REGULAR IN PERSON COUNCIL

"HYBRID/ZOOM" MEETING
October 6, 2026

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, October 6, 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.

President Tillman stated that there are two (2) Council members on "Zoom" this evening Council members Nelson and Moldenhauer; advising that in order to vote they have to be visually seen on your monitor.

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, Daisy Lee, Nancy Moldenhauer (Zoom), Jospeh Nelson (Zoom), Don Przybylinski, and Tracie Tillman (9).

ABSENT: COUNCIL MEMBERS (0)

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Council Attorney Jewel Harris, City Clerk Gale Neulieb, and Deputy Clerk Amanda Pickens

Councilman Dr. Kora made a motion to add the following proposed ordinance to the agenda this evening: **ESTABLISHING A TEMPORARY MORATORIUM ON NEW DATA CENTER DEVELOPMENT AND CREATING SEC. 22.3 IN THE MICHIGAN CITY MUNICIPAL CODE**, second by Councilman Dabney, the motion carried and was approved to add the proposed ordinance to the agenda by the following vote: **AYES:** Council members Coulter, Dabney, Kora, Lee, Przybylinski, Tillman, and Bietry (7) **NAYS:** Councilwoman Moldenhauer (ZOOM) (1) **ABSTAIN:** Councilman Nelson (ZOOM) (1)

President Tillman stated the proposed ordinance is added to this evening's agenda.

Councilman Dr. Kora made a motion to change the order of business on our agenda to address the proposed ordinance regarding the $300,000 additional appropriation for flock camera's before the proposed resolutions, second Councilwoman Lee, the motion carried and was approved to amend the agenda to have the proposed ordinance regarding flock camera appropriation before the proposed resolutions by the following vote: **AYES:** Council members Dabney, Kora, Lee, Moldenhauer (ZOOM), Przybylinski, Tillman, Bietry and Coulter (8) **NAYS:** Council members (0) **ABSTAIN:** Councilman Nelson (ZOOM) (1)

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, September 15, 2026.

Councilman Przybylinski made a motion to approve the Regular "Hybrid/Zoom" Council meeting minutes that was held on Tuesday, September 15, 2026, second by Councilman Coulter, the motion carried and were approved by the following vote: **AYES:** Council members Kora, Lee, Moldenhauer (ZOOM), Nelson (ZOOM), Przybylinski, Tillman, Bietry Coulter, Dabney (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 October 6, 2026, minutes for the records.

October 6, 2026, Finance Committee Meeting Minutes

The Finance Committee meeting was called to order by Chairman Bryant Dabney at 6:02 p.m. to review and approve claims since the last meeting. Committee member Councilman Dr. Kora. Councilman Bietry, and Councilman Dabney were present. City Controller Tamiko Smith was also present.

Claims reviewed were **$189,923.62** from the Riverboat Fund, **$0.00** from the Boyd Development fund, and **$0.00** from the Rainy-Day Fund, for a total claim docket of **$189,923.62**. There were no further questions about the claims docket. Councilman Dr. Kora moved to recommend approval of the docket, and with a second from Councilman Bietry the motion was approved unanimously. City Controller Smith commented letting the committee know the reason the docket shows a payment to Everwise Credit Union for the 6 Dodge Durango's. Finally, on a motion by Councilman Dr. Kora and a second by Councilman Bietry the meeting was adjourned at 6:08 p.m.

The details of claims are as follows:

From the Riverboat Fund:
Everwise Credit union - Police Vehicles (6) Dodge Durango's
Total Riverboat Fund Claims $189,923.62

From the Boyd Development Fund: $0.00
From the Rainy-Day Fund: $0.00

TOTAL CLAIM DOCKET - $189,923.62

October 6, 2026, Riverboat & Rainy-Day Fund – Statement of Cash Position:
Riverboat Fund - $5,898,070.91
Rainy Day Fund - $1,099,894.46
TOTAL - $6,997,965.37

Salary Ordinance changes:

Changes in Salary Ordinance:

1. Planning and Inspection High end of pay range was listed at $69,345.00 for the Assistant Inspector, however it should be listed at $62,000.00
2. Street Department – add position of Field Supervisor with a salary range of $56,000 - $62,000

Signature: *Bryant Dabney* Date: October 6, 2026

Bryant Dabney, MBA
Finance Committee Chair

Councilman Bietry made a motion to approve the October 6, 2026, Claim Docket in the amount of $189,923.62, second by Councilman Dr. Kora, the motion carried and was approved by the following vote: **AYES:** Council members Lee, Moldenhauer (ZOOM), Nelson (ZOOM), Przybylinski, Tillman, Bietry, Coulter, Dabney, Dr. Kora (9) **NAYS:** Council members None (0)

REPORTS FROM BOARDS AND COMMISSIONS

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

Carlton L. Bishop, Executive Director of the Michigan City Urban Enterprise Association and Tristan Smith, President of MCUEZ, presented their 2026 Annual Report.
NOTE: This presentation is filed in the Clerk's Office in Council Matters

Discussion ensued between Mr. Bishop, President Tillman and Council members, Kora, Nelson, and Przybylinski.

John Ryska member of the Michigan City Art Committee invited the public and surrounding communities to their second "Michigan City Public Art – Walking Art 5K on Saturday October 10, 2026, from 10:00 am to 2:00 p.m. starting at Millennium Plaza, Washington Park.

Councilman Bietry read the following Council's Tax Abatement Committee meeting held on September 30, 2026, in the Council Study.

MINUTES

SEPT. 30. 2026

TAX ABATEMENT COMMITTEE (IN CITY CLERK STUDY)

Present: Tim Bietry, Chairperson and 4th Ward City Council; Daisy Lee, 2nd Ward City Council; Clarence Hulse, Director of Economic Development Corporation; Liliana Franco, Operations Manager for EDC; Hannah Chapman, Economic Development Staff; Ernie Hollohan – Community Member

Mr. Bietry opened the meeting at 5:30 PM and noted that the Tax Abatement Committee has three members. Two are present so a quorum exists. He briefly described the work that had been done with Liliana Franco and City Clerk Gale Neulieb prior to today's meeting. He was the only committee member present so there was no violation of the Open Door.

Councilwoman Lee asked Mr. Hulse why he was in charge of this work. Mr. Hulse then gave an informative discussion of what Tax Abatement is about, how it is created, how and why it is evaluated each year, and the responsibilities of the City Council to monitor each request. He explained that MCEDC is under contract with the City to complete this task. In other communities it is sometimes done by the County and others contract the work to outside entities. He explained that any projects that require public funds must first be approved by the City Council.

This year there were 11 separate abatements up for renewal from 8 different companies (Three Companies were awarded two abatements). They represent over $25,300,000.00 in Real Estate Investment and over $44,500,000.00 in Equipment Investment. After careful consideration of each request, it was determined that the 7 companies had all made a good faith effort to comply with the commitments to the City in terms of investment dollars and work force development. One company, Aquagenics, had two abatements and neither filing had been sent in on time.

Councilwoman Lee motioned that the Tax Abatement Committee should recommend approval to the City Council for all 7 companies whose information was timely at the next meeting. Councilman Bietry seconded the motion. There being no "nay" votes, the motion passed unanimously.

There was much discussion about how to address Aquagenics. The committee was made aware that this company had prepared a Resolution for the council asking the council to waive any penalties for their tardiness on filing the abatement this year. The data for Aquagenics is within the parameters acceptable to the council and this was not their first filing. Councilwoman Lee moved that we recommend approval of the abatement request pending the council's approval of the Resolution. If the Resolution is not approved, they will forfeit this year's opportunity for abatement and will have to file in a timely manner next year. Councilman Bietry seconded the motion and it passed unanimously.

There being no further business to conduct and no further questions, the meeting was adjourned at 6:00 PM.

Submitted by Council Chairperson Councilman Tim Bietry

Councilman Bietry commented on hard it is to find employees that want to work and stay for a long period of time at a lot of our businesses in our community, that there are jobs out there.

