

REGULAR IN PERSON COUNCIL “HYBRID/ZOOM” MEETING December 16, 2025

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, December 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, Vidya Kora, Daisey Lee, Nancy Moldenhauer, Joseph Nelson, Don Przybylinski, and Tracie Tillman (9).

ABSENT: COUNCIL MEMBER None (0)

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Council Attorney Nick Snow, City Clerk Gale Neulieb, and City Deputy Clerk Amanda Pickens

APPROVAL OF MINUTES

President Tillman asked for a motion to approve the December 2, 2025, Regular Council (Hybrid/Zoom) meeting minutes.

Councilman Bietry made a motion to approve the December 2, 2025, Regular Council (Hybrid/Zoom) meeting minutes, second by Councilman Coulter; the motion carried and was approved by the following vote: AYES: Council members Dabney, Dr. Kora, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, and Coulter (9) NAYS: Council members None (0)

REPORTS OF STANDING COMMITTEES

President Tillman asked if there were any standing committee reports.

Councilman Dabney read the following statement into record.

As a member of the Michigan City Common Council and the Labor Relations Committee (LRC), I want to reaffirm our unwavering support for our Police and Fire Departments. These dedicated professionals are the cornerstone of public safety, and we recognize the vital role they play in protecting our community.

It is important to emphasize that the members of the LRC were also members of the Council that supported the Public Safety Local Income Tax (LIT). Every dollar generated from that initiative has been committed toward supporting salary increases for Police and Fire personnel. To suggest otherwise is simply disingenuous. Our actions have consistently demonstrated a commitment to ensuring competitive compensation and benefits for those who serve.

Michigan City Offers one of the most competitive compensation packages in the region. Over the past five years, our public safety employees have seen average annual salary increases of nearly 9%, along with additional benefits such as:

- Longevity pays and specialty assignments

- Sick and vacation sell-back programs
- Enhanced compensation for specialized roles, including Dive Team members and holiday coverage

These measures ensure Michigan City remains competitive in attracting and retaining top talent while honoring the dedication of those who protect and serve.

Looking ahead, the council remains committed to:

- Implementing the budgeted 2% wage increase for all employees in 2026
- Working toward a two-year contract for 2027-2028, contingent on outcomes of the legislative session currently underway in Indianapolis.

Our goal is clear: to reach an agreement that is fair, sustainable, and beneficial to all parties. Through continued dialogue and partnership, we can uphold the high standards of service our residents expect while maintaining a strong workforce for years to come.

Councilman Dabney provided an update to the council of where the negotiation process stands currently.

FINANCE REPORT

President Tillman state the Finance Committee did meet this evening December 16, 2025, and there was a quorum; stating the December 16, 2025: Riverboat fund #2235 claims were \$236,626.66, paying Reith Riley Construction Co Inc. Riverboat EFT fund #2235 claims were \$2,008,000.00 paying the City of Michigan City ; Rainy Day fund #2236 was zero (0) and Boyd Development fund #2504 was zero (0) with the total claims being \$2,244,626.66

Councilman Dabney made a motion to approve the December 16, 2025, Riverboat/Boyd Development Claim Docket in the total amount of \$2,244,626.66, second by Councilman Dr. Kora, the motion carried and the December 16, 2025, Riverboat/Boyd Development Claim Docket in the total amount of \$2,244,626.66 was approved by the following vote: AYES: Council members Dr. Kora, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, and Dabney (9) NAYS: Council members None (0)

President Tillman advised the statement of cash position for December 16, 2025, Riverboat Fund #2235 was \$3,095,427.92, Rainy-Day Fund #2236 was \$1,430,137.92 with the fiscal grand total ending balance on December 16, 2025, was \$4,525,565.84.

REPORTS FROM BOARDS AND COMMISSIONS

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

Councilwoman Lee made a motion to suspend the rules to add the annual report from the Women's Commissions to the agenda; seconded by President Tillman, the motion carried to add the Women's Commission annual report was added by the following vote 9 – 0.

Jackie Jones, President of the Women's Commission, presented their 2025 Annual Report

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

President Tillman thanked Ms. Jones for her presentation and stated that the "Women's Day Equality" event was beautiful advising that this commission has remained active throughout our community.

Councilman Bietry, liaison to the Veterans Commission, stated the Veterans Commission is doing a great job in our community and that a Workshop will be held on January 12, 2026, at 12:00 p.m.- 6:00 p.m. focusing on "Prevention of Adverse

Childhood Experiences” presented by Stacy Garcelon; and that future presentations will focus on fighting suicide among veterans.

President Tillman asked if there were any other Board and Commission reports, there was no response.

REPORTS OF SPECIAL or SELECT COMMITTEES

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

REPORTS FROM THE MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS

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

Mayor Angie Nelson Deutch addressed the council regarding the following:

- Reminded all residents to follow the parking restrictions that are in place for snow removal.
- Stating that there are opportunities for both the Fire and Police Departments that would require future discussions and that all city employees will receive a 2% wage increase.
- Advising that the spring legislative session could provide potential updates to Senate Bill 1 that will be in our favor.
- Invited the Public to attend the following events,
Town Hall meeting Saturday, December 20, 2025, at 12:30 p.m. located at City Hall in the Council Chamber, with State Senator Rodeny Pol and State Representative Randy Novack.; December 23, 2025, Holiday Food Distribution, with 750 food boxes given away to those in need from 9:00 a.m. – 11:00 a.m. located in Fedder’s Alley that will be purchased by the \$6,000 (ARPA funds) with the remaining funds sponsored by Phoenix Investors.
- Invited the residences to the upcoming future meeting that will be held on January 7th and 21st, 2026 at 11:00 a.m. for a round table discussing trash and beautification of neighborhoods with the rejoining of “America in Bloom”.
- On January 14, 2026, there will be a Workshop for Boards and Commissions from 5:00 p.m. -7:00 p.m.; advising this will help prepare them to receive donations, follow the state requirements with minutes and agendas, deadlines and locations.
- Stating that on the city website under the business tab is a major project tab that will have any correspondence, documents, or permits regarding the “Project Maize” and future new developments.
- Provide an update on the changes in the Planning and Inspections Department with cloud permits by hiring an outside source to help with the major projects.
- Thanked the council for their hard work and the special events team for a wonderful festival of lights event and wished everyone happy holidays.

