EDCMC by-laws, commenting the non-for-profit corporation is tool by the Redevelopment Commission to be able to incentive housing and other projects, how people bid on property the Redevelopment Commission when disposing of property, but obligated to go through a disposition process, explaining;

Discussion ensued between Attorney Rompola, Skyler York – Redevelopment Director, Council members Nelson, and Lee, regarding the proposed ordinance, the development agreement, the Redevelopment Commission negotiated with the Sola Developer to provide the \$450,000 donation to the Community Development Corporation for affordable housing in Michigan City and unrelated to the LLCs that were created, people involved is not relevant, no profit being generated, clarified this property was open for bid to the public and when, requested a copy of each of the RFP documents since 2017.

Councilman Przybylinski stated that he understands a lot of what's been said this evening but question the allegations that are being brought against this project; advising that he would like our legal counsel to invest these allegations and come back to the council with a written report on if these allegations are true or not moving forward.

Attorney Harris stated that he doesn't disagree with Councilman Przybylinski's suggestions about looking into this a little further and reporting back to the council; commenting on the updated petition received it still subject to the requirements of Indiana Code 36-7-22-6 which requires a hearing and public notice; asking Attorney Rompola for his comments.

Attorney Rompola stated what we are doing here he didn't think it was necessary because of the scrivener's error with respect to the petition to go through the process again is correct with the difference of MC in the name of the entity; stating they made the determination as a legal conclusion that we didn't have to go through the process again to recreate the ID that had already been created; commenting on an error that was discovered in July of 2025 on the deed.

Attorney Harris stated he didn't disagree with that conclusion and he will be include the information he will be distributing to the council, and he agrees with Councilman Przybylinski recommendation that we investigate; advising that he will provide Attorney Rompala with his opinion based upon the allegations in the petition.

COMMUNICATIONS

President Tillman asked if there was any correspondence received.

Clerk Neulieb read the following correspondence that was received:

Correspondence was received in the Clerk's Office on October 31, 2025, from Seth Spencer, CEO – Sera Group/ Board Chair - EDCMC regarding the proposed amendments to the "Revolving Loan Ordinance.

Correspondence was received in the Clerk's Office on October 30, 2025, from Councilman Przybylinski regarding Governor Mike Braun contact information.

A "Notice of Public Comment" (30-day period Oct. 23, 2025) that was received in the Clerk's Office on October 27, 2025, from IDEM regarding a permit revision for Hitachi Global Air Power US, LLC.

Correspondence was received in the Clerk's Office on October 24, 2025, from President Tillman to Mr. Rodney McCormick, regarding the October 21, 2025, Council meeting.

Correspondence was received in the Clerk's Office on October 22, 2025, from Rodney McCormick, regarding the October 21, 2025, Council meeting.

A report was received in the Clerk's Office on October 21, 2025, from Baker Tilly LLD in regard to the Michigan City Redevelopment Commission TIF Report October 16, 2025.

A "Notice of Public Hearing" was received in the Clerk's Office on October 20, 2025, advising the hearing would be held on October 28, 2025, regarding the petition for Ameriplex-Marquette Minor Subdivision, 6101 Cleveland Avenue, Michigan City.

RESOLUTIONS

Clerk Neulieb read the following resolution by title only **OPPOSING ANY EFFORT TO CONDUCT MID-DECADE REDISTRICTING OF INDIANA'S CONGRESSIONAL DISTRICTS OUTSIDE THE CONSTITUTIONALLY AUTHORIZED TIMEFRAME**

Introduced by: Greg Coulter
Don Przybylinski

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

Councilman Coulter read the following proposed resolution in its entirety

MICHIGAN CITY COMMON COUNCIL**RESOLUTION NO. 4978****OPPOSING ANY EFFORT TO CONDUCT MID-DECADE REDISTRICTING OF INDIANA'S CONGRESSIONAL DISTRICTS OUTSIDE THE CONSTITUTIONALLY AUTHORIZED TIMEFRAME**

WHEREAS, Indiana Governor Mike Braun has announced his intention to call a special session of the Indiana General Assembly for the purpose of considering a mid-decade redraw of Indiana's congressional districts; and