Councilman Bietry made a motion to approve the 2026 CF-1Tax abatements that were received (Ameriplex, Marquette, KTR, Michigan City Paper Box, Shell Catalysts & Technologies LP, Sulliar, Shady Creek Vineyard, LLC, and Hearthside Foods), second by Councilman Dr. Kora, the motion carried with the 2026 CF-1 tax abatements that were received by the following vote: **AYES:** Council members Moldenhauer (ZOOM), Nelson (ZOOM), Przybylinski, Tillman, Bietry, Coulter, Dabney, Dr. Kora, and Lee (9) **NAYS:** Council members None (0).

Councilman Przybylinski stated as being the Council's chair for Utilities and the liaison to the Sanitary/Refuse Department, he reported that beginning October 7th, 10th, 14th, 17th, 21st, and 24th the city will be hosting a drop-off center at the Michigan City Airport at Phillips Field 1300 N. Highway 212 to dispose of approved various unwanted household items; stating items that they will accept and not accept.

NOTE: This flyer will be filed in the Clerk's Office in Council Matters (2026)

Councilman Przybylinski advised Councilman Nelson that if a resident gets a second red tag on their toters if they will not receive a fine to date; advising that they are having a meeting next week regarding the new process and what they are proposing.

President Tillman asked Chris Carter, Refuse Director, to address Councilman Nelson's question.

Chris Carter, Refuse Director advised Councilman Nelson that he believes the fine is $50.00; stating that they at the present time trying to do just warnings, just to give us a handle on what isn't being done; that he believes the toters are the property of the and we are asking the public to be mindful and take care of them; advising that their goal is to communicate and educate our community.

Councilwoman Moldenhauer, liaison to the Sustainability Commission, invited the public to attend the following events; the Sustainability Commission workshop" Solar Smart, Do Your Part!", presented by Erin Charpentie, on Wednesday, October 21, 2026, at 5:30 p.m., located in the EOC room; and Northwest Indiana Green Drinks scheduled for Thursday, November 5, 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: "Indigenous Native American Indian Trail".

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.

Mayor Angie addressed the council regarding the following

- Advised that our city is the only city that doesn't charge for trash pick-up and doesn't want to charge residents anytime soon; that what was proposed this evening is an education effort for people when moving here to know what our ordinance/policies state.
- Thanked the Michigan City Arts Commission and UEA for their reports.
- Controller Smith provided the council with information that Councilman Przybylinski requested regarding the budget
- Commented on a flock situation that took place within the MCPD that is still being investigated by the Indiana State Police; internal affairs and Michigan City Police Commission occur; advising there is due process that must be completed before moving forward.
- Asked the council's support for the proposed resolution on the agenda this evening supporting U.S. Steel Workers Local Union 12775 District 7's petition to strengthen NIPSCO staffing, reliability, and storm response for northern Indiana

MCFD Chief Taylor presented his stats from the month of September.

Chief Taylor invited everyone to the MCFD annual Open House being held on Saturday, October 10, 2026, at Fire Station 1 at 10th and Elston Street from 10:00 a.m. to 1:00 p.m.

Councilman Nelson thanked Chief Taylor for their consistency with their reports and updates each month.

MCPD Chief Forker stated that he will be doing his September stat report at the October 20th Council meeting.

MCPD Chief Forker addressed the council regarding flock cameras, auditing systems, policies and procedures they have in place regarding the flock system; giving an update regarding this, along with some issues that the department is currently dealing with.

Chief Forker advised Councilman Dabney that that the public portal that goes with the flock system is up and running that it is on our their police website at police.michigancityin.gov

Chief Forker advised Councilman Przybylinski that the portal shows when someone is searching for information on flock and the number of searches being conducted and by who; stating that Chief Shiparski will be addressing this in his report this evening.

Chief Shiparski explained that flock has expanded what you can put on the portal; so if you go to MCPD webpage under how do I, you can say view the flock transparency portal; advising that they made this live at the beginning of last week and it will give you thirty (30) day statistics on the number of plate reads that our flock system has, it lists every single agency, both state, local and federal, that we currently share with.

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 Clerk Neulieb if there were any petitions.

Clerk Neulieb advised that 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 September 16, 2026, from Sergeant Anthony Lewis regarding the Data Center Moratorium Ordinance.

Correspondence was received in the Clerk's Office on September 15, 2026, from Brian Niksa regarding the Data Center Moratorium Ordinance.

President Tillman advised that the agenda was amended this evening and now the council will hear the following proposed ordinance **"ESTABLISHING A TEMPORARY MORATORIUM ON NEW DATA CENTER DEVELOPMENT AND CREATING SEC. 22-3 IN THE MICHIGAN CITY MUNICIPAL CODE"**

Councilman Dr. Kora thanked Councilmembers Moldenhauer and Nelson for their previous work on the moratorium advising this proposed ordinance is simpler language and read the following proposed ordinance in its entirety.

WHEREAS, the Common Council finds that the Michigan City Comprehensive Zoning Ordinance No.4120, as adopted on January 4, 2011, did not anticipate or consider data center projects and their impacts on the City's incorporated areas; and

WHEREAS, the Plan Commission is actively engaged in reviewing potential amendments to the Comprehensive Zoning Ordinance governing data center development with the assistance of a qualified subject matter expert; and

WHEREAS, the Common Council finds that allowing new data center development to proceed before completion of that review may be inconsistent with the City's future land use regulations and planning objectives; and

WHEREAS, the Common Council finds that a temporary moratorium is necessary to preserve the integrity of the planning process while permanent regulations are developed.

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

SECTION 1: Sec. 22-3 is hereby created in the Michigan City Municipal Code and shall read as follows:

Sec. 22-3. Temporary Moratorium on New Data Center Development

(a). **PURPOSE.** The purpose of this Section is to temporarily suspend the approval of new data center development while the Plan Commission completes its review and recommends amendments to the Comprehensive Zoning Ordinance.

(b). **DEFINITIONS.** The following definitions shall apply to this Section:

Data Center is defined consistently with 42 U.S.C. § 17112 as follows:

Any facility that primarily contains electronic equipment used to process, store, and transmit digital information, which may be:

(A) A free-standing structure; or

(B) A facility within a larger structure, that uses environmental control equipment to maintain the proper conditions for the operation of electronic equipment.

(c). **MORATORIUM.** During the effective period of this Section, no application for the establishment of a new data center shall be approved, and no land use approval or permit authorizing the establishment of a new data center shall be issued by the City.

(d). **EXCEPTIONS.** This Section shall not apply to:

1. Existing lawful uses;
2. Routine maintenance, repair, or renovation of existing facilities; and
3. Development for which vested rights have been established under applicable Indiana law, with the exception of new data center development.
4. The current Google data center, including each of its two (2) phases.

(e). **DURATION/EFFECTIVE PERIOD.** This Section shall take effect upon passage as provided by law and shall automatically expire upon the effective date of amendments to the Comprehensive Zoning Ordinance establishing regulations governing data center development, unless repealed or extended by the Common Council, or by July 31, 2028.

SECTION 2: If any provision of this Ordinance is held invalid by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

This Ordinance shall be effective upon its passage by the Common Council and approval by the Mayor, or otherwise as provided by Indiana law.

INTRODUCED BY: Dr. Vidya Kora, Member
Bryant Dabney, Member

President Tillman called a "Point of Order" asking Attorney Harris if this was brought forth correctly or if the City Clerk would need to read this into record.

Attorney Harris advised President Tillman that this was an amendment to the agenda and Councilman Dr. Kora provided an overview of the proposed ordinance that will be on the next Council agenda.

Councilman Dabney stated this proposed moratorium is simple language with a date that is set to expire on July 31, 2028, and will provide the city time to collect real data regarding noise, water usage and energy; and will give the Planning Department time to process more information regarding data centers and give them time to make any necessary amendments to our current zoning ordinance.

