REGULAR IN PERSON COUNCIL "HYBRID/ZOOM" MEETING June 16, 2026

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, June 16, 2026, at the hour of 6:30 p.m., Hosted by "Hybrid/Zoom" and streamed live on "My Michigan City" Facebook Page.

The meeting was called to order at 6:30 p.m. by President Tillman.

Roll call was authorized, and the following were noted present and/or absent.

PRESENT: COUNCIL MEMBERS Tim Bietry, Greg Coulter, Bryant Dabney, Dr. Vidya Kora, Nancy Moldenhauer Joseph Nelson, Don Przybylinski, and Tracie Tillman (9).

ABSENT: COUNCIL MEMBERS Daisy Lee (1)

President Tillman stated Councilwoman Lee is excused.

A QUORUM WAS NOTED PRESENT

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

APPROVAL OF MINUTES

President Tillman asked if there were any corrections, deletions, or additions to the Regular "Hybrid/Zoom" Council meeting minutes that was held on Tuesday, June 2, 2026, and the Executive Session held on Tuesday, June 2, 2026.

President Tillman called a "Point of Order" stating no request was made for a motion as there was a comment from Councilwoman Moldenhauer.

Councilwoman Moldenhauer stated that all the corrections have been made but the vote regarding the tabling of the proposed procedural ordinance the final count should be seven (7) ayes and two (2) nays by councilmen Coulter and Przybylinski.

President Tillman stated for the record at the June 2, 2026, Executive Session there were no votes took place or decisions made.

Councilman Przybylinski made a motion to approve the June 2, 2026, Regular Council (Hybrid/Zoom) meeting and the June 2, 2026, Executive Session minutes, second by Councilman Bietry; the motion carried and was approved by the following vote: **AYES:** Council members Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, Dabney, and Kora (8) **NAYS:** Council members None (0)

REPORTS OF STANDING COMMITTEES

President Tillman asked if there were any standing committee reports, there was no response.

FINANCE REPORT

The Finance Committee meeting was called to order by Chairman Bryant Dabney 6:06 p.m. to review and approve claims since the last meeting. Committee members Councilman Dr. Kora, Councilman Bietry, Councilwoman Tillman, Assistant Controller Ann Shaffer, and City Controller Tamiko Smith were all present. Claims reviewed were **$32,529.00** from the Riverboat Fund, **$0** from the Boyd Development fund, and **$206,562,68** from the Rainy-Day Fund, for a total claim docket of **$239,091.68**. There was further discussion about the contribution payments to INPRS, and they are over half complete to be paid off. There was a question from Councilman Bietry about is the amount of the Cash positions and is that close to the normal amount of the balances for this time of year. Also Dr. Kora asked for information to be provided at our next finance committee and City Controller Smith agreed to do that.

Councilman Bietry moved to recommend approval of the docket, and with a second from Councilman Dr. Kora the motion was approved unanimously. There were no public comments. Finally, on a motion by Councilman Dr. Kora and a second by Councilman Bietry the meeting was adjourned at 6:13 p.m.

The details of claims are as follows:

Total Riverboat Fund #2235 $32,529.99 claim paid LaPorte Chrysler, Inc. Boyd Development Fund # 2236 was zero (0). Total Rainy-Day Fund #2236 $140,400.00 paying Millennium Fountaine Demolition Total Rainy EFT #2236 $140,400.00 paying claims to Indiana Public Retirement – 3 payments totaling - $66,162.68 - Make up retirement payments for non-retired city employees who identified as retired. Total Claim Docket - $239,091.68.

Councilman Dabney advised the cash position for June 16, 2026, Riverboat Fund #2235 was $5,208,655.23 Rainy-Day Fund #2236 was $1,153,764.03 with the fiscal grand total ending balance was $6,362,419.26.

Councilman Bietry made a motion to approve the June 16, 2026 claim docket in the amount of $239,091.68, second by Councilman Dabney, the motion carried and was approved by the following vote: **AYES:** Council members Nelson, Przybylinski, Tillman, Bietry, Coulter, Dabney, Kora, and Moldenhauer (8) **NAYS:** Council members None (0)

REPORTS FROM BOARDS AND COMMISSIONS

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

Councilwoman Moldenhauer, liaison to the Sustainability Commission, stated that the Sustainability Commission and City Forester met with "America In Bloom" and they will provide structure that will keep our city moving forward.

