REGULAR IN PERSON COUNCIL

"HYBRID/ZOOM" MEETING
July 21, 2026

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, July 21, 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 (Zoom), Greg Coulter, Bryant Dabney, Dr. Vidya Kora, Daisy Lee, Nancy Moldenhauer Joseph Nelson, Don Przybylinski, and Tracie Tillman (9).

ABSENT: COUNCIL MEMBERS (0)

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Council Attorney Jewel Harris, 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, July 7, 2026.

Councilman Dr. Kora made a motion to approve the July 7, 2026, Regular Council (Hybrid/Zoom) meeting, second by Councilman Dabney; the motion carried and 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)

REPORTS OF STANDING COMMITTEES

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

FINANCE REPORT

Councilman Dabney, Chair of the Council's Finance Committee read the following July 21, 2026 minutes for the records.

July 21, 2026, Finance Committee Meeting Minutes

The Finance Committee meeting was called to order by Chairman Bryant Dabney at 6:01 p.m. to review and approve claims since the last meeting. Committee members Councilman Dr. Kora, Councilman Bryant Dabney, as well as Councilwoman Tillman, City Controller Tamiko Smith, and Assistant Controller Anne Shaffer were all present. Claims reviewed were **$0.00** from the Riverboat Fund, **$0** from the Boyd Development fund, and **$3,345.50** from the Rainy-Day Fund, for a total claim docket of **$3,345.50.** There was a question from Dr. Kora regarding whether this was the last payment for the INPRS payments, and Controller Tamiko Smith stated that everyone from the list has contacted INPRS regarding the payments, but it may not be the last of the INPRS payments. Councilman Dr. Kora moved to recommend approval of the docket, and with a second from Councilman Dabney the motion was approved unanimously. Chairman Dabney opened the meeting to ask if any council members had question concerning any of the ordinances on tonight's council meeting and there were no questions or comments. There was a public comment regarding Bill of Rights and 4th amendment rights. Finally, on a motion by Councilman Dr. Kora and a second by Councilman Dabney the meeting was adjourned at 6:11 p.m.

The details of claims are as follows:

From the Riverboat Fund:
Total Riverboat Fund Claims - $0.00

From the Boyd Development Fund: $0

From the Rainy-Day Fund:
Indiana Public Retirement – 1 payment totaling - $3,345.50 - Make up retirement payment for non-retired city employees who identified as retired.
Total Rainy-Day Fund Payments: $3,345.50

TOTAL CLAIM DOCKET - $3,345.50

July 21, 2026, Riverboat & Rainy-Day Fund – Statement of Cash Position:

Riverboat Fund - $5,789,664.00
Rainy Day Fund - $1,101,730.85
TOTAL - $6,891,394.85

Signature: Bryant Dabney, MBA Date: July 21, 2026

Bryant Dabney, MBA
Finance Committee Chair

Councilman Dabney made a motion to approve the July 21, 2026, claim docket in the amount of $3,345.00 second by Councilman Dr. Kora, the motion carried and 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)

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 has partnered with the Indiana Department of Environmental Management (IDEM) and Drive Clean Indiana to help alert the public of air quality action days by providing information and tips on how to help lower the ozone levels on social media; advised that by changing your air conditioning unit filter it will provide interior home air quality and for clarification running a fan it will clean the air more effectively; invited the public to attend the Northwest Indiana Green Drinks scheduled for Thursday, August 6, 2026, at 6:30 p.m. and you can join on Save the Dune's Facebook Live, or a zoom link can be obtained em@savedunes.org; with the topic: "Will Green Steel Manufacturing Come To Indiana" presented by Jack Weineberg of Guard.

Councilman Przybylinski liaison of the LaPorte County Solid Waste District Board, advised that the illegal dumping has gotten better at the Central Maintenance location on Kentucky Street but that the district is looking into purchasing camera's and increasing fines for illegal dumping.

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.

Dr. Wendal McCollum, MCAS Superintendent, presenting MCAS operating referendum. Note: This presentation is filed in 2026 Council Matters.

Discussion ensued between Dr. McCollum, President Tillman, and Councilmembers Dr. Kora, Dabney, Przybylinski, and Moldenhauer regarding the SEA 1 tax relief and how it will affect the homeowner; stated that the bonding for the High School project is a tax natural bond that will have no impact to the homeowners; supporting the public school systems that provides education to all students that are excepted without any pre expectations; advised that the state is cutting funding and forcing the public school districts into referendums; promise scholarship is available for all tax payers in our school system; encouraging residents in our community to voice your opinions and concerns by contacting your state representative, state senator and governor; that teachers are mentors for the students by accepting the students and providing a great learning atmosphere; and by voting for this referendum you are bringing up our future youth by educating and supporting our youth; thanked Dr. McCollum for the presentation.

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

PETITIONS

President Tillman asked Deputy Clerk Pickens if there were any petitions.

Deputy Clerk Pickens stated there were no petitions this evening.

COMMUNICATIONS

President Tillman asked if there were any communications received.

Deputy Clerk Pickens read the following communications:

Correspondence was received in the Clerk's Office on July 17, 2026, from Carlie Dunn, regarding "Reflection of Leadership in Michigan City".

Correspondence was received in the Clerk's Office on July 15, 2026, from Socrates Gray regarding the building permit process requested for the Frank & Edward Skwiat American Legion Post 451.

Correspondence was received in the Clerk's Office on July 8, 2026, from Derald Burton, President of the Human Rights Commission requesting the council to propose a resolution or ordinance regarding that they will not stand for any form of hate speech from any elected official.

Correspondence was received in the Clerk's Office on July 7, 2026, from Ashley Williams, regarding a State Air Permit filed on June 29, 2026, for a second data center building "Project Monstera" located at 402 Royal Road.

Correspondence was received in the Clerk's Office on July 7, 2026, from Carlie Dunn regarding outstanding oversight of records and ordinance-enforcement issues.

Notice of 30-Day Period for Public Comment was received in the Clerk's Office on July 6, 2026, from Indiana Department of Environmental Management (IDEM) for Fiber Bond LLC.

RESOLUTIONS

Deputy Clerk Pickens read the following proposed resolution by title only.
APPROVING AND AUTHORIZING THE 2026 UNION CONTRACT BETWEEN THE MICHIGAN CITY FIREFIGHTERS LOCAL #475 AND THE CITY OF MICHIGAN CITY, INDIANA

INTRODUCED BY: Greg Coulter
Don Przybylinski
Joseph Nelson

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

Councilman Coulter advised that Exhibit "A" is MCFD Local #475 Union contract for the firefighters was not received in the Clerk's Office due to it not being finalized; making a motion to table this proposed resolution until the next council meeting on August 5, 2026, second by Councilman Przybylinski, the motion carried and the proposed resolution was **TABLED** until the next council meeting on August 5, 2026 by the following vote: **AYES:** Council members Przybylinski, Tillman, Coulter, Dabney, Dr. Kora, Lee, Moldenhauer, and Nelson (8) **NAYS:** Council member (0)
NOTE: Councilman Bietry was not connected on zoom to vote.

President Tillman stated this matter has been TABLED until the August 5, 2026, Council meeting.