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

The following residents asked questions, and made several comments for or against the proposed ordinance regarding the temporary moratorium on new data center development: Paul Przybylinski- 1716 Washington Street, Savannah Lyles- 7676 Meer Road, Johannes Poulard- 205 Shadow Trail, Domonic Yankee- 904 Willow Spring Drive, Matthew Hawkins- 7676 Meer Road, Ashley Williams- 401 Fir Street, Amy Losinski- 104 Mayfield Drive, Steve Coyle- 215 Oriel Trail, Eleanor Charlton-122 N. Calumet Ave., Cooper Lyles- 7676 Meer Road, Donna Cavanuagh-Long Beach, and Wayne Rightsell- 4210 E. Michigan Blvd.

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

Attorney Harris stated to clarify this, the sponsors of this proposed ordinance requested an amendment to this evening's agenda so that this could be added, which was approved and, now that it has been added discussion and comments have been by the public and council members and is part of the process for enacting this proposed ordinance. Advising in Sec 2-57 of the city code, it states the procedure enactment does require a ninety-six (96) hour prior notice of an ordinance before it starts the enactment process; that the sponsors wanted to make sure the public was aware of the version of the drafted temporary moratorium ordinance; and will come before the council on first reading at the October 20, 2026, Council meeting.

Attorney Harris advised President Tillman that her instructions was to add this proposed ordinance on the October 20, 2026, for formal enactment.

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

Council members Przybylinski, Coulter, Lee, and Bietry asked to be added as a co-sponsor.

Councilman Nelson stated that for the record he nor Councilwoman Moldenhauer were contacted or involved in this proposed temporary moratorium draft; stating that they have been working diligently on this matter for the past few months.

Councilwoman Moldenhauer advised she was not included in discussion of this new proposed ordinance and that is why she voted "nay"; stating that procedurally the council should work together to include all council members to be a part of the work that has previously been done.

Councilman Dabney stated he would have liked to be included from the beginning.

President Tillman called a "Point of Order" advising the council members to show respect to each other; requested that Councilman Nelson be muted on Zoom; advised the council members to have personal conversations after the meeting.

President Tillman requested that this ordinance be added to the agenda on first reading at the October 20, 2026, Council meeting.

Councilman Przybylinski asked for a five (5) minute recess.

President Tillman requested a five (5) minute recess coming back at 8:30, approved by a vote of 7-0

President Tillman called the meeting back to order.

Clerk Neulieb read the following proposed ordinance on second reading by title only.
APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RAINY DAY FUND FOR LIMITED USE OF THE FLOCK CAMERA SYSTEM FOR THE MICHIGAN CITY POLICE DEPARTMENT

Introduced by: Bryant Dabney
Don Przybylinski
Dr. Kora
Greg Coulter

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

Council members Przybylinski, Dr. Kora, Coulter, and Dabney pulled their sponsorship to this proposed ordinance.

President Tillman asked if there was any other council member that would like to pick up this proposed ordinance, there was no response; stating this proposed ordinance dies.

President Tillman advised Councilman Nelson that all sponsors have dropped their sponsorship; this ordinance is dead.

Councilman Dr. Kora thanked Assistant Chief Sharpiski for his hard work throughout this process.

Councilman Przybylinski thanked the Police Department for updating their policies and procedures, and transparency to the public; stated he would like to see the drone as a first responder brought back in the future for public safety especially around Lake Michigan to ensure accurate and timely information regarding individuals who may be injured.

Councilman Dabney stated that he supports the flock system but does not support the expansion as this was brought before the council due to the shootings that was taking place in our community and no one would come forth with information; advised that the Flock system does work as it has solved recent shootings and that he does understand the community concerns regarding privacy.

Councilman Bietry stated the Flock system has been put in place for the protection and safety in our community as witnesses will not report crimes to the police out of fear for their own safety; this system helps the police solve the crimes quicker and should not be denying them this useful tool.

Councilwoman Moldenhauer stated she feels the flock expansion is a want for the department as there is more concerns from our residences on road conditions and trash pickup than the flock system; and would like to commit to Shong Smith, Street Department Director's request regarding to purchase a small street paver and Chris Carter, Refuse Director a purchase of a back-up truck

President Tillman stated we will now move to hear the resolutions this evening.

RESOLUTIONS

Clerk Neulieb read the following proposed resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION 5001

APPROVING AND AUTHORIZING THE 2026 UNION CONTRACT BETWEEN THE MICHIGAN CITY FIREFIGHTERS LOCAL #475 AND THE CITY OF MICHIGAN CITY, INDIANA

WHEREAS, there is a labor agreement currently in effect between the Michigan City Firefighters Local #475 and the City of Michigan City; and

WHEREAS, pursuant to I.C. 36-8-3-3, the Common Council is vested with the authority of establishing the compensation for members in the Michigan City Fire Department; and

WHEREAS, there have been successful negotiations between the Labor Relations Committee of the Common Council and the Michigan City Firefighters Local #475 to formulate certain changes and modifications in wages and language to the labor relations contract all of which have been incorporated into the contract which is attached hereto as "**Exhibit A**;" and

WHEREAS, the Labor Relations Committee recommends that the Common Council approve and authorize the 2026 contract attached hereto as "**Exhibit A.**"

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

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

(2.) The Common Council hereby approves the financial terms of the 2026 Union Contract between the Michigan City Firefighters Local #475 and the City of Michigan City, Indiana, which is attached hereto as "**Exhibit A.**"

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

Introduced by: /s/Greg Coulter
/s/Don Przybylinski
/s/Joe Nelson

Note: Exhibit "A" is filed in the Clerk's Office in file CR- 116

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

Councilman Coulter stated this has been a long negation process and Local #475 Union Representative Chris Zubitus thanked the labor negation team for reaching an agreement on the 2026 contract for the Firefighters; advising that the "Board of Public Works and Safety" committee approved the contract at their October 5th, 2026, meeting, asking for the council's support to approve this.

Councilman Przybylinski thanked Local #475 Fire Union and the Council's Labor Relations committee for reaching an agreement and is ready to move forward; that he supports this resolution.

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

Paul Przybylinski, 1716 Washington Street, stated his concerns with the negotiation process and how long it took to come to an agreement.

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

Councilman Dr. Kora thanked the Council's Labor Relations Committee for their hard work.

Attorney Harris advised Councilman Dabney that the collective bargaining agreement is fifty-four (54) pages long, and that the contract is available in the Clerk's Office for review; stating that negotiation did include sick days and other incentives but did not commit to a large number of raises.

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

Clerk Neulieb read the following proposed resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 5002

A RESOLUTION OF THE COMMON COUNCIL OF MICHIGAN CITY, INDIANA OPPOSING FUNDING REDUCTIONS THAT WOULD JEOPARDIZE FREE PUBLIC INTERNET ACCESS AT PUBLIC LIBRARIES

WHEREAS, the City of Michigan City is an Indiana Municipal Corporation, governed by its duly elected Mayor and the Michigan City Common Council (hereinafter sometimes referred to as the "Common Council"); and

WHEREAS, pursuant to Indiana Code § 36-4-6-18, the Common Council, as the legislative body of Michigan City, is authorized to adopt resolutions for the government of the City; and

WHEREAS, in exercising its legislative authority and its responsibility to represent the interests of its constituents, the Common Council may, by resolution, express its position concerning governmental policies and funding decisions affecting the availability of important public resources to Michigan City residents, including access to public library internet services; and

WHEREAS, the Common Council recognizes that public libraries serve an essential role in providing residents with free and equitable access to information, educational resources, technology, and internet connectivity; and

WHEREAS, access to reliable high-speed internet has become increasingly necessary for participation in modern civic and economic life, including applying for employment, accessing educational opportunities, obtaining governmental services, communicating with healthcare providers, conducting business, and obtaining other essential information and services; and

WHEREAS, many residents, including low-income households, senior citizens, students, job seekers, and other individuals who may lack reliable broadband service at home, depend upon public libraries for access to computers and the internet; and

