

FILED

APR 16 2026

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



AGENDA
COMMON COUNCIL – IN PERSON - REGULAR MEETING

Tuesday, April 21 2026

Meeting to be held at **6:30 p.m.**, local time,
in the Council Chambers, City Hall 100 E. Michigan Blvd.
and Hosted by “Hybrid/Zoom” and streaming live on the
Access LaPorte County Facebook page
See attached to connect to “Hybrid/Zoom.”

CALL TO ORDER BY COUNCIL PRESIDENT

PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER

ROLL CALL

APPROVAL OF MINUTES

Regular Council (Hybrid/Zoom) April 7, 2026
Executive Session Minutes – April 6, 2026

REPORTS OF STANDING COMMITTEES

FINANCE COMMITTEE MEETING Cancelled due to no claims.

CLAIMS DOCKET

April 21, 2026

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

REPORTS FROM BOARDS AND COMMISSIONS

Clarence Hulse, EDCMC Director – Annual Report

Tree Board Commission – 2026 Annual Report

REPORTS OF SPECIAL or SELECT COMMITTEES

REPORTS FROM MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS

PETITIONS

- Petition of Bailey's Properties LLC to **VACATE A PORTION OF A PUBLIC ALLEY IN THE CITY OF MICHIGAN CITY RUNNING PARALLEL TO EAST MICHIGAN BOULEVARD AND LOCATED IMMEDIATELY SOUTH OF AND ADJACENT TO 2525 AND 2515 EAST MICHIGAN BOULEVARD**

- **Petition of Ronald Presbitero and Lauren Presbitero to VACATE A PORTION OF A PUBLIC STREET AND A PORTION OF PUBLIC ALLEY IN THE CITY OF MICHIGAN CITY LOCATED NORTH OF WOODLAWN AVENUE BETWEEN WINNIPEG AVENUE AND GENEVA LAKE AVENUE**

COMMUNICATIONS

Correspondence was received in the Clerk's Office on April 2, 2026 from Mayor Angie regarding her Gala event being held on Friday, April 17, 2026.

A Notice was received in the Clerk's Office on April 6, 2026 from Indiana Department of Environmental Management (IDEM) regarding a sanitary sewer construction permit application received.

A Notice of a Public Hearing was received in the Clerk's Office from Nfr Institute of Technology regarding Petition # B-105-26 being held on Tuesday April 14, 2026.

Correspondence was received in the Clerk's Office on April 10, 2026 from Mayor Angie announcing that the city was awarded \$774,697.92 for Road Improvement Project/ 2026-2 Community Crossing Grant Funds (CCMG)

Correspondence was received in the Clerk's Office from CJ Alexander responding to the response he received regarding an FOIA he filed on March 26, 2026.

Correspondence was received on April 13, 2026 from Ashley Williams regarding correspondence she received from Councilwoman Tillman regarding the DATA Center, 402 Royal Road.

ORDINANCES

1st Reading

AN ORDINANCE VACATING A PORTION OF A PUBLIC ALLEY IN THE CITY OF MICHIGAN CITY RUNNING PARALLEL TO EAST MICHIGAN BOULEVARD AND LOCATED IMMEDIATELY SOUTH OF ADJACENT TO 2525 AND 2515 EAST MICHIGAN BOULEVARD

Introduced by: Don Przybylinski

**Advertise in the
Herald Dispatch
April 22, 2026**

**Formal Public
Hearing will be held
May 5, 2026**

**Agenda April 21, 2026
Posted April 16, 2026**

**ORDINANCE
1st Reading**

**AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET
AND A PORTION OF PUBLIC ALLEY IN THE CITY OF MICHIGAN
CITY LOCATED NORTH OF WOODLAWN AVENUE BETWEEN
WINNIPEG AVENUE AND GENEVA LAKE AVENUE**

Introduced by: Don Przybylinski

**Advertise in the
Herald Dispatch
April 22,2026**

**Formal Public
Hearing will be held
May 5, 2026**

**ORDINANCE
1st Reading**

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET
OF THE GOLF NON-REVERTING FUND SALARIES AND WAGES AT
THE MICHIGAN CITY MUNICIPAL GOLF COURSES**

**(DECREASE Golf Non-Reverting Fund #2508 Unappropriated balance
\$ 36,600.00 INCREASE ACCOUNT #2508.000.411.014 \$ 35,300.00
Seasonal Wages. .INCREASE ACCOUNT #2508.000.411.013 \$ 1,300.00
Salaries and Wages (Full Time)**

Introduced by: Bryant Dabney

**Advertise in the
Herald Dispatch
April 22,2026**

**Formal Public
Hearing will be held
May 5, 2026**

ORDINANCE
1st Reading

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF
THE RAINY-DAY FUND TO COVER UNFUNDED PUBLIC
EMPLOYEES' RETIREMENT FUND (PERF) CONTRIBUTIONS**

(DECREASE 2236.000 Unappropriated balance \$400,000.00.
INCREASE ACCOUNT# 2236.000.413.003 \$400,000.00)

Introduced by: Tracie Tillman
Tim Bietry
Bryant Dabney

**Advertise in the
Herald Dispatch
April 22,2026**

**Formal Public
Hearing will be held
May 5, 2026**

ORDINANCE
2nd Reading

**AMENDING SEC.22-83 IN THE MICHIGAN CITY MUNICIPAL CODE
COMMONLY KNOWN AS THE BUILDING & INSPECTION FEE
WAIVER**

Introduced by: Tim Bietry
Bryant Dabney

NEW BUSINESS

FYI: Mayor Angie is requesting the advice and consent of the members of the Michigan City Common Council regarding her new appointment of Jesse Cundiff to the Michigan City Historic Commission, term begins immediately and expires 3/15/2029.

FYI: Mayor Angie is requesting the advice and consent of the members of the Michigan City Common Council regarding the re-appointment of the following to the Michigan City Historic Commission:

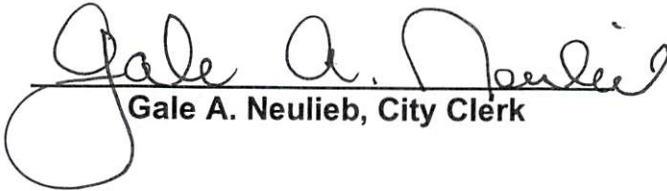
- Rose Tejeda 3/15/2026 – 3/15/2027
- Patricia Matsey 3/15/2026 - 3/15/2029

UNFINISHED BUSINESS

COMMENTS FROM THE PUBLIC

COMMENTS FROM THE COUNCIL

ADJOURNMENT



Gale A. Neulieb, City Clerk

You are invited to a Zoom webinar.

When: **Tuesday, April 21, 2026, 6:30 PM** Central Time (US and Canada)

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84298000057?pwd=RXVRUkhobXI2aVE2R1lR0R0VEVTl3dz09>

Passcode : 463601 Webinar ID: 842 9800 0057 Passcode: 463601 Or One tap mobile:

STATE OF INDIANA
COUNTY OF LAPORTE

BEFORE THE COMMON COUNCIL OF THE
CITY OF MICHIGAN CITY

PETITION
OF
Bailey's Properties, LLC
TO
VACATE A PORTION OF A PUBLIC ALLEY
IN THE CITY OF MICHIGAN CITY RUNNING PARALLEL TO EAST
MICHIGAN BOULEVARD AND LOCATED IMMEDIATELY SOUTH OF AND
ADJACENT TO 2525 AND 2515 EAST MICHIGAN BOULEVARD

Comes now your Petitioner, Bailey's Properties, LLC, an Indiana Limited Liability Company, by counsel, Barry F. McDonnell, and petition the Common Council of the City of Michigan City, in the State of Indiana, to vacate a portion of a public alley running parallel to East Michigan Boulevard and located immediately South of and adjacent to 2525 and 2515 East Michigan Boulevard, and represent and show to the Common Council the following:

1. The Petitioner is the owner of the following described real estate located in the City of Michigan City, LaPorte County, Indiana (the "Property"):

See Exhibit "A" attached hereto and incorporated herein by reference.
2. There presently exists an unimproved public East/West alley which bisects the Property.
3. The Petitioner seeks to vacate that portion of the public alley as highlighted on Exhibit "B" (consisting of 2 pages) attached hereto and incorporated herein by reference and identified on the drawings and corresponding legal description.
4. The Petitioner is willing, if necessary, to grant new utility easements to the City of Michigan City for the use and benefit of the Michigan City Department of Water Works and the Michigan City Sanitary District to

allow for any existing utilities which may be located within the requested vacated portion of the alley.

