



FILED

MAR 12 2020

GALE A. NEULIEB  
CITY CLERK  
CITY OF MICHIGAN CITY

**AGENDA**  
**COMMON COUNCIL - REGULAR MEETING**  
**Tuesday, March 17, 2020**

Meeting to be held at **6:30 p.m.**, local time,  
in the Common Council Chambers, City Hall Building  
100 East Michigan Boulevard, Michigan City, Indiana

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**CALL TO ORDER BY COUNCIL PRESIDENT**

**PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER**

**ROLL CALL**

**APPROVAL OF MINUTES**

Regular Meeting March 3, 2020

**REPORTS of STANDING COMMITTEES**

**FINANCE COMMITTEE REPORT**

**CLAIMS DOCKET**

Fund #2042 – Riverboat Claims \$ 2,266.05  
Riverboat EFT \$ 507,842.70  
Fund #2031 – Boyd Development - \$ 4,634.68

**REPORTS of SPECIAL or SELECT COMMITTEES**

**REPORTS of OTHER CITY OFFICERS and DEPARTMENTS**

**PETITIONS**

**COMMUNICATIONS**

Correspondence received in the Clerk’s Office on Mach 9, 2020  
from DLZ – Weekly Activities Report – ESG Energy Project

Correspondence received in the Clerk’s Office March 12, 2020  
From Frank Fernandez representing “Stop The Great Lakes Nuclear  
Dump”

Correspondence received in the Clerk’s Office March 4, 2020 from  
Clarence Hulse, Economic Director of MCEDC regarding his 2019  
Annual Report

**RESOLUTION**

**ORDINANCE**

**ORDINANCE  
1<sup>st</sup> Reading**

**CREATING SECTION 2-410.2 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO CREATE AN AIRPORT DONATION FUND**

**Introduced by: Gene Simmons**

**ORDINANCE  
2<sup>nd</sup> Reading**

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BARKER CIVIC CENTER FUND FOR THE PURCHASE OF SUPPLIES TO RESTOCK THE GIFT SHOP FOR THE BARKER CIVIC CENTER**

**Introduced by: Bryant Dabney**

(DECREASE Barker Civic Center Fund # 2070 Unappropriated balance \$1,200.00. INCREASE ACCOUNT# 2070.000.429.001 \$1,200.00 Other Supplies)

**News Dispatch  
February 25, 2020**

**Formal Public  
Hearing will be held  
March 17, 2020**

**ORDINANCE  
2<sup>nd</sup> Reading**

**AN ORDINANCE TO AMEND SECTION 2-399 OF THE MICHIGAN CITY MUNICIPAL CODE DESIGNATING THE COMMON COUNCIL AS THE CITY AGENCY WITH THE SOLE AUTHORITY TO APPROVE PURCHASE ORDERS FROM THE CITY'S RIVERBOAT FUND AND BOYD DEVELOPMENT FUND**

**Introduced by: Bryant Dabney  
Co-Sponsor: Tracie Tillman  
Paul A. Przybylinski  
Don. Przybylinski**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

Dion Campbell, Chief of the Michigan City Police Department –  
Police Department Vision and Core Values for 2020

Franciscan Health Michigan City - Coronavirus

Dr. Anil Chawla, Vice President Medical Affairs

Dr. Al-Haddadin, Medical Director Infectious Disease

Laura Kalman, RN, Infection Preventionist

**FYI:** The Council has one (1) appointment to the Commission of Sustainability expiring May 1, 2020: Incumbent – Ms. Nancy Moldenhauer

Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the appointment of Ms. Amanda Beutner as a member of the Michigan City Port Authority Board (term to begin March 31, 2020 and will expire March 30, 2024).

Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the appointment of Mr. Socrates Gray as a member of the Michigan City Port Authority Board (term to begin April 1, 2020 and will expire March 31, 2024).

Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the re-appointment of Mr. Samuel Ferguson as a member of the Michigan City Port Authority (term will begin immediately and expire April 14, 2024).

Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the appointment of Mr. John Hendricks as a member of the Michigan City Historic Review Board (term will begin immediately and will expire March 15, 2023).

Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the appointment of Ms. Janet Toyra-Smith as a member of the Michigan City Historic Review Board (term will begin immediately and expire March 15, 2023).

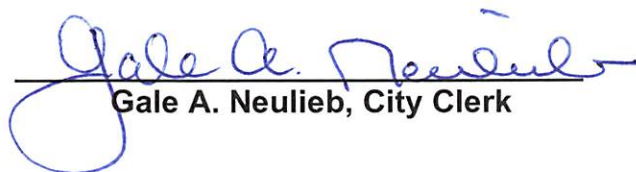
Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council for the re-appointment of Mr. Billy Greene as a member of the Michigan City Historic Review Board (term will begin immediately and will expire March 1, 2023).