WHEREAS, Congress has recognized access to advanced telecommunications services by libraries as a principal of universal service through 47 U.S.C.S. § 254(h)(1)(B), which provides for discounted telecommunications services to eligible schools and libraries, and 47 U.S.C.S. § 254(h)(2) directs the Federal Communications Commission (FCC) to establish competitively neutral rules to enhance access by libraries to advanced telecommunications and information services (such as the internet) to the extent feasible; and

WHEREAS, pursuant to this federal authority, the FCC administers the Schools and Libraries Universal Service Support Mechanism, commonly known as the E-rate Program, which provides eligible schools and libraries with discounts for telecommunications and internet connectivity services; and

WHEREAS, Congress has further supported library services and access to technology through the Library Services and Technology Act ("LSTA"), 20 U.S.C. § 9121 et seq., which recognizes the importance of improving library services, facilitating access to technology, and supporting digital literacy; and

WHEREAS, 20 U.S.C. § 9141 authorizes federal grants to be awarded to states in order to support, among other purposes, expanded access to information and educational resources through new technology and internet access; and

WHEREAS, Indiana public libraries can participate in the E-Rate Program through, among other means, the Indiana State Library Consortium for Public Library Internet Access, through which the Indiana State Library supports participating public libraries in obtaining federally supported internet connectivity; and

WHEREAS, public libraries throughout Indiana receive support for internet connectivity through programs including the federal E-Rate program and the Indiana State Library Consortium for Public Library Internet Access; and

WHEREAS, continued public investment in library connectivity helps ensure that residents are not denied meaningful access to essential digital resources due to their income, geographic location, age, or ability to afford private internet service; and

WHEREAS, reductions in federal, state, or other public funding that supports library internet connectivity could increase financial burdens upon public libraries and potentially impair their ability to continue providing reliable internet access to members of the public without charge; and

WHEREAS, the Common Council recognizes public libraries as important community institutions and acknowledges the importance of preserving free public access to reliable internet service.

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

1. The Common Council hereby expresses its support for the continued availability of free and reliable internet access at public libraries for all members of the community.

2. The Common Council opposes federal, state, or other funding reductions that would eliminate, reduce, or otherwise jeopardize the funding required for public libraries to provide reliable, high-quality internet access free of charge to their patrons.

3. The Common Council urges the United States Congress, the Federal Communications Commission (FCC), the Indiana General Assembly, the Governor of the State of Indiana, and other governmental entities responsible for funding or administering programs supporting public library internet access and connectivity to preserve adequate funding for such programs.

4. The Common Council recognizes that continued investment in public-library internet access promotes academic opportunities, professional workforce development, access to governmental services, digital inclusion, and economic participation for residents of Michigan City and communities throughout Indiana.

5. Accordingly, the Clerk of the Common Council is authorized to transmit a copy of this Resolution to: appropriate federal and state officials and agencies to communicate the position of the Common Council regarding the preservation of funding necessary to maintain free public internet access at public libraries, including: Congressman Mrvan, State Senator Young, State Senator Banks, Marlene H. Dortch, Federal Communications Commission.

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

Introduced by: /s/Dr. Vidya Kora

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

Councilman Dr. Kora stated the E-Rate program that funds the internet access at public libraries is proposed to be cut in the upcoming years; advising that this proposed resolution will be sent to our state and federal legislators to oppose the funding cuts as the internet access at the libraires is a very important tool for our community.

Councilman Coulter advised that as books are being phased out many libraries are becoming computer lounges for the internet that is the main source for a lot of our residence to research, job hunt, etc., advised that the E-rate program is provided by the Federal Government and passed to the libraries, however not all libraries use the program; this resolution should be sent to Congressman Marvan, and State Senator Young, and Banks.

Attorney Harris stated in Section 5 of this proposed resolution a blank space was left to list who this resolution after adopted will be forwarded to for the record.

Councilman Coulter advised he will provide the contact information to the Clerk for this to be sent to the FCC as well.

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

Roger Willoughby, 401 E. 7th Street, asked if this resolution is for the Michigan City Public Library only and how much the current cost is for their internet service and who is paying for it the state or federal government.

President Tillman advised Mr. Willoughby that this time is for public comment, not Q & A.

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

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

Councilman Coulter advised that our local library does not use the FCC rate funding but relies on the local property taxes and that Senate Bill "1" has reduced property taxes with a possible 25% cut to the libraries budget and funding and he is encouraging our local county to consider if it's possible to include libraries on that local income tax to ensure these services.

Councilman Coulter made a motion to approve the proposed resolution, second by Councilman Dr. Kora, motion carried and the resolution was approved by the following vote: **AYES:** Council members Przybylinski, Tillman, Bietry, Coulter, Dabney, Dr. Kora, Lee, and Moldenhauer (ZOOM) (8) **NAYS:** Council members None (0) **ABSTAIN**: Nelson (ZOOM) (1)

Clerk Neulieb read the following proposed resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO.: 5003

A RESOLUTION OF THE CITY OF MICHIGAN CITY, INDIANA COMMON COUNCIL GRANTING A WAIVER OF NONCOMPLIANCE PURSUANT TO

INDIANA CODE 6-1.1-12.1-9.5 WITH RESPECT TO AN ASSESSED VALUATION DEDUCTION (TAX ABATEMENT) FOR THE TANGIBLE REAL PROPERTY IMPROVEMENTS OF KINETIC RESOURCES LLC (DBA: AQUAGENICS TECHNOLOGIES)

WHEREAS, Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code ("IC") 6-1.1-12.1 *et seq.*, (the "Act") in the form of deductions of assessed value for qualified real property improvements, a qualified vacant building, and the installation of qualified personal property that results from development, redevelopment, and rehabilitation; and

WHEREAS, Kinetic Resources (DBA: Aquagenics Technologies) (the "Company") filed with the City and the Common Council a Statement of Benefits Real Property Improvement (FORM SB-1/Real Property) dated September 25, 2020 (the "Statement of Benefits") that identified real property improvements, more specifically related to the purchase, occupation, redevelopment, rehabilitation and use of vacant facilities and the use of 17.27 acres of real property land owned by the Company to operate a manufacturing facility at 921 Woodland Avenue (the "Project") on the Project Site for which real property improvements to a vacant unoccupied structure were completed and fully assessed by the Office of the Michigan Township, Indiana Assessor on January 1, 2022; and

WHEREAS, On October 6, 2020 the Common Council adopted and approved Resolution No. 4787 that formally approved the Company's FORM SB-1/Real Property pursuant to Section 3 of the Act; and

WHEREAS, The Company represents that the Project as described in the Statement of Benefits Real Property (FORM SB-1/Real Property) dated September 25, 2020 was completed for the January 1, 2022 assessment date; and

WHEREAS, the Company failed to submit and file in a timely manner to the Office of the LaPorte County, Indiana Auditor the annual FORM 322/RE specific to the January 1, 2026 assessment date for which said filing deadline was before May 10, 2026; and

WHEREAS, the Company failed to submit and file in a timely manner to the Office of the LaPorte County, Indiana Auditor and the City of Michigan City, Indiana Common Council as the designating body the annual FORM CF-1/Real Property specific to the January 1, 2026 assessment date for which said filing deadline was before May 15, 2026; and

WHEREAS, Section 9.5(b)(1) of the Act authorizes the Common Council as the designating body by resolution to waive a taxpayer's noncompliance with various requirements of the Act, more specifically, "A filing deadline applicable to an application, a statement of benefits, or another document that is required to be filed under this chapter"; and,

WHEREAS, The Company has requested that the Common Council exercise its authority to waive noncompliance by adopting a resolution pursuant to Section 9.5 of the Act such that said required documents are filed and said resolution identifies the property, the assessed valuation deduction, and the taxpayer effected by the resolution; and,

WHEREAS, The Common Council upon recommendation of the Economic Development Corporation, Michigan City, Indiana ("EDCMC") and consideration of said request of the Company, the City now desires to waive the Company's noncompliance pursuant to Section 9.5(b)(1) of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Michigan City, Indiana that Kinetic Resources LLC (DBA: Aquagenics Technologies) failure to file in a timely manner:

(i) The required Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (ERA) (or the FORM 322/RE) for the January 1, 2026 assessment date with the Office of the LaPorte County, Indiana Auditor for which said filing deadline was before May 10, 2026; and

The required Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (ERA) (or the FORM 322/RE) for the January 1, 2026 assessment date was submitted and filed with Office of the LaPorte County, Indiana Auditor on September 28, 2026 as filed and date stamped, as attached hereto as untimely.