Deputy Clerk Pickens read the following proposed resolution by title only.
APPROVING THE USE OF THE INITIAL PAYMENT OF THE ECONOMIC INCENTIVE FUNDING FROM THE TAXPAYER AGREEMENT WITH LAVENDER FIELDS HOLDING, LLC (PROJECT MAIZE) TO ESTABLISH A MICHIGAN CITY UTILITY ASSISTANCE FUND FOR WATER/SEWER; FOR CAPITAL PURCHASES AND MAINTENACE FOR THE MICHIGAN CITY POLICE DEPARTMENT AND MICHIGAN CITY FIRE DEPARTMENT; AND DEPOSITING THE REMAINING FUNDS INTO THE RAINY DAY FUND

INTRODUCED BY: Tracie Tillman
Bryant Dabney
Dr. Vidya Kora

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

President Tillman stated this proposed resolution is creating an account for the funds that will be received from the data center; advising that she has had several meetings with Mayor Angie and legal counsel to assist in drafting up this proposed resolution; that $500,000.00 will be used for a utility assistant program that will help residents that are experiencing financial hardships with water and utility bills; $2,500,000.00 will go to MCPD and MCFD for capital purchases; $2,500.000.00 will go in the Rainy Day Fund account; explaining that the remaining $1,000,000 will be dispersed to or appropriated to the Economic Development Corporation or the Sanitary District for maintenance and infrastructure projects.

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

Rodney McCormick, 617 Union Street, stated he feels this council should not be delegating public funds to the Michigan City Economic Development as they do not adhere to the open-door law, Freedom of Information requests or do they have to provide their records of where their funds are going; stating several concerns regarding what is happening at the MCEDC; commented on the stats/scores of our Michigan City Area School District and asked each council member to do their job in the wards they represent.

Dominic Yankee, 904 Williow Spring Drive, provided statistics from the EPA and IDEM regarding the data center at 402 Royal Road, advising that the revenue from the data center should be used to improve the quality of life for Ward 6 residence.

Amy Losenski, 104 Mayfield Drive, stated she is opposed to this resolution urging the council to slow down instead of rushing for approval; asking why this is a resolution instead of an ordinance; stating there was an error as the total is 6.5 million when the totals in this proposed resolution is for 5.5 million; suggested that these funds we receive from the data center be put into a separate account until it is needed for budgetary purposes; and that this council needs to listen to the residence and consider their input regarding how the funds should be allocated.

President Tillman asked Tyler to state his name and address to continue (repeating her request)

President Tillman advised Tyler his comment has been disregarding due to not providing his last name and address.

President Tillman stated she will continue to keep this meeting ran efficiently and that the public is allowed three (3) minutes, asking that everyone to be respectful and use no profanity as you will be asked to be removed from the Council Chamber for the remainder of the meeting.

Paul Przybylinski, 1716 Washington Street, stated that he agrees with Mr. McCormick and Ms. Losenski's comments and that the moving of these funds should be in an ordinance format listing specifically what account line items and categorize each amount so that the public will know what funds are being spent and used for; asking the council to table this resolution and bring it back in an ordinance listing each fund and where they are being spent.

Courtney, 3556 E. State Road 2, Rolling Prairie, LaPorte County, stated her concerns regarding the $300,000.00 being proposed for the MCPD Flock System.

President Tillman advised Courtney that her comments must remain on the topic of the proposed resolution; which is what we are addressing at this time and the council would be happy to hear comments regarding her concerns.

Scott Meland, 200 Kenwood Place, stated his concerns with the proposed resolution and the funding of our school system; questioning whether this is really a good move for these funds and that this should be a proposed ordinance not a resolution.

Steven Garnick, 5410 Rowinski Avenue, stated this proposed resolution is setting funds for water/ sewer infrastructure, maintenance and when approved you are approving the Sanitation's "rate increase" over the next three years to the residents; asking if this is to subsidize the rate hike for certain people; that a new account should be created for these funds to go into, instead of depositing the remaining funds into the rainy day account and that he feels this should be a proposed ordinance not a resolution as well; asking that it be tabled.

Christopher Fogmore, stated for the record he will not be providing his address, as this is against the 1st Amendment.

President Tillman stated for the record you stated that you will not be providing your address, so assumed that I would be condescending of what was said, there will not be back and forth and if you continue to be disrespectful you will be asked to leave the Council Chamber.

Mr. Throgmorton stated he is homeless and that the residents do not want or support this resolution or the moving of funds from the data center, and that he will be requesting information from the council attorney.

President Tillman asked for him to be removed from the Council Chamber for the remainder of the meeting due to profanity after his comment.

Angie Henzman, 237 Loe Avenue, Trail Creek, stated there is a lot of confusion regarding this resolution asking for more detailed information presented to the public regarding how these funds are going to be used so the public has more clarity, requesting that this proposed resolution be tabled.

Ernie Hollihan, 302 Gladys Street, stated that he does not understand why these funds we are going to receive from the DATA Cener are going to these departments listed in this proposed resolution; that there is going to be a rate increase from the Sanitary District being approved by this council, when residents aren't going to be able to afford.

President Tillman stated public comments are now closed.

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

Councilman Nelson questioned how these funds were prioritized as he especially doesn't agree with the amount the residents will receive, that they are affected the most; asking why there was no discussion between the council members regarding the spending of these proposed funds in this resolution.

President Tillman advised Councilman Nelson that she is representing her ward and organizations such as North Central Community Actions and the local Trustees Offices as they have ran out of funds to help the residence who have received utility disconnect notices, that this is no different than any resolution or ordinance that any council member brings forth, she has done her due diligence by meeting with these organizations, the mayor and the residence in her ward; stating this proposed resolution is to establish the funds, an ordinance will be forth coming with the breakdown of funds and what this program will look like; the council does not control the money, the Controller's office advises the Mayor if an appropriation that is being requested and if the funds are available or not.

Discussion ensued between President Tillman and Councilman Nelson regarding their opinions on how this proposed resolution was processed. Councilman Nelson made a motion to table this proposed resolution, seconded by Councilman Coulter.

Councilman Coulter called a "Point of Order" asking to have discussion before the call for the vote.

Councilman Dabney read the following for the record.

WHEREAS, when the final certificate of occupancy for the first Data Center Building issues, the City will receive Five Million Five Hundred Thousand Dollars and 00/100 ($5,500,000) and Five Hundred Thousand Dollars and 00/100 ($500,000) every year thereafter for the next thirty-nine (39) years from this Taxpayer Agreement;

Councilman Dabney advised these monies have not been received and can't be appropriated and put into a separate account that these funds will not come to the city until a "Certificate of Occupancy" is delivered for the first "Data Center" building; reading for the record the following from the proposed resolution:

> For capital purchases for both the Michigan City Fire Department and Police Department in the total amount of Two Million Five Hundred Thousand Dollars ($2,500,000) of which approximately One Million Five Hundred Thousand ($1,500,000) would be allocated to MCFD and approximately One Million Dollars ($1,000,000) would be allocated to MCPD; The remaining Two Million Five Hundred Thousand Dollars ($2,500,000) shall be deposited in the Rainy-Day Fund.

President Tillman advised Councilman Przybylisnki that the $500,000.00 was not her decision and that she asked for $1,000,000.00 but was willing to accept this amount to start this fund/account for the sake of the residents.

Councilman Przybylisnki stated that a non-for-profit will be managing these funds and that non-for-profit should be named in the proposed ordinance and be required to provide a quarterly reports to the council to receive information on the spending of these funds; and that the funds that would be going to police and fire will be used for future purchases of vehicles and equipment, and that he does agree with bringing this as an ordinance form.

Councilwoman Molenhauer stated for the record residents in Ward Six (6) have contacted her with some creative ideas on how these funds should be used; and that she has had conversations with Phoenix Construction and Google regarding issues that need to be addressed in her ward; stating that she is in support of tabling this indefinity to discuss further what could be proposed.

Councilman Dr. Kora stated he will support tabling this and bring it back in an ordinance form.

