



A G E N D A
COMMON COUNCIL - REGULAR MEETING
Tuesday, March 3, 2020

FILED
FEB 27 2020
GALE A. NEULIEB
CITY CLERK
CITY OF MICHIGAN CITY

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

CALL TO ORDER BY COUNCIL PRESIDENT

PLEDGE OF ALLEGIANCE TO THE FLAG and PRAYER

ROLL CALL

APPROVAL OF MINUTES

Regular Meeting February 18, 2020

REPORTS of STANDING COMMITTEES

FINANCE COMMITTEE REPORT

CLAIMS DOCKET

Fund #2042 – Riverboat – Claims - \$ 11,102.70
Fund #2031 – Boyd Development - \$ 00.00

REPORTS of SPECIAL or SELECT COMMITTEES

REPORTS of OTHER CITY OFFICERS and DEPARTMENTS

PETITIONS

COMMUNICATIONS

Correspondence received in the Clerk’s Office on February 17, 2020 and February 24, 2020 from DLZ – Weekly Activities Report – ESG Energy Project

Correspondence received in the Clerk’s Office on February 18, 2020 From Energy System Group – City of Michigan City: Energy & Infrastructure Project

Correspondence received in the Clerk’s Office on February 21, 2020 From Mr. George Kazmierczak regarding his re-appointment to the Enrichment Corporation Board

Correspondence received in the Clerk’s Office on February 26, 2020 from Kei Constantinov, Secretary of the Elston Grove Neighborhood Association re-appointing Laura Henderson as their representative on the Tree Board

RESOLUTION

A RESOLUTION INCREASING AND DECREASING CERTAIN APPROPRIATIONS WITHIN THE BUDGET OF THE PUBLIC ART COMMISSION IN THE GENERAL FUND #1001 FOR THE YEAR 2020 IN MICHIGAN CITY, INDIANA

Introduced by: Bryant Dabney

REQUESTING THE MICHIGAN CITY PLAN COMMISSION AND THE MICHIGAN CITY PLANNING AND INSPECTION DEPARTMENT TO WAIVE BUILDING PERMIT AND INSPECTION FEES

Introduced by: Angie Nelson Deutch

ORDINANCE

**ORDINANCE
1st 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)

**ORDINANCE
1st 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

ORDINANCE
3rd Reading

**AMENDING THE MUNICIPAL CODE SECTION 2-57(b) TO ADD
LANGUAGE TO SAID SECTION REGARDING COUNCIL
SPONSORSHIP OF AN ORDINANCE OR RESOLUTION**

Introduced by: Paul Przybylinski
Co-Sponsor: Don Przybylinski

UNFINISHED BUSINESS

VOTE: The Council has one (1) appointment to the Commission on the Social Status of African American Males:
Incumbents: Ms. Tracie Tillman - Council Appointment – term Expires 2-15-2020

Nomination: The Common Council has one (1) appointment to the Michigan City Tree Board– term expires March 15, 2020 (Neighborhood Association Representative) Incumbent: Ms. Laura Henderson

Nominations: The Council has one (1) appointment to the Michigan City Enrichment Corporation expiring 03-31-2020. Incumbent: George Kazmierczak

NEW BUSINESS

FYI: Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council regarding his Appointment of Ms. Bunny Dimke as a member of the Michigan City Board of Cemetery Trustees. (Term beginning immediately and expires 12-31-2020)

La'Tonya Troutman – Annual Report for Social Status of African American Males Commission

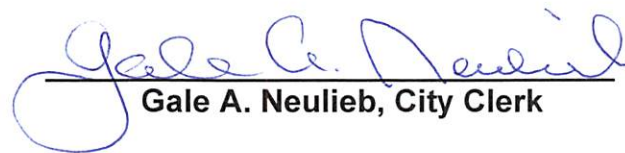
Clarence Hulse, Economic Development Corporation Executive Director – 2019 Update

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

RESOLUTION _____

**A RESOLUTION INCREASING AND DECREASING CERTAIN APPROPRIATIONS
WITHIN THE BUDGET OF THE PUBLIC ART COMMISSION IN THE GENERAL
FUND #1001 FOR THE YEAR 2020 IN MICHIGAN CITY, INDIANA**

WHEREAS, there exists certain circumstances within the budget of the Public Art Commission in the General Fund #1001 which require increasing and decreasing appropriations for certain line items in that Fund for the year 2020.

