

## REGULAR MEETING – June 16, 2008

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, June 16, 2008, at the hour of 9:00 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City, Indiana - a regular meeting room of this Board.

The meeting was called to order by Anthony Metzcus, who presided.

**Noted Present:** Anthony Metzcus, President; Mayor Charles Oberlie, Member; (2).

**Absent:** John Schaefer, Member (1).

### A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

John Espar, Corporate Council  
Sgt. Jeff Loniewski, Traffic Division, M.C.P.D.  
John Pugh, Director, Planning & Inspection  
Jim Elwell, Superintendent, Central Services  
Jack Kahn, Director, Street Department  
Bill Phelps, City Engineer  
Dave Lamb, Fire Chief, M.C.F.D.  
Joe Siegel, Zoning Administrator  
Russ Hatfield, Code Inspector  
Charlie Cate, Superintendent, Central Maintenance  
John Doyle, Doyle & Associates

Jason Miller, The News Dispatch

Thomas Fedder, City Clerk  
Kim Sliwa, Assistant Deputy City Clerk

### APPROVAL OF MINUTES

Mayor Oberlie moved the minutes of the Regular Meeting of June 3, 2008, be approved as printed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

### CONDEMNATION STATUS/INSPECTION REPORTS

#### 513 Pleasant Avenue – Eugene Hollins, owner

Russ Hatfield, Code Enforcement Officer, addressed the Board regarding this structure. Mr. Hatfield informed the Board that this property was condemned by Code Enforcement; and that he has met with Mr. Hollins regarding the steps that need to be taken for a through inspection. Mr. Hatfield is working with Mr. Hollins and will present the findings of his follow up inspection at the next scheduled meeting (July 7, 2008).

**\*Note:** No motion required at this time for this item.

## ORDER TO DEMOLISH

### 717 & 721 E. Michigan Blvd., Mark Pastoret – owner

Russ Hatfield, Code Enforcement Officer, addressed the Board regarding the status of these two separate properties; and reminded the Board that Mr. Pastoret asked the Board for assistance from the City in the demolition of the two properties. Mr. Hatfield requested the Board take into consideration assisting the owner with the removal of these structures; and allow the Inspection Department to issue the Orders to Demolish.

Mr. Pastoret has gone before the Historic Review Board and has received a “Certificate of Appropriateness”. He has also had an independent contractor evaluate the structures.

Mayor Oberlie made the motion pursuant to Indiana statute, for the Inspection Department to proceed with the solicitation/quotations for Demolition of 717 E. Michigan Boulevard. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

Mayor Oberlie made the motion pursuant to Indiana statute, for the Inspection Department to proceed with the solicitation/quotations for Demolition of 721 E. Michigan Boulevard. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

## CORRESPONDENCES

### STREET CLOSING

The following correspondence was received in the Clerks Office on June 10, 2008, from Tawania Glover, 310 Huron Street, M.C.:

My name is Tawania Glover and I reside at 310 Huron Street. On Saturday, July 12, 2008, I am giving an Appreciation party for my grandmother.

I am requesting permission to block off a portion of my street (*Huron Street*) between 10<sup>th</sup> And 9<sup>th</sup> Street for the party. The party will begin at 1 p.m. and end at 7 p.m.

If the board could offer its assistance with this situation, it would be greatly appreciated. Barricades will be needed.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board stating the Traffic Division recommends approving this request as there are plenty of other detours that the residents can use; and this function should not be too much of an inconvenience to the residents or emergency vehicles.

Mayor Oberlie accepted the recommendations of the Traffic Division, and made the motion to authorize this request. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

### STREET CLOSING

The following correspondence was received in the Clerks Office on May 29, 2008, from Leonardo Victory, Co-Founder Shaka-Hand Maka-Friend, 304 Grace Street, M.C.:

On Saturday August 16, 2008, we are planning to hold our 7<sup>th</sup> Youth Appreciation Day and we are respectfully requesting that the streets be blocked off with your permission and the streets are as follows:

Walker Street between Grace and Woodland Avenue  
Edward Street between Holiday and Walker Street  
Helen Street between Holiday and Walker Street;

The time frame we are seeking is between 9:AM and 6:PM, we also respectfully request barricades from the City and/or Park Department to insure the safety of the children.

The event will be utilizing Walker Street Park as well. Your assistance in this Great cause will be greatly appreciated.

We thank you for supporting our event each year you have.

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division, addressed the Board stating this is an Annual Event, and given the amount of youth and others that participate, the Traffic Division recommends accepting this approval for the safety of the pedestrians.

Mayor Oberlie made the motion, if it passes, a copy should be sent to the Park Department for confirmation for the use of Park facilities; and moved to accept the recommendation of the Traffic Division to allow for the closings. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **RIGHTS-OF-WAY ENCROACHMENT-South Park Street**

Bill Phelps, City Engineer, addressed the Board, giving maps of the locations to the Board Members and Corporate Council; Mr. Phelps went on to explain the maps to the Board regarding the Rights-Of-Way Encroachment on South Park Street, Coolspring Avenue, and Brinkman Avenue; and how these encroachments affect the city streets and that they need to be removed. Mr. Phelps is asking the Board for their recommendations.