Councilman Dabney advised that this proposed resolution is establishing the funds when the money is received it will come back before the council in an ordinance form for our approval regarding how and where these funds should be spent and what account it would be placed into.

President Tillman stated that the local Trustee Offices and North Central Community Action Program is a government funded operation that has rules and regulation in place and this will help utilize the appropriate funds that they would receive for this specific program; this is no different than the pilot program for Silver Birch when it was first created; the funds received went directly into the general fund and not into an account that was set up to assist low income families, for seniors, and housing infrastructures; advising that she then introduced an ordinance to create that account so these pilot funds would go into a specific account that would only be used for the purpose they were created for.

Councilman Coulter stated when he reviewed other proposed additional appropriation that were adopted and the one being proposed this evening the format doesn't look anything like past additional appropriations, which makes the public not have a clear understanding; that what is being proposed looks like an agreement that will go before the next future council due to the attached Exhibit "A"; he feels there needs to be more conversation regarding the spending of these funds and will be supporting to table this resolution.

Councilwoman Lee stated that she does support a fund being created for utility assistance but would like to schedule a workshop to receive input from the public regarding how they would like to see these funds spent when the city receives them.

The motion carried and the proposed resolution was TABLED indefinitely by the following vote: **AYES:** Council members Bietry, Coulter, Dr. Kora, Lee, Moldenhauer, Nelson, and Przybylinski (7) **NAYS:** Council member Tillman, and Dabney (2)

President Tillman stated this proposed resolution is TABLED indefinitely.

Attorney Harris explained the process to make it clearer, that typically proposed resolution of the council is a policy statement by the council, so in this instance, the council is establishing funds, and you're basically earmarking these fund for particular purposes that deem to be important; this is what is up for debate, but this process does have to happen, you need to have a resolution that does reflect what your policy (resolution) statement needs to be. Adding the second step in the process would be a proposed ordinance that does appropriate certain funds, with that ordinance having to be consistent with this resolution/policy statement that you've made when you adopt this proposed resolution.

Attorney Harris advised Councilman Nelson that as long as it's relative dollar amount you can have separate resolutions.

Attorney Harris advised Councilman Dr. Kora that you could have both the proposed resolution and ordinance at the same meeting however, most likely wouldn't happen that way; due to the proposed resolution has to secure funds for a particular purpose and you want to allow for publics input which could take time; advising that most legislators want to make sure particular funds are earmarked so that another member wouldn't want to amend a fund during the process of adopting the proposed resolution and why it's a two (2) step process.

President Tillman stated that this proposed resolution has been TABLED indefinitely.

President Tillman asked for a five (5) minutes recess.

President Tillman called the meeting back to order.

ORDINANCES

Deputy Clerk Pickens read the following proposed ordinance on first reading by title only. **AMENDING THE SCHEDULE OF RATES AND CHARGES COLLECTED BY THE CITY OF MICHIGAN CITY, INDIANA FROM THE OWNERS OF PROPERTY SERVED BY THE MICHIGAN CITY SANITARY DISTRICT AND OTHER MATTERS CONNECTED THEREWITH**

Introduced by: Don Przybylinski
Bryant Dabney

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

Councilman Przybylinski stated this proposed ordinance has to do with a rate increase as there has not been an increase for the Sanitary District in over twelve (12) years; that there has been three (3) workshops that have been previously held;that a recent audit took place at the Sanitary District showing there is a $700,000.00 cash flow deficit from the "sewer operations" and the cash operating fund is in the "red", so the district is not in a position to issue bonds that would help pay for bigger needed projects throughout the city; advising that currently they are operating under the state and EPA required manner to avoid discharge into Trail Creek. Introducing Wendy Vachet, Board of Works Director.

Wendy Vachet, Board of Works Director, presented "Michigan City Sanitary District Proposed Rate and Fee Increase and Implementation with the public of System Development Charges".

NOTE: this presentation if filed in 2026 Council Matters.

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

Roger Willoughby, 401 E. 7th Street, stated that no one has acknowledged the problem and issue that this city is facing of not having a rate increase in twelve (12) years; asking who is being held responsible for not coming to this council for an increase within that time period; commenting on the flow chart that was presented tonight that the proposed rate increase doubles his monthly payment.

Paul Przybylinski, 1716 Washington Street, stated that the public was not able to comment on or ask questions at the Sanitation Workshops that were held, asking how much inflow is coming into the Sanitary plant from the proposed Barker Lafayette Sewer Project; advising that the Water Department approved a $60 million bond in December and now sanitary wants to double our monthly bills.

Scott Meland, 200 Kenwood Place, advised our city has been below state average rates for over twenty (20) years and that maintenance is expensive and deferred maintenance is even more expensive; stating that the district is so out of compliance financially and mis-managed, that an outside force could take over and the residents wouldn't have any control and they would impose a higher rate on the residence and that he feels this rate increase is necessary to do.

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

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

Councilman Przybylinski advised that the facts and numbers have been provided to the council, Mayor Angie has put in place a new management team to address issues at the district and he believes this rate increase is needed and that the City Council does not have anything to do with the Sanitary District financially or the management position team; that he will be supporting this ordinance.

Councilman Dabney, stated that this rate increase needs to be done as previously our city has always had the lowest rates; this rate increase will help address the issues we are having currently, that there isn't enough funding coming into the district to go for any bonds at this point; and that if these rates do not increase IDEM can come into the district and set the rates; this proposed ordinance is identifying the problems and solutions; stating that he will be supporting this increase.

Councilman Dr. Kora commented on the proposed ordinance with having to do a rate increase; the wheel tax, increase in water rates, inflation nationwide, tax increases and now a sanitary rate increase being proposed concerns him; stating that this must be done as the district does not have the capacity/funds to bond for improvements for the city infrastructure which is needed for the health, wellbeing and safety of our residents.

Councilman Coulter, asked to be added as a sponsor.

Councilman Coulter asked what some of the changes are we doing moving forward regarding the mismanagement of finances at the Sanitary District to make sure this doesn't happen again.

Ms. Vachet advised Councilman Coulter in 2024 nothing was in place at the Sanitary District; since then they have currently created a Capital Improvement Plan, Sanitary Rehabilitation Plan, understanding where our lift stations where located, what assets and a asset management plan with a two-year plan that outlines what the district will be following with the time frame and accountability schedule; and the district will provide the council six (6) month and yearly updates regarding the finances.

President Tillman asked if there were any other comments from the council, there was no response; stating the proposed ordinance will be held over on second reading until the August 5, 2026, Council meeting.

Deputy Clerk Pickens read the following proposed ordinance on first reading by title only. **AMENDING SEC. 54-153(2), SEC. 70-103(A), AND SEC. 54-157(D) OF THE MICHIGAN CITY MUNICIPAL CODE TO COMPLY WITH MINIMUM AGE REQUIREMENTS FOR FIRE AND POLICE APPLICANTS AS SET FORTH IN I.C. 36-8-3.5-12(a) AND I.C. 36-8-4.7-5**

Introduced by: Daisy Lee

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

Councilwoman Lee stated this proposed ordinance is updating Municode to comply with minimum age requirements for both the police and fire departments.

MCFD Chief Taylor, stated that in July 2023 that the state amended the maximum age required for applicants to under the age of forty (40); an applicant must be accepted and hired by PERF by their 40 birthday as stated in IC 36-8-3.5-12 (a) and that it accepted by the city in ordinance 4695 in August 2023; however, in subsection (d) stated that an applicant must come off the list on their 36 birthday as this proposed ordinance will change language to the correct age date of 40 as there is also a waiver stating that an applicant can be accepted by 40 years and 6 months .