Councilman Przybylinski, liaison to the LaPorte County Solid Waste District, stated that illegal dumping has taken place at the Central Maintenance location drop off located on Kentucky Street and that the city is investigating how to stop illegal dumping from happening and that they will prosecute moving forward; advising that if there is contamination in the recycling during drop off that the district is responsible for paying for that load.

President Tillman asked for Councilman Przybylinski to elaborate on the changes that was discussed at the mayors "Trash Roundtable" working with the department that are involved with the trash and recycling.

Councilman Przybylinski advised that the council would work with the department heads regarding trash and recycle to make the necessary language amendments and any procedural changes to the current ordinance and bring recommendation to the council for approval and adoption.

President Tillman asked if there were any other reports from boards and commissions, 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.

Councilwoman Moldenhauer introduced Jessica Ward, Airport Manager.

Jessica Ward, Michigan City Municipal Airport Manager- 2026 Annual Report
(NOTE: This presentation is filed in the Clerk's Office under Council Matters).

Discussion ensued between Jessica Ward, President Tillman and Council members Bietry, Przybylinski, Dabney, Dr. Kora thanking her for a great report; asked the length of the runway and the size of plans that could land, inviting the council to attend the pancake breakfast on June 28, 2026, from 7:00 am – 12:00 p.m.; asked what the benefits would be for the airport if the Chicago Bears would come to Hammond, Indiana; advised on the funding needed for the airport expansion and the timeline for the development.

President Tillman asked Marylynn Wall City Controller to come up to the podium; thanking her for her hard work and dedication to the city and wished her a happy retirement.

Councilman Dabney, Przybylinski, Nelson, Dr. Kora, Bietry and Moldenhauer congratulated her on her retirement and recognized her for her years of dedicated service to the city and that she will be missed.

Marylynn Wall thanked the council and stated she has been with the city since 2004 under former mayor Chuck Oberlie; and being able to have a transition time she knows that the new City Controller Tamiko Smith will do a great job

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

PETITIONS

President Tillman asked Clerk Neulieb if there were any petitions.

Clerk Neulieb stated there were no petitions this evening.

COMMUNICATIONS

President Tillman asked if there were any communications received.

Clerk Neulieb read the following communications:

Correspondence was received in the Clerk's Office on June 10, 2026, from Derald Borton President of the Human Rights Commission requesting the council to propose an ordinance regarding that they will not stand for hate speech from any elected official.

Correspondence was received in the Clerk's Office on June 9, 2026, from Carlie Dunn regarding the public notice that was sent out for the June 9, 2026, Council Workshop.

Correspondence was received in the Clerk's Office on June 9, 2026, from the Redevelopment Commission regarding the Annual TIF pass through-letters. In accordance with IC 36-7-14-39(b)(5)(B) (the "Act"), the Michigan City Redevelopment Commission (the "Commission") is hereby notifying you of the following determination that it has made concerning its Tax Allocation Areas for 2026 taxes payable 2027. The

Commission has determined that there is no "excess assessed value" that may be allocated to the overlapping taxing units in the manner prescribed in subdivision (1) of the Act.

- Southside Redevelopment Allocation Area
- Community Center No. 1 Expanded Urban Renewal Allocation Area, Northeast Roeske Avenue Economic Development Allocation Area, Mixed Use Transit Project Allocation Area, 2023 Consolidated Expansion Allocation Area, 2023 Southside Expansion Allocation Area, Tryon Meadow Economic Development Area – Allocation Area No. 1, Tryon Meadow Economic Development Area – Allocation Area No. 2, Tryon Meadow Economic Development Area – Allocation Area No. 3, and SoLa Project Allocation Area
- Eastside Economic Development Allocation Area

Correspondence was received in the Clerk's Office on June 8, 2026, from Mayor Angie regarding the "Community Trash Roundtable" that was postponed until June 15, 2026.

Notice of Public Hearing was received in the Clerk's Office on June 8, 2026, from Dominique Edwards regarding the Community Development Block Grant 2026-2027 Annual Action Plan on June 17, 2026, at 5:00 p.m.

Correspondence was received in the Clerk's Office on June 3, 2026, from MCFD Chief Taylor, addressing the council about the "rescue" verbiage that was on his May stat report.

RESOLUTIONS

President Tillman asked Clerk Neulieb if there were any resolutions.

Clerk Neulieb advised that there were no resolutions this evening.

ORDINANCES

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4803

AMENDING SEC. 2-322 IN THE MICHIGAN CITY MUNICIPAL CODE REGARDING METHODS OF PAYMENT ACCEPTED BY THE CITY

WHEREAS, on or about July 3, 2012, the City enacted Ordinance No. 4180 establishing the methods of payments accepted by the City; and

WHEREAS, Ordinance No. 4180 is codified in Sec. 2-322 of the Michigan City Municipal Code and currently reads as follows:

Sec. 2-322. Methods of payment; service charge.