President Tillman asked if there were any reports from the mayor or other city officers and departments, there was no response.

PETITIONS

President Tillman called the meeting back in session, asking the Clerk if there were any petitions.

Clerk Neulieb read the following petition: advising that this petition was carried over at December 2, 2025, Council meeting asking for Council Attorney Harris to report back in writing on December 16, 2025, Council meeting his findings.

**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)**

President Tillman stated this petition was tabled with the legal counsel addressing the research regarding the concerns the petitioner stated, asked Counsel Attorney Snow to elaborate on this petition.

Attorney Snow read the Memo that was sent to the council from Attorney Harris.

Members of the Council:

Please be advised that I have completed my review and analysis of a Formal Petition and Legal Objection to Economic Improvement District (EID) Declaration, which was first presented to the Council, in its updated form, at the Council's meeting on November 4, 2025.

Based upon my research of the Petition, review of the cited statutes and associated case law, and review of supporting memorandum received from Counsel to the Redevelopment Commission, it is my opinion at this time that the Petition, as submitted, lacks legal merit.

Petitioners' concerns, as expressed in the Petition, generally center upon the documents associated with the conveyance of the SoLa properties to two separate LLC's in conjunction with the creation of an Economic Improvement District (EID). It does appear, from the records available and from the history of discussion involved with this matter, that there may have been typographical or other issues with both the original deeds that were recorded, and also the petition that was submitted to the Council requesting the establishment of the EID. These errors are, as has been presented to the Council, what are known in the legal profession as "scrivener's errors". While, as attorneys, we make every effort to prevent errors in any document that we create, these errors do occasionally happen. The law generally provides an ability to rectify them with no substantive consequences, to extent that the parties can demonstrate that they are unintentional and would be contrary to the intentions of the parties if not corrected.

In the state of Indiana, the recorded deed is primary proof of ownership of any parcel of real property. The property information contained in the County's database (including the Assessor's listings related to tax status) are a distant second to the recorded deed in terms of relative weight in establishing ownership. In fact, under Indiana case law, even a party's actions in erroneously paying taxes on a property for years, due to that party's misunderstanding of a recorded instrument, are immaterial against the recorded deed when it comes to establishment of property ownership. Simply put, the owners of the properties are the entities which are listed on the recorded deeds; the Assessor's "Municipality Owned" designation is of no significance in this discussion. This, in and of itself, is sufficient to overcome any challenge raised in the Petition pursuant to Ind. Code 36-7-22-7.

Further, at this point, we have communicated with the Counsel representing the Redevelopment Commission in this matter, as well as the "public official" identified in the Petition as having a potential conflict of interest and /or "ethical concern". We find no evidence at this point that the course of action taken by the Redevelopment Commission, the City, and all other parties associated with this transaction has been chosen and taken for anything other than the benefit and protection of the City's interests. Our opinion on this element of the Petition concurs with that expressed by Attys. Thomas Everett and Randolph Rompola, in their capacity as Special Counsel to the Redevelopment Commission.

Accordingly, we find no merit in the Petition and/or any of its concerns, and, notwithstanding said Petition, we would recommend that the Counsel approve the Proposed Ordinance Ratifying and Reaffirming Certain Finding, Determinations, and Designations in Ordinance No. 4771 Regarding the Establishment of an Economic

Improvement District and Authorizing and Approving Other Actions with Respect Thereto.

COMMUNICATIONS

President Tillman asked if there was any correspondence received.

Clerk Neulieb read the following correspondence that was received:

Notice of Decision: Approval of IDEM Permit No. 091-49378-00017 – Hitachi Global Air Power US LLC., 3700 E. Michigan Blvd.

Correspondence was received in the Clerk's Office on December 3, 2025, from Counsel Attorney Nick Snow regarding the Council's appointments to the Redevelopment Commission.

Correspondence was received in the Clerk's Office on December 1, 2025, to Ms. Tracie Tillman from Mr. Rodney McCormick.

RESOLUTIONS

Clerk Neulieb read the following resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION 4983

APPROVING AND AUTHORIZING THE INTERLOCAL GOVERNMENT AGREEMENT BETWEEN THE CITY AND THE MICHIGAN CITY AREA SCHOOLS FOR YEARS 2026 & 2027

WHEREAS, I.C. 36-1-7-1, et seq., permits governmental entities to enter into interlocal cooperation agreements to make the most effective use of their powers and resources by contracting and utilizing services for the mutual benefit of the participating governmental entities; and

WHEREAS, the City of Michigan City ("the City") is a unit of local government located in LaPorte County, Indiana, with jurisdiction over all real property and residents within the municipal corporate boundaries of Michigan City, Indiana; and

WHEREAS, the Michigan City Area Schools ("the School") is a municipal corporation located in LaPorte County, Indiana; and

WHEREAS, the Michigan City Police Department ("MCPD") is a Department of the City composed of duly qualified and sworn law enforcement officers of the State of Indiana authorized by law to enforce the laws of the State of Indiana; and

WHEREAS, the parties entered into an Interlocal Agreement for a School Resource Officer ("Interlocal Agreement") which expired on December 31, 2025; and

WHEREAS, the parties desire to enter into another Interlocal Agreement for a School Resource Officer for the years 2026 & 2027.