(ii) The required compliance document (or the FORM CF-1/Real Property) for the January 1, 2026 assessment date with the Common Council as the designating body and the Office of the LaPorte County, Indiana Auditor for which said filing deadline was before May 15, 2026; and,

The required compliance document (or the FORM CF-1/Real Property) for the January 1, 2026 assessment date was submitted and filed with the Common Council as the designating body on September 29, 2026 and with the Office of the LaPorte County,

Indiana Auditor on September 28, 2026 as filed and date stamped by each entity, as attached hereto as untimely.

BE IT FURTHER RESOLVED that the FORM 322/RE and the FORM CF-1/Real Property specific to the January 1, 2026 assessment date as deemed to be untimely **are hereby waived for Kinetic Resources LLC (DBA: Aquagenics Technologies)**, under Property Identification Number (PIN) 46-01-33-427-001.000-022, pursuant to Section 9.5(b)(1) of the Act, subject to the terms and conditions set forth below:

(i) The Common Council as the designating body determines that: (i) granting this waiver of noncompliance as permitted would not cause a material undue burden or hardship on the City or overlapping taxing units.

(ii) The Common Council will not entertain or consider any future waivers of noncompliance related to the Company, the Project or the Project Site pursuant to the Act as submitted by the Company for untimely filings or noncompliance under Section 9.5 or 11.3 of the Act.

BE IT FURTHER RESOLVED that pursuant to Resolution No. 4787 dated October 6, 2020 and Section 14 of the Act, the Common Council confirms the imposition of a fee on annual realized tax savings of the Company as a result of applied assessed valuation deductions for which the Company, in accordance with its consent in a letter dated September 25, 2020 to the City attached to Resolution No. 4787, shall pay to the LaPorte County Treasurer a fee in the amount computed and determined by the LaPorte County Auditor pursuant to the provisions of Section 14(c) of the Act (the "Imposed Fee") such that: (i) the **Imposed Fee percentage to be applied shall be 15%**, (ii) the Imposed Fee as collected shall be distributed to the **Economic Development Corporation, Michigan City, Indiana** as a public entity established to promote economic development within the corporate limits of the City served by the City Council as the designating body.

BE IT FURTHER RESOLVED that if any part, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause, or portion of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall have full force and effect from and after its passage by the Common Council, execution and signing by the Common Council President thereof, and approval by the Mayor, all as attested by the Clerk of the City including compliance with the procedures required by law.

Introduced by: /s/Tim Bietry

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

Councilman Bietry stated this Aquagenic Company has been operating in our community for many years primarily making water treatment filtration to provide clean and safe environment for medical, government , retail, and industrial customers; although the company did not submit their paperwork on time the company does meet the goal and asked for support to wave the penalty and approve the tax abatement for this year.

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

Wayne Rightsel, 4210 E. Michigan Blvd., stated his concerns with tax deductions.

Dan Botich (ZOOM), Economic Development Finance Consulting, stated he was advised by Mr. Frederick Nukem, President of Aquagenics that their CF1's forms and Form 322's, for both real and vacant building deduction have not been submitted timely due to a changeover in their accounting staff, who was using his old email address that was updated previously;, the forms have been submitted to the Auditor on September 28, 2026, and the CF-a forms filed in the City Clerk Office on September 29, 2026; advising that both resolutions are specific that no further waivers of an untimely filling would occur and if approved the company would continue to receive their deductions and pay there imposed fee to the auditor.

John Carrington, 140 Esther Street, stated that Councilman Bietry stated in his report that Aquagenic was having a hard time keeping employees and that they would only work for a few days, not show up and go on public benefits; questioning how an employer would know what a former employee is collecting public benefits or what they are doing after they leave their employment.

Scott Meland, 200 Kenwood, stated if the company is meeting all the requirements but just filed late then he supports approving this proposed waiver.

Tommy Kulavik (ZOOM) 1316 Ohio Street, stated he does not support the tax abatements for these companies.

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.

Mr. Botich advised Councilman Przybylinski that there would be no fines would be assessed, as the Auditor office would accept the CF1's and Form 322 as filed and waived; the dedication for the vacant building is 1.56 million dollars and for Real property is 1.3 million dollars with the total of 2.8 million; that the forms were due on May 15, 2026 and that the Auditor Offices reviews the forms in August for all businesses, at which time it was discovered that their forms were not filed.

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

Clerk Neulieb read the following proposed resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO.: 5004

A RESOLUTION OF THE CITY OF MICHIGAN CITY, INDIANA COMMON COUNCIL GRANTING A WAIVER OF NONCOMPLIANCE PURSUANT TO INDIANA CODE 6-1.1-12.1-9.5 WITH RESPECT TO AN ASSESSED VALUATION VACANT BUILDING DEDUCTION (TAX ABATEMENT) FOR THE TANGIBLE REAL PROPERTY OF KINETIC RESOURCES LLC (DBA: AQUAGENICS TECHNOLOGIES)

WHEREAS, Deduction for Rehabilitated or Redevelopment of Real Property in Economic Revitalization Areas is authorized under Indiana Code ("IC") 6-1.1-12.1 *et seq.*, (the "Act") in the form of deductions of assessed value for qualified real property improvements, a qualified vacant building, and the installation of qualified personal property that results from development, redevelopment, and rehabilitation; and

WHEREAS, Kinetic Resources (DBA: Aquagenics Technologies) (the "Company") filed with the City and the Common Council a Statement of Benefits Real Property Improvement (FORM SB-1/VBD) dated September 25, 2020 (the "Statement of Benefits") that identified real property improvements, more specifically related to the purchase, occupation, redevelopment, rehabilitation and use of vacant facilities and the use of 17.27 acres of real property land owned by the Company to operate a manufacturing facility at 921 Woodland Avenue (the "Project") on the Project Site for which real property improvements to a vacant unoccupied structure were completed, the building occupied, and fully assessed by the Office of the Michigan Township, Indiana Assessor on January 1, 2022; and

WHEREAS, On October 6, 2020 the Common Council adopted and approved Resolution No. 4788 that formally approved the Company's FORM SB-1/VBD pursuant to Section 4.8 of the Act; and

WHEREAS, The Company represents that the Project as described in the Statement of Benefits Real Property (FORM SB-1/VBD) dated September 25, 2020 was completed and the building occupied for the January 1, 2022 assessment date; and

WHEREAS, the Company failed to submit and file in a timely manner to the Office of the LaPorte County, Indiana Auditor the annual FORM 322/VBD specific to the January 1, 2026 assessment date for which said filing deadline was before May 10, 2026; and

WHEREAS, the Company failed to submit and file in a timely manner to the Office of the LaPorte County, Indiana Auditor and the City of Michigan City, Indiana Common Council as the designating body the annual FORM CF-1/VBD specific to the January 1, 2026 assessment date for which said filing deadline was before May 15, 2026; and

WHEREAS, Section 9.5(b)(1) of the Act authorizes the Common Council as the designating body by resolution to waive a taxpayer's noncompliance with various requirements of the Act, more specifically, "A filing deadline applicable to an application, a statement of benefits, or another document that is required to be filed under this chapter"; and,

WHEREAS, The Company has requested that the Common Council exercise its authority to waive noncompliance by adopting a resolution pursuant to Section 9.5 of the Act such that said required documents are filed and said resolution identifies the property, the assessed valuation deduction, and the taxpayer effected by the resolution; and,

WHEREAS, The Common Council upon recommendation of the Economic Development Corporation, Michigan City, Indiana ("EDCMC") and consideration of said request of the Company, the City now desires to waive the Company's noncompliance pursuant to Section 9.5(b)(1) of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Michigan City, Indiana that Kinetic Resources LLC (DBA: Aquagenics Technologies) failure to file in a timely manner:

(i) The required Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (ERA) (or the FORM 322/VBD) for the January 1, 2026 assessment date with the Office of the LaPorte County, Indiana Auditor for which said filing deadline was before May 10, 2026; and
The required Application for Deduction from Assessed Valuation of Structures in Economic Revitalization Areas (ERA) (or the FORM 322/VBD) for the January 1, 2026 assessment date was submitted and filed with Office of the LaPorte County, Indiana Auditor on September 28, 2026 as filed and date stamped, as attached hereto as untimely.