WHEREAS, Article 4, Section 5 of the Indiana Constitution sets a decennial schedule for state legislative apportionment, and Indiana Code §§ 3-3-2-1 and 3-3-2-2 require that congressional districts be enacted by law at the first regular session following each federal census, with a limited backup commission only if the General Assembly fails to enact maps on time—thereby establishing a decennial framework for congressional redistricting—so any effort by the Governor to call a special session mid-decade to redraw congressional district maps departs from that framework and invites legal challenge under Indiana's redistricting scheme; and

WHEREAS, redistricting is fundamentally intended to ensure fair and equal representation based on population (the principle of “one person, one vote”), not to predetermine partisan outcomes – and any mid-decade effort to gerrymander district lines for political gain would violate these core principles of representative democracy; and

WHEREAS, such proposals to remake district maps outside the regular post-census process also violate the spirit of Article 2, Section 1 of the Indiana Constitution, which declares that “All elections shall be free and equal,” by subjecting Hoosier voters to unfair and unequal representation through politically motivated map manipulation; and

WHEREAS, data from recent elections indicate that seven of Indiana's nine congressional districts are held by Republicans even though only roughly 60% of Indiana voters statewide cast ballots for Republican candidates – a disparity evidencing a lack of proportional representation that would only be exacerbated by any partisan mid-decade redistricting; and

WHEREAS, the Common Council finds that mid-decade redistricting of Indiana's congressional districts, outside of the constitutionally prescribed interval following the census, would undermine public trust in the electoral process and deprive residents of Michigan City and the State of Indiana of fair and stable representation.

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

1. The City of Michigan City strongly opposes any attempt or proposal to conduct mid-decade redistricting of Indiana's congressional districts, or any manipulation of district maps outside the constitutionally authorized decennial redistricting timeframe. The Common Council urges that Indiana's congressional maps remain unchanged until the next round of redistricting after the forthcoming federal census, in accordance with Indiana law and constitutional principles.
2. The Council directs the Clerk to send a certified copy of this resolution to the

following:

- a. Governor Mike Braun
- b. Speaker of the Indiana House Todd Huston
- c. Indiana Senate President Pro Tempore Rodric Bray
- d. State Representative Randy Novak
- e. State Senator Rodney Pol

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

INTRODUCED BY: /s/ Greg Coulter, Member
/s/ Don Przybylinski, Member

Councilman Coulter stated this proposed resolution is showing opposition to the governor and General Assembly that Michigan City is not in favor of mid-decade redistricting as it is against of Indiana rules as well.

Councilman Przybylinski read the "Whereas" regarding the redistricting in the proposed resolution; stating that this is to make sure everyone is treated fair and has equal representation based on population, meaning one person, one vote; that redistricting by law is when the census is done (every 10 year) you then can redistrict, not in the mid election for a political gain.

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

Rodney McCormick, 617 Union Street, commented that he supports the proposed resolution and that the redistricting they are proposing in our state shouldn't be done in mid term and that if you are an elected council member you should be living in the ward that you represent.

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

President Tillman asked if anyone from the council had any comments.

Councilwoman Lee asked to be added as a sponsor.

President Tillman asked if there were any other council members who would like to be added as a sponsor, there was no response.

Councilman Dabney made a motion to approve the proposed resolution, second by Councilman Nelson, the motion carried and the resolution was approved by the following vote: **AYES:** Council members Przybylinski, Tillman, Counter, Dabney, Lee, Moldenhauer, and Nelson (7) **NAYS:** None (0)

ORDINANCES

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

AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY, LAPORTE COUNTY, INDIANA TO REZONE REAL PROPERTY LOCATED at 504 EASTWOOD ROAD FROM THE M2 (HEAVY INDUSTRIAL DISTRICT) ZONING DISTRICT CLASSIFICATION TO R1C (SINGLE FAMILY RESIDENTIAL DISTRICT) ZONING DISTRICT CLASSIFICATION

Introduced by: Bryant Dabney

President Tillman stated that a Formal Public Hearing was held on September 23, 2025, and published in the Herald Dispatch on September 6th & 13th, 2025.

President Tillman asked if the author had anything to add.

Councilman Dabney advised the rezoning was approved and was approved by the Plan Commission with a favorable recommendation to bring to the council approving the rezoning from M2 heavy industrial to R1C single family residential.

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

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

Councilman Dabney made a motion to suspend the rules to have third reading this evening, second by Councilwoman Moldenhauer, the motion carried to have third reading this evening and was approved by the following vote: **AYES:** Council members Tillman, Coulter, Dabney, Lee, Moldenhauer, Nelson, and Przybylinski (7) **NAYS:** Council member (0).