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

(1.) The aforementioned "whereas" paragraphs are hereby incorporated herein as though fully set forth in these resolving clauses.

(2.) The Common Council hereby approves the Interlocal Government Agreement between the Michigan City Area Schools and the City of Michigan City for the years 2026 and 2027, which is attached hereto as “**Exhibit A.**”

(3.) That after this Interlocal Agreement receives all necessary approvals and has been properly executed by both parties, the Michigan City Clerk shall record the fully executed Agreement with the LaPorte County Recorder’s Office, provide copies of the recorded Agreement to each party to the Agreement as provided in the Agreement, and file a copy of said Agreement with the State Board of Accounts within sixty (60) days after the effective date of the Agreement.

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

**Introduced by: Tim Bietry
Don Przybylinski**

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

Councilman Przybylinski stated that this is a renewal of the School Resource Officer for the Michigan City Area Schools with the City of Michigan City and the Michigan City Police Department for 2026-2027.

Councilman Bietry stated that this is a great collaborative agreement and that it is valuable to have a liaison officer at the school and supports this resolution.

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

Tommy Kulavik, 1316 Ohio Street, stated this a traditional position at the Michigan City High School.

President Tillman asked if the Council had any comments.

Councilman Dr. Kora stated he previously served as a school board member this position is valued and supports this resolution.

Councilman Przybylinski made a motion to approve the proposed resolution, second by Councilman Dabney, the motion carried and the proposed resolution was approved by the following vote: AYES: Council members Lee, Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, Dabney, and Kora (9) NAYS: Council members None (0)

Clerk Neulieb read the following resolution by title only. **SUPPORTING THE ISSUANCE OF WATERWORKS REVENUE BONDS AS APPROVED BY THE BOARD OF DIRECTORS OF THE DEPARTMENT OF WATER WORKS OF THE CITY TO PROVIDE FOR THE CONSTRUCTION OF ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATERWORKS OF THE CITY**

Introduced by: Tracie Tillman

President Tillman read the following proposed resolution in its entirety

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4984

SUPPORTING THE ISSUANCE OF WATERWORKS REVENUE BONDS AS APPROVED BY THE BOARD OF DIRECTORS OF THE DEPARTMENT OF

**WATER WORKS OF THE CITY TO PROVIDE FOR THE CONSTRUCTION OF
ADDITIONS, EXTENSIONS AND IMPROVEMENTS TO THE WATERWORKS
OF THE CITY**

WHEREAS, the Common Council of the City of Michigan City, Indiana (the “Council” and the “City”, respectively) has been advised that the Board of Directors of the Department of Water Works of the City (the “Board”) has determined to proceed with the necessary approvals for the issuance of waterworks revenue bonds of the City to provide for the financing of certain additions, extensions and improvements to said waterworks as set forth on Exhibit A attached hereto (the “Project”); and

WHEREAS, the Council has been further advised that the Board’s approval for the issuance of said bonds will be limited in par amount to not to exceed Sixty Million Five Hundred Thousand Dollars (\$60,500,000) and that the Board will obtain the approval of the Indiana Utility Regulatory Commission (the “IURC”) prior to proceeding with the issuance of the bonds; and

WHEREAS, the Council, having considered the matter, finds that there is a need for the Project and the issuance of the bonds in the amount not to exceed Sixty Million Five Hundred Thousand Dollars (\$60,500,000) to provide the costs thereof and hereby determines to support the issuance of the bonds as approved by the Board and other matters connected therewith.

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

1. The Council supports the issuance of waterworks revenue bonds of the City, as approved by the Board, in the principal amount not to exceed Sixty Million Five Hundred Thousand Dollars (\$60,500,000) and the use of the proceeds thereof to finance the construction of the Project and pay for all costs related to the issuance of said bonds.
2. The Council supports the Board in connection with the approval of said waterworks revenue bonds and Project, including the actions to be undertaken by the Board in seeking the approval of the IURC for the issuance of said bonds and all other actions and approvals necessary to be taken in connection therewith.
3. This resolution is effective as of the date of its passage by the Council and execution by the Mayor.

Introduced by: Tracie Tillman

President Tillman stated due to the increasing cost to maintain the water infrastructure this increase must be done.

Chris Johnsen, Superintendent of Water Works, asked for the council support as the Board of Water Works is moving forward with the issuance of bonds with the IURC approval; advising this is the beginning process as the last rate increase was in 2015, advising on the large projects that need to be completed and that is not in connection with “Project Maize”.

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

Ernie Hollihan 302 Gladys Street, asked why the increase will be for the next three (3) years as there are a lot of people on fixed income in our community.

President Tillman asked if the Council had any comments.

Discussion ensued between Mr. Johnson and Councilmembers Dr. Kora, Przybylinski, Moldenhauer, Dabney, and Bietry regarding the purpose of the rate increase over three (3) years; improving the infrastructure of the watermain; the increase of rates to

improve and maintain water quality; preventing water main breaks; splitting this into three (3) phases to complete the work on the planned deadlines.