5. The Petitioner represents that the portion of public alley sought to be vacated is contiguous to or lying within the Property which the Petitioner owns as set forth in Paragraph 1 above.
6. The names and addresses of all owners of land that abut the portion of public alley proposed to be vacated are as follows:

Batz Real Estate Holdings I, LLC
2511 East Michigan Boulevard
Michigan City, Indiana 46360

Mailing address:

387 Melton Road
Burns Harbor, Indiana 46304

7. The Petitioner (or the City Clerk's Office) shall give notice of a public hearing before the Common Council by certified mail to the owners listed in the immediately preceding paragraph pursuant to IC 36-7-3-12(c)(2).
8. The circumstances of the case and the reasons for this proposed vacation are as follows:

The portion of the alley sought to be vacated bisects the Property and makes further redevelopment of this portion of the Property impractical by splitting this Portion of the Property into two (2) sections, neither of which is easy to further develop and improve without the other.
9. The vacation sought hereunder would not hinder the growth or development of the City or the neighborhood in which it is located or to which it is contiguous.
10. This vacation would not make access to the lands of any person by means of a public way difficult or inconvenient.
11. This vacation would not hinder public access to a church, school, or other public building or place.
12. This vacation would not hinder the use of any public way by the neighborhood in which it is located or to which it is contiguous.
13. Petitioner has paid the filing fee required by the City, if any, and agrees to pay, if requested, prior to the public hearing, the cost of providing notice in the manner prescribed in I.C. 5-3-1 by publication in a newspaper of general circulation in LaPorte County, namely, the LaPorte County Herald

Dispatch, and individual notice to each owner of land that abuts the proposed portion of public alley to be vacated by certified mail.

14. The Petitioner acknowledges that the vacation of the portion of the public alley will not deprive any public utility of the use of all or part of the alley to be vacated, if at the time that proceedings for vacation are instituted, such utility is occupying or using all or a part of the subject alley for the location or operation of its facilities, all as contemplated by I.C. 36-7-3-16(b), and as specifically outlined in Paragraph 4 herein.

WHEREFORE, your Petitioner requests that the Common Council of the City of Michigan City hold a public hearing as required by I.C. 36-7-3-12, and after all interested parties have been heard, duly pass an ordinance vacating the above-described portion of the public alley.

Respectfully submitted this 6th day of April, 2026.

By: /s/ Barry F. McDonnell
BARRY F. McDONNELL (#16123-53)
Attorney at Law
601 Franklin Street, Suite 200
Michigan City, Indiana 46360
Attorney for Petitioner
Telephone No: (219) 874-4276
Email: bfmesquire@comcast.net

Exhibit "A"

Lots 7 and 8 and 30 feet off the East side of Lot 6, all in Block 1 in Davidson Manor, as per plat thereof, recorded in Plat Book 6 page 16, in the Office of the Recorder of LaPorte County, Indiana, EXCEPT therefrom the right-of-way granted to the State of Indiana, as recorded July 5, 1962 in Deed Record 311 page 604.

ALSO Lot 18 and that part of Lots 19 and 20 in Block 1 in Davidson Manor, as per plat thereof, recorded in Plat Book 6 page 16, in the Office of the Recorder of LaPorte County, Indiana being more particularly described as follows: Commencing at the Southwest corner of said Lot 20;thence North along the West line of said Lot 20, a distance of 154.49 feet for the place of beginning; thence East at a 90 degrees angle, a distance of 90 feet to the East line of said Lot 19; thence North to the Northeast corner of said Lot 19; thence Northwesterly to the Northwest corner of said Lot 20; thence Southerly to the place of beginning.

Lots Numbered 9, 10, 11, 12, 13, 14, 15, 16 and 17 in Block 1 as shown on the recorded plat of Davidson Manors recorded in Plat Book 6, pages 16 and 17 in the Office of the Recorder of LaPorte County, Indiana; and the North Half of vacated alley adjoining Lots 9, 10, 11, 12, 13 and 14, also the South Half of vacated alley adjoining Lots 16 and 17.

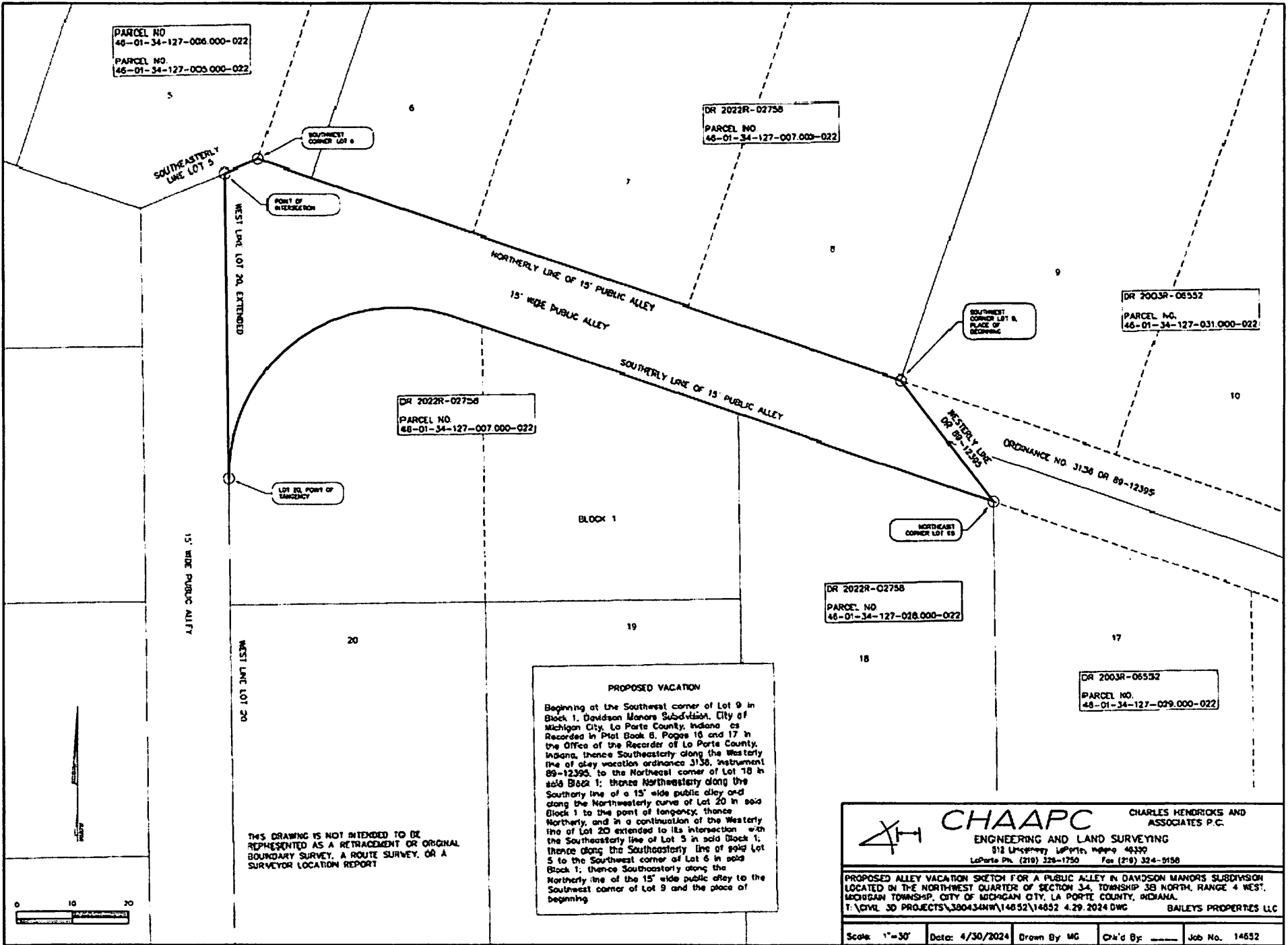
C.H.A.A.P. Charles Hendricks & Associates P.C.

Engineering & Surveying

512 Lincolnway, La Porte, Indiana 46350 Phone (219) 326-1750 Fax (219) 324-5158

PROPOSED VACATION

Beginning at the Southwest corner of Lot 9 in Block 1, Davidson Manors Subdivision, City of Michigan City, La Porte County, Indiana as Recorded in Plat Book 6, Pages 16 and 17 in the Office of the Recorder of La Porte County, Indiana, thence Southeasterly along the Westerly line of alley vacation ordinance 3136, Instrument 89-12395, to the Northeast corner of Lot 18 in said Block 1; thence Northwesterly along the Southerly line of a 15' wide public alley and along the Northwesterly curve of Lot 20 in said Block 1 to the point of tangency; thence Northerly, and in a continuation of the Westerly line of Lot 20 extended to its intersection with the Southeasterly line of Lot 5 in said Block 1; thence along the Southeasterly line of said Lot 5 to the Southwest corner of Lot 6 in said Block 1; thence Southeasterly along the Northerly line of the 15' wide public alley to the Southwest corner of Lot 9 and the place of beginning.