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, there was no response; stating the proposed ordinance will be held over on second reading until the August 5, 2026, Council meeting.

Deputy Clerk Pickens read the following proposed ordinance on first reading by title only. **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RAINY DAY FUND FOR THE FLOCK CAMERA SYSTEM FOR THE MICHIGAN CITY POLICE DEPARTMENT**

Introduced by: Bryant Dabney
Don Przybylinski
Dr. Vidya Kora

(**DECREASE** Rainy Day Fund #2236 Unappropriated balance 300,000.00
INCREASE ACCOUNT#2235.202.445.050 $300,000.00 Other Machinery & Equipment- Other Machinery & Equip)

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

MCPD Assistant Shiparski presented "Michigan City Safe City Initiative".

Note: this presentation is filed in 2026 Council Matter.

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

The following residents addressed the council with questions, comments and concerns regarding the proposed "Flock Raven System" additional appropriation for $300,000; Savannah Lyles, Marcie Chaples, Alex Arjuski, Steven Garnick, Derald Burton, Scott Meland, Anthony Peoples, John Ryszka II, Steven Coyle, Tiffany Taylor, expansion of government surveillance rather than accountability, live view qualities with drones that will track and observes residents in our community, protecting our liberties and freedoms, pictures of license plate readers are logged into a nationwide database and accessible without a warrant, Bluetooth capabilities are allowing to capture cell phone id's and locations to provide them with living data, data breaches with information are worldwide, this system has been used for stalking and harassing multiple private citizens, the CEO of the Flock Raven System is on the Epstein list, the right to travel should not come with any obligations to report your whereabouts, asking for the termination of the Flock contract.

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

Councilman Dr. Kora stated with the comments that have been made regarding privacy and civil liberties and that there should be a balance between safety, security, and privacy made a motion to TABLE this proposed ordinance , seconded by Councilman Nelson,

President Tillman this is open for council discussion.

Councilman Dr. Kora stated this would be tabled indefinitely.

Assistant Chief Shiparski advised Council Przybylinski that the community cameras will be an agreement between the business owners and the MCPD that will allow for a live view camera to be placed on their property that in an event of police action in that area this will allow a live view to help for further investigation.

President Tillman read the following a statement she received Sean Fagan LaPorte County Prosecuting Attorney.

Dear Councilmembers:
If you permit, I would like to speak in Favor of the Flock Appropriation that is coming before you on Tuesday.

I have said publicly and privately that while Flock does present some concerns, its usefulness as a Public Safety toll is not in doubt. When the Council approved the expansion of the Flock system in 2022, it assisted in a dramatic reduction in crime. As MCPD leadership has provided to you, there was a 17% reduction in overall crime in 2023, 7% in 2024, and 4% in 2025. This was achieved not only by the hardworking members of the MCPD, but also from the installation of the Flock system.

I can tell you, as a Prosecuting Attorney, that this system has been a great asset in building and prosecuting cases, and without this tool, a number of cases would not have been pursued to solve. Even as I write this, we are filing cases that relied on Flock; Flock has left to identification and location of suspects, and they wouldn't have been found or identified without it.

Therefore, I support the passing of this appropriation before the Council on the 21st, and advocate for the same to you directly.

Sincerely,

Sean Fagan, Prosecuting Attorney, 32nd Judicial Circuit

Councilman Dabney stated that there is a concern for privacy especially with a mobile device with agreeing to their terms; and that the state has put into place that when you turn eighteen (18) that you can purchase a firearm without a permit and license to carry as the Flock Raven System will help solve gun violence in our community; as he witnessed the good in this system and does understand the privacy concerns.

Assistant Chief Shiparski advised Councilman Coulter the Flock Raven System is a technology-based tool that not only helps the police but the prosecutor as well, this bridges the gap between jurisdictional lines and help catch criminals; and that by changing the data retention date could change the outcome of long-term investigations as the fifteen (15) to thirty (30) day mark is important to our investigation team.

Assistant Chief Shiparski advised Councilman Coulter that the department has explored other companies but that Flock works with spot spotter and that the first responder drone is integrated directly into the 911 Center; and that once a detection or call comes in the drone is on the scene within a minute which will not happen with other companies as other companies offer different tools.

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

The motion carried and the proposed resolution was TABLED by the following vote: **AYES:** Council members Coulter, Kora, Lee, Moldenhauer, and Nelson (5) **NAYS:** Council members Bietry, Dabney, Przybylinski, and Tillman (4)

President Tillman stated this proposed ordinance has been TABLED indefinitely.

Deputy Clerk Pickens read the following proposed ordinance on second reading by title only. **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE GENERAL FUND FOR THE PURCHASE OF ROAD SALT & SUPPLIES FOR THE STREET DEPARTMENT, VEHICLE LIFT EXPENSE & MAINTENANCE EXPENSES FOR CENTRAL SERVICES, AND CITY HALL REPAIRS**

Introduced by: Tracie Tillman
Bryant Dabney
Dr. Vidya Kora
Tim Bietry

(**DECREASE** 1101.000 Unappropriated balance $345,000.00 **INCREASE** ACCOUNT# 2202.000.422.024 $170,000.00 Operating Supplies- Salt & Supplies **INCREASE** ACCOUNT# 1101.108.436.020 $150,000.00 (Repairs & Maintenance - Equipment) **INCREASE** ACCOUNT# 1101.109.436.010 $ 25,000.00 (Repairs & Maintenance - Building)

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

Shong Smith, Street Department Director, stated the proposed additional appropriation is for $170,000 needed regarding road salt; advising that what we are here this evening to purchase road salt to get us through the remainder of this year and also to replenish fund #2202 – Local Road and Street fund; asking if there were any questions.

Councilman Dabney thanked Mr. Smith for explaining what this proposed additional appropriation in the amount of $170,000 was being used for; stating that this item (road salt) is the best time to be purchasing and paying for it and should save the city money by doing this earlier in the year before we get an unexpected winter storm.

President Tillman stated this proposed ordinance was advertised in the Herald Dispatch on July 8, 2026, and a formal public hearing will take place this evening July 21, 2026.

President Tillman opened the formal public hearing, asking (repeating three times) "If there was anyone from the public that would like to speak on this proposed ordinance."

Steven Garnick, 5410 Rowinski Ave, questioned why the city was purchasing more salt again and is our equipment not being maintained correctly.

Scott Meland, 200 Kenwood Place, stated this ordinance will provide the tools needed for the Steet Department instead of waiting until the middle of winter; and that the mayor cut the 2026 budget five (5) million dollars last year, and the funds are available.

President Tillman asked (repeating three times) "if there were any other comments from the public", there was no response and the formal public hearing was closed.