Councilman Dr. Kora made a motion to approve the proposed resolution, second by Councilman Dabney, the motion carried and the proposed resolution was approved by the following vote: AYES: Council members, Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, Dabney, Kora, and Lee (9) NAYS: Council members None (0)

Clerk Neulieb read the following resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION **4985**

A RESOLUTION INCREASING AND DECREASING CERTAIN APPROPRIATIONS WITHIN THE BUDGET OF THE PLANNING OF THE GENERAL FUND #1101 FOR THE YEAR 2025 IN MICHIGAN CITY, INDIANA

WHEREAS, there exist certain circumstances within the budget of the Planning of the General Fund #1101 of Michigan City which require increasing and decreasing appropriations for certain line items in that Fund for the year 2025.

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

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

PLANNING GENERAL FUND #1101:

| | | |
|-----------|----------------------------|--------------|
| DECREASE: | A/C #1101.106.411.013 | |
| | Salaries and Wages | \$ 20,000.00 |
| INCREASE | A/C #1101.106.439.090 | |
| | Other Contractual Services | \$ 20,000.00 |

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

Introduced by: Bryant Dabney

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

Councilman Dabney advised this is moving funds within their own budget from one account to another.

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

President Tillman asked if the Council had any comments.

Councilman Przybylinski made a motion to approve the proposed resolution, second by Councilman Bietry, the motion carried and the proposed resolution was approved by the following vote: AYES: Council members, Nelson, Przybylinski, Tillman, Bietry, Coulter, Dabney, Kora, Lee, and Moldenhauer (9) NAYS: Council members None (0)

ORDINANCES

The Clerk read the following proposed ordinance on second reading by title only. **AN ORDINANCE ESTABLISHING SALARIES FOR THE FIRE DEPARTMENT OF THE CITY OF MICHIGAN CITY FOR THE CALENDAR YEAR 2026**

Introduced by: Tracie Tillman

President Tillman stated this is in regard to the 2026 proposed ordinance setting the salaries for the Fire Department.

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

Chris Zibutis, MCFD Local #475 President, 161 Concord Drive, stated at the previous Council meeting there was suggestion made that the firefighters receive additional benefits at the risk that city employees do not, and in some cases that is true, maybe some employees should unionize and build strong foundation that the police and fire have; let me be clear, our contract is a public document, anyone can read it and no one is hiding anything and attempts to weaponize city employees against each other in order to score political points is unacceptable and further proof that good faith and negotiations are not a priority in this city, as the city is trying to take away from the firefighters with the offer of the 2% raise which with the passing of this proposed resolution we are not getting; there is 365 days in a year with a 24 on and 48 off schedule across those three (3) shifts with no time off, a firefighter can work up to 2,904 in a year, that's 94 hours more than the standard 40-hour employee who gets two (2) weeks paid vacation, even after our comp days which is earned instead of overtime, we work 2592 hours a year and after taking an average of ten (10) vacation days we work 2352 hours a year, that is 352 hours more than the 40-hour employee, that fifty (50) additional eight (8) hours shifts a year of sleepless nights on shift, dangerous calls, increased heart and lung disease, exposure to chemicals that are known to cause cancer and will die along with the brothers and sister firefighter for this city; earlier this year Captain Rob Schaefer died just short five (5) years into retirement at age 56; this is the harsh reality of the fire service across the country that really hit home; with the current proposal the public needs to understand this clearly the city is trying to force the firefighters to work more hours without proper compensation at all; to be clear I am not complaining about the hours I work, the job or the risk associated with it as every third day I live the dream of driving the firetruck and even though the city is trying to cut my benefits and punish me for working more than the average employee, we will continue to serve the community the best we can, asking when is enough, enough; how much more do we have to sacrifice to make this city happy.

Chris Bartak, MCPD stated that Councilman Dabney is a great public speaker, and its dishearten when that is used to sway public perception of the current situation; you stated that you pulled out all the stops to make the police and fire feel valued, even though that is not true, it is disingenuous to describe our situation; its stated that SB1 impacts on the city as why negotiations could not be done, that is simply not true as we understand the financial challenges but the team has tried to communicate with Labor Relations Committee all along and have been shut out at every opportunity; we are happy to hear that the mayor's statements and optimism echo what the Police and Fire Departments have been after all along an opportunity to negotiate and have meaningful discussion that leads to both parties leaving the table happy, unfortunately the Labor Relations Committee has made this impossible this year.

Brian Gonzalez, 1012 Ohio Street, stated that Councilman Dabney puts numbers out but does not like to give the whole truth, that in 2021-2022 a 14% raise but that the department gave up a lot of bonuses that was on top the salaries to fund our own raise; 2023-2024 was a 9% raise which was made do to the LIT tax being passed to bring the department from poverty to competitive wages as they make \$20,000 to \$30,000 then the surrounding areas per year; the mayor spoke about the public safety lit that was used for the sick sell backs, and now to show our retirees appreciation by having a large increase in their insurance premiums or contributions, stating that he

could provide contracts throughout the state for firefighters as there is only \$9 million in Riverboat funds, that's more than everyone else receives that still continues to provide raises to the firefighters; we are asking for our 2% raise and language change to our contract.

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

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

President Tillman made a motion to amend the proposed resolution for the 2026 Fire Salaries to implement the 2% wage increase for the Michigan City Fire Department and that their contract remain the same as their 2025 with the difference of the 2% wage increase.

Councilman Przybylinski called a "Point of Order" stating to make an amendment it must be in writing and presented to the council.

President Tillman advised she has the amendment in writing.