### **COMMENTS FROM THE PUBLIC**

### **COMMENTS FROM THE MAYOR**

COMMENTS FROM THE COUNCIL

ADJOURNMENT



Gale A. Neulieb, City Clerk

Please contact the Clerk's Office at 219-873-1410 if you require information regarding building accessibility or reasonable accommodations. Office hours are Monday-Friday from 8:00 a.m. to 4:30 p.m.

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. \_\_\_\_\_

CREATING SECTION 2-410.2 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO CREATE AN AIRPORT DONATION FUND

WHEREAS, the need exists to create an Airport Donation Fund to receipt money contributed to the Michigan City Municipal Airport from contributions and donations from persons, businesses, and organizations, fundraisers, and other possible sources and outline what expenditures may be made from said Fund; and

WHEREAS, in addition, the need exists to create Sec. 2-410.2 in Chapter 2 of the Michigan City Municipal Code for purposes of establishing said Fund.

NOW, THEREFORE, BE IT ORDAINED, by the Michigan City Common Council that Section 2-410.2 in Chapter 2 of the Michigan City Municipal Code shall be created to read as follows:

Section 2-410.2. Airport Donation Fund Established.

There is hereby established an Airport Donation Fund. This Fund shall be a restricted, non-reverting fund. The purpose of this Fund shall be for the receipt of money from contributions from persons, businesses, and organizations, fundraisers, and other possible sources and said monies shall be used by the Board of Aviation Commissioners. Expenditures from this Fund shall be used for the following purposes:

- (1) Materials and supplies for use in the operation of the Commission;
(2) Education of the public, including promotional, educational, and training supplies, and for community events;
(3) Training and advocacy for Commission members, including transportation and lodging;
(4) Educational scholarships; and
(5) Grants to entities, organizations, or activities identified under Indiana Code as being able to receive aid from a unit, which include the following:
a. Parks, playgrounds and recreational facilities and programs (IC 36-10-2-2);
b. Museums, cultural, historical, and scientific facilities and programs, and community restitution or service facilities and programs (IC 36-10-2-4);
c. Neighborhood centers, community centers, civic centers, convention centers as defined by IC 36-10-1-5, auditoriums, arenas, and stadiums (IC 36-10-2-5);
d. Transportation systems (IC 36-9-2-2);
e. Hospitals (IC 36-8-2-5); and
f. Airports, bus terminals, rail terminals, and transportation facilities (IC 9-2-3).

The Commission shall not use the funds in its Donation Fund for any other purposes than those stated herein.

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: \_\_\_\_\_

Gene Simmons, Member
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Sean Fitzpatrick, President
Michigan City Common Council

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Duane Parry, Mayor
Michigan City, Indiana

ATTEST:

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

Prepared by Corporation Council Upon Request

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. \_\_\_\_\_

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BARKER CIVIC CENTER FUND FOR THE PURCHASE OF SUPPLIES TO RESTOCK THE GIFT SHOP FOR THE BARKER CIVIC CENTER

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 2020 Annual Budget to provide funding for the purchase of supplies to restock the gift shop for the Barker Civic Center; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Barker Civic Center Fund #2070 to be appropriated for that purpose.

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

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Barker Civic Center Fund # 2070 Unappropriated balance	\$1,200.00	
INCREASE ACCOUNT# 2070.000.429.001 Other Supplies		\$1,200.00
<b>TOTAL FOR FUND</b>	<b>\$1,200.00</b>	

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

INTRODUCED BY: \_\_\_\_\_

Bryant Dabney, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

Sean Fitzpatrick, President  
Michigan City Common Council

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Duane Parry, Mayor  
City of Michigan City, Indiana

ATTEST:

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

Prepared by Corporation Counsel Upon Request



MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. \_\_\_\_\_

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INCREASE ACCOUNT# 2070.000.429.001 Other Supplies		\$1,200.00
<b>TOTAL FOR FUND</b>	<b>\$1,200.00</b>	

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

INTRODUCED BY: \_\_\_\_\_  
Bryant Dabney, Member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Sean Fitzpatrick, President  
Michigan City Common Council

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Duane Parry, Mayor  
City of Michigan City, Indiana

ATTEST:

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

Prepared by Corporation Counsel Upon Request

**MICHIGAN CITY COMMON COUNCIL**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND SECTION 2-399 OF THE MICHIGAN CITY MUNICIPAL CODE DESIGNATING THE COMMON COUNCIL AS THE CITY AGENCY WITH THE SOLE AUTHORITY TO APPROVE PURCHASE ORDERS FROM THE CITY'S RIVERBOAT FUND AND BOYD DEVELOPMENT FUND**