Mayor Oberlie authorized the Corporate Council for the City to provide notice to the owners to remove the encroachments, or the City will do it. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

#### **REQUEST FOR OUTDOOR SEATING-Sahara Restaurant, 1701 Franklin Street**

The following correspondence was received in the Clerks Office on June 12, 2008, from Kathy Kirkland, Management of Sahara Restaurant:

We are writing to request permission to provide outdoor seating at our location on the corner of Franklin and Homer. Outdoor seating is important to our business for several reasons; primarily, our establishment is small. Second, many of our customers prefer to dine al fresco. We are known for exceptional service and accommodating customer requests is the foundation of our success. We have many out-of-town diners who make a trip into Michigan City for our unique cuisine and comfortable atmosphere. Given the nature of the previous establishments at this address (lingerie shows and other questionable activity), we feel we have provided a much more respectable attraction at this site, thereby helping boost the reputation of the city. This is a reasonable request. Thank you for your time and consideration.

Mr. Moe Mroueh, owner, Sahara Restaurant, addressed the Board requesting outdoor seating be allowed at his restaurant.

Mayor Oberlie made the motion to refer this request to the Corporate Council, who will report back to the Board at their next meeting with a recommendation. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

Russ Hatfield, Code Enforcement Officer, addressed the Board stating that the Code Group stopped there about a complaint of alcoholic beverages being served outdoors.

**WATER PROBLEM – 216 Belmont Court, Ruthe & Howard Tobias, owners**

The following correspondence was received in the Clerks Office on June 12, 2008, from Ruthe and Howard Tobias, 216 Belmont Court:

For fifty years we have lived in this house and every time we have a heavy rain we have a lake in the street in front of our house. After complaining many times, the city has put gravel on the side of the street, but it does not stop the water that remains in the middle of the street.

After the recent rains we have had the water filled our street. Although the water has now dried up, there remains a terrible odor in the street. Although there are sewers at the ends of our block, it does not help our situation.

We hope you can find a solution to our problem. Please investigate and advise us of your decision. We will be awaiting your reply.

Mayor Oberlie moved to refer the matter to the Sanitary District and for them to report back to the Board at the next meeting on July 7, 2008. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

**CLAIMS AND PAYROLL**

Mr. Metzcus, moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The Motion was seconded by Mayor Oberlie and carried as follows: **AYES: MEMBERS Metzcus, Oberlie (2). NAYS: None (0). Motion carries.**

The Board signed: Payroll Items in Register of Claims for informational purposes (which Register is in the possession of the City Controller) as follows:

Page	Date	Amount
1 of 9	06/06/2008	\$425,564.86

Allowance of claims as set forth in the Register of Claims as follows:

Page	Date	Amount
1 of 6	06/16/2008	\$1,914,923.14

## **VEHICLE DISPOSAL**

Charlie Cate, Superintendent, Central Maintenance, addressed the Board requesting the disposal of city vehicles; seven (7) of the vehicles to go to a local salvage yard for scrap as they are not in drivable condition. The other five (5) vehicles would be put up for public auction, with notice being given by the Clerks Office, similar to past disposals.

Mayor Oberlie moved to accept the recommendation to terminate the surplus/unneded items, authorize the department to proceed with the salvage scrap list as requested; and the solicitation of bids through an auction process for the other items. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None (0). Motion carries.**

## **VEHICLE PURCHASE AND BID REQUEST**

Charlie Cate, Superintendent, Central Maintenance, addressed the Board for the approval of a vehicle purchase and bid request to be coordinated through the Clerks Office as this will be a public bid process. This is an approved budget item for a Single Axle, 48,000 GVWR 10 ft. Dump Truck, with 10 ft. Auger Spreader Box with material controls, 10 ft. Front Plow w/quick hitch, 10 ft. Underbody Plow.

Mr. Metzcus made the motion to approve the request as presented. The motion was seconded by Mayor Oberlie and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None. Motion carries.**

## **REQUEST TO DELETE VEHICLE FROM FIRE DEPARTMENT FLEET**

Dave Lamb, Fire Chief, M.C.F.D., reported to the Board that the Fire Department has taken possession of a new Dodge Durango to replace a 1997 Crown Victoria and requested that this vehicle be taken off the Fire Department's Inventory/Assets.

Mayor Oberlie made the motion for the Fire Department to turn the vehicle over to Charlie Cate of Central Maintenance, who would then be responsible for the transfer process of that vehicle to the Park Department for their Security car. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus and Oberlie (2). NAYS: None. Motion Carries.**

## **FIR STREET IMPROVEMENT PROJECT**

John Doyle of Doyle & Associates, Project Manager for the Fir Street Improvement Project, addressed the Board reporting on the status of this project.

## **2008 PAVING**

Bill Phelps, City Engineer, reported to the Board the status of the paving that has been underway in the City; they are now a week behind due to rain. Mr. Phelps reported that Lakeshore Drive has been postponed; and the plan is still going to be paving with a single pass which will close Lakeshore Drive temporarily. Mr. Phelps will be scheduling a meeting which will include M.C.P.D. Traffic Division and Emergency Management to coordinate the publicity for the closure; it was suggested utilizing the

volunteers/reserves from the two organizations to help with traffic control the day of the paving. Mr. Phelps went on to explain more of the paving that will be done.

For public informational purposes, Mayor Oberlie asked Mr. Phelps to update the Board at each meeting on the status of the paving as the news paper is represented here to help the public stay informed.

## **ADJOURNMENT**

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, declared the meeting ADJOURNED (approximately 9:55 a.m.).

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Thomas F. Fedder, City Clerk