PARCEL NO.
46-01-34-127-006.000-022
PARCEL NO.
46-01-34-127-003.000-022

DR 2022R-02756
PARCEL NO.
46-01-34-127-007.000-022

DR 2003R-06532
PARCEL NO.
46-01-34-127-031.000-022

DR 2022R-02756
PARCEL NO.
46-01-34-127-007.000-022

DR 2022R-02756
PARCEL NO.
46-01-34-127-018.000-022

DR 2003R-06532
PARCEL NO.
46-01-34-127-029.000-022

PROPOSED VACATION
Beginning at the Southwest corner of Lot 9 in Block 1, Davidson Manor Subdivision, City of Michigan City, La Porte County, Indiana as Recorded in Plat Book 6, Pages 16 and 17 in the Office of the Recorder of La Porte County, Indiana, thence Southeasterly along the Westerly line of alley vacation ordinance 3136, instrument 89-12395, to the Northeast corner of Lot 18 in said Block 1; thence Northeasterly along the Southerly line of a 15' wide public alley and along the Northwesterly curve of Lot 20 in said Block 1 to the point of tangency, thence Northerly, and in a continuation of the Westerly line of Lot 20 extended to its intersection with the Southeasterly line of Lot 5 in said Block 1; thence along the Southeasterly line of said Lot 5 to the Southwest corner of Lot 6 in said Block 1; thence Southeasterly along the Northerly line of the 15' wide public alley to the Southwest corner of Lot 9 and the place of beginning

THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT

CHAAPC ENGINEERING AND LAND SURVEYING
518 University Loop, Michigan City, IN 46337
LaPorte Ph. (219) 326-1750 Fax (219) 324-9158

CHARLES HENDRICKS AND ASSOCIATES P.C.

PROPOSED ALLEY VACATION SKETCH FOR A PUBLIC ALLEY IN DAVIDSON MANOR'S SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 36 NORTH, RANGE 4 WEST, MICHIGAN TOWNSHIP, CITY OF MICHIGAN CITY, LA PORTE COUNTY, INDIANA.
T:\CIVIL 3D PROJECTS\300434NW\14652\14652 4.29.2024.DWG BAILEYS PROPERTIES LLC

Scale: 1"=30' Date: 4/30/2024 Drawn By: MG Ckd'd By: Job No. 14652

STATE OF INDIANA
COUNTY OF LAPORTE

BEFORE THE COMMON COUNCIL OF THE
CITY OF MICHIGAN CITY

PETITION
OF
Ronald Presbitero and Lauren Presbitero
TO
VACATE A PORTION OF A PUBLIC STREET AND A PORTION OF
PUBLIC ALLEY IN THE CITY OF MICHIGAN CITY LOCATED NORTH OF
WOODLAWN AVENUE BETWEEN WINNIPEG AVENUE AND
GENEVA LAKE AVENUE

Come now your Petitioners, Ronald Presbitero and Lauren Presbitero, by counsel, Barry F. McDonnell, and petition the Common Council of the City of Michigan City, in the State of Indiana, to vacate a portion of a public street and a portion of public alley located North of Woodlawn Avenue Between Winnipeg Avenue and Geneva Lake Avenue and represent and show to the Common Council the following:

1. The Petitioners are the owner of the following described real estate located in the City of Michigan City, LaPorte County, Indiana (the "Property"):

See Exhibit "A" attached hereto and incorporated herein by reference.
2. There presently exists an unimproved public East/West alley which bisects the Property as well as an unimproved East/West public street (Everett Avenue) immediately to the North and adjacent to the Property.
3. The Petitioners seek to vacate that portion of the public street and public alley as highlighted on Exhibit "B" (consisting of 2 pages) attached hereto and incorporated herein by reference and identified on said drawing and corresponding legal description.
4. The Petitioners, if necessary, are willing to grant new utility easements to the City of Michigan City for the use and benefit of the Michigan City Department of Water Works and the Michigan City Sanitary District to allow for any existing utilities which may be located within the requested vacated portion of street and alley.

5. The Petitioners represent that the portion of public street and public alley sought to be vacated are contiguous to or lying within the Property which the Petitioners own as set forth in Paragraph 1 above.

6. The names and addresses of all owners of land that abut the portion of public street and public alley proposed to be vacated are as follows:

United States of America
Dunes National Lakeshore

Mailing address:

621 East Michigan Boulevard
Washington, DC 20410

7. The Petitioners (or the City Clerk's Office) shall give notice of a public hearing before the Common Council by certified mail to the owners listed in the immediately preceding paragraph pursuant to IC 36-7-3-12(c)(2).

8. The circumstances of the case and the reasons for this proposed vacation are as follows:

The portion of the alley sought to be vacated bisects the Property and makes redevelopment of the Property impractical by splitting the site into two (2) sections, neither of which is easy to develop without the other. Also, the portion of the street in the rear of the Property is undeveloped and unlikely to ever be developed and will allow the Petitioners to develop the entire site as a new construction single-family residence.

9. The vacation sought hereunder would not hinder the growth or development of the City or the neighborhood in which it is located or to which it is contiguous.

10. This vacation would not make access to the lands of any person by means of a public way difficult or inconvenient.

11. This vacation would not hinder public access to a church, school, or other public building or place.

12. This vacation would not hinder the use of any public way by the neighborhood in which it is located or to which it is contiguous.

13. Petitioners have paid the filing fee required by the City, if any, and agree to pay, if requested, prior to the public hearing, the cost of providing notice in the manner prescribed in I.C. 5-3-1 by publication in a newspaper of general circulation in LaPorte County, namely the LaPorte County Herald Dispatch

and individual notice to each owner of land that abuts the proposed portion of public street and public alley to be vacated by certified mail.

14. The Petitioners acknowledge that the vacation of the portion of the public street and public alley will not deprive any public utility of the use of all or part of the street or alley to be vacated, if at the time that proceedings for vacation are instituted, such utility is occupying or using all or a part of the subject street or alley for the location or operation of its facilities, all as contemplated by I.C. 36-7-3-16(b), and as specifically outlined in Paragraph 4 herein.

WHEREFORE, your Petitioners request that the Common Council of the City of Michigan City hold a public hearing as required by I.C. 36-7-3-12, and after all interested parties have been heard, duly pass an ordinance vacating the above-described portion of the public street and public alley.

Respectfully submitted this 1st day of April, 2026.

By: /s/ Barry F. McDonnell

BARRY F. McDONNELL (#16123-53)
Attorney at Law
601 Franklin Street, Suite 200
Michigan City, Indiana 46360
Attorney for Petitioners
Telephone No: (219) 874-4276
Email: bfmesquire@comcast.net

Exhibit "A"

Parcel 1:

Lots 2 and 3 in Block Twenty 20 in Frederick H. Bartlett's South Shore Acres, as per plat thereof, recorded on December 7, 1927 in Plat Book 6, pages 26 and 27, in LaPorte County, Indiana.

Parcel 2:

Lot 12 in Block 20 in Frederick H. Bartlett's South Shore Acres as per plat thereof, recorded in Plat Book 6, page 27, in the Office of the Recorder of LaPorte County, Indiana.

Exhibit "B"

(Page 1 of 2)

All of the platted alley adjacent to Lot 12 of Block 20 of Frederick H. Bartlett's South Shore Acres, as recorded in Plat Book 6, pages 26 and 27 in the Office of the Recorder of LaPorte County, Indiana.

AND

All of the platted street (Everett Avenue) adjacent to Lot 2 and Lot 3 of Block 20 of Frederick H. Bartlett's South Shore Acres, as recorded in Plat Book 6, pages 26 and 27 in the Office of the Recorder of LaPorte County, Indiana.