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

Councilman Przybylinski asked to suspend the rules and made a motion to have third reading this evening, second by Councilman Coulter, the motion carried to have third reading this evening by the following vote: **AYES**: Council members Coulter, Dabney, Dr. Kora, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, and Bietry (9) **NAYS:** Council member (0)

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO.4804

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE GENERAL FUND FOR THE PURCHASE OF ROAD SALT & SUPPLIES FOR THE STREET DEPARTMENT, VEHICLE LIFT EXPENSE & MAINTENANCE EXPENSES FOR CENTRAL SERVICES, AND CITY HALL REPAIRS

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 following:

A. Purchase of road salt and supplies for the Street Department in the amount of $170,000.00;
B. Provide funding for the vehicle lift purchased by the Central Services Department and provide maintenance expenses for said Department in the amount of $150,000.00; and
C. City Hall repairs in the amount of $25,000.00; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the General Fund #1101.000 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:

	AMOUNT REQUESTED	AMOUNT APPROPRIATED
DECREASE 1101.000 Unappropriated balance	$345,000.00	
INCREASE ACCOUNT# 2202.000.422.024 Operating Supplies- Salt & Supplies		$170,000.00
INCREASE ACCOUNT# 1101.108.436.020 (Repairs & Maintenance - Equipment)		$150,000.00

INCREASE ACCOUNT# 1101.109.436.010 $ 25,000.00
(Repairs & Maintenance - Building)

TOTAL FOR FUND **$345,000.00**

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
Bryant Dabney
Dr .Vidya Kora
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 Dabney, the motion carried and the ordinance 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)

Deputy Clerk Pickens read the following proposed ordinance on second reading by title only. **APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RAINY DAY FUND FOR STREET & SIDEWALK REPAIR**

Introduced by: Don Przybylinski
Bryant Dabney
Dr .Vidya Kora
Tim Bietry
Nancy Moldenhauer
Greg Coulter

(**DECREASE** Rainy Day Fund #2236 Unappropriated balance $300,000.00
INCREASE ACCOUNT#2235.114.443.030 $200,000.00 Street Repair & Maintenance
INCREASE ACCOUNT#2235.114.443.031 $100,000.00 Sidewalk Repair & Maintenance)

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

Councilman Przybylinski stated the proposed ordinance is for street repair, maintenance and sidewalk repair for $300,000, commenting on the 2026 CCMG program that was awarded to repair streets throughout our city and reminded everyone that the "Wheel Tax" was implemented this year to be able to receive any funding from the state moving forward.

President Tillman stated this proposed ordinance was advertised in the Herald Dispatch on July 8, 2026, to have a formal public hearing that will take place this evening, July 21, 2026.

President Tillman opened the formal public hearing, asking (repeating three times), "if there was anyone from the public that wished to speak on this proposed ordinance".

Steven Garnick, 5410 Rowinski Ave, asked why the $300,000 being proposed is coming out of the Rainy-Day account and not from the Wheel Tax funds.

Scott Meland, 200 Kenwood Place, stated that we have a need for sidewalk repairs; questioning why $300,000 is being proposed for street repair out of the Rainy-Day fund questioning of this is the appropriate account these monies should be coming from.

President Tillman asked (repeating three times) "if there were any other questions or comments from the public", there was no response, stating the formal public hearing is now closed.

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

Councilman Dabney made a motion to have third reading this evening, second by Councilman Coulter, the motion carried and was approved to have third reading this evening by the following vote: **AYES**: Council members Dr. Kora, Lee, Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, and Dabney (9) **NAYS:** Council member (0).

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

MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. 4805

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RAINY DAY FUND FOR STREET & SIDEWALK REPAIR

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 to fund the repair and maintenance of streets and sidewalks; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Rainy Day Fund #2236 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:

	AMOUNT REQUESTED	AMOUNT APPROPRIATED
DECREASE Rainy Day Fund #2236 Unappropriated balance	$300,000.00	
INCREASE ACCOUNT#2235.114.443.030 Street Repair & Maintenance		$200,000.00
INCREASE ACCOUNT#2235.114.443.031 Sidewalk Repair & Maintenance		$100,000.00
TOTAL FOR FUND	**$300,000.00**	

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: Don Przybylinski
Bryant Dabney
Dr. Vidya Kora
Tim Bietry
Nancy Moldenhauer
Greg Coulter

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

Councilman Dabney advised that additional appropriations are set forth by the mayor and the Controller's office; they review funds that are currently available and what account the proposed appropriation should come from, along with future funds that will coming in.

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

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

Paul Przybylinski, 1716 Washington Street, questioned if there was a fund established for $100,000 for sidewalk repairs in the 2026 budget and if this is additional appropriation into that fund; asking what the process is to get on the list to repair a sidewalk.

Steven Garnick, 5410 Rowinski Ave, asked if there was a list already created of who's sidewalks or streets that are going to be repaired this year.

Roger Willoughby, 401 E. 7th Street stated that in 2002 there was a sidewalk program that stated that 165 square lineal feet,5 feet wide was $8,800; he did the sidewalk repair himself and it cost him $2,100; asking if the council had for the list of sidewalks being repaired and streets that are being paved, how much is in the mayor's unappropriated balance.

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

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

President Tillman stated if you see a sidewalk or street in need of repair you submit the request to the City Engineer and once received it will go on the list and put in order by the pacer system and ranked accordingly to be repaired when the funds are available.

Councilman Dabney advised this proposed ordinance is moving money from the Rainy Day Fund to increase the Street Repair and Maintenance Fund to be able to fix the sidewalks and streets in our community.

Councilman Przybylinski stated he doesn't feel that each item on the agenda needs an explanation.

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

President Tillman thanked Fairstead developers for being online to answer any questions on the following proposed ordinance.

Deputy Clerk Pickens read the following proposed ordinance on second reading by title only. **AUTHORIZING AND APPROVING A PAYMENT IN LIEU OF TAXES ("PILOT") AGREEMENT WITH GARDEN ESTATES PRESERVATION LLC**

Introduced by: Tracie Tillman
Dr. Vidya Kora
Bryant Dabney
Tim Bietry

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

Councilman Bietry stated that this project is in his ward and how important this project is moving forward, that he supports this agreement and this is a great opportunity to increase the quality of life for these residents.

President Tillman advised Councilman Dabney that there is a timeframe that needs to be met.

President Tillman asked if there were any other comments from any of the authors at this time, there was no response.

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

Tom Donegan, 205 E. 11th Street, read the following letter for the record.

> I'm very happy to hear that Fairstead wants to come to Michigan City to redevelop an apartment complex that definitely needs work. It's the kind of investment that Michigan City needs. It's also great that Fairstead offered Michigan City the opportunity to participate in a "Payment in Lieu of Taxes" or pilot program, so Fairstead can feel better about doing the project here. Pilots are a great thing when government or private institutions like universities own tax-exempt land and reimburse a locality for services provided.
>
> But wait! Fairstead wants the other kind of pilot, where private developers ask a locality like Michigan City to limit or defer property taxes, which decreases the amount they have to pay. That pilot is just another name for a property tax giveaway.
>
> So, under this pilot, Michigan City is going to lose out on about $100,000.00a year in property tax revenue. Fairstead's already going to get tax breaks from the United States and the State of Indiana, likely in the millions of dollars a year , so $100,000.00 a year is a drop in the bucket to them. Since they're a private company, their financials aren't readily accessible, so I hope Fairstead at least shares them with the City Council. $100,000.00 a year is money that Michigan City desperately needs. How many times have we heard the mayor say the city has to cobble together the budget year after year from many different sources? For Michigan City, $100,000.00 is a large hole to fill, even with the windfall money from the data center. And the residents of Michigan City are already being asked to put more of their hard-earned money towards the budget in the form of an increase in water and sanitation bills. And we know the city is going to be looking for more money in the form of a trash pickup fee and an increase in the local income taxes. Let's not forget the schools are looking for more money from the residents.
>
> Michigan City needs more money than Fairstead needs the tax break. Indeed, Fairstead's Ashley Feldman told the Council members at the workshop that "the deal's works without a pilot". She said the same at the last Council meeting. Since Fairstead is already on the record, twice, saying they can do the project without a tax break from Michigan City, take this proposal and vote it down tonight, Or, the Council can approve the agreement and the next time they complain about a budget shortfall, they can look at this tonight and remember the $100,000.00 a year they chose to give away, and the residents will be happy to remind them.