(ii) The required compliance document (or the FORM CF-1/VBD) for the January 1, 2026 assessment date with the Common Council as the designating body and the Office of the LaPorte County, Indiana Auditor for which said filing deadline was before May 15, 2026; and,
The required compliance document (or the FORM CF-1/VBD) for the January 1, 2026 assessment date was submitted and filed with the Common Council as the designating body on September 29, 2026 and with the Office of the LaPorte County, Indiana Auditor on September 28, 2026 as filed and date stamped by each entity, as attached hereto as untimely.

BE IT FURTHER RESOLVED that the FORM 322/VBD and the FORM CF-1/VBD specific to the January 1, 2026 assessment date as deemed to be untimely **are hereby waived for Kinetic Resources LLC (DBA: Aquagenics Technologies)**, under Property Identification Number (PIN) 46-01-33-427-001.000-022, pursuant to Section 9.5(b)(1) of the Act, subject to the terms and conditions set forth below:

(i) The Common Council as the designating body determines that: (i) granting this waiver of noncompliance as permitted would not cause a material undue burden or hardship on the City or overlapping taxing units.

(ii) The Common Council will not entertain or consider any future waivers of noncompliance related to the Company, the Project or the Project Site pursuant to the Act as submitted by the Company for untimely filings or noncompliance under Section 9.5 or 11.3 of the Act.

BE IT FURTHER RESOLVED that pursuant to Resolution No. 4788 dated October 6, 2020 and Section 14 of the Act, the Common Council confirms the imposition of a fee on annual realized tax savings of the Company as a result of applied assessed valuation deductions for which the Company, in accordance with its consent in a letter dated September 25, 2020 to the City attached to Resolution No. 4788, shall pay to the LaPorte County Treasurer a fee in the amount computed and determined by the LaPorte County Auditor pursuant to the provisions of Section 14(c) of the Act (the "Imposed Fee") such that: (i) the **Imposed Fee percentage to be applied shall be 15%,** (ii) the Imposed Fee as collected shall be distributed to the **Economic Development Corporation, Michigan City, Indiana** as a public entity established to promote economic development within the corporate limits of the City served by the City Council as the designating body.

BE IT FURTHER RESOLVED that if any part, clause, or portion of this Resolution shall be adjudged invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of this Resolution as a whole or any other part, clause, or portion of this Resolution.

BE IT FURTHER RESOLVED that this Resolution shall have full force and effect from and after its passage by the Common Council, execution and signing by the Common Council President thereof, and approval by the Mayor, all as attested by the Clerk of the City including compliance with the procedures required by law.

Introduced by: /s/Tim Bietry

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

Councilman Bietry stated this is the second tax abatement waiver being proposed for Aquagenic and is meeting all their requirements which was provided in their CF-1 form that was filed on September 29, 2026, but was not filed on time due to changes within their accounting department; requesting the council to support this.

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

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

Mr. Botich advised Councilman Przybylinski that this company relocated from Illinois to Michigan City which occupies this vacant building and then made property improvements with the dedication on these improvements are 1.3 million dollars.

Councilman Dabney stated that he is in support of this resolution as this company is meeting all the requirements but filed there forms late.

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

Clerk Neulieb read the following proposed resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION 5005

A RESOLUTION OF THE MICHIGAN CITY COUNCIL IN SUPPORT OF THE 2026 MICHIGAN CITY AREA SCHOOLS REFERENDUM

WHEREAS, high-quality public education, robust educational resources, and dedicated community support are essential to the growth, safety, and long-term prosperity of our city and its residents; and

WHEREAS, protecting and sustaining dedicated funding for special education and special needs programming is vital to ensuring that all students receive the individual support, dignity, and care they require to thrive; and

WHEREAS, retaining exceptional, highly qualified educators requires competitive compensation, fair pay, and dedicated local financial investment; and

WHEREAS, providing safe, reliable, and efficient student transportation across the entire school district is fundamental to ensuring equal educational access and student attendance; and

WHEREAS, maintaining strict fiscal accountability, complete transparency, and clear public reporting for all revenues raised ensures that every dollar spent produces direct, measurable improvements for students; and

WHEREAS, adequate funding is necessary to prevent severe disruptions to student learning and maintain classroom continuity amidst ongoing enrollment pressures and financial constraints.

NOW, THEREFORE, BE IT RESOLVED BY THE MICHIGAN CITY COMMON COUNCIL AS FOLLOWS:

1. The Michigan City Common Council hereby declares its full support for the passage of the 2026 Michigan City Area Schools Referendum.

2. The Michigan City Common Council encourages community members, leaders, and stakeholders to support our public schools, educators, and students by backing the key initiatives funded through the Michigan City Area Schools 2026 Referendum.

3. The Michigan City Common Council emphasizes the necessity of maintaining full transparency, public accountability, and regular performance updates regarding all expenditures associated with the 2026 Michigan City Area Schools Referendum.

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

Introduced by: /s/Bryant Dabney
/s/Tim Bietry
/s/ Nancy Moldenhauer
/s/ Don Przybylinski

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

Councilman Dabney stated this is in support of the referendum for the Michigan City Area Schools that will help keep funding available to keep adequate staff and teachers, along with extra circular programs for our students to receive a good education.

Councilman Przybylinski stated this referendum is due to the passing of Senate Bill 1 with cutting the funding of education along with passing of new taxes to our residences, as we must invest in our school system and if this passes it will cost a small monthly fee and asked for the support of our community to pass this.

Councilwoman Moldenhauer stated this is for the future for our children's education and community as all the school staff provides a roll to our students lives, if this referendum does not pass this will cut various positions and programs, as many other cities has passed these referendum, it plays a part in the economic importance of having a strong school system; asking the council to support this proposed resolution and for the public to vote yes.

Councilman Bietry advised that this is happening due to the State of Indiana cutting educational funding, this referendum is supporting our school system for our children educational needs and asked our community to vote yes.

Councilman Dabney stated that a calculator is available online to project the monthly cost based on the assessed value of your home; advising that a $200,000 home would run $48.00 monthly total.

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

Roger Willoughby, 401 E. 7th Street, stated that the Post Tribune has an article on the numbers across Northwest Indiana regarding the referendums that are being voted on for our local school systems; and that our government is making the leaders do more with less; stating that 40% of our county is on public aid and is having a hard time just making it.

Paul Przybylinski, 1716 Washinton Street, advised he is a lifelong resident of the second ward, advising the door hanger left at his resident regarding the proposed school referendum does not provide any information of the amount of money they will be receiving or how it will be spent; stating his concerns with the monthly payment the homeowners would pay if the referendum is approved and the conflict of interest between certain council members and our local school system; asking the council to table this and hold a workshop to provide the facts to the public.

Bill Newton, 604 Black Oak Drive, stated he attended the meetings that was held by Michigan City Area Schools and there is no explanation on how the money will be spent on increasing taxes and the improvement of the schools; that the school does not reflect their recent test scores but rather the number of graduates that doesn't set up our youth for a great future.

Tommy Kulavik, (ZOOM) 1316 Ohio Street, encouraged the public to vote early and support this referendum.