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4781

**AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY,
LAPORTE COUNTY, INDIANA TO REZONE REAL PROPERTY
LOCATED at 504 EASTWOOD ROAD FROM THE M2 (HEAVY
INDUSTRIAL DISTRICT) ZONING DISTRICT CLASSIFICATION TO RIC
(SINGLE FAMILY RESIDENTIAL DISTRICT) ZONING DISTRICT
CLASSIFICATION**

WHEREAS, on July 15, 2025, Shad Brennan Investing Partnership ("Property Owner" and "Petitioner") filed a Rezoning Application ("Application") and a Petition for Public Hearing (together the "Petition"), with the Plan Commission ("Commission") of the City of Michigan City, LaPorte County, Indiana ("City") to seek an amendment to the Zoning Map of the City for certain real property located at 504 Eastwood Road, with property identification numbers (PIN) of 46-01-24-100-004.000-022 and 46-01-24-100-068.000-022, and as described in Exhibit A attached hereto and referred to as the "Real Estate"; the Petition seeks to rezone said Real Estate from its current M2 (Heavy Industrial District) Zoning District classification to R1C ((Single Family Residential District) Zoning District classifications; and,

WHEREAS, the Plan Commission assigned the Petition filed as Petition No. P-101-25 and scheduled a public hearing on the Petition for September 23, 2025; and,

WHEREAS, the Commission found that the Petitioner properly provided the necessary notice to the persons, organizations, or entities via USPS certified mail/return receipt: (i) who own property within a 300 foot radius of the Real Estate (the "Affected Parties") which the Petitioner requested to be rezoned and (ii) who were required to be given notice of the filing of the Petition pursuant to the Plan Commission's Application for Public Hearing with such notice identifying the date and time of the hearing thereon pursuant to I.C. 5-3-1-1 *et seq.*, upon submission of the Petitioner's Affidavit of Service as notarized and the USPS return receipts; and

WHEREAS, prior to the public hearing, the Commission found that the Petitioner properly gave the necessary notice of the filing of the Petition and of the date and time of the public hearing thereon by publication in the LaPorte Herald-Dispatch on September 6, 2025 in the manner prescribed by the Plan Commission's Application for a Public Hearing and I.C. 5-3-1-1 *et seq.*; and,

WHEREAS, upon proper notification and publication, the Plan Commission conducted the public hearing on the Petition to rezone the Real Estate pursuant to the Petition, and following said public hearing, determined that an amendment to the Zoning Map is appropriate for the Real Estate as described in Exhibit A to be rezoned from the current M2 zoning classification to R1C zoning classifications, all as permitted by the Joint Zoning Ordinance and Indiana law; and, on September 13, 2025, the Plan Commission certified the Commission's findings and determinations, including those required by IC 36-7-4-603, and this proposed Ordinance to the City's Common Council with a favorable recommendation for passage; and

WHEREAS, the City Clerk, on behalf of the City's Common Council, provided the necessary public notice of the Council's intention to consider the proposed change to the Zoning Map as required by IC 5-14-1.5-5; and

WHEREAS, the City's Common Council has paid reasonable regard, consideration, and attention to the recommendation of the Plan Commission, to the documentation and other evidence presented to the Common Council regarding the proposed zoning and zoning district classification amendment and change, and to the legal requirements applicable to the Common Council's decision, including, as required by IC 36-7-4-603, the City's comprehensive plan; the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; the conservation of property values throughout the City; and responsible development and growth.

NOW, THEREFORE, BE IT ORDAINED by the City of Michigan City Common Council, pursuant to applicable laws, including IC 36-7-4-608, that:

1. The Common Council finds, based on all the evidence presented before it, that:
 - A. The requested amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A is compatible with the City's comprehensive plan, the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; the conservation of property values throughout the City; and responsible development and growth; and
 - B. The requested amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A will provide for the most reasonable use of land for which the Real Estate is adapted, and the proposed land use will not have an adverse effect on surrounding land; and
 - C. The amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A will not be injurious or detrimental to the surrounding property values and will further the conservation of property values throughout the City; and
 - D. The amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A will promote orderly and responsible community growth and development and will not adversely affect the community; and
 - E. The topography, soil condition, and other physical features of the Real Estate are suitable for the proposed land use and the amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A; and
 - F. The amendment to the Zoning Map and the change in zoning district classification for the Real Estate described in Exhibit A is not "spot zoning" which will confer a special benefit on a relatively small tract without commensurate benefit to the community; and
 - G. The amendment to the Zoning Map and the change in zoning district classification will not disrupt or destroy any official neighborhood plan of the Plan Commission.
 - H. The Common Council finds and determines that it is in the best interests of the