Scott Meland, 200 Kenwood Place, questioned if this is ongoing deal or will the city miss the opportunity yearly for the $100,000.00; questioning what the total cost is to the city going forward.

Paul Przybylinski, 1716 Washington Street, advised that this will be an ongoing project that the city will receive $100,000 annually; questioning if it is worth losing money due to this company receiving several tax credits that the city won't receive.

Skyler York, Redevelopment Director, stated this is an incentive/tool that our city can use to offer to developers for proposed projects, that the payment of $100,000 will be a direct payment verses tax credits, that if the city is in favor of, it will also look better on the state tax credit application; and if the council does approve this pilot program; that there is also deadline for the tax credit application to be filed.

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

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

Councilman Dabney stated he is happy to see this project coming and that this will help the less fortunate in our community; advising this is a twenty (20) year project and the city will receive 25% payments "In Luie of Taxes" for a "Pilot" agreement for the total project amount of $15.6 million and the project tax savings of $20 million over the span of twenty (20) years and the city will receive $670,000.00 over the twenty (20) years; by using this agreement/pilot program; advising the residents rent will remain the same and the company will then be making payments to the city.

Councilman Dr. Kora stated there is a need for improvements at "Garden Estates" that this will improve the quality of life for these residents; advising due the current interest rates it is hard to find developers for housing.

President Tillman stated she supports this project asking for a motion to have second and third reading tonight.

Councilman Dr. Kora made a motion to have third reading this evening, second by Councilman Coulter, the motion carried to have third reading this evening by the following vote: **AYES**: Council members Moldenhauer, Nelson, Przybylinski, Tillman, Bietry, Coulter, Dabney, Dr. Kora, and Lee (9) **NAYS:** Council member (0)

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

MICHIGAN CITY, INDIANA
MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. 4806

AUTHORIZING AND APPROVING A PAYMENT IN LIEU OF TAXES ("PILOT") AGREEMENT WITH GARDEN ESTATES PRESERVATION LLC

WHEREAS, The City of Michigan City, LaPorte County, Indiana ("City") is a duly organized municipal corporation and political subdivision under the laws of the State of Indiana, governed by its duly elected Common Council (the "Council"); and

WHEREAS, Garden Estates Preservation LLC ("Owner") intends to acquire certain real estate in the City, located at 909 Pine Tree Court (the "Real Estate") currently the site of the Garden Estates West Apartment complex that participates in the Low-Income Housing Tax Credit ("LIHTC") Program pursuant to the Tax Reform Act of 1986 under the Indiana Housing and Community Development Authority ("IHCDA") and Section 8 Project Based Rental Assistance ("PBRA") programs of the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, The Owner intends to rehabilitate, renovate, and continue to operate the Real Estate, built in 1970 as an affordable housing community consisting of 174 apartments units for low-income families playing a vital role in providing affordable housing options for low-income families, helping to create stable living conditions and support community integration for vulnerable populations (the "Project"); and

WHEREAS, The Owner intends to invest $15,600,000 to improve, renovate, and continue to operate the Project for the purpose of providing affordable housing to income eligible persons under the federal LIHTC program in 26 U.S.C. 42 ("Low-Income Housing Tax Credit Program") and the applicable State of Indiana Qualified Allocation Plan ("QAC"); and

WHEREAS, The Project, as a LIHTC property, is subject to an extended use agreement under 26 U.S.C. 42 ("Extended Use Agreement") as administered by the IHCDA for a period of at least thirty (30) years, which Extended Use Agreement will be assigned to Owner by an Assignment and Assumption of Extended Use Agreement and Assignment and Assumption of Land Use Restriction Agreement to provide for affordable housing for a period of at least thirty (30) years; and

WHEREAS, Pursuant to the Extended Use Agreement, the Project, as a LIHTC property, will only be permitted to rent to residents whose incomes are 60% or less of the area median gross income ("AGI") and considered low-income by HUD (the "Restricted Residents"); and

WHEREAS, Pursuant to the Extended Use Agreement, the Project, as LIHTC property, will be limited to charging rents as determined in accordance with the Extended Use Agreement or, as applicable, any Housing Assistance Payments Contract related to the Project (the "Restricted Rents"); and

WHEREAS, upon taking fee simple title, the Owner will qualify as a "property owner" under Indiana Code 36-1-8-14.3(d) of real property; and

WHEREAS, Pursuant to Indiana Code ("IC") 6-1.1-10-16.7, the Owner will be exempt from the requirement to pay property taxes on real property included in the Project if the following IC requirements and conditions are satisfied:

(1) The improvements on the Real Estate are constructed, rehabilitated, or acquired for the purpose of providing housing to income eligible persons pursuant to the federal HUD LIHTC program under 26 U.S.C. 42;

(2) The Real Estate and Project are subject to an extended use agreement under 26 U.S.C. 42 as administered by the IHCDA; and

(3) The Owner of the Real Estate and of the Project seeks to enter into an agreement to make payments in lieu of taxes (a "PILOT") prepared under IC 36-1-8-14.3 and the City and the Owner have documented this agreement in a written agreement (the "PILOT Agreement") as attached hereto as **EXHIBIT A**; and

WHEREAS, The terms and conditions of the PILOT are contained in the PILOT Agreement under EXHIBIT A and Section 1.2 of the PILOT Agreement sets forth the annual PILOT payable by Owner of the Real Estate, including all subsequent owners, in amount equal to 25 % of the estimated annual tax liability of $133,970, with a 1% increase **per annum adjustment for a period of 20-years** from the date Owner takes fee simple title to the Real Estate (the "PILOT Period"); and

WHEREAS, The terms and conditions of the PILOT contained in the PILOT Agreement under EXHIBIT A and Section 1.2 of the PILOT Agreement sets forth the the annual PILOT payable by Owner of the Real Estate is due and payable in full annually to the City on May 10 of each calendar year during the PILOT Period to coincide with the first installment of tax liability due of all owners of tangible property in the State of Indiana; and

WHEREAS, Any payments received under the PILOT Agreement shall be deposited in the City's Affordable Housing Fund pursuant to IC 36-1-8-14.3(h) and used for any purpose for which the affordable housing fund may be used.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, LAPORTE COUNTY, INDIANA, THAT:

SECTION 1. The Common Council hereby authorizes and approves the PILOT Agreement as attached hereto under EXHIBIT A and authorizes its execution by the Mayor as the Executive on behalf of the City after it has been finalized by the City and

Owner of the Project.

SECTION 2. In accordance with I.C. 36-1-8-14.3(e), upon taking fee simple title to the Real Estate, the Owner as the property owner defined under I.C. 36-1-8-14.3(d) has consented to this Ordinance and said PILOT Agreement, which shall be illustrated by the City and the Owner executing the PILOT Agreement in substantially the same form of the attached. The Ordinance shall remain in full force and effect until the end of the 20-year PILOT Period outlined in the PILOT Agreement, unless repealed or modified by the City as the governing body prior to the expiration of the PILOT Period under the PILOT Agreement, subject to approval of the Owner as the property owner.

SECTION 3. The City Clerk is hereby directed to record an executed copy of this Ordinance and a Clerk's Office certified copy of the executed PILOT Agreement with the Office of the LaPorte County Recorder's Office.

SECTION 4. The City Clerk is hereby further directed to file (date stamped) the Ordinance as recorded including a copy of the certified executed PILOT Agreement for assessment and tax purposes with the:

- Office of the LaPorte County Assessor (acting at the Coolspring Township Assessor); and
- Office of the LaPorte County Auditor.