Mayor Angie stated that she supports the proposed referendum; advising that this is a shift of funds from property taxes to local income taxes and that It is important for residents to live and work within our community, that our population is a big concern and so is the improvements that is needed for our school system; that previously our school system went out for a referendum and it failed, which resulted in a loss of additional educational support programs and staffing; that many other schools in surrounding communities have passed referendums that has helped those schools grow; encouraging our community to vote in support of this referendum; and that this resolution demonstrate the city's support.

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

Councilman Dabney advised on what the funds would be used for, if the referendum passes.

Councilman Przybylinski stated he feels employees and former employees view this referendum as an investment into our education for our children and the future of our city.

Councilman Dr. Kora stated he sees the difficult decisions residents have to make due to inflation, cost of gas and an increase in taxes but the quality of our school system is linked to our economic development and that he supports the referendum.

Councilwoman Lee stated she is in full support of the referendum but due to her current position with the Michigan City Area Schools she will be abstaining from voting on this proposed resolution.

Councilman Dabney made a motion to approve the proposed resolution, second by Councilman Coulter, motion carried and the resolution was approved by the following vote: **AYES:** Council members Coulter, Dabney, Dr. Kora, Moldenhauer (ZOOM) , Nelson (ZOOM), Przybylinski, Tillman, and Bietry (8) **NAYS:** Council members (0) **ABSTAND**: Lee (1)

Clerk Neulieb read the following proposed resolution by title only.

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

Councilman Przybylinski stated that he is in support of this proposed resolution as it is against NIPSCO, as he is opposed to the rate increase that has been proposed to the IURC, reading in its entirety.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION 5006

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, SUPPORTING THE UNITED STEELWORKERS LOCAL UNION 12775, DISTRICT 7's PETITION TO STRENGTHEN NIPSCO STAFFING, RELIABILITY, AND STORM RESPONSE FOR NORTHERN INDIANA

WHEREAS, reliable electric and natural gas service is a public necessity for public safety, economic development, healthcare, education, and quality of life for the residents and businesses of Michigan City; and

WHEREAS, Northern Indiana Public Service Company (NIPSCO) provides electric and natural gas service to Michigan City and the surrounding region; and

WHEREAS, the derecho that struck Northern Indiana on August 11, 2026 caused widespread outages across LaPorte, Lake, and Porter Counties, and the City of Michigan City worked closely with NIPSCO throughout the restoration effort; and

WHEREAS, severe weather events have shown the value of well-staffed local crews who know our communities, understand our infrastructure, and can be deployed quickly when outages occur; and

WHEREAS, aging infrastructure, economic growth, and increasingly severe weather are placing greater demands on the utility system serving Northern Indiana; and

WHEREAS, United Steelworkers Local Union 12775, District 7 has circulated a petition titled "*Keep Utility Jobs Local: Strengthen NIPSCO Staffing, Reliability, and Storm Response for Northern Indiana*;" (Said petition is attached hereto and incorporated herein as **Exhibit A**; *see also* said petition online at Strengthen NIPSCO Staffing, Reliability, and Storm Response for Northern Indiana - Action Network); and

WHEREAS, the petition calls on state leaders, regulators, and local elected officials to assess current utility staffing needs, develop workforce growth targets, support utility apprenticeship expansion, encourage local hiring and training initiatives, and ensure communities receive the level of utility service and emergency preparedness they deserve; and

WHEREAS, a permanent local utility workforce lives in our communities, pays taxes in our communities, and is available year-round, while mutual aid crews remain a valued resource during major emergencies; and

WHEREAS, the City of Michigan City has hosted and funded two (2) Indiana Plan classes for Michigan City residents, creating a direct pathway into skilled trades careers; and

WHEREAS, the City of Michigan City established an internship program that has served more than forty (40) interns over the last two and a half (2 ½) years, with several members of the first cohort hired as full-time City employees and several interns returning for additional terms; and

WHEREAS, the City of Michigan City has partnered with Goodwill Industries on a re-entry program and will continue to support local workforce initiatives and host interns; and

WHEREAS, the goals of this petition of the United Steelworkers Local Union 12775, District 7 align with and strengthen the workforce development work already underway in Michigan City;

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

1. The aforementioned "whereas" sections are incorporated herein as if fully set forth herein.

2. The Common Council supports the petition of United Steelworkers Local Union 12775, District 7 to strengthen NIPSCO staffing, reliability, and storm response for Northern Indiana, which is attached hereto as "Exhibit A."

3. The Common Council respectfully calls upon Governor Mike Braun, the Indiana General Assembly, the Indiana Utility Regulatory Commission, and the Indiana Office of Utility Consumer Counsel to:
   a. Assess current utility staffing needs in Northern Indiana;
   b. Develop workforce growth targets;
   c. Support utility apprenticeship expansion;
   d. Encourage local hiring and training initiatives; and
   e. Ensure Northern Indiana communities receive the level of utility service and emergency preparedness they deserve.

4. The Common Council encourages the Indiana Utility Regulatory Commission to consider workforce adequacy and emergency response readiness in proceedings affecting NIPSCO customers, and encourages public reporting on frontline staffing levels, vacancy rates, storm restoration performance, contractor use, and workforce development investment.

5. The City Clerk is directed to send certified copies of this Resolution to the following:
   a. Governor Mike Braun;
   b. State Senator Rodney Pol, Jr, District 4;
   c. State Representative Randy Novak, District 9;
   d. The Indiana General Assembly, through the Speaker of the House and the President Pro Tempore of the Senate;
   e. The Indiana Office of Utility Consumer Counselor;
   f. The Indiana Utility Regulatory Commission; and
   g. United Steelworkers Local Union 12775, District 7

6. This Resolution takes effect upon its passage and approval.

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

Note: Exhibit "A" is filed in the Clerk's Office in file CR- 116

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

Ryan Baker President and Abraham Dudley, Safety Chair representing the United Steelworkers Local Union 12275, District 7, asked for the councils support regarding the petition asking for a full investigation into NIPSCO staffing levels; advising that low staffing will make restoration and everyday services suffer; on August 11, 2026 a storm happened and NIPSCO required their employees to work long hours, gas emergencies, power restoration, downlines and public safety concerns ranging from LaPorte County to the Illinois state line that exposed NIPSCO as the problem; there employee count is down 20%; as the rates rise the work is being directed to out of state contractors, but the company should supplement a strong local workforce to keep our communities safe; as the local workers live, pay taxes and raise their families here and are quick to respond in any necessary needs; advised the petition does not demand specific headcount but it strictly asked for transparence, accountability, and an investigation into current staffing are enough to protect the public by providing a reliable service.

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

Paul Przybylinski 1716 Washington Street, stated he supports this resolution and the United Steel Workers Union brothers; asking this council to contract a consultant against NIPSCO and demand for this to be investigated by the IURC as most of our community was without power for weeks.

Johannes Poulard, 205 Shadow Trail, asked the council to look at the NIPSCO shareholders; stating several reasons and concerns that you will get all your answer by looking into who is in control.

Steve Coyle, 2015 Oriel Trail, stated his concerns with NIPSCO, and that Mr. Ed Holiday, Republican is responsible for the rate hike structure; encouraging the community to vote different at the next election to make a change.

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 questions or comments from the Council.

Councilman Przybylinski made a motion to approve the proposed resolution, second by Councilman Dabney, motion carried and the resolution was approved by the following vote: **AYES:** Council members Dabney, Dr. Kora, Lee, Moldenhauer (ZOOM) , Nelson (ZOOM), Przybylinski, Tillman, Bietry, and Coulter (9) **NAYS:** Council members (0)

ORDINANCES

Clerk Neulieb read the following proposed ordinance on second reading by titled only.
ORDINANCE OR RESOLUTION FOR APPROPRIATION AND TAX RATES

Introduced by: Bryant Dabney

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

Councilman Dabney advised he will be making an amendment in council comments.

President Tillman stated the formal public hearing will be held on October 6, 2026, and was downloaded to Gateway on September 24, 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", there was no response, stating the formal public hearing is now closed.