Councilman Dr. Kora asked if this amendment is for a 2% raise and the concerns for health insurance premium for retirees.

President stated their contract will remain the same as 2025 regarding the health insurance premium.

Attorney Snow advised there is a motion on the table and will need to be supported.

Councilman Bietry stated the contract will remain the same as 2025 except for the 2% wage increase.

seconded by Councilman Bietry.

Mayor Angie Nelson Dutch called a "Point of Order" suggesting having a councilmember make a motion as this is regarding the proposed salary ordinance not their contract; advising that once this is passed they will have to return to the membership for acceptance of the 2% wage increase.

Attorney Snow stated that in regard to budgetary allocation this amendment allows room in the budget for negotiations to still be continued and will cover the 2% wage increase.

the motion carried and the proposed amendment was adopted by the following vote: AYES: Council members, Przybylinski, Tillman, Bietry, Coulter, Dabney, Kora, Lee, Moldenhauer, and Nelson (9) NAYS: Council members None (0)

Clerk Neulieb stated that amendment was approved.

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

Mayor Angie Nelson Dutch stated the amendment has been approved, now this is public comments, asking if this will move to 3rd reading this evening.

President Tillman responded yes.

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

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

Councilman Bietry made a motion to have third reading this evening, seconded by Councilman Dr. Kora, the motion carried to have third reading this evening by the following vote: AYES: Council members, Tillman, Bietry, Coulter, Dabney, Kora, Lee, Moldenhauer, Nelson, and Przybylinski (9) NAYS: Council members None (0)

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4789

AN ORDINANCE ESTABLISHING SALARIES FOR THE FIRE DEPARTMENT OF THE CITY OF MICHIGAN CITY FOR THE CALENDAR YEAR 2026

WHEREAS, the salaries for the Fire Department must be set by ordinance pursuant to IC 36-8-3-3.

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Michigan City, Indiana, that:

Section 1. The salaries for the firefighters for the year 2026 shall be set as follows, subject to the terms and conditions of a labor agreement between the City of Michigan City and Firefighters Local #475:

| | |
|-----------------------------------|-----------------------|
| <u>Base Wages:</u> | <u>2026</u> |
| Training Officer | \$76,669.73 |
| Fire Marshal | \$76,669.73 |
| Assistant Chief | \$76,669.73 |
| Captain | \$74,547.31 |
| Lieutenant | \$72,424.90 |
| Driver | \$70,302.48 |
| First Class Firefighter (3 years) | \$68,180.06 |
| Firefighter (1-2 year) | \$65,475.02 |
| Probationary Firefighter | \$62,291.40 |
| Public Information Officer | Base Pay + \$1,000.00 |

Section 2. Set salaries are in effect for all payrolls issued in the calendar year governed by this ordinance.

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

Introduced by: Tracie Tillman

President Tillman advised she has no comments.

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

Chris Zibutis, MCFD Local #475 President, 161 Concord Drive, stated that more has happened this evening than in negotiations, advising that the city stated "Compensatory time should reflect FLSA consistent language" and the Fair Labor Standards Act stated that the firefighters would not receive overtime until they work more than 53 hours, which is 13 hours more than the standard 40-hour work week employee as every third week a firefighter works a 72-hour week that includes Sunday, Wednesday and Saturday that would result in 19 hours of weekly overtime and in 2026 there would be 16 pay periods where the city would owe a firefighter 19 hours of overtime that would be \$825 per pay period for firefighter in the total amount of \$13,200 per firefighter per year and a total of \$990,000 a year in overtime which will not save the city money; the city

should reconsider what is asked of the firefighters and leave the contract language that has worked for over 30 years exactly where it is.

Chris Bartak, MCPD, stated that is a deliberate mistreatment to the police officers; advising that the city is contractually required to meet with the FOP to begin the negotiation process prior to April 15th, we notified the city of our intent to negotiate prior to April 1st and the city refused to meet and was in breach of contract for 6 ½ months; the city then asked us to reach out in mid to late summer to establish a negotiation schedule that will lead into the budget season, we reached out again in August and the city delayed meeting for 2 ½ months until October 30th; asking how did meeting in October establish a negotiation schedule that would lead into the budget season; during that meeting we was told the budget has been finalized; the city has disregarded the police department for 6 1/2 months after doing precisely what you asked this is not negotiating in good faith; this is dismissive, disrespectful and deceitful; and before negotiations took place we learned that the city is raising the contribution to retired officers for health insurance premium costs, it was asked how many retiree was on the city insurance the committee advised they would give us the information and have not received that to date; the FOP wage committee has answered every question the city has asked of us, but the same cannot be said in return; the city deliberately dismissive attitude toward its police officers is unconscionable stop making excuses and start taking accountability and make public safety a priority again.

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

Councilman Dabney stated that this is the procedure they follow yearly when the funds are in place to create an offer as there were serval factors that was happening, advising that the labor relations committee asked both police and fire for their wants and needs regarding negotiations and after the negotiations meeting it was asked if there was anything else before you speak to your union representatives.

Councilman Dr. Kora made amotion 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 Bietry, Coulter, Dabney, Dr. Kora Lee Moldenhauer, Nelson, Przybylinski, and Tillman (9) **NAYS:** None (0).

President Tillman stated this ordinance with amendments increasing the Michigan City Fire Department for the calendar year 2026 with a 2% salary increase has been approved.

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

ESTABLISHING THE SALARIES FOR THE MICHIGAN CITY POLICE DEPARTMENT FOR THE CALENDAR YEAR 2026

Introduced by: Tracie Tillman

President Tillman stated she has no additional comments.