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

Section 1. Because it is deemed advisable and necessary, in order to meet the circumstances facing the budget of the Public Art Commission in the General Fund of the City, the Common Council approves the following transfer of appropriations, as listed, to-wit:

PUBLIC ART COMMISSION OF GENERAL FUND #1001

DECREASE:	A/C #1001.500.429.001	\$4,500.00
	Other Supplies	
INCREASE:	A/C #1001.500.431.050	\$4,500.00
	Professional Services	

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

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.

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

RESOLUTION NO. _____

**REQUESTING THE MICHIGAN CITY PLAN COMMISSION AND THE
MICHIGAN CITY PLANNING AND INSPECTION DEPARTMENT TO
WAIVE BUILDING PERMIT AND INSPECTION FEES**

WHEREAS, Michigan City Common Council has given support to the need to keep low-income residents of Michigan City safe and healthy in energy-efficient homes; and

WHEREAS, North Central Community Action Agencies, Inc. (NCCAA) is a non-profit corporation that works in partnership with low-income and disabled residents in need of ramps for and weatherization of their homes; and

WHEREAS, NCCAA requires an application from a potential recipient of the Ramp and/or Weatherization Program to determine eligibility for the NCCAA's services; and

WHEREAS, NCCAA receives funding from local foundations and private donations for the Ramp Program for purchase of building materials and receives funding for the Weatherization Program from the Department of Energy, through the Indiana Housing Community Development Authority (IHCDA), to assist low-income families with home modifications that help conserve energy and lower heating costs; and

WHEREAS, upon completion, there are no costs assessed to those families; and

WHEREAS, NCCAA works with homeowners and provides energy education in the Weatherization Program; and

WHEREAS, the Common Council wishes to have the City lessen the financial and time burden for NCCAA for construction of ramps for the low-income elderly and disabled of Michigan City as well as for the weatherization for the low-income residents so that they can proceed with providing these services without delay and undue costs.

NOW, THEREFORE, BE IT RESOLVED, by the Michigan City Common Council that, in order to encourage and assist in the construction of ramps and weatherization improvements in Michigan City for families who could not otherwise afford these services, respectfully requests that the Michigan City Plan Commission and the Planning and Inspection Departments waive all fees for the construction of ramps and weatherization services by North Central Community Action Agencies, Inc.

Upon the passage of this Resolution, the City Clerk will send a copy to each member of the Plan Commission, the Board of Public Works and Safety, and to the Planning and

Inspection Departments for their consideration and compliance and for future production to the State Board of Accounts.

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

INTRODUCED BY: _____
Angle Nelson-Deutch, Council Member

CO-SPONSOR _____
Michael Mack, Council Member

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

Sean Fitzpatrick, President

Approved by me, this _____ day of _____, 2020.

Duane Parry, Mayor
City of Michigan City, Indiana

ATTEST:

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

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
TOTAL FOR FUND	\$1,200.00	

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

INTRODUCED BY: _____

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

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. _____

AMENDING THE MUNICIPAL CODE SECTION 2-57(b) TO ADD LANGUAGE TO SAID SECTION REGARDING COUNCIL SPONSORSHIP OF AN ORDINANCE OR RESOLUTION

WHEREAS, Section 2-57(b) of the Michigan City Municipal Code currently reads as follows: “(b) No ordinance or resolution shall be introduced unless the requirements of Council Resolution No. 4365, as amended, have been fulfilled and unless a copy has been delivered via electronic mail to the e-mail address of each council member at least 96 hours prior to the meeting;” and

WHEREAS, the need exists to amend Section 2-57(b) to add language to clarify that no ordinance or resolution shall be sponsored by a member-elect of the Michigan City Common Council until such time as said member-elect actually assumes their respective elected office on the Michigan City Common Council under Indiana law.

NOW, THEREFORE, BE IT ORDAINED, by the Michigan City Common Council that Section 2-57(b) of the Michigan City Municipal Code shall be amended to read as follows:

- (b) No ordinance or resolution shall be introduced unless the following have been met:
- (1) The requirements of Council Resolution No. 4365, as amended, have been fulfilled;
 - (2) A copy of the proposed ordinance or resolution has been delivered via electronic mail to the e-mail address of each council member at least 96 hours prior to the meeting; and
 - (3) The Michigan City Common Council member sponsoring the proposed ordinance or resolution has actually assumed their respective elected office on the Michigan City Common Council under Indiana law.

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

INTRODUCED BY: _____

Paul 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.

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