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

Councilman Dabney advised that during budget hearings the finance committee voted and approved a budget reduction that would need to be approved by the council; in Fund No. 2209 – Lit Economic Development Fund Police 202- with the original request in the amount of $181,800.00 and the dedication in the amount of $181,800.00 for a revised amount of zero; the fund was duplicated in the 2027 proposed budget document.

Councilman Dabney made a motion to approve the proposed budget to remove from Fund No. 2209-Lit Economic Development Fund Police 202 in the amount of $181,800.00, seconded by Councilman Dr. Kora.

Attorney Harris advised this amendment must be presented to the City Clerk in writing.

Councilman Dabney stated that he did not have the amendment in writing prior to making the motion.

Clerk Neulieb stated that according to the city's Municode any amendment being proposed has to be in writing.

Attorney Harris advised Councilman Dabney that since the amendment is not ready to act on this evening you can table this on second reading.

Attorney Harris advised Councilman Dabney that the proposed amendment will need to be separate from the Finance Committee minutes.

Councilman Dr. Kora made a motion to TABLE this ordinance on second reading until the October 20, 2026, meeting; seconded by Councilman Nelson.

Mayor Angie advised that there is a time limit for the budget, but a vote can be held to suspend the rules to have an amendment on third reading at the next meeting and not table this but it will require two thirds vote in favor.

Attorney Harris advised this is the correct way to go due to the timely manner and that everyone would need to be on board to have amendments on third reading.

President Tillman withdrew the motion to have this TABLED until the October 20, 2026, council meeting.

President Tillman asked if there were any other comments from the council, there was no response; stating that this proposed ordinance will be held over on third reading at the October 20th, 2026, council meeting.

Clerk Neulieb read the following proposed ordinance on second reading by titled only.

AN ORDINANCE SETTING SALARIES AND WAGES FOR APPOINTED OFFICIALS AND EMPLOYEES OF THE CITY OF MICHIGAN CITY, INDIANA, FOR THE CALENDAR YEAR 2027

Introduced by: Bryant Dabney

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

Councilman Dabney advised that the amendments that are being made have been provided to the Clerk's Office and will be making the following pay rate change for Planning and Inspections – the high end pay rate was listed at $69,345.00 for the Associate Planner but should be listed at $62,000.00; made a motion to amend the salary ordinance by substitution; seconded by Councilman Bietry, the motion carried and the ordinance was approved by the following vote: **AYES:** Council members Dr. Kora, Lee, Przybylinski, Tillman , Bietry, Coulter, and Dabney (7) **NAYS:** Council members None (0)

Attorney Harris advised due to this being a budgetary matter Councilwoman Moldenhauer and Councilman Nelson are attending virtually they are not eligible to vote on any matters concerning the budget.

Councilman Dabney advised that under the Street Department a position needed to be added of a Field Supervisor with a salary range of $56,000.00 to $62,000.00; made a motion to amend the ordinance adding in the Field Supervisor with a salary range of $56,000.00 to $62,000.00; seconded by Councilman Bietry.

Councilman Dabney stated that he made two separate motion to vote separately.

Clerk Neulieb advised that these both were included in the amendment received from City Attorney LaPaich.

Councilman Dabney stated he did this individually as one (1) was for Planning and Inspections and one (1) was for the Street Department.

The motion carried and the amendment was approved by the following vote: **AYES:** Council members Dr. Kora ,Lee, Przybylinski, Tillman , Bietry, Coulter, and Dabney, (7) **NAYS:** Council members None (0)

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

President Tillman asked if there were any comments from the council, there was no response; stating that this proposed ordinance will be held over on third reading at the October 20th, 2026, council meeting.

Clerk Neulieb read the following proposed ordinance on second reading by titled only.

AN ORDINANCE SETTING THE ANNUAL SALARY FOR THE MAYOR

Introduced by: Bryant Dabney

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

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

President Tillman asked if there were any comments from the council, there was no response; stating that this proposed ordinance will be held over on third reading at the October 20th, 2026, council meeting.

Clerk Neulieb read the following proposed ordinance on second reading by titled only.

AN ORDINANCE SETTING THE ANNUAL SALARY FOR THE CITY CLERK

Introduced by: Bryant Dabney

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 comments from the public, repeating three times, there was no response.

President Tillman asked if there were any comments from the council, there was no response; stating that this proposed ordinance will be held over on third reading at the October 20th, 2026, council meeting.

Clerk Neulieb read the following proposed ordinance on second reading by titled only.

AN ORDINANCE SETTING THE ANNUAL SALARIES FOR THE COMMON COUNCIL MEMBERS

Introduced by: Bryant Dabney

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

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

Paul Przybylinski 1716 Washington Street stated he doesn't feel the council should receive a raise due to all the new taxes being implemented to the city residents.

President Tillman asked if there were any comments from the council, there was no response; stating that this proposed ordinance will be held over on third reading at the October 20th, 2026, council meeting.

NEW BUSINESS

President Tillman asked if there was any new business.

Clerk Neulieb stated the 2027 Common Council meeting dates.

President Tillman advised the 2027 Common Council meeting dates reflect the change of the Primary Election Day, National Police Night Out, and the General Election.

Councilman Bietry made a motion to approve the 2027 Council meeting dates, second by Councilman Przybylinski, the motion carried, and the 2027 Council meeting dates was approved by the following vote: **AYES**: Council members Lee, Moldenhauer (ZOOM), Nelson (ZOOM), Przybylinski, Tillman, Bietry, Coulter, Dabney, and Dr. Kora (9) **NAYS:** None (0).

The 2027 Common Council meeting dates have been approved.

UNFINISHED BUSINESS

President Tillman asked if there was any unfinished business

Clerk Neulieb stated there was no unfinished business.

COMMENTS FROM THE PUBLIC

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

Roger Willougbhy 401 E. 7th Street stated his concerns with the disconnection and transparency from the elected officials with the general public; and that the deal for the Google Data Center was approved by the Redevelopment Commission.

Johannes Poulard, 205 Shadow Trail, thanked the council for removing the expansion of the Flock system and asked when the current contract is up for the removal of all cameras that have been placed throughout the city and have the police be more present in our community.

MCPD Assistant Chief Shiparski stated that during this process of the Flock expansion the department has been transparent, updated policies and procedures, and made the system stronger as technology involves and that these changes will continue to stay with the department during audits and hold those accountable by setting clear expectation for the use of information, and tools entrusted professionally, lawfully, and responsibly.

Dominic Yankee 904 Willow Spring Drive stated his concerns with the transparency regarding the Data Center Moratorium.

Paul Przybylinksi, 1716 Washington Street, stated that if a better deal was negotiated with the data center, then there would be money for our school system; suggesting ways to cut the budget; asked what the weight limit is for the garbage toters and have the toters been ordered for the yard waste; suggested to have the Sustainability Commission help reclaim the use of our city dump.

Tommy Kulavik, 1316 Ohio Street, stated that the Michigan City Fall Cleanup is happening at the Airport; and Go Wolves beat the Slicers.

Anastasia Gumms, 222 Springland Ave., thanked the Council for removing the Flock expansion but asked for the current contract to be cancelled stating her concerns with the Flock system.

Amy Losinski 104 Mayfeild Drive stated the money proposed the Flock system should be used to hire more Police Officers; asked if the budget could reflect who is hired locally verse who is not; stated her concerns with the Google Data Center and her FOIA requests.

Bill Newton, 604 Black Oak Drive, stated that the LaPorte County Board of Commissioners will be glad to help with verbiage for the Data Center 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 the Council had any comments Council at this time.

Councilman Przybylinski thanked the Michigan City Police Department for their hard work and dedication and having transparency with the public regarding the Flock camera system.

President Tillman thanked public and the councilmembers for attending this council meeting this evening as it was a lengthy agenda.

ADJOURNMENT

A motion by Councilman Przybylinski, second by Councilman Dr. Kora and there being no further business to transact, Councilman Przybylinski declared the meeting **ADJOURNED** (approximately 10:42 p.m.)

Tracie Tillman, President

Gale A. Neulieb, City Clerk