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

Brian Wright, MCPD, President of FOP Dunes Lodge #75, stated that the timeline for negotiations not being met due to the uncertainties financial status of the city, however the items to be discussed for the contract did not cost the city any money; being pushed off for months we could have discussed language change; it is stated that the city is competitive in pay and benefits and that there has been a 9% raise overtime but it was funded by the department, this is not only effecting the moral of the department it is making officers question why they would want to stay with the city; withholding our 2% raise hostage is a joke by making us except a whole package deal in order to receive the wage increase; this is not negotiation but the city telling us how this is going to go instead of sitting down and having a discussion and receive answers as we have yet to

receive and answer of how many retirees receive insurance through the city; the LIT fund expires December 31, 2027, in hopes that the city and county will renew this in order to provide the funds that are needed for our first responders.

Chris Zibutis, MCFD Local #475 President, 161 Concord Drive, stated the city wants to increase retiree insurance for the 72 retirees who currently receive that benefit; they have made no negotiation to clarify their position on this, the city will not tell us a breakdown of what departments those retirees come from or how much money the city thinks it will save; our contract guarantees retiree medical insurance to firefighters who retire after December 31, 2005 as well as police officers, the contract states that the retired firefighters or police shall contribute one-third of the premium and the city shall contribute two-thirds the language is mandatory and binding and is earned and vested, advising that any attempt to retro actively change the cost split for the police and firefighters who have already retired is not just wrong but raises a serious constitutional issue; Indiana Constitution , Article 1, Section 24 states, "No ex post facto law or law impairing the obligation of contract shall ever be passed"; Once these members have retired they are no longer bargaining member, they can't negotiate, and shifting costs onto them after the fact is exactly a type of government overreach that this constitutional protection was written to prevent; if the city would like to negotiate for future retiree that's a perfectly lawful option but needs to be done in good faith; don't attempt to balance budget by breaking promises to the men and woman who have already served the city show them respect and to those currently serving the community today.

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

President Tillman asked if the Council had any comments.

Councilman Bietry made a motion to amend the proposed resolution for the 2026 Police Salaries to implement the 2% wage increase for the Michigan City Police Department; seconded by Councilman Przybylinski and the motion carried and the proposed amendment was adopted by the following vote: AYES: Council members, Coulter, Dabney, Kora, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, and Bietry (9) NAYS: Council members None (0)

Councilman Bietry made a motion to have third reading this evening, seconded by Councilman Przybylinski, the motion carried to have third reading this evening by the following vote: AYES: Council members, Dabney, Kora, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, and Coulter (9) NAYS: Council members None (0)

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4790

ESTABLISHING THE SALARIES FOR THE MICHIGAN CITY POLICE DEPARTMENT FOR THE CALENDAR YEAR 2026

WHEREAS, the salaries for the Police Department must be set by ordinance, pursuant to IC 36-8-3-3.

NOW, THEREFORE BE IT ORDAINED by the Common Council of the City of Michigan City, Indiana, that:

Section 1. The annual salaries for the Police Officers for the year 2026 shall be set as follows, subject to the terms and conditions of a labor agreement between the City of Michigan City and the Indiana F.O.P. Labor Council, Inc.:

| | <u>2026:</u> |
|--|--------------|
| Probationary Patrolman | \$62,801.40 |
| Patrolman (1 - 2 years) | \$65,985.02 |
| 1 st Class Patrolman (3+ years) | \$68,690.06 |
| Corporal | \$70,812.48 |
| Sergeant | \$72,934.90 |
| Lieutenant | \$75,057.31 |
| Captain | \$77,179.79 |

Section 2. Set salaries are in effect for all payrolls issued in the calendar year governed by this Ordinance.

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

Introduced by: Tracie Tillman

President Tillman stated she has no comments.

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

Chris Zibutis, MCFD Local #475 President, 161 Concord Drive, stated in a recent article in the Norwest Indiana Times, Councilman Dabney was quoted "I've never been in a position in any private sector job where the company pays your insurance when you leave"; advising of surrounding areas that pay retiree insurance up to 85%.

President Tillman called "Point of Order" and advised Councilman Dabney to not interrupt the person speaking at the mike.

Brian Wright, MCPD, President of FOP Dunes Lodge #75, stated that Councilman Dabney advised that anyone can view the Gateway website that shows all city employees' salaries, but on the website under the police salaries it including overtime hours not the base pay; the city is growing and the need to have police and fire with no negotiation all of the skilled police and fire are going to go elsewhere.

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

President Tillman asked if the Council had any comments.

Councilman Dabney apologized for the interruption to Mr. Zibutis and stated that no company he has worked for continued to pay his insurance; advising that there is no law being passed to usurp the contract in negotiations we are trying to adjust the contract; the public can view all salaries that includes benefit time of the city employees on Gateway.in.gov; and feels that Labor Relation Committee should not include councilmembers but an attorney to represent them.

President Tillman stated that the Labor Relation Committee (LRC) was advised that is retires pay 50/50 for insurance the city will gain \$120,681.12 in the year 2026; with a total of 63 retirees.

Councilman Bietry made a motion to approve the proposed ordinance, second by Councilman Dr. Kora, the motion carried, and the proposed ordinance was approved by the following vote: **AYES:** Council members Dr. Kora, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, and Dabney (9) **NAYS:** None (0).