City and its citizens that the Common Council accept and approve the recommendation of the Plan Commission that the Petitioner's request for an amendment to the Zoning Map and the change in zoning district classification be approved by the Common Council.

2. The Common Council now adopts, approves and enacts the zoning map change whereby:
 - A. The zoning district classification for the Real Estate located in the City of Michigan City, LaPorte County, State of Indiana, commonly known as 504 Eastwood with PINs of 46-01-24-100-004.000-022 and 46-01-24-100-068.000-022, is hereby changed from its current M2 zoning district classification to R1C zoning district classifications.
 - B. The official Zoning Map of the City is hereby amended to reflect this change in the zoning district classification for the Real Estate; and the amended zoning map shall hereafter be available in the office of the Plan Commission and the City Clerk for public inspection, review and copying.
 - C. The City Clerk shall furnish a certified copy of this Ordinance to the LaPorte County Recorder and require that the same be placed of record in the records of the Recorder's Office.

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

INTRODUCED BY: /s/Bryant Dabney, Member

President Tillman asked if the author had any comments, there was no response.

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

President Tillman asked if the council had any comments.

Councilman Dabney made a motion to approve the proposed ordinance, second by Councilman Coulter, the motion carried, and the proposed ordinance was approved by the following vote: **AYES:** Council members Coulter, Dabney, Lee, Moldenhauer, Nelson, Przybylinski and Tillman (7) **NAYS:** Council member (0)

The Clerk read the following proposed ordinance on second 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
 Vidya Kora
 Greg Coulter
 Tim Bietry

President Tillman asked if any of the authors had any comments at this time.

Councilman Coulter made a motion to **TABLE** until the December 2, 2025 Council meeting, second by Councilman Przybylinski, the motion carried, and the proposed ordinance was **TABLED** until the December 2, 2025 Council Meeting by the following vote: **AYES:** Council members Dabney, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, and Coulter (7) **NAYS:** Council member (0)

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

RATIFYING AND REAFFIRMING CERTAIN FINDINGS, DETERMINATIONS AND DESIGNATIONS IN ORDINANCE NO. 4771 REGARDING THE ESTABLISHMENT OF AN ECONOMIC IMPROVEMENT DISTRICT AND AUTHORIZING AND APPROVING OTHER ACTIONS WITH RESPECT THERETO

Introduced by: Tracie Tillman

President Tillman stated that as author she didn't have any comments at this time.

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

President Tillman asked If the council had any comments.

Councilman Nelson made a motion to **TABLE** the proposed ordinance on third reading until the November 18, 2025 council meeting, second by Councilman Przybylinski, the motion carried to **TABLE** the proposed ordinance until the November 18, 2025 council meeting by the following vote: **AYES:** Council members Lee, Moldenhauer, Nelson, Przybylinski, Tillman, Coulter, and Dabney (7) **NAYS:** Council member (0)

Attorney Harris advised President Tillman that he would have his report completed by the November 18, 2025 council meeting.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4782

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

WHEREAS, the need exists to amend the Revolving Loan Fund to allow the Fund to also be used to pay the City's annual contract with the Michigan City Economic Development Corporation and be used as a local match and/or local corporate match incentive for businesses seeking to donate to the City's park and recreational capital projects or beautification projects, including but not limited to the proposed destination playground in Fedder's Alley; and

WHEREAS, the City's Revolving Loan Fund Committee has recently met and supports the additional permissible uses of said Fund; and

WHEREAS, the Common Council desires to amend the Revolving Fund to allow for the additional permissible uses of Fund.

THEREFORE, BE IT ORDAINED by the Common Council for the City of Michigan City, Indiana that the following subsections of Sec. 38-33 in the Michigan City Municipal Code are hereby amended as follows:

1. Subsection (1) shall now read:

Goal. Stabilize and expand the employment base and economy of Michigan City through retention and attraction of primary employment and encourage economic growth in the City.

