

# REGULAR ZOOM MEETING – January 19, 2021

The Board of Public Works, and Safety of the City of Michigan City, Indiana met in regular session on Monday morning, January 19, 2021, at the hour of 8:30 a.m., local time, hosted by “ZOOM” and streamed live on “My Michigan City” Facebook page.

The meeting was called to order by President, Andrew White, who presided.

**Noted present:** Andrew White, Virginia Keating, Mayor Duane Parry (3) **Absent:** (0)

## A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich, Corporate Counsel  
Kaleb Goodwin, IT/Web Designer  
Jeff Wright, City Engineer  
Skyler York, Planning Director  
Chris Johnsen, Water Department  
Charlie Keene, General Insurance Services  
Asst. Chief, David Cooney, Michigan City Police Department  
Chief Doug Legault, Michigan City Fire Department

Gale Neulieb, City Clerk  
Dawn Debald, Deputy Clerk  
Kristina Zawacki, Assistant Deputy Clerk

## APPROVAL OF MINUTES

Mayor Parry moved the minutes of the Regular “Zoom” meeting of January 4, 2021 be approved as presented. The motion was seconded by Vice-President Keating.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries.**

## RESOLUTION – DETERMINING THAT FUNDING FOR CERTAIN OUTSTANDING PURCHASE ORDERS SHOULD BE ENCUMBERED AND AUTHORIZING THE CITY CONTROLLER TO ENCUMBER SUCH FUND

Corporate Counsel, Amber Lapaich explained the following Resolution to the Board.

### RESOLUTION NO. 2817

#### DETERMINING THAT FUNDING FOR CERTAIN OUSTANDING PURCHASE ORDERS SHOULD BE ENCUMBERED AND AUTHORIZING THE CITY CONTROLLER TO ENCUMBER SUCH FUNDS

**WHEREAS**, the City of Michigan City, is an Indiana municipal corporation governed by its duly elected Mayor and Board of Public Works & Safety; and

**WHEREAS**, the Board of Public Works & Safety has the authority to approve claims for those departments and political subdivisions within its jurisdiction; and

**WHEREAS**, the City of Michigan City has outstanding purchase orders in various funds that the services or products have not yet been paid as listed in Exhibit A; and

**WHEREAS**, in order to complete certain projects, programs, or purchases using funding set aside in previous fiscal years, and in order to be consistent with Indiana law and Indiana Department of Local Government Finance (DLGF) procedures, the encumbrances must be authorized by a resolution adopted by the Board of Public Works & Safety; and

**WHEREAS**, the City Controller of the City of Michigan City, Indiana recommends the approval of the various services or products that have not yet been paid for as listed in Exhibit A.

**NOW, THEREFORE BE IT RESOLVED BY THE MICHIGAN CITY COMMON COUNCIL, INDIANA as follows:**

Section 1. That those certain City purchase orders identified in Exhibit A, which is attached hereto and made a part hereof, are hereby approved.

Section 2. The City Controller of the City of Michigan City is hereby directed to encumber the funding for said purchase orders in the appropriate accounts.

This Resolution shall be in full force and effect after passage by the Michigan City Board of Public Works & Safety.

Vice-President Keating made the motion to approve the Resolution – **DETERMINING THAT FUNDING FOR CERAIN OUTSTANDING PURCHASE ORDERS SHOULD BE ENCUMBERED AND AUTHORIZING THE CITY CONTROLLER TO ENCUMBER SUCH FUNDS**; second by Mayor Parry.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries.**

**RESOLUTION – APPROVING THE EXTENSION OF THE EMERGENCY PAID SICK LEAVE ACT ENACTED UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

Corporate Counsel, Amber Lapaich explained the following Resolution to the Board.

**RESOLUTION NO. 2818**

**APPROVING THE EXTENSION OF THE EMERGENCY PAID SICK LEAVE ACT ENACTED UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

**WHEREAS**, on December 30, 2020, Mayor Parry issued Executive Order No. 17-2020, which extended the Emergency Paid Sick Leave Act (“EPSLA”) under the Families First Coronavirus Response Act (“FFCRA) to City employees, who qualify under the terms of EPSLA to March 31, 2021; and

**WHEREAS**, with the exception of the Water Department, Sanitary Department, and Port Authority, the Michigan City Board of Public Works is responsible for defining employee benefits for City employees and setting policy for the City; and

**WHEREAS**, the Michigan City Board of Public Works approves the extension of the Emergency Paid Sick as set forth in Mayor’s Executive Order 17-2020, which is attached hereto as “Exhibit A.”