SECTION 5. The City Clerk is hereby further directed to file the fully recorded and filed Ordinance including a copy of the certified executed PILOT Agreement with the:

- Records of the City's Common Council; and
- Owner of the Real Estate.

SECTION 6. By adopting this Ordinance, authorizing the City and Mayor to finalize and execute the PILOT Agreement, and authorizing the payments contemplated by the PILOT Agreement, the City has undertaken all required municipal action contained within IC 36-1-8-14.3.

SECTION 7. If any section, sentence or provision of this Ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 8. This Ordinance shall be effective and in full force and effect from and after (i) its passage by the Common Council of the City of Michigan City, LaPorte County, Indiana and approval of the Mayor as the executive and (ii) delivery of the deed to the Real Estate to Owner, including all other requirements of the Indiana Code.

Introduced by: Tracie Tillman
Dr. Vidya Kora
Bryant Dabney
Tim Bietry

Note: Exhibit "A" is attached to Council Ordinance No. 4806 in the Clerk's Office in file O-210.

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.

Tom Donegan, 205 E. 11th Street, stated his concerns regarding how much money this developer net profit will be annually and what our city is losing.

Scott Meland, 200 Kenwood Place, advising that the city's $100,000 contribution in lieu of taxes is leveraging nearly a $16 million redevelopment of 220 housing units and they are low income/affordable housing; stating that he supports this.

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

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

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

Deputy Clerk Pickens read the following proposed ordinance on second reading by title only. **AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING THE TEXT OF THE MICHIGAN CITY COMPREHENSIVE ZONING ORDINANCE NO. 4120 (REFERRED TO AS THE HOUSING INFILL AMENDMENT)**

Introduced by: Bryant Dabney

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

Dr. Edwards , Planning Director, addressed the council advising that the city's older neighborhoods have a number of parcels that are non- conforming due to a parcel being smaller than today's zoning code allows and that re-building on those lots are complicated; stating this amendment will allow an alternative setback standards R1D "single family zoning districts" specifically the front side and corner lot setbacks to that parcel will now let a builder build a home on a non-confirming lot without going before the "Zoning Board of Appeals" committee; and that currently a version of this is already in place for the R1E and R13 districts; a study that has been completed by the "Planning Department" staff regarding the front setback averages, square footage and corner clearances to make sure the new standards are compatible; with the alternative standards available will help the owner/developer rebuild and grow the value base in the city, this has a clear pathway where no variance is needed that allows to preserve neighborhood character; asking legal counsel if there could do second and third reading this evening.

Attorney Harris advised that there isn't anything that would prevent the Council from electing to go forward on third reading.

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

Discussion ensued between Paul Przybylinski, 1716 Washington Street, Skyler York-Redevelopment Director and Dr. Edwards – Planning Director, Council member Przybylinski, regarding if this proposed ordinance applies to the entire city limits, these changes affecting residents who own parcels on corner streets and if easements include the proposed setbacks, 5% adjustment being proposed for the restoration of neighborhoods, a variance process when a petition has been filed and there is public hearing for any remonstration, is an optional alternative standard for builders to use to help support the infill house developments, codes have to be followed and fire code standard of 10 feet followed, how a builder can use these new alternative standards, style of house, square footage of a home being proposed in a neighborhood.

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

Councilman Dabney made a motion to have third reading this evening, second by Councilman Dr. Kora, the motion passed to have third reading this evening by the following vote: **AYES**: Council members Tillman, Bietry, Coulter, Dabney, Dr. Kora, Lee, Moldenhauer, and Nelson (8) **NAYS:** Council member Przybylinski (1)

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4807

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA AMENDING THE TEXT OF THE MICHIGAN CITY COMPREHENSIVE ZONING ORDINANCE NO. 4120 (REFERRED TO AS THE HOUSING INFILL AMENDMENT)

WHEREAS, the Plan Commission of the City of Michigan City, Indiana (the "Plan Commission") has the responsibility, in accordance with Appendix C - Joint Zoning Ordinance of the City of Michigan City Municipal Code (also referred to herein as "the Municipal Code") and Section 27.03 of the Michigan City Comprehensive Zoning Ordinance No. 4120 (also referred to herein as "the Zoning Code") and in accordance with Indiana Code 36-7-4-605, to act as an advisory board to the Common Council of the City of Michigan City concerning the Zoning Code of the City of Michigan City, Indiana; and,

WHEREAS, the Plan Commission may, pursuant to Indiana Code 36-7-4-602(b), initiate a proposal to amend or partially repeal the text of the Zoning Code; and,

WHEREAS, the Plan Commission has: considered the study performed by the Planning Department on housing needs in Michigan City and the report submitted to the Plan Commission; reviewed and studied the recommendations provided by its own Planning Department staff concerning the make-up of residential housing and neighborhoods in Michigan City and the acute housing shortage therein; considered the proposals made by its staff; reviewed the proposed amendment to the Zoning Code submitted by its staff and referred to as the "Housing Infill Amendment"; and received and discussed the proposals at its meeting held on May 26, 2026; and,

WHEREAS, as presented to, and approved by, the Plan Commission at its public meeting held on May 26, 2026, the Housing Infill Amendment adds new rules concerning minimum housing square footage and setbacks within the R1E and R1D districts, and adds a few complimentary, and deletes a few contradictory, provisions found in the existing Zoning Code; and,

WHEREAS, upon notice having been duly published and a public hearing held, the Plan Commission: made findings of fact; approved the Housing Infill Amendment, a copy of which is in the offices of the Plan Commission and the Michigan City Clerk; and approved and adopted Plan Commission Resolution No. 01-2026, certified its approval and favorable recommendation, and forwarded this with a favorable recommendation to the Common Council of the City of Michigan City, Indiana (the "Common Council") with the recommendation that the Common Council approve and adopt the Housing Infill Amendment; and,

WHEREAS, pursuant to Indiana Code 36-7-4-607, the Common Council has the authority and duty to consider, adopt, reject or amend changes to the Zoning Code; and, as evidenced by Resolution 01-2026, the Plan Commission filed with the Common Council Resolution 01-2026 together with Exhibit A to said Resolution, which is the entire text of the proposed amendment and which is incorporated into this Ordinance and made a part hereof; and,

WHEREAS, upon notice having been duly published, the Common Council considered the Housing Infill Amendment at the regular monthly meeting of the Common Council held on May 26, 2026; and,

WHEREAS, the Michigan City Common Council has reviewed Resolution 01-2026 of the Plan Commission of the City of Michigan City, Indiana, Exhibit A, the Findings of Fact contained therein, and related information and has received and considered comments from the public regarding the proposed Zoning Code changes contained in the Housing Infill Amendment which adds new rules concerning minimum housing square footage and setbacks in the R1E and R1D Districts, adds and deletes certain provisions related to minimum floor areas; and,

WHEREAS, the Michigan City Common Council has determined that amending the Zoning Code to adopt and incorporate the Housing Infill Amendment would be in the best interests of the entire City of Michigan City, Indiana; and,

WHEREAS, the Michigan City Common Council now finds that the Zoning Code should be amended to incorporate the changes in the Housing Infill Amendment as delivered to the Common Council by the Plan Commission and certified to the Common Council with a favorable recommendation by the Plan Commission as set forth in the Plan Commission Resolution No. 01-2026.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA:

Section 1. That the foregoing recitals are incorporated herein by reference.