2. Subsection (4)(a) shall now read:

Loans to businesses for new investments in capital assets and operating capital for the following:

3. Subsubsections (d), (e), and (f) shall be added to Subsection (4) and shall read as follows:

- d. Fund may be used to pay the City's annual contract with the Michigan City Economic Development Corporation.
- e. Fund may be used as a local match for park and recreational capital projects and/or beautification projects, which shall include but not be limited to the proposed destination playground project in Fedder's Alley
- f. Fund may be used as an incentive as a corporate match for businesses donating funding toward park and recreational capital and beautification projects, which shall include but not be limited to the proposed destination playground project in Fedder's Alley.

4. The first sentence of Subsection (5) shall read as follows:

Terms if Funds Used for Loan Program.

5. The first sentence of Subsection (6) shall read as follows:

Requirements if Funds Used for a Loan Program.

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

Introduced by: /s/ Don Przybylinski

President Tillman asked if the author had any comments.

Councilman Przybylinski stated that he is the liaison to the Revolving Loan Fund Committee, advising that the proposed ordinance is proposing \$200,000 to pay the annual agreement to the Economic Development for two (2) years with a total of \$400,000, and \$300,000 for the matching grant toward the "Destination Playground" at Fedders Ally or for recreation/beautification projects throughout the city; and the remaining balance of \$300,000 will be for potentially future loans for a qualified local businesses.

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

Don Babcock, 2424 Hideaway Point, Long Beach, advised that the quality neighborhoods, economic development and the revitalization of downtown and neighborhoods. does not happen by itself, and the Economic Development Corporation is very diligent in reviewing potential projects and the progress this team has made has opened the doors to Michigan City benefiting our community.

Rodney McCormick, 617 Union Street, commented on the amount of funds and grants that the Economic Development Corporation receives annually; asking to stop giving incentives to come to our city and if the EDC is ever going to offer any incentives to the people that live in our community.

Clarence Hulse, Director of Economic Development Corporation, thanked the city for being a great partner as the City Council must approve every project that comes into the city as the city continues to move forward with potentially forty (40) new leads on potential projects; advising that a lot is done behind doors as NDA's must be signed per these terms asking the council to approve this proposed ordinance.

Scott Meland, 200 Kenwood Place, advised that he is a new member on the Revolving Loan Committee; stating the board met with the council liaison Przybylinski, the mayor and Clarence Hulse EDC Director and during this meeting is what was decided on what is in front of the council this evening as a proposed ordinance.

President Tillman asked if anyone from the council had any comments.

Councilman Przybylinski stated that over the last four (4) years the EDC has been seen \$1.5 billion in capital investments and over 1,500 jobs created with new business developments throughout the city; that with the proposed \$400,000 being proposed to EDC this evening will not have to come out of the city's general fund which is a plus.

Councilwoman Moldenhauer stated this fund was set up to help small local businesses in the community as there are a few businesses currently receiving long term loans from this fund; and that if any changes should be made for this fund then it should be dissolved and set up as something new; asking how this board can pay for services to the Michigan City Economic Development Corporation and the all-inclusive playground as these funds will not be paid back; advising that she does support both the Economic Development Corporation and the Park & Recreation Department but she will be voting nay this evening.

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

Councilman Przybylinski made a motion to approve the proposed ordinance, second by Councilman Dabney, the motion carried, and the proposed ordinance was approved by the following vote: **AYES:** Council members Przybylinski, Tillman, Coulter, Dabney, and Lee (5) **NAYS:** Council member Moldenhauer, Nelson (2)

Note: President Tillman called a three (3) minutes recess.

Note: President Tillman called the meeting back to order.

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 new business.

COMMENTS FROM THE PUBLIC

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

Andy Skwait, 203 E. Harrison Street, Marquess Electric provided the council an update regarding the work his companies will be doing at Project Maize; that currently he has an engagement with the Indiana Plan; stating that many of the young adults that completed this program are working on this project as well.

Faye Moore, 515 Grace Street, thanked the Michigan City Fire Department for handing out smoke detectors during the Eastport neighborhood "trunk-or- treat" event, invited the Council to attend "Community Event regarding biotech data center at Trinity Episcopal Church on Saturday, November 8, 2025, from 1:00 – 3:00 p.m. and can register by the QR code found on "Just Transition" Facebook page.