**WHEREAS**, on July 6, 2010, the Michigan City Common Council enacted Ordinance No. 4096, which was codified in Section 2-399 of the Michigan City Municipal Code, to establish the Common Council as the sole authority to approve any and all claims, expenditures and transfers from the City's Riverboat and Boyd Development Funds; and

**WHEREAS**, Sec. 2-399 currently reads as follows:

***"Sec. 2-399. - Riverboat fund; Boyd development fund.***

*The common council is designated as the city agency with the sole authority to approve any and all claims against, and any and all expenditures and transfers from, the city's riverboat fund and Boyd development fund.*

*(1) No expenditure or transfer from the city's riverboat fund or Boyd development fund shall be allowed or made without the written approval of the common council.*

*(2) The city controller shall timely prepare an appropriate claims/accounts payable vouchers for approval by the common council at a public meeting.*

*(3) The city controller, as he deems necessary, shall timely prepare an appropriate written request to transfer funds from the city's riverboat fund and Boyd development fund, along with an appropriate resolution approving the transfer, for the common council's approval at a public meeting.*

*(4) The claims/accounts payable vouchers and requests transfers shall be prepared in a timely fashion so as to avoid the city incurring any late payment penalties or unnecessary delay or default in payment of any of the city's bills.*

*(5) The controller shall submit the appropriate supporting documentation, including that required by state law and the state board of accounts, to the common council for each claim/accounts payable voucher the common council is asked to approve;" and*

**WHEREAS**, on June 5, 2017, the Michigan City Board of Public Works & Safety enacted the City's Purchasing Policy, and Section 6.1(A) of the Purchasing Policy states that *"If a purchase is over \$500.00, prior to completing the purchase, the Purchasing Agent shall submit a purchase order to the City Controller's Office for approval to purchase;"* and

**WHEREAS**, the Michigan City Common Council has determined that the need exists to amend Sec. 2-399 to follow Section 6.1(A) of the City's Purchasing Policy and to grant the

Common Council with authority to approve an expenditure from the City's Riverboat Fund and/or Boyd Development Fund prior to the actual purchase of goods or services by a City Department.

**NOW, THEREFORE, BE IT ORDAINED** that Section 2-399 of Chapter 2 of the Michigan City Municipal Code shall be amended to now read as follows:

**Sec. 2-399 – Riverboat Fund; Boyd Development Fund**

The Common Council is designated as the City agency with the sole authority to approve any and all claims against and any and all expenditures and transfers from the City's Riverboat Fund and Boyd Development Fund.

1. With the exception of an emergency purchase as defined in I.C. 5-22-10-4, no expenditure or transfer from the City's Riverboat Fund or Boyd Development Fund shall be allowed or made without the prior approval of a purchase order for the purchase by the Michigan City Common Council at a public meeting.
2. For each purchase order the Common Council is asked to approve, the City Controller shall prepare an appropriate purchase order, accompanied by the appropriate documentation, including that required by Indiana law, the Indiana State Board of Accounts, and by the City's Purchasing Policy, (ie: quotes, bids, etc... as outlined in the City's Purchasing Policy effective June 5, 2017, which may include the relevant documentation that had been submitted to the Michigan City Board of Public Works & Safety for approval prior to said purchase) and submit it to the Common Council prior to the meeting at which it is to be considered for approval by the Common Council.
3. The City Controller, as deemed necessary, shall timely prepare an appropriate written request to transfer funds to fund the purchase order from the City's Riverboat Fund or Boyd Development Fund, along with an appropriate resolution approving the transfer, for the Common Council's approval at a public meeting.
4. The City Controller shall submit a report detailing each payment against all previously approved purchase orders paid for from the City's Riverboat Fund and Boyd Development Fund. The report shall include vendor name, amount of payment, purchase order number, check number, date of payment, and balance, if any, remaining on said purchase order.
5. All claims/accounts payable vouchers and requests for transfers shall be prepared in a timely fashion to avoid the City incurring any late payment penalties or unnecessary delay or default in payment of any of the City's bills.

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

**INTRODUCED BY:** \_\_\_\_\_

Bryant Dabney, Member  
Michigan City Common Council

**CO-SPONSOR** \_\_\_\_\_

Tracie Tillman, Member  
Michigan City Common Council

**CO-SPONSOR** \_\_\_\_\_

Paul A. Przybylinski, Member  
Michigan City Common Council

**CO-SPONSOR** \_\_\_\_\_

Don Przybylinski, member  
Michigan City Common Council

Passed by the Common Council of the City of Michigan City, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2020 by a vote of \_\_\_\_\_ to \_\_\_\_\_.

\_\_\_\_\_  
Sean Fitzpatrick, President  
Michigan City Common Council

Approved by me, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Duane Parry, Mayor  
City of Michigan City, Indiana

ATTEST:

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