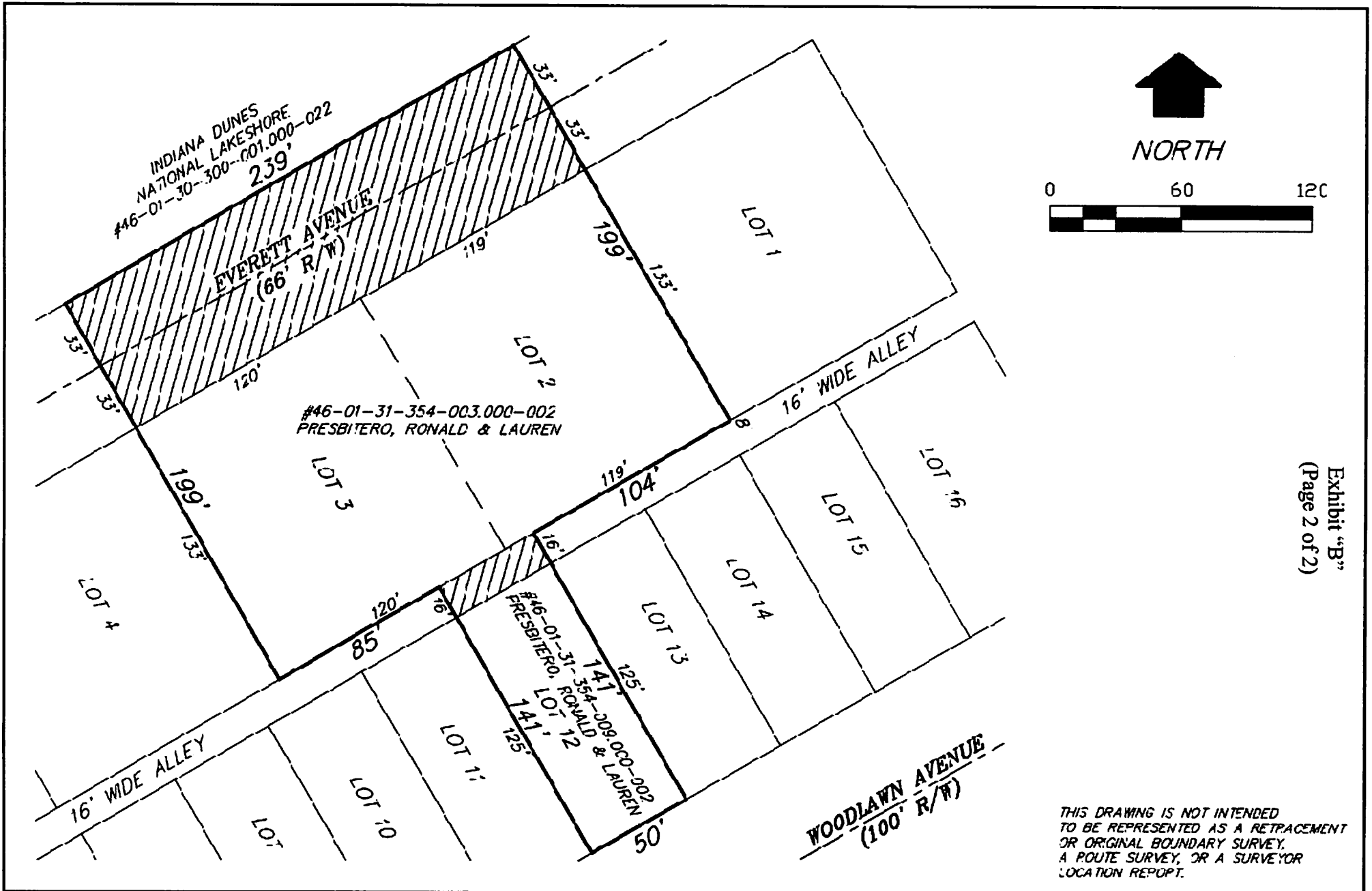
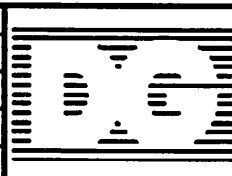


Exhibit "B"
(Page 2 of 2)

THIS DRAWING IS NOT INTENDED
TO BE REPRESENTED AS A RETRACEMENT
OR ORIGINAL BOUNDARY SURVEY,
A POUTE SURVEY, OR A SURVEYOR
LOCATION REPORT.

**SOUTH SHORE ACRES
BLOCK 20 - LOTS 2, 3 & 12
VACATION EXHIBIT**

REVISIONS	BY



DUNELAND GROUP
ENGINEERING & SURVEYING
1498 POPE COURT
CHESTERTON, INDIANA 46304
219-926-1007 fax 219-925-1544
E-MAIL dgi@dunelandgroup.com

DATE	09/05/2025
SCALE	1"=60'
DRAWN	TDS/JGI
PROJECT	2008.020.12
SHEET	1

MICHIGAN CITY COMMON COUNCIL

Ordinance No. _____

**AN ORDINANCE VACATING A PORTION OF A PUBLIC
ALLEY IN THE CITY OF MICHIGAN CITY RUNNING PARALLEL
TO EAST MICHIGAN BOULEVARD AND LOCATED
IMMEDIATELY SOUTH OF AND ADJACENT TO 2525 AND 2515
EAST MICHIGAN BOULEVARD**

WHEREAS, Bailey’s Properties, LLC, an Indiana Limited Liability Company, (the “Petitioner”) is the owner of certain real estate located within the City of Michigan City, Indiana, (the “Property”), more particularly described as follows:

See Exhibit “A” attached hereto and incorporated herein by reference;

WHEREAS, the Petitioner has petitioned the Common Council of the City of Michigan City, Indiana for the vacation of a portion of a public alley bisecting the Property, more particularly shown and described as follows:

See Exhibit “B” (consisting of 2 pages) attached hereto and incorporated herein by reference;

WHEREAS, the City Clerk for the City of Michigan City, Indiana caused to be mailed on the 7th day of April, 2026, via United States Postal Service, certified mail, return receipt requested, notice of the consideration of its Petition before the Common Council of

the City of Michigan City for the vacation to the following abutting property owners of the
Property:

Batz Real Estate Holdings I, LLC
2511 East Michigan Boulevard
Michigan City, Indiana 46360

Mailing address:

387 Melton Road
Burns Harbor, Indiana 46304

WHEREAS, the Clerk for the City of Michigan City has caused notice of the consideration of the Petition before the Common Council of the City of Michigan City for the vacation to be published on the 22nd day of April 2026, in the LaPorte County Herald Dispatch, a newspaper of general circulation in LaPorte County, Indiana; and

WHEREAS, the Common Council of the City of Michigan City has conducted a public hearing on the 5th day of May, 2026, with regard to said Petition and the Common Council of the City of Michigan City now finds that it is in the best interests of the City of Michigan City and its citizens that the herein described portion of the public alley should be vacated; and

WHEREAS, the Common Council of the City of Michigan City, Indiana, now finds as follows:

- a. That the subject vacation would not hinder the growth or orderly development of Michigan City, Indiana or the neighborhood in which it is located or to which it is contiguous;

b. That the subject vacation will not make access to the lands of any property owners within Michigan City, Indiana by means of public way difficult or inconvenience;

c. That the subject vacation will not hinder the public's access to a church, school, or other public building or place; and

d. That the subject vacation will not hinder the use of a public way by a neighborhood in which it is located or to which it is contiguous; and

WHEREAS, the Petitioner will, if necessary, grant appropriate utility easements acceptable to the City of Michigan City, for the use and benefit of the Michigan City Sanitary District and the Department of Water Works for the City of Michigan City, for any existing facilities that may be located in the portion of the alley that is to be vacated.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Michigan City Common Council as follows:

1. The aforementioned WHEREAS sections are set forth herein as if fully incorporated herein.
2. The portion of the public alley running parallel to east Michigan Boulevard and located immediately South of and adjacent to 2525 and 2515 East Michigan Boulevard is hereby vacated and, pursuant to law, shall vest in the Petitioner and the above-identified abutting property owner.
3. Notwithstanding the vacation of said portion of the subject alley, any public utility presently occupying or using all or any part of said street shall not be deprived of said use unless and until said utility waives said rights by filing its written consent to this vacation proceedings or by executing and recording its waiver of said use.
4. This Ordinance to be effective upon passage by the Michigan City Common Council, approval by the Mayor, any necessary publication, any necessary recording, and any necessary approval by the Indiana Department of Local Government Finance.

5. The Clerk of the Michigan City Common Council shall furnish a certified copy of this Ordinance to the LaPorte County Recorder and the LaPorte County Auditor in order that same may be placed of record in the records of the Recorder's Office.

Introduced by: _____
Donald Przybylinski, Member
Michigan City Common Council

ALL OF WHICH IS PASSED AND ADOPTED by the Michigan City Common Council this ____ day of _____, 20 ____.

Tracie Tillman, President
Michigan City Common Council

Approved by me this ____ day of _____, 20 ____.

Angie Nelson Deutch, Mayor
City of Michigan City

ATTEST:

Gale A. Neulieb
City Clerk

Exhibit "A"

Lots 7 and 8 and 30 feet off the East side of Lot 6, all in Block 1 in Davidson Manor, as per plat thereof, recorded in Plat Book 6 page 16, in the Office of the Recorder of LaPorte County, Indiana, EXCEPT therefrom the right-of-way granted to the State of Indiana, as recorded July 5, 1962 in Deed Record 311 page 604.

ALSO Lot 18 and that part of Lots 19 and 20 in Block 1 in Davidson Manor, as per plat thereof, recorded in Plat Book 6 page 16, in the Office of the Recorder of LaPorte County, Indiana being more particularly described as follows: Commencing at the Southwest corner of said Lot 20; thence North along the West line of said Lot 20, a distance of 154.49 feet for the place of beginning; thence East at a 90 degrees angle, a distance of 90 feet to the East line of said Lot 19; thence North to the Northeast corner of said Lot 19; thence Northwesterly to the Northwest corner of said Lot 20; thence Southerly to the place of beginning.

Lots Numbered 9, 10, 11, 12, 13, 14, 15, 16 and 17 in Block 1 as shown on the recorded plat of Davidson Manors recorded in Plat Book 6, pages 16 and 17 in the Office of the Recorder of LaPorte County, Indiana; and the North Half of vacated alley adjoining Lots 9, 10, 11, 12, 13 and 14, also the South Half of vacated alley adjoining Lots 16 and 17.