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

ORDINANCE NO. 4791

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

WHEREAS, the Common Council of the City of Michigan City, Indiana (the “Common Council”), adopted Ordinance No. 4771 on August 4, 2025 (the “EID Ordinance”), establishing an economic improvement district pursuant to Indiana Code 36-7-22 (the “Act”) designated as the “SOLA Michigan City Economic Improvement District” (the “District”) to facilitate additional privately funded debt financing for a multi-story mixed use project including a hotel, a parking structure residential and retail amenities (collectively, the “Project”) to be undertaken by YAB Development Partners, LLC or its designee (the “Developer”); and

WHEREAS, prior to adoption of the EID Ordinance, a petition dated as of July 8, 2025, requesting the establishment of the District (the “Petition”) was filed with the Common Council, and a copy of the Petition was attached to the EID Ordinance as Appendix A; and

WHEREAS, pursuant to the Act, the Petition was signed by certain owners of real property in the proposed District (as defined in the Petition, the “Petitioners”); and

WHEREAS, due to a scrivener’s error, the Petition erroneously listed Petitioner 1 (as defined in the Petition) as Lakefront LLC and erroneously listed Lakefront LLC as the owner of the Petitioner 1 Land (as defined in the Petition) in the District; and

WHEREAS, the true and correct name of Petitioner 1 is MC Lakefront LLC (“MC Lakefront LLC”) and MC Lakefront LLC is the owner of the Petitioner 1 Land in the District; and

WHEREAS, except for the incorrect name of Petitioner 1, all other information regarding Petitioner 1 contained in the Petition was correct and accurate with respect to MC Lakefront LLC, and the common address, mailing address and authorized representative of Petitioner 1 listed in the Petition are the correct and accurate common address, mailing address and authorized representative of MC Lakefront LLC; and

WHEREAS, the authorized representative of MC Lakefront LLC has executed a scrivener’s error affidavit, attached hereto as Exhibit A, deposing and stating that (i) the Petition erroneously listed Lakefront LLC as Petitioner 1 and erroneously listed Lakefront LLC as the owner of the Petitioner 1 Land, (ii) the correct name of Petitioner 1 is MC Lakefront LLC, (iii) MC Lakefront LLC is the owner of the Petitioner 1 Land in the District, and (iv) such authorized representative executed the Petition on behalf of MC Lakefront LLC and the listing of Lakefront LLC in the Petition as Petitioner 1 was a scrivener’s error; and

WHEREAS, in order to acknowledge the scrivener’s error in the Petition attached as Appendix A to the EID Ordinance and acknowledge and accept the scrivener’s error affidavit correcting the scrivener’s error, this Common Council now desires to ratify and reaffirm the findings, determinations and designations in the EID Ordinance as set forth below;

NOW, THEREFORE, BE IT ORDAINED By the Common Council of the City of Michigan City, Indiana, that:

The recitals set forth above are incorporated herein and approved as if set forth herein.

The Common Council hereby acknowledges the scrivener's error in the Petition attached as Appendix A to the EID Ordinance and acknowledges and accepts the scrivener's error affidavit attached hereto as Exhibit A correcting the scrivener's error.

The Common Council hereby acknowledges MC Lakefront LLC as the true and correct name of Petitioner 1 and as the true and correct owner of the Petitioner 1 Land in the District. The Common Council ratifies and reaffirms all findings, determinations, and designations in the EID Ordinance relating to the Petition with respect to Petitioner 1 recognizing MC Lakefront LLC as the true and correct name of Petitioner 1 and the true and correct owner of the Petitioner 1 Land in the District.

With the acknowledgement of the scrivener's error, the Common Council reaffirms the EID Ordinance, and the EID Ordinance shall remain in full force and effect and all terms, conditions and provisions of the EID Ordinance, are hereby ratified and affirmed.

This Ordinance shall be in full force and effect upon adoption and compliance with Indiana Code 36-4-6.

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

Introduced by: Tracie Tillman

Note: This proposed ordinance was TABLED at the December 2, 2025, Council meeting until December 16, 2025, Council meeting

President Tillman stated that the petition regarding this proposed ordinance had no merit to move forward and would like the council to vote in favor of the EID.

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

President Tillman asked if the Council had any comments.

Councilman Bietry stated that this proposed ordinance should have been approved as this has been held up due to an investigation with a petition.

Councilman Przybylinski stated if the public has questions that there should be an investigation to clarify that the city is transparent.

Councilwoman Moldenhauer stated that the investigation took longer than expected; and that she would be voting nay due to the careless oversights with mistakes in names or misspelling of words; recommending the council, boards, commission and committees to run spell check on all documents to remain professional.

Councilman Bietry made a motion to approve the proposed ordinance, second by Councilman Dr. Kora, the motion carried, and the proposed ordinance was approved by the following vote: **AYES:** Council members Lee, Przybylinski, Tillman, Bietry, Coulter, Dabney, and Dr. Kora (7) **NAYS:** Moldenhauer, and Nelson (2).

NEW BUSINESS

VOTE: 2026 Common Council Meeting Dates

President Tillman advised that all council members received these dates via email.

Councilman Dr. Kora made a motion to approve the 2026 Council meeting dates, second by Councilman Dabney, the motion carried, and the proposed ordinance was approved by the following vote: **AYES:** Council members Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, Dabney, Dr. Kora, and Lee (9) **NAYS:** None (0).

President Tillman stated the 2026 Council meeting dates are approved.

Councilwoman Lee stated she was not called for the vote.

Clerk Neulieb called her name for the vote.

Councilwoman Lee asked if Tommy Kulavik could speak as if there could be a potential date conflict.

President Tillman called a "Point of Order" stating this for a vote and that if there is a conflict an amendment can happen at that time.

UNFINISHED BUSINESS

President Tillman asked if there was any unfinished business.