Tommy Kulavik, 1316 Ohio Street, wished the Michigan City Wolves good luck on the sectionals championship game against LaPorte, wished Attorney Tramel Raggs success at his new practice and is working with the Redevelopment Commission;

stating that there has been no transparency with the city residence regarding any new proposed locations for the "Recovery House" and that this is not a private development.

Shelly Yankee, 904 Willow Spring Drive, quoted the city website regarding the City Council "The purpose of the City Council is to provide citizens with a voice and representation on city administration; the City Council serves as the legislative branch of city government and handles the fiscal responsibilities of the city; advising that the city is being contaminated from the "Data Center" as there are reports regarding IDEM violations at 402 Royal Road.

Rodney McCormick, 617 Union Street, addressed the council advising them to review the State Board of Accounts "Supplemental Compliance Report" that was attached to the audit report that was presented to the council by the City Controller; advising that he agrees with Councilwoman Moldenhauer that the Michigan City Revolving Loan Fund should be dissolved or made available to all residents.

Dominic Yankee, 904 Willow Spring Drive, stated that Phoenix Investors LLC. are creating a public website regarding any violations from IDEM, or Code Enforcement citations, regarding the "Data Center"; asking if there could be a board located at City Hall to post this information for the public to view; advised there is a list of soup kitchens and food pantries available for the community.

Scott Cooley, LaPorte County Project Management, 203 Harrison Street advising they are a general contractor and have been working at "Project Maize" with approximately fifteen (15) union carpenters, they have been working six (6) days a week and have are hiring new people; thanking the council for this opportunity.

John Carrington, 140 Esther Street, stated several concerns on a statement made by (Project Maize) Phoenix regarding the noise level that there would be when the final end user moves in and the project is completed; also commented on the "Google's" definition of a what a "scrivener's error" is, does not define what is being proposed in the ordinance in front of this council this evening regarding this LLC's; stating that the Economic Development Corporation has brought good development into the city; and that he does not agree that there is one person is allowed to serve on multiple city boards/commissions and be able to vote on the same subject being it to be approved or denied; that he feels it is a potential conflicts of interest and nepotism.

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

COMMENTS FROM THE COUNCIL

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

Councilwoman Moldenhauer, announced that SNAP (food stamps) benefits will be unavailable as of November 1, 2025, due to the Federal shutdown and provided a list of soup kitchen and pantries encouraging community donations as supplies are running low; advising that she was unaware of the issues occurring in the Uptown Art District and that councilmembers, Police Chief Forker and the Mayor Angie coordinated to increase police presence in that area to ensure safety for the businesses and residence; addressing concerns about panhandling and strongly discouraged giving or donating to the individuals; spoke with two business owners in the Uptown Arts District and one south of 11th Street to learn their concerns and generate some solutions.

Councilman Dabney stated that there should ring cameras installed along Franklin Street as this would protect businesses and help them log/record what is happening to reported to the Police Department and that our community needs to work together to help stop crime, asking the public to please not to give money to the panhandlers.

Councilman Przybylinski advised that Councilman Dr. Kora who is Chair of the Council's "Health and Safety Committee", is planning to schedule a meeting to reach out to our community for their input regarding "homelessness and panhandling" that the city is facing.

Councilman Coulter commented on the SNAP benefits and what people are going through since the government shut down; that it has been a couple tough months with many of the city pantries have run out of food that they need food at these locations, but donating money to the food bank goes a lot further; advising he has been working with the mayor to have a Collective SNAP Emergency Market and that it tentatively is scheduled for next Saturday November 8th but don't have the details finalized but please watch for that announcement.

President Tillman announced that the Economic Development Corporation Michigan City (EDCMC) has an open board seat for a city council member as Councilman Dabney's term expires 12/31/2025 and if you are interested to end a one page letter to the executive director by November 14, 2025.

ADJOURNMENT

A motion by Councilman Bietry, second by Councilman Dr. Kora and there being no further business to transact, President Tillman declared the meeting **ADJOURNED** (approximately 9:00 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=nKjZJuM7nmc&list=PL8L8Y5g9S6bqw-rohSfvSUA8dwegr6st>

~~Tracie Tillman, President~~

Donald C. Przybylinski

Gale A. Neulieb

Gale A. Neulieb, City Clerk