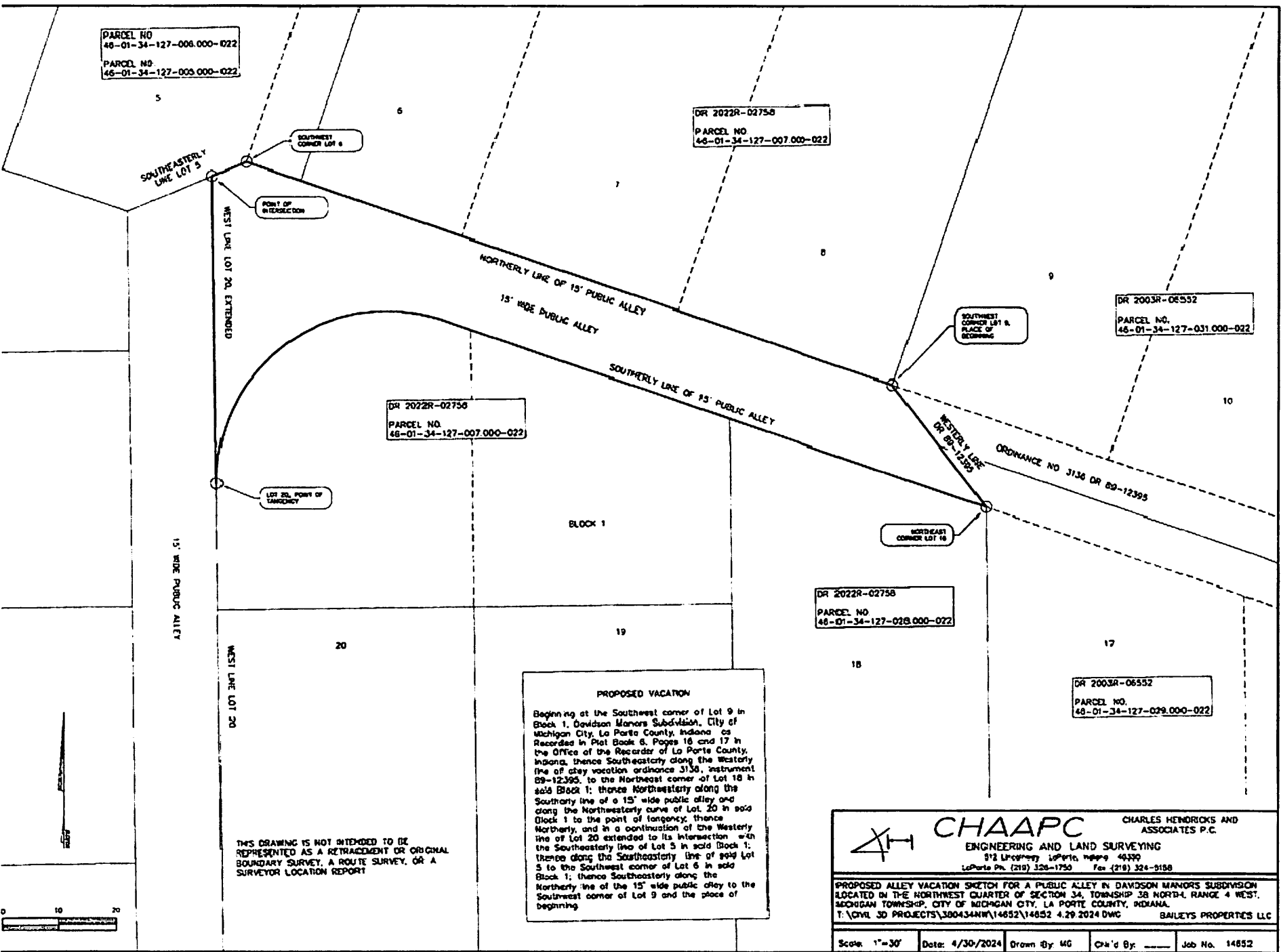
C.H.A.A.P. Charles Hendricks & Associates P.C.

Engineering & Surveying

512 Lincolnway, La Porte, Indiana 46350 Phone (219) 326-1750 Fax (219) 324-5158

PROPOSED VACATION

Beginning at the Southwest corner of Lot 9 in Block 1, Davidson Manors Subdivision, City of Michigan City, La Porte County, Indiana as Recorded in Plat Book 6, Pages 16 and 17 in the Office of the Recorder of La Porte County, Indiana, thence Southeasterly along the Westerly line of alley vacation ordinance 3136, Instrument 89-12395, to the Northeast corner of Lot 18 in said Block 1; thence Northwesterly along the Southerly line of a 15' wide public alley and along the Northwesterly curve of Lot 20 in said Block 1 to the point of tangency; thence Northerly, and in a continuation of the Westerly line of Lot 20 extended to its intersection with the Southeasterly line of Lot 5 in said Block 1; thence along the Southeasterly line of said Lot 5 to the Southwest corner of Lot 6 in said Block 1; thence Southeasterly along the Northerly line of the 15' wide public alley to the Southwest corner of Lot 9 and the place of beginning.



PARCEL NO
46-01-34-127-006.000-022
PARCEL NO
46-01-34-127-003.000-022

DR 2022R-02756
PARCEL NO
46-01-34-127-007.000-022

DR 2003R-06552
PARCEL NO.
46-01-34-127-031.000-022

DR 2022R-02756
PARCEL NO.
46-01-34-127-007.000-022

DR 2022R-02756
PARCEL NO
46-01-34-127-029.000-022

DR 2003R-06552
PARCEL NO.
46-01-34-127-029.000-022

PROPOSED VACATION

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THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT

CHAAPC
ENGINEERING AND LAND SURVEYING
812 Lippincott Loop #100, Maspeth, IN 46340
LaPorte, IN (219) 328-1750 Fax (219) 324-9158

CHARLES HENDRICKS AND ASSOCIATES P.C.

PROPOSED ALLEY VACATION SKETCH FOR A PUBLIC ALLEY IN DAVIDSON MANORS SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 4 WEST, MICHIGAN TOWNSHIP, CITY OF MICHIGAN CITY, LA PORTE COUNTY, INDIANA.
T:\CIVIL 3D PROJECTS\380434NW\14652\14652 4.29.2024 DWG BAILEYS PROPERTIES LLC

Scale: 1"=30' Date: 4/30/2024 Drawn By: MG Ck'd By: Job No. 14652

3. The Petitioner seeks to vacate that portion of the public alley as highlighted on Exhibit "B" (consisting of 2 pages) attached hereto and incorporated herein by reference and identified on the drawings and corresponding legal description.
4. The Petitioner is willing, if necessary, to grant new utility easements to the City of Michigan City for the use and benefit of the Michigan City Department of Water Works and the Michigan City Sanitary District to allow for any existing utilities which may be located within the requested vacated portion of the alley.
5. The Petitioner represents that the portion of public alley sought to be vacated is contiguous to or lying within the Property which the Petitioner owns as set forth in Paragraph 1 above.
6. The names and addresses of all owners of land that abut the portion of public alley proposed to be vacated are as follows:

Batz Real Estate Holdings I, LLC
2511 East Michigan Boulevard
Michigan City, Indiana 46360

Mailing address:

387 Melton Road
Burns Harbor, Indiana 46304

7. The Petitioner (or the City Clerk's Office) shall give notice of a public hearing before the Common Council by certified mail to the owners listed in the immediately preceding paragraph pursuant to IC 36-7-3-12(c)(2).
8. The circumstances of the case and the reasons for this proposed vacation are as follows:

The portion of the alley sought to be vacated bisects the Property and makes further redevelopment of this portion of the Property impractical by splitting this Portion of the Property into two (2) sections, neither of which is easy to further develop and improve without the other.
9. The vacation sought hereunder would not hinder the growth or development of the City or the neighborhood in which it is located or to which it is contiguous.
10. This vacation would not make access to the lands of any person by means of a public way difficult or inconvenient.
11. This vacation would not hinder public access to a church, school, or other public building or place.

12. This vacation would not hinder the use of any public way by the neighborhood in which it is located or to which it is contiguous.
13. Petitioner has paid the filing fee required by the City, if any, and agrees to pay, if requested, prior to the public hearing, the cost of providing notice in the manner prescribed in I.C. 5-3-1 by publication in a newspaper of general circulation in LaPorte County, namely, the LaPorte County Herald Dispatch, and individual notice to each owner of land that abuts the proposed portion of public alley to be vacated by certified mail.
14. The Petitioner acknowledges that the vacation of the portion of the public alley will not deprive any public utility of the use of all or part of the alley to be vacated, if at the time that proceedings for vacation are instituted, such utility is occupying or using all or a part of the subject alley for the location or operation of its facilities, all as contemplated by I.C. 36-7-3-16(b), and as specifically outlined in Paragraph 4 herein.

WHEREFORE, your Petitioner requests that the Common Council of the City of Michigan City hold a public hearing as required by I.C. 36-7-3-12, and after all interested parties have been heard, duly pass an ordinance vacating the above-described portion of the public alley.

Respectfully submitted this 6th day of April, 2026.