Clerk Neulieb advised that the council has two (2) appointments to the Redevelopment Commission: Incumbents -Tracie Tillman and Sheree Wilson, expiring 12/31/2025 (term will begin 12/31/2025 and expire 12-31-2026).

Nominated

- Sheree Wilson
- Tracie Tillman
- Dave Biela

President Tillman stated the three (3) nominees names into record to hold a vote; and at the December 2 Council meeting the question of if both appointments are council member or a public spot; advising that if both spots that are opened are from the public than there will need to be a non-voting council liaison.

Councilman Nelson asked why his nomination of Nick Pollcok was not included on the list.

Clerk Neulieb stated it was an oversight.

President Tillman asked Attorney if a vote could take place due to this oversight.

Attorney Snow advised the record reflects who was nominated at the previous meeting and due to an error does not mean he cannot be voted for.

President Tillman stated for the record the list of nominees

- Tracey Tillman
- Dave Biela
- Sheree Wilson
- Nick Pollock

Attorney Snow advised to vote by seat by the councilmembers name and that any person receiving five (5) votes will fill that seat.

Vote for seat one (1)

- Tracie Tillman
- Dave Biela I (1)
- Sheree Wilson IIIIIII (8)
- Nick Pollock

President Tillman congratulated Sheree Wilson for her re-appointment.

Vote for seat two (2)

- Tracie Tillman IIIIII (7)
- Dave Biela
- Nick Pollock II (2)

President Tillman thanked the council for their votes on her re-appointment.

COMMENTS FROM THE PUBLIC

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

Tommy Kulavik, 1316 Ohio Street, congratulated Councilwoman Tillman and Sheree Wilson of their re-appointment to the Redevelopment Commission; announced the "Battle of the Mayor" bill ringing competition raising funds for the Salvation Army on Friday, December 19, 2025, from 9:00 a.m.- 6:00 p.m. at Als Karwick, wished the council a Merry Christmas.

Ernie Houlihan, 302 Gladys Street, stated that city needs industry to help rebuild the funds.

Dave Biela, 3044 Ohio Street, stated his concerns with the Redevelopment Commission.

Chris Zibutis, MCFD Local #475 President, 161 Concord Drive, read Indiana Constitution Article 1 section 24 that stated "No exposed facto law or law impairing the obligation of contract shall ever be passed": but in court case Kaiser v. Alcoa in 2021 when he tried to change their promised contractual retiree benefit to a health reimbursement arrangement in 2024 it was decided by the Southern Court District of Indiana that Alcoa cannot change that benefit under those who retiree under even under a collective bargaining agreement or memorandum of understanding; this created a vested right to lifelong retiree healthcare benefits comes down to contract language and our current contract protects the retirees.

Brian Gonzales, 1012 Ohio Street, clarified that Councilman Dabney was not opposed to the LIT tax but did not support the raise the department received; thanked the council for the 2% wage increase that was passed tonight and hopes for successful future regarding negotiations.

Dakota Euler, 718 Emma Street, thanked the Emergency Management Associates (EMA) that volunteered their services throughout the year and the local business who donated to their holiday dinner

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

COMMENTS FROM THE COUNCIL

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

Councilman Przybyliski thanked State Senators Rodney Pol and Mike Bohacek and State Representative Randy Novak for voting against midterm redistricting; encouraged residents that are able to shovel the sidewalks during the winter season; reminding the citizens to be patient with leaf pick up; thanked the Park Department for doing a great job with the Christmas light at Washington Park and on Franklin Square; wished everyone a Merry Christmas and Happy New Year.

Councilman Dabney stated that there will be a future workshop to discuss city funds and the 2026 Budget; stated that he feels that the Labor Relations Committee should be run by a Labor Relations Attorney to represent the council to avoid animosity and overspending; and that he was in full support of raising salaries for all if the city employees

Councilwoman Lee stated that Barker Middle School is hosting a winter clothing drive and if the public would like to donate, please drop off items to the Front Office at Door A, Monday through Friday from 7:00 a.m. to 2:00 p.m.

Councilman Dr. Kora advised that Public Health and Safety committee held a workshop regarding homelessness and ideas was presented; stated that he was in support of the "Data Center" that will bring in revenue to help increase funds for wage increases for city employees; thanked Maggie Spratz, Unity Foundation for her thirty (30) years of hard work and dedication to our community and wished her a happy retirement; wished everyone happy holidays.

Councilwoman Moldenhauer advised that a new bipartisan bill was passed and introduced by Indiana U.S. Senators Young, Banks, and Illinois U.S. Senator Dirksen and Duckworth to designate the Calumet Region National Heritage Area; this will raise the region's profile, draw in visitors and help in marketing cultural institutions that are along the corridor; Michigan City is on the eastern side with Dunes National Park Mount Baldy and on the western side (Chicago) is the Pullman National Historic Park; wishing everyone happy holidays.

President Tillman wished everyone a safe and healthy happy holiday as we enter in 2026.

ADJOURNMENT

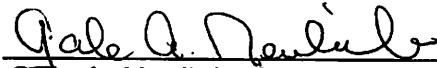
A motion by Councilman Dabney, second by Councilman Dr. Kora and there being no further business to transact, President Tillman declared the meeting **ADJOURNED** (approximately 9:20 p.m.)

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:

<https://www.youtube.com/watch?v=WgP1gUImdYk&list=PL8L8Y5g9S6bqwrhSfvSUA8dwegrb6st>



Tracie Tillman, President



Gale A. Neulieb, City Clerk