**NOW, THEREFORE, BE IT RESOLVED BY THE MICHIGAN CITY BOARD OF PUBLIC WORKS AND SAFETY AS FOLLOWS:**

1. The aforementioned “Whereas” sentences are incorporated herein as if fully set forth herein.
2. Effective as of January 1, 2021, the mandates of the Emergency Paid Emergency Paid Sick Leave Act (“EPSLA”) enacted under the Families First Coronavirus Response Act (“FFCRA”) are hereby extended to City employees, who qualify under the terms of said Act, until March 31, 2021. For purposes of clarity, a qualifying City employee is only entitled to this benefit one (1) time regardless of whether the qualifying event(s) occurred in 2020 or 2021.

This Resolution will be in full force and effect from and after its passage by the Board.

Vice-President Keating made the motion to approve the Resolution – **APPROVING THE EXTENSION OF THE EMERGENCY PAID SICK LEAVE ACT ENACTED UNDER THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT**; second by Mayor Parry.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

**INTERLOCAL AGREEMENT-Approval of Interlocal Agreement between the City of Michigan City, Indiana and Michigan City Area Schools to provide two (2) school resource officers for a one (1) year term starting January 1, 2021 and ending December 31, 2021 in the total sum of \$100,000 paid to the City by MCAS**

Corporate Council Amber Lapaich addressed the Board stating this would be a contract renewal for another year.

Gale Neulieb, City Clerk stated that the City Council approved the Resolution for this agreement.

Mayor Parry made the motion to approve the agreement between the City of Michigan City, Indiana and Michigan City Area Schools to provide two (2) school resource officers for a one (1) year term starting January 1, 2021 and ending December 31, 2021 in the total sum of \$100,000.00 paid to the City by MCAS. The motion was seconded by Vice-President Keating.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

**REQUEST TO PURCHASE CITY PROPERTY - Larry Hausen, 703 E. Lincolnway, is requesting to purchase City property located at 725 E. Michigan Boulevard Parcel #46012830201000022**

Mayor Parry stated that he had done some investigating on this parcel of property and determined that it was purchased by the Redevelopment Commission several years ago; advising this item should be removed from the agenda and referred to the Redevelopment Commission.

Mayor Parry made the motion to remove this request from the agenda and refer this item to the Redevelopment Commission. The motion was seconded by Vice-President Keating.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

**LOCAL ROADS AND BRIDGES MATCHING GRANT AGREEMENT-Agreement between the City of Michigan City, and the Indiana Department of Transportation (INDOT) to award a grant in the sum of \$775,218.89; contract #A249-21-LG-200502; commencing on the date approved by the State Budget Agency and remaining in effect for two (2) years**

Corporate Counsel, Amber Lapaich addressed the Board stating that this is an annual Community Crossings Grant; advising there is an additional appropriation and Resolution pending in front of the Council at this time; explaining if the City Council does not approve the funding the Board would just amend the scope of the project and continue moving forward on the contract.

Mayor Parry stated this is a two-component agreement; advising a fair amount of the paving that is being done is in a TIF district that is being paid for by the Redevelopment Commission with TIF funds; the rest of it is being paid for through motor vehicle highway and those funds are controlled by the City Council; explaining if the City Council does not approve the proposed ordinance this part of the agreement will not proceed.

Discussing ensued between Vice-President Keating and Counsel Lapaich regarding if the City Council does not approve the agreement would it change the total sum of the grant. Counsel Lapaich stated it would change and with this agreement being a matching grant, the City would have to come up with 50% of the funds.

Mayor Parry made the motion to approve the agreement between the City of Michigan City and the Indiana Department of Transportation (INDOT) to award a grant in the sum of \$775,218.89; contract #A249-21-LG-200502. The motion was seconded by Vice-President Keating.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

**DISCIPLINARY EXTENSION REQUEST-Chief Doug Legault, Michigan City Fire Department is requesting an extension of time to investigate a disciplinary issue until February 17, 2021**

Chief Doug Legault addressed the Board stating that he is anticipating this being the last time they need an extension; advising this is still under investigation.

Vice-President Keating made the motion to approve the request to extend the time of investigation for a disciplinary issue until February 17, 2021. The motion was seconded by Mayor Parry.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

Barrett Taylor, President, of Local #475 addressed the Board with his concerns regarding the incident and extension.