By: /s/ Barry F. McDonnell
BARRY F. McDONNELL (#16123-53)
Attorney at Law
601 Franklin Street, Suite 200
Michigan City, Indiana 46360
Attorney for Petitioner
Telephone No: (219) 874-4276
Email: bfmesquire@comcast.net

Exhibit "A"

Lots 7 and 8 and 30 feet off the East side of Lot 6, all in Block 1 in Davidson Manor, as per plat thereof, recorded in Plat Book 6 page 16, in the Office of the Recorder of LaPorte County, Indiana, EXCEPT therefrom the right-of-way granted to the State of Indiana, as recorded July 5, 1962 in Deed Record 311 page 604.

ALSO Lot 18 and that part of Lots 19 and 20 in Block 1 in Davidson Manor, as per plat thereof, recorded in Plat Book 6 page 16, in the Office of the Recorder of LaPorte County, Indiana being more particularly described as follows: Commencing at the Southwest corner of said Lot 20; thence North along the West line of said Lot 20, a distance of 154.49 feet for the place of beginning; thence East at a 90 degrees angle, a distance of 90 feet to the East line of said Lot 19; thence North to the Northeast corner of said Lot 19; thence Northwesterly to the Northwest corner of said Lot 20; thence Southerly to the place of beginning.

Lots Numbered 9, 10, 11, 12, 13, 14, 15, 16 and 17 in Block 1 as shown on the recorded plat of Davidson Manors recorded in Plat Book 6, pages 16 and 17 in the Office of the Recorder of LaPorte County, Indiana; and the North Half of vacated alley adjoining Lots 9, 10, 11, 12, 13 and 14, also the South Half of vacated alley adjoining Lots 16 and 17.

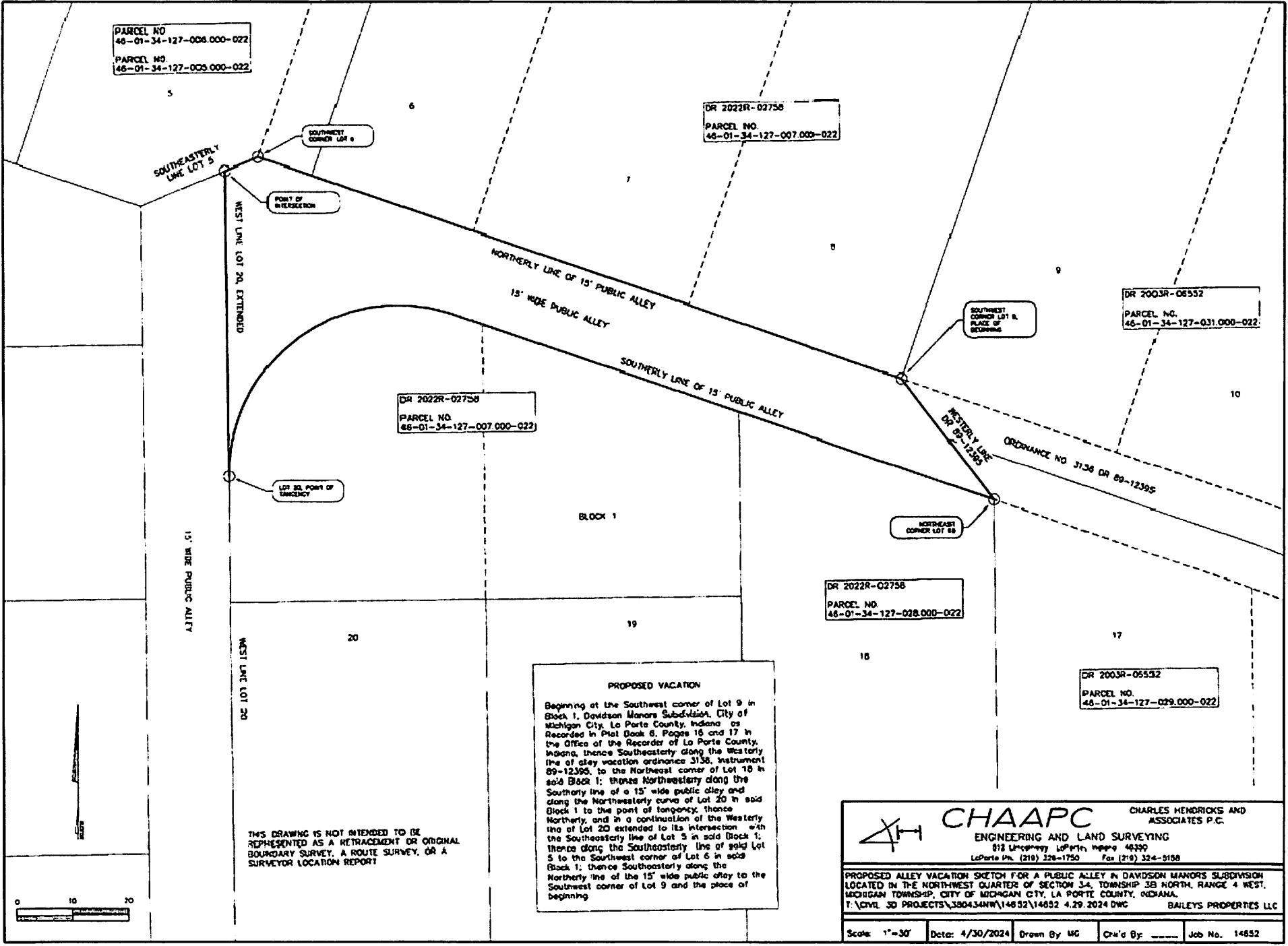
C.H.A.A.P. Charles Hendricks & Associates P.C.

Engineering & Surveying

512 Lincolnway, La Porte, Indiana 46350 Phone (219) 326-1750 Fax (219) 324-5158

PROPOSED VACATION

Beginning at the Southwest corner of Lot 9 in Block 1, Davidson Manors Subdivision, City of Michigan City, La Porte County, Indiana as Recorded in Plat Book 6, Pages 16 and 17 in the Office of the Recorder of La Porte County, Indiana, thence Southeasterly along the Westerly line of alley vacation ordinance 3136, Instrument 89-12395, to the Northeast corner of Lot 18 in said Block 1; thence Northwesterly along the Southerly line of a 15' wide public alley and along the Northwesterly curve of Lot 20 in said Block 1 to the point of tangency; thence Northerly, and in a continuation of the Westerly line of Lot 20 extended to its intersection with the Southeasterly line of Lot 5 in said Block 1; thence along the Southeasterly line of said Lot 5 to the Southwest corner of Lot 6 in said Block 1; thence Southeasterly along the Northerly line of the 15' wide public alley to the Southwest corner of Lot 9 and the place of beginning.



PARCEL NO.
46-01-34-127-006.000-022
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DR 2022R-02758
PARCEL NO.
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DR 2003R-06552
PARCEL NO.
46-01-34-127-031.000-022

DR 2022R-02758
PARCEL NO.
46-01-34-127-007.000-022

DR 2022R-02758
PARCEL NO.
46-01-34-127-028.000-022

DR 2003R-06532
PARCEL NO.
46-01-34-127-029.000-022

PROPOSED VACATION
Beginning at the Southwest corner of Lot 9 in Block 1, Davidson Manors Subdivision, City of Michigan City, La Porte County, Indiana, as Recorded in Plat Book 6, Pages 16 and 17 in the Office of the Recorder of La Porte County, Indiana, thence Southeastery along the Westerly line of alley vacation ordinance 3136, instrument 89-12395, to the Northwest corner of Lot 18 in said Block 1; thence Northwestery along the Southernly line of a 15' wide public alley and along the Northwestery curve of Lot 20 in said Block 1 to the point of tangency; thence Northery, and in a continuation of the Westerly line of Lot 20 extended to its intersection with the Southeastery line of Lot 18 in said Block 1; thence along the Southeastery line of said Lot 5 to the Southwest corner of Lot 6 in said Block 1; thence Southeastery along the Northernly line of the 15' wide public alley to the Southwest corner of Lot 9 and the place of beginning

THIS DRAWING IS NOT INTENDED TO BE REPRESENTED AS A RETRACEMENT OR ORIGINAL BOUNDARY SURVEY, A ROUTE SURVEY, OR A SURVEYOR LOCATION REPORT

CHAAPC ENGINEERING AND LAND SURVEYING
812 University LaPorte, Indiana 46390
LaPorte, IN (219) 326-1750 Fax (219) 324-5158
CHARLES HENDRICKS AND ASSOCIATES P.C.