(a) The City may accept payment by and of the following methods:

(1) Cash;

(2) Check;

(3) Bank draft;

(4) Money order;

(5) Bank card or credit card; or

(6) Electronic funds transfer.

(b) If there is a service charge to the city for the use of any of the above described payment methods, the charge shall be paid by the city.

(c) The city, by and through the controller's office, may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards. The implementation of processing of credit card payments shall be consistent for all payments made, either in person or electronically.

(d) The city may pay any applicable bank or credit card service charge associated with the use of a bank card or credit card.

WHEREAS, I.C. 36-1-8-11 sets forth that the fiscal body of a municipality may authorize the methods of payment and other fees associated with said methods of payment (*See* I.C. 36-1-8-11[i]; and

WHEREAS, pursuant to I.C. 36-1-8-11, the City can also collect any transaction fees incurred by the City in processing a payment method, if a transaction fee is imposed; and

WHEREAS, the need now exists to amend Sec. 2-322 to pass on a transaction fee or processing fee charged by banks or payment processors to the customer who pays with said method of payment.

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

Sec. 2-322. Methods of payment; transaction and other fees.

(a) The City may accept payment by and of the following methods:
(1) Cash;
(2) Check;
(3) Bank draft;
(4) Money order;
(5) Bank card or credit card; or
(6) Electronic funds transfer.

(b) If there is a charge to the City for the use of a financial instrument, the City shall collect a sum equal to the amount of the charge from the person who uses the financial instrument.

(c) The City, by and through the City Controller's Office, may contract with a bank card or credit card vendor for acceptance of bank cards or credit cards. However, if there is a vendor transaction charge or discount fee, whether billed to the City or charged directly to the City, the City shall collect from the person using the card either or both of the following:
(1) An official fee that may not exceed the transaction charge or discount fee charged to the City by the bank or credit card vendors.
(2) A reasonable convenience fee:
(A) that may not exceed three dollars ($3); and
(B) that must be uniform regardless of the bank card or credit card used.
The fees described in subdivisions (1) and (2) may be collected regardless of retail merchant agreements between the bank and credit card vendors that may prohibit such fees. These fees are permitted additional charges under IC 24-4.5-3-202.

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

Introduced by: /s/Tracie Tillman
/s/Don Przybylinski
/s/Tim Bietry

President Tillman asked if any of the authors had anything to add at this time, there was no response.

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

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

Councilman Przybylinski made a motion to approve the proposed ordinance, second by Councilman Nelson, the motion carried and the ordinance was approved by the following vote: **AYES:** Council members, Przybylinski, Tillman, Bietry, Coulter, Dabney, Dr. Kora, Moldenhauer, and Nelson (8) **NAYS:** Council members None (0)

NEW BUSINESS

President Tillman asked if there was any new business.

FYI: Presented Tillman stated the Council has one (1) appointment to the Veterans Commission due to Danielle Corley resignation on June 2, 2026 (term will begin Immediately and expire 12/31/28).

UNFINISHED BUSINESS

President Tillman advised that the ESG Report was tabled as the council members needed time to review and ask Tim Werner, City Engineer any questions or concerns; asking for a motion to remove the matter from the table for final action.

Councilman Bietry made a motion to remove the ESG Report Year six (6) from the table, seconded by Councilman Dabney, the motion carried and was approved by the following vote: **AYES:** Council members, Tillman, Bietry, Coulter, Dabney, Dr. Kora, Moldenhauer, Nelson, and Przybylisnki (8) **NAYS:** Council members None (0)

President Tillman stated that ESG has agreed to voluntarily terminate its agreement and waive the balance due of $7,303.00 from the pending invoice and that ESG representatives with contact the city with current programs that they offer to determine of its in the city best interests; asking for a motion to terminate the ESG contract.

Councilwoman Moldenhauer made a motion to terminate the ESG contract, seconded by Councilman Bietry.

Councilman Przybylinski called a "Point of Order" asking for council comments before the vote is made.

Attorney Snow advised President Tillman the motion has been made to terminate this agreement so the discussion can happen before the vote is received.

Councilman Przybylinski asked if the termination is only regarding the yearly annual report.

President Tillman responded to Councilman Przybylinski yes, this is only for the annual report fees of $7,303.00.