Section 2. That, after review of the Plan Commission Resolution No. 01-2026 and the related Findings of Fact and other information contained therein, and after review of the Housing Infill Amendment together with **Exhibit A,** which was provided to the Common Council with said Resolution and attached hereto and incorporated herein as Exhibit A, having given due consideration to how the proposed Zoning Code changes will affect or conform to: 1) the City's Comprehensive Plan; 2) the current conditions and the character of current structures and uses in the entire City of Michigan City; 3) the most desirable uses for which residential property in the City of Michigan City is adapted; 4) the need to conserve property values throughout the City of Michigan City; and 5) whether the proposed changes are consistent with responsible development and growth in the City of Michigan City; and having considered all of the evidence in the record before it and applying the appropriate standards to guide its determination, the Common Council now adopts the Housing Infill Amendment and **Exhibit A** and approves all of the changes to the current Zoning Code contained in said Housing Infill Amendment and **Exhibit A.**

Section 3. That from and after the passage and publication of this ordinance, the amendments and additions described above shall be included in the Zoning Code which is hereby amended and revised accordingly.

Section 4. That this Ordinance, after its passage and approval by the Mayor of Michigan City, Indiana, shall be published once each week for two consecutive weeks in the LaPorte Herald Dispatch, a daily newspaper of general circulation.

Introduced by: Bryant Dabney

Note: Exhibit "A" is attached to Council Ordinance No. 4807 in the Clerk's Office in file O-210.

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

Councilman Dabney made a motion to approve the proposed ordinance, second by Councilman Dr. Kora.

Dr. Edwards advised Councilman Przybylinski if it is zoned R1D or R1E and fits the neighborhood characteristic then the alternative standards apply and can build by right with these standards; this is regarding the lot sizes, dimensions and the setbacks of the home in the neighborhoods; and that the Planning Department will verify any new builds.

Councilman Dabney stated this will allow the Planning Department to make the final decision rather than go before the Zoning Board of Appeals.

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

NEW BUSINESS

President Tillman asked if there was any new business.

Deputy Clerk Pickens stated President Tillman is requesting to change the Tuesday, August 4, 2026, regular scheduled council meeting at 6:30 p.m. to be held on Wednesday, August 5, 2026, at 6:30 p.m. due to the "National Police Night Out" being held between 5:00 p.m. and 8:00 p.m. on Tuesday August 4th , 2026.

Councilwoman Moldenhauer made a motion to change the date of the regular scheduled meeting date to Wednesday, August 5, 2026, at 6:30 p.m., seconded by Councilman Coulter, the motion carried and approved to have the regular scheduled council meeting held on Wednesday, August 5, 2026, by the following vote: **AYES:** Council members, Bietry, Coulter, Dabney, Dr. Kora, Lee, Moldenhauer, Nelson, Przybylinski, and Tillman (9) **NAYS:** Council members None (0)

President Tillman stated that the regular scheduled Council meeting for Tuesday, August 4, 2026, has been approved to schedule it on Wednesday, August 5, 2026, at 6:30 p.m. in the Council Chamber due to the "National Police Night Out" event being held on Tuesday August 4, 2026.

UNFINISHED BUSINESS

President Tillman asked if there was any unfinished business.

Deputy Clerk Pickens stated that 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).

Applications Received
Tracy Levay
Blake Schoiber

Note: Nominations were carried over at the July 7, 2026, Council meeting until the July 21, 2026, Council meeting.

President Tillman asked, (repeating three times) "Is there any nominations at this time for the one (1) appointment to the Veterans Commission"

Councilman Bietry nominated Tracey Levay.

President Tillman asked, (repeating three times) "Is there any other nomination at this time for the one (1) appointment to the Veterans Commission", there was no response and nomination were closed.

Attorney Harris called a "Point of Oder" stating when nominations are taking place it is asked who would like to nominate and a second isn't required; however, if there is only one (1) nomination then the individual will automatically receive the position but if two (2) individuals are nominated then an election would have to take place.

Attorney Harris advised as Tracey Levay was the only one nominated a vote would not need to take place.

President Tillman congratulated Tracey Levay on her appointment to the Veterans Commission.

President Tillman asked Deputy Clerk Pickens to add under "New Business" on the August 5, 2026, Council Agenda, a date change of the Tuesday, November 3, 2026, Council meeting to be held on Wednesday, November 4, 2026, Council meeting at 6:30 p.m. due to the "General Election Day".

COMMENTS FROM THE PUBLIC

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

Paul Przybylinski, 1716 Washington Street, asked the Council's Utility Committee to schedule a public workshop to allow residents an opportunity to ask questions regarding the proposed Sanitary District rate increase; commented on creating "impact fees" for new developers; create a free trash day with dumpster for city residents, recommended the city provide a grant to improve the Sanitary District financial issues that a bond would result in higher rate fees again for city residents.

Louie Sobecki, Trail Creek, member of the Skwiat American Legion Post 451, stating his concerns regarding the building permit that is filed in the Planning Department for Skwiat American Legion Post 451 requesting to build a deck on the back of their building with them having to vacate the alley before they can move forward asking for the council's support.

Attorney Harris advised Mr. Sobecki to reach out to Dominique Edwards, Planning Director.

Amy Losinski, 104 Mayfield Drive, stated her concerns regarding her FOIA requests not being addressed in a timely manner, why the wrong way traffic and sound levels at the Goggle Data Center located at 402 Royal Road isn't a concern of our city; suggested that a report be done showing the money that is currently in the general fund for public transparency when it comes to the additional appropriations; asking to not have second and third the same night of a council meeting due to that takes away for the public to make comments for or against what is being proposed; and asked each council members to hold monthly meeting in their wards to better represent city residents.

Scott Meland, 200 Kenwood Place, stated his concerns regarding the Flock Raven System being proposed, stating that also doesn't like having second and third reading on a proposed ordinance the same night of a council meeting.

Stephen Coyle, 2015 Oriole Trail thanked the MCPD for holding a Flock Raven Workshop; commented on his request to the council regarding taking a time-out on the extension of the Google /Data Center and states his concerns with the data centers in the state of Indiana.

Steven Garnick, 5410 Rowinski Ave, asked this council to consider only the first proposed rate increase in this document not the second, so we're covering our basis and we're not losing any money, reminding everyone when the Water Department addressed the council regarding our city water supply is fine; asking if we are going to have a rate increase from them in the near future.

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, advised the public that if you have a sidewalk that needs to be repaired or replaced to contact Tim Werner, City Engineer with your information.

Councilman Dabney thanked Mr. Ted Woodard who worked for the Street Department and Refuses for many years and takes a certain pride in the Eastport neighborhood; and just wanted to thank him for his hard work and dedication that he does every single day; advising that at every meeting he is asking the department head give him somebody that needs some recognition for what they do for our city; thank Mr. Ted Woodard again.

President Tillman asked if there were any other council comment, thanking everyone for their patience the residents who stayed for this late meeting to be able to complete business; entertaining a motion to adjourn.

Councilman Przybylinski asked to make one more comment; reminding the council that there are still a few 2025 "Annual Reports" from Boards and Commission that still need to be presented to the Council.

Present Tillman advised that if a council member is a liaison and or voting members of a board or commission that hasn't done their 2025 Annual Report to the council, please remind the president that this needs to be completed; as the boards and commission will be reviewing of how sustainable these boards are if they're not going to follow the proper protocol.

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

ADJOURNMENT

A motion by Councilman Moldenhauer, second by Councilman Przybylinski and there being no further business to transact, President Tillman declared the meeting **ADJOURNED** (approximately 11: 30 p.m.)

Michigan City Common Council July 21, 2026

Tracie Tillman, ~~President~~

Gale A. Neulieb, City Clerk