PROPOSED ALLEY VACATION SKETCH FOR A PUBLIC ALLEY IN DAVIDSON MANORS SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 38 NORTH, RANGE 4 WEST, MICHIGAN TOWNSHIP, CITY OF MICHIGAN CTY, LA PORTE COUNTY, INDIANA.
T:\CIVIL 3D PROJECTS\380434NW\14652\14652 4.29.2024 DWG BAILEYS PROPERTIES LLC

Scale: 1"=30' Date: 4/30/2024 Drawn By: MG Ckd By: Job No. 14652

MICHIGAN CITY COMMON COUNCIL

Ordinance No. _____

**AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET
AND A PORTION OF PUBLIC ALLEY IN THE CITY OF
MICHIGAN CITY LOCATED NORTH OF WOODLAWN AVENUE
BETWEEN WINNIPEG AVENUE AND
GENEVA LAKE AVENUE**

WHEREAS, Ronald Presbitero and Lauren Presbitero, (the “Petitioners”) are the owners of certain real estate located within the City of Michigan City, Indiana, (the “Property”), more particularly described as follows:

See Exhibit “A” attached hereto and incorporated herein by reference;

WHEREAS, the Petitioners have petitioned the Common Council of the City of Michigan City, Indiana for the vacation of a portion of a public street and a portion of public alley bisecting the Property, more particularly shown and described as follows:

See Exhibit “B” (consisting of 2 pages) attached hereto and incorporated herein by reference;

WHEREAS, the City Clerk for the City of Michigan City, Indiana caused to be mailed on the 7th day of April, 2026, via United States Postal Service, certified mail, return receipt requested, notice of the consideration of the Petition before the Common Council

of the City of Michigan City for the vacation to the following abutting property owners of the Property:

United States of America
Dunes National Lakeshore

Mailing address:

621 East Michigan Boulevard
Washington, DC 20410

WHEREAS, the Clerk for the City of Michigan City has caused notice of the consideration of the Petition before the Common Council of the City of Michigan City for the vacation to be published on the 22nd day of April, 2026, in the LaPorte County Herald Dispatch, a newspaper of general circulation in LaPorte County, Indiana; and

WHEREAS, the Common Council of the City of Michigan City has conducted a public hearing on the 5th day of May, 2026, with regard to said Petition and the Common Council of the City of Michigan City now finds that it is in the best interests of the City of Michigan City and its citizens that the herein described portion of the public street and public alley should be vacated; and

WHEREAS, the Common Council of the City of Michigan City, Indiana, now finds as follows:

- a. That the subject vacation would not hinder the growth or orderly development of Michigan City, Indiana or the neighborhood in which it is located or to which it is contiguous;
- b. That the subject vacation will not make access to the lands of any property owners within Michigan City, Indiana by means of public way difficult or inconvenience;

c. That the subject vacation will not hinder the public's access to a church, school, or other public building or place; and

d. That the subject vacation will not hinder the use of a public way by a neighborhood in which it is located or to which it is contiguous; and

WHEREAS, the Petitioners will grant appropriate utility easements acceptable to the City of Michigan City, for the use and benefit of the Michigan City Sanitary District and the Department of Water Works for the City of Michigan City, for any existing facilities located in the portion of the street and alley that is to be vacated.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Michigan City Common Council as follows:

1. The aforementioned WHEREAS sections are set forth herein as if fully incorporated herein.
2. The portion of the public street and a portion of public alley located North of Woodlawn Avenue Between Winnipeg Avenue and Geneva Lake Avenue is hereby vacated and, pursuant to law, shall vest in the Petitioner and the above-identified abutting property owner.
3. Notwithstanding the vacation of said portions of the subject street and alley, any public utility presently occupying or using all or any part of said street and alley shall not be deprived of said use unless and until said utility waives said rights by filing its written consent to this vacation proceedings or by executing and recording its waiver of said use.
4. This Ordinance to be effective upon passage by the Michigan City Common Council, approval by the Mayor, any necessary publication, any necessary recording, and any necessary approval by the Indiana Department of Local Government Finance.
5. The Clerk of the Michigan City Common Council shall furnish a certified copy of this Ordinance to the LaPorte County Recorder and the LaPorte County Auditor in order that same may be placed of record in the records of the Recorder's Office.

Introduced by: _____

Donald Przybylinski, Member
Michigan City Common Council

ALL OF WHICH IS PASSED AND ADOPTED by the Michigan City Common
Council this ____ day of _____, 202__.

Tracie Tillman, President
Michigan City Common Council

Approved by me this ____ day of _____, 20__.

Angie Nelson Deutch, Mayor
City of Michigan City

ATTEST:

Gale A. Neulieb
City Clerk

Exhibit "A"

Parcel 1:

Lots 2 and 3 in Block Twenty 20 in Frederick H. Bartlett's South Shore Acres, as per plat thereof, recorded on December 7, 1927 in Plat Book 6, pages 26 ad 27, in LaPorte County, Indiana.

Parcel 2:

Lot 12 in Block 20 in Frederick H. Bartlett's South Shore Acres as per plat thereof, recorded in Plat Book 6, page 27, in the Office of the Recorder of LaPorte County, Indiana.

Exhibit "B"

(Page 1 of 2)

All of the platted alley adjacent to Lot 12 of Block 20 of Frederick H. Bartlett's South Shore Acres, as recorded in Plat Book 6, pages 26 and 27 in the Office of the Recorder of LaPorte County, Indiana.

AND

All of the platted street (Everett Avenue) adjacent to Lot 2 and Lot 3 of Block 20 of Frederick H. Bartlett's South Shore Acres, as recorded in Plat Book 6, pages 26 and 27 in the Office of the Recorder of LaPorte County, Indiana.

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE GOLF NON-REVERTING FUND #2508 TO FUND SALARIES AND WAGES AT THE MICHIGAN CITY MUNICIPAL GOLF COURSES

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2026 Annual Budget for the Golf Non-Reverting Fund #2508 for the Parks Department to fund the salaries and wages at the Michigan City Municipal Golf Courses; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Golf Non-Reverting Fund #2508 for the Parks Department to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Golf Non-Reverting Fund #2508 Unappropriated balance	\$ 36,600.00	
INCREASE ACCOUNT #2508.000.411.014 Seasonal Wages		\$ 35,300.00
INCREASE ACCOUNT #2508.000.411.013 Salaries and Wages (Full Time)		\$ 1,300.00
TOTAL FOR FUND	\$ 36,600.00	

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

INTRODUCED BY: _____
Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this _____ day of _____, 2026 by a vote of _____ to _____.

Tracie Tillman, President
Michigan City Common Council

Approved/Vetoed (circle choice) by me, this _____ day of _____, 2026.

Angie Nelson Deutch, Mayor
City of Michigan City, Indiana

ATTEST:

Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request

Resolution No. 1088

WHEREAS, the Superintendent of the Department of Parks and Recreation has reported that an additional appropriation is necessary within the budget of the Michigan City Department of Parks and Recreation to increase the salaries & wages accounts for the Golf Course; and

WHEREAS, there are funds available for said purposes in the Unappropriated Balance of Golf Non-Reverting Fund 2508; and

WHEREAS, the Michigan City Parks and Recreation Board has determined that said expenses are necessary and that an additional appropriation should be made in order to meet said expenses.

NOW, THEREFORE, BE IT RESOLVED that the following transfer be made from the following named accounts to the following named accounts and for the purposes stated therein:

Decrease Golf Non-Reverting Fund 2508 Unappropriated Balance \$36,552.40
Increase Golf Fund 2508.000.411.014 Seasonal Wages \$35,258.20
Increase Golf Fund 2508.000.411.013 Full-time Wages \$ 1,294.20

BE IT FURTHER RESOLVED that this matter be presented before the next regular meeting of the Michigan City Common Council for petition to said Common Council to pass an additional appropriation ordinance approving said additional appropriation in the manner required by law.

BE IT FURTHER RESOLVED that the Superintendent of the Department of Parks and Recreation shall seek the concurrence of the Mayor of Michigan City upon said additional appropriation immediately.

Dated at Michigan City, Indiana, this 1st day of April 2026.

MICHIGAN CITY, INDIANA, CITY PARK AND RECREATION BOARD:



Tim Glidden, President



Ryan Labis, Vice-President



Christina Espar, Secretary



Kisha Ward, Member

Approved on this ____ day of _____, 2026



FILED

APR 08 2026

GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

Office of Mayor Angie Nelson Deutch
(219) 873-1400 | mayorangie@emichigancity.com
100 E Michigan Boulevard, Michigan City, Indiana 46360

April 7, 2026

Michigan City Common Council
100 E. Michigan Boulevard
Michigan City, IN 46360

Re: Approving Additional Appropriation in the Budget of the Golf Non-Reverting Fund #2508 to Fund Salaries and Wages at the Michigan City Municipal Golf Course

Dear Council,

The Park Dept is in need of an additional appropriation for salaries and wages for the Golf Course. Enclosed herein please find Resolution No. 1088 recently adopted by the Park Board requesting said funding.

Thus, at this time, I am requesting an additional appropriation in the budget of the Golf Non-Reverting Fund #2508 in the amount of \$36,600.00 to fund the additional monies needed for salaries and wages for the Michigan City Municipal Golf Course. Thank you for your consideration.