Councilman Przybylisnki stated that this has not been discussed; asking if the report that will not be received and that the city will still be paying for the loan for this project how will we determine or have any data in front of us to say this is good for the city or that any changes is needed; questing if the City Engineer is going to be able to collect this detailed data including the solar panels; and has the city engineer agreed to terminate this report.

President Tillman advised Councilman Przybylinski that Tim Werner, City Engineer, has made the recommendations to terminate this contract.

Councilman Przybylinski stated in his opinion he believes the city engineer has made the wrong decision; the city is looking at a savings of approximately $7,000.00 but is nothing compared to a $70 million a year budget, asking the councilmembers to vote how you think is right.

Councilman Dabney stated that the company did minimal work and then reported back on the savings by providing data and feels that it is not in the best interest to pay for a report they provide to us; as the things being done could be done by the city employees making it even more energy efficient.

President Tillman advised that the city is still able to enter a new contract for different services; but to imply an employee is not capable of overseeing these tasks is inappropriate; there is nine (9) individual votes as there has been time to review the ESG report and what it stated.

President Tillman advised Councilman Przybylinski that there have been discussions with the mayor and she is in support of terminating this annual report; stating that the mayor does have the right to cancel contracts where the controller makes the payments.

President Tillman advised Clerk Neulieb that a contract will be provided to her office.

Councilman Bietry stated originally this company was more involved and believes the most important report was the first year after this project started; he doesn't believe that this annual report needs to be continued and paid for as we can see the results when doing the budget.

Councilman Dr. Kora stated that this is not terminating the service contract, only the annual report and the payment due.

Councilwoman Moldenhauer is concerned as the last meeting with ESG it was advised that the solar panels at both the police station and senior center have not been working for over a year and the city had not been notified; asked if ESG is monitoring this project why the job of notifying us isn't being done; the city still pays ESG for an annual report when it should have been terminated after the first year which proved savings on investment; advising there are other places in the city these funds could be better applied to.

Councilman Przybylisnki stated that Tim Werner, City Engineer is not here tonight to address the council regarding this matter as he would like to hear his opinion.

President Tillman stated for the record that she does have correspondence from City Engineer Werner regarding this matter.

Councilwoman Moldenhauer made a motion to approve the ESG Service Contract with the Notice of Termination of Measurement and Verification Services seconded by Councilman Bietry, the motion carried and the ESG Service Contract with the Notice of Termination of Measurement and Verification Services agreement was approved by the following vote: **AYES:** Council members, Bietry, Coulter, Dabney, Dr. Kora, Moldenhauer, Nelson, and Tillman (7) **NAYS:** Council members Przybylinski (1)

President Tillman stated this concludes the ESG Service Contract with the Notice of Termination of Measurement and Verification Services in agreement to terminate contract that needs to be signed by ESG, titled and dated from both parties. This will be attached as "Exhibit C" including the prior contract.

COMMENTS FROM THE PUBLIC

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

Tommy Kulavik, 1316 Ohio Street, congratulated all the 2026 graduates; inviting the public to the following invites; Juneteenth Celebration at Guy Forman Amphitheater and on June 26, 2026, the Michigan City Parade and the Braden Fiske Family Fun Day.

Stephen Coyle, 2015 Oriole Trail, read the following.

Good evening, Council members and thank you for the opportunity to speak. I love Michigan City as I'm sure you do too. Am I'm standing here today because I believe Michigan City has everything a growing business—or a growing family—could want. We just need to make sure the world knows it.

Start with location. We sit on the shores of Lake Michigan, sixty miles from downtown Chicago. That's not just a pretty view—that's prime real estate by any economic measure. And we're not isolated. I-94 runs right through our backyard, I-90 connects us to Chicago and beyond and I-65 puts Indianapolis within reach. Add the South Shore Line, and we're offering direct commuter rail access to both Chicago and South Bend. Businesses don't have to choose between small quality of life and big city access. Here, they get both.

Then there's our people. Michigan City is diverse, welcoming, and hardworking. We're Midwesterners – we show up, we get the job done, and we treat our neighbors right. That's the workforce every employer says they're looking for, and it's exactly what we have.
We also invest in the future. Between our public and private schools, Purdue University Northwest, and Ivy Tech, we're building a pipeline of skilled, educated workers right at home. And let's not forget we already have a strong base of successful businesses calling Michigan City home. That's proof, not just promise. Companies that invest here, stay here, and grow here. Put it all together – the lake, the highways, the rail line, our people, our schools, our existing businesses – and Michigan City isn't just a nice place to live. It's a smart place to invest.

So, my ask of this Council is simple: lets lean into what we have. Let's market this city like asset it truly is. Let's make it easier, not harder, for businesses and families to choose Michigan City. Because when they do, they're not settling for less. They're getting more.
Now I want to be clear about something else, because transparency matters just as much as growth. We've built a strong case for why families and businesses should choose Michigan City. But growth has to be the right kind of growth – growth this Council pursues with the consent and confidence of the people who live here.

That's why I'm asking this Council to enact a moratorium on future data center development in Michigan City, including before any vote is taken on Phase 2 of the Maize project. The numbers are not on the side of these facilities. A national Gallup poll conducted this spring found that roughly seven in ten Americans now oppose data centers being built in their own communities. That's not a fringe sentiment. That's the broad consensus of the American public, and there's no reason to believe the people of Michigan City feel any differently. Before this Council casts a vote on Phase 2, I'm asking for three things: full transparency on the terms of any agreement, real communication with the public and a genuine opportunity for the people of this city to stand up, like I'm doing tonight, and speak for or against this expansion before a decision is made. This Council was elected to carry out the will of the people of Michigan City. I'm asking you to commit to that tonight, on this issue, before Phase 2 comes to a vote. We have a lot of reasons for families and companies relocating to Michigan City or staying here once they've put down roots. The Maize Data Center is not one of those reasons.

President Tillman advised Mr. Coyle several times that his time was up to speak.

Councilwoman Moldenhauer asked for decorum in the chamber.

Dominic Yankee, 904 Willow Spring Drive, stated his concerns with the time allowed for public comments for certain people and being lax for others; asking that the Open Door Law will be followed.

Ashley Williams, 401 Fir Street, stated her concerns regarding dirty coal power being purchased from the Google Data Center located at 402 Royal Road; addressed the proposed expansion being planned at 402 Royal Road; and asked the council to propose a one-year moratorium.

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 Przybylinski sent well wishes to the Park Department employees who were attacked by the wolves; commented on his concerns regarding the ESG termination agreement; stated that he would support a moratorium on any expansion/ development to the Data Centers; that he is supports Google/ Data Center development on Royal Road.

Councilman Nelson stated that he would support a moratorium regarding the Data Centers if it would slow down the process to receive more information on the project.

Councilman Dr. Kora wished the public a Happy Juneteenth and 4th of July.

Councilman Dabney wished everyone a Happy Juneteenth; stating that this council is following the Open Door Law regarding public comments as the public has a right to speak during each council meeting.

Attorney Snow advised that Councilman Dabney is correct according to statue and that he will review the public counselor's guidance and will provide a memo to the council.

Councilman Dabney stated we provide public hearings when certain items need approved, advising that he understands the residence concerns regarding the data center but as he stated several times the city is facing finical issues this has replaced funds that were being depleted and he stands by his decision.

Councilwoman Moldenhauer stated for the record that she had already shared she would like to look at and review any proposed moratorium statement before she would agree to support a document regarding a "Data Center"; stated Tamiko Smith - City Controller and Mayor Angie spoke at the end of the meeting under public comment due to neither of them were present during their time slot, and as parliamentarian I do not consider them speaking during public comments would adhere to the three (3) minute limit as they were allowed to speak under the public comment; invited the public to attend the 5K run/ walk for "Unity and Safety" on Saturday, July 18, 2026, to bring peace, togetherness, and a safer future and that you can send an email to Daisy Lee at dlee@emichgancity.com for further information or sponsorships.

President Tillman stated that a second workshop was held with the Sanitary District regarding the proposed rate increases; also advising that a workshop has been conducted to discuss the proposed redevelopment of Garden Estate, and that if approved by the city the project will include renovations to each apartment while maintaining current rental rates; during construction the residents will be temporally housed into a multi- family until the redevelopment is completed with a projected date of 2028; this will be a piolet agreement to revitalizes the community and restore pride in Garden Estates and there will be future workshop regarding this matter.

President Tillman invited the public to attend the Community Block Grant Public Hearing 2026-2027 Annual Action Plan on Wednesday, June 17, 2026, in the EOC room from 5:00-7:00p.m.

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

ADJOURNMENT

A motion by President Tillman, second by Councilman Dr. Kora and there being no further business to transact, President Tillman declared the meeting **ADJOURNED** (approximately 8:00 p.m.) Michigan City Common Council June 16, 2026

Tracie Tillman

Tracie Tillman, President

Gale A. Neulieb

Gale A. Neulieb, City Clerk