Very truly yours,

Angie Nelson Deutch, Mayor
Michigan City, Indiana

Cc: Shannon Eason, Superintendent, Park Dept.
William Walker, Assistant Superintendent, Park Dept

Enclosure: *Park Board Resolution No. 1088*

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RAINY DAY FUND TO COVER UNFUNDED PUBLIC EMPLOYEES' RETIREMENT FUND (PERF) CONTRIBUTIONS

WHEREAS, the City of Michigan City, Indiana ("City") participates in the Indiana Public Employees' Retirement Fund (PERF) administered by the Indiana Public Retirement System (INPRS); and

WHEREAS, a recent internal audit performed by the Human Resource Department identified that eight (8) participants had "improperly retired" with PERF due to failing to have an actual bona fide separation of employment as required by IRS and PERF regulations; and

WHEREAS, of these eight (8) participants, six (6) are City employees, one (1) is a Port Authority employee, and one (1) is an elected official; and

WHEREAS, these improper retirements occurred between 2021 and 2023 before Mayor Angie Nelson Deutch took office; and

WHEREAS, the City has worked cooperatively with PERF to resolve this matter, and as a result, the employer's share of contributions must be remitted for all eight (8) participants retroactive to the date that each submitted their improper retirement applications to current; and

WHEREAS, the Mayor has recently advised the Port Authority that they will be required to remit their respective employer share for their one (1) participant once that amount has been determined by INPRS; and

WHEREAS, there are insufficient funds currently appropriated in the 2026 Budget to satisfy the missed employer contributions by the City to PERF for the remaining seven (7) participants; and

WHEREAS, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2026 Annual Budget for the City's employer contributions for seven (7) City participants to PERF; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Rainy Day Fund #2236.000 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE 2236.000 Unappropriated balance	\$400,000.00	
INCREASE ACCOUNT# 2236.000.413.003		\$400,000.00
TOTAL FOR FUND	\$400,000.00	

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

INTRODUCED BY: _____

Tracie Tillman, President
Michigan City Common Council

Tim Bietry, Member
Michigan City Common Council

Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this _____
day of _____, 2026.

Tracie Tillman, President
Michigan City Common Council

Approved/Vetoed (*circle action taken*) by me, this _____ day of _____,
2026.

Angie Nelson Deutch, Mayor
Michigan City, Indiana

ATTEST:

Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request



FILED

APR 16 2026

GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

Office of Mayor Angie Nelson Deutch
(219) 873-1400 | mayorangie@emichigancity.com
100 E Michigan Boulevard, Michigan City, Indiana 46360

April 16, 2026

Michigan City Common Council
100 E. Michigan Boulevard
Michigan City, IN 46360

Re: Approving Additional Appropriation in the Budget of the Rainy Day Fund to Cover
Unfunded Public Employee's Retirement Fund (PERF) Contributions

Dear Council,

Following a review and internal audit of employee retirement records by the Human Resource Department, it has been determined that eight (8) participants, who previously reported retirement in 2021 through 2023 to Indiana Public Retirement System (INPRS), were "improper retirements." Of these eight (8) participants, only one (1) is an employee with the Port Authority, and the other seven (7) participants are with the City. These retirements were improper because these participants reported retirement from the City/Port Authority to INPRS but continued working for the City/Port Authority in their respective capacities without a bona fide separation from employment, which does not qualify as a lawful separation from employment under IRS guidelines and PERF regulations.

The City has worked with INPRS to resolve this issue. On March 30, 2026, my team and I met with INPRS virtually. During this virtual meeting, INPRS advised that the City will be required to submit the employer's contributions shares for each of these eight (8) participants retroactive to the date that each submitted their improper retirement application to INPRS. INPRS advised that they would not assess interest against the City for the missed employer contribution shares for these eight (8) participants.

In addition, during this virtual meeting, INPRS advised that they would reach out to each of the eight (8) participants to advise them that their monthly PERF benefits were voided retroactive to the date they filed their "improper retirement" application with INPRS. As a result, each of the eight (8) participants will be required to repay INPRS the PERF funds that they received from their "improper retirement." INPRS advised that they would not assess interest against any of the eight (8) participants.

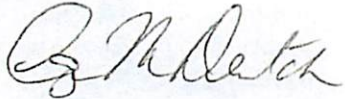
Michigan City Common Council
April 16, 2026
Pg. 2

I have recently advised the Port Authority of this situation regarding their employee and that the Port Authority will be required to submit their employer contribution share to PERF for this one (1) participant.

As you know, these improper retirements took place before I took office as Mayor. Unfortunately, the City/Port Authority have a financial obligation and responsibility to submit the City's (and Port Authority's) share of employer contributions for PERF to INPRS for these participants retroactive to the date that they submitted their "improper retirement" applications.

Thus, at this time, I am requesting an additional appropriation in the budget of the Rainy Day Fund in the amount of \$400,000.00 to cover the aforementioned unfunded PERF contributions to INPRS for the seven (7) City participants (not Port Authority participant) mentioned above. Thank you for your consideration.

Very truly yours,



Angie Nelson Deutch, Mayor
Michigan City, Indiana

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

AMENDING SEC. 22-83 IN THE MICHIGAN CITY MUNICIPAL CODE COMMONLY KNOWN AS THE BUILDING & INSPECTION FEE WAIVER

WHEREAS, the City of Michigan City, Indiana, by and through its Planning & Inspection Department, requires the issuance of building permits and the payment of associated permit and inspection fees for construction, alteration, and related work performed within the City; and

WHEREAS, on or about May 5, 1999, the Common Council enacted and the Mayor executed Ordinance No. 3753, which is codified in Sec. 22-83 of the Michigan City Municipal Code, and states as follows:

“The City Common Council, may waive, by resolution of the City Common Council, any and all building permit fees and inspection fees for non-profit corporations (501-3-c) that are engaged in the acquisition, creation, and construction of decent and adequate housing for those who would not otherwise qualify under normal means;” and

WHEREAS, since the enactment of Sec. 22-83, the need exists to now amend said Section; and

WHEREAS, the need exists to include building permit fee and inspection fee waiver for 501(c)(3) that are also engaged in providing “improvements” to affordable housing for those who would not otherwise be able to qualify for the same under normal means; and

WHEREAS, in addition, the Michigan City Area School (“MCAS”) and Michigan City Public Library (“Library”) are local governmental entities that operate within the geographical boundaries of Michigan City and operate primarily through the use of public funds derived from taxes or other public revenues; and

WHEREAS, the City, MCAS, and the Library have maintained a long-standing and cooperative working relationship in furtherance of serving the public interest, including coordination on community/public services, facilities and programing; and

WHEREAS, the Common Council finds that waiving a percentage of building and inspection fees for projects undertaken by the MCAS and Library promotes intergovernmental cooperation and reduces unnecessary administrative transfers of taxpayer funds; and

WHEREAS, the Common Council further finds that such a waiver does not eliminate the requirement for compliance with all applicable building codes, inspections, or other regulatory requirements necessary to protect public health, safety, and welfare; and

WHEREAS, the Common Council further finds that City resources and man hours are still expanded on building permits and related inspections when the MCAS, Library, and/or a 501(c)(3) non-profit corporations engaged in affordable housing receiving a building permit; and

WHEREAS, the City reasonably believes that it is in the best interest of the City and residents herein to amend Sec. 22-83 of the Michigan City Municipal Code to provide the Common Council with the ability to waive up to Fifty Percent (50%) of building permit fees and inspection fees for the following:

- a. 501(c)(3) non-profit corporations engaged in the acquisition, creation, and construction/improvements of affordable housing; and
- b. Michigan City Area Schools, and
- c. Michigan City Public Library.

THEREFORE, BE IT ORDAINED by the Common Council for the City of Michigan City, Indiana that Sec. 22-83 is hereby amended in the Michigan City Municipal Code and shall now read as follows:

Sec. 22-83. Waiving a Percentage of Building Permit Fees & Inspection Fees.

- (a) The City Common Council, may waive up to Fifty Percent (50%), by resolution of the City Common Council, of any and all building permit fees and inspection fees charged by the Planning & Inspection Department for the following:
 - (1) Non-profit 501(c) (3) corporations that are engaged in the acquisition, creation, and construction/improvement of decent and adequate housing for those who would not otherwise qualify under normal means;
 - (2) Michigan City Area Schools, and
 - (3) Michigan City Public Library.

- (b) This fee waiver shall apply only to projects owned by or performed for the benefit of one of the entities described above in subsection (a). This waiver shall not apply to private developers or contractors except where such private developer or contractor is performing work directly on behalf of one of the entities described above in subsection (a).

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

INTRODUCED BY: _____
Tim Bietry, Member
Michigan City Common Council

Bryant Dabney, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this _____ day of _____, 2026.

Tracie Tillman, President
Michigan City Common Council

Approved/Vetoed (*circle action taken*) by me, this _____ day of _____, 2026.

Angie Nelson Deutch, Mayor
Michigan City, Indiana

ATTEST:

Gale A. Neulieb, Clerk
City of Michigan City, Indiana

Prepared by Corporation Counsel Upon Request