**REQUEST FOR UNIFORM CHANGE - Chief Doug Legault, Michigan City Fire Department is requesting a uniform change for their Class B uniforms (Dress shirts from light blue to dark blue)**

Chief Doug Legault addressed the Board stating that right now their Class B uniform shirts are light blue; explaining their supplier informed them that it is getting difficult to find the light blues; and a lot of other departments are going to dark blue; advising there is a huge turn over with firefighters right now so it is the perfect time to change.

Discussion ensued between Mayor Parry and Chief Legault regarding if the new shirts are in their clothing allowance. Chief Legault stated the shirts are covered by the clothing allowance.

Mayor Parry made the motion to approve the Michigan City Fire Department's request for a uniform change for their Class B uniforms. The motion was seconded by Vice-President Keating.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

**INSURANCE POLICY RENEWAL-Charles Keene, General Insurance Services is requesting approval for the City of Michigan City, along with the Sanitary District for Workers Compensation Insurance and the Workers Compensation Buffer Layer Excess Insurance, Policy term 1/15/2021-1/15/2022**

Charles Keene, General Insurance Services addressed the Board and gave them an explanation of the background on this project and a break down of all the different components; sharing a brief summary of the changes for 2021; advising he will be making a presentation to the Sanitary District on February 24, 2021 as they are a part of the Workman's Compensation program.

Mayor Parry stated that General Insurance Services is very dedicated to serving Michigan City and helped the City to decide to self-insure and save the City money through out the years; and the City has been represented by General Insurance very well. Mayor Parry wanted to thank General Insurance for everything they have done for the City throughout the years.

Mayor Parry made the motion to approve the renewal policy for the City of Michigan City along with the Sanitary District for Worker's Compensation and the Worker's Compensation Buffer Layer Excess Insurance; policy term 01/15/21-01/15/2022. The motion was seconded by Vice-President Keating.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

**INDIANA DEPARTMENT OF TRANSPORTATION (INDOT)**

The following correspondence was received in the City Clerk's Office on January 11, 2021 from Breanne Freese, LPA Program Director:

Dear Mr. Wright:

This letter is to inform you that INDOT LaPorte District is in receipt of your Closeout Letter and supporting documentation for the above referenced project. We have reviewed and found that the documentation appears to be in order. We are transmitting documentation to Central Office Finance for review.

Per the executed Local Roads and Bridges Matching Grant Agreement, Section 8 Audits and Maintenance of Records, "Grantee shall submit to an audit of funds paid through this Grant Agreement, and shall make all books, accounting records and other documents available at all reasonable times during the term of this Grant Agreement and for a period of three (3) years after final payment for inspection by the State or its authorized designee."

President White stated that this item was for informational purposes only.

**EMERGENCY STREET CLOSURE-Christopher Johnsen, Assistant Superintendent, Michigan City Water Works, is submitting a street/lane permit to notify the Board of Works of the emergency closure of East Michigan Boulevard on Wednesday, January 13, 2021 from 8:00 a.m. to 3:00 p.m. (Note: for informational purposes only)**

**CLAIMS AND PAYROLL**

Vice-President Keating 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 Parry and carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries.**

**CLAIMS DOCKET****January 15, 2021**

Municipal Claims	\$1,154,150.20
CDBG	\$ 53,233.51
Health & Life	\$ 537.90
2011 Refunding Bonds	\$ 84,190.39
DBL Track Operation	\$ 1,250.00
Ohio St. Project Const.	\$ 79,537.43
<b>Total Claims</b>	<b>\$1,372,899.43</b>

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

**PAYROLL DOCKET****January 4, 2021**

City Payroll Total:	\$553,484.23
City Pension Total:	\$218,563.52

Mayor Parry made the motion to approve the payroll docket; the motion was seconded by Vice-President Keating and carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries.**

**UNFINISHED BUSINESS**

**President White stated the first item on the Pending Items List is a request from Paul Przybylinski concerning unused old hanging poles/wires that belong to NIPSCO/Comcast that need to be removed from City right-of-way**

Mayor Parry stated that he and Jeff Wright, City Engineer have made phone calls to NIPSCO and Comcast regarding this matter; stating that nothing can be done to speed up the process of getting these poles taken care of; advising they will continue to stay on top of NIPSCO and Comcast to get this resolved; explaining the City can't just remove the poles due to the poles being connected to Comcast and AT&T services.

**President White stated the next item on the Pending Items List is a request from Cora Cambridge, 220 Gladys Street, is requesting NIPSCO to switch the pole around in front of 227 for the light to hang over the street and not on the private property**

Jeff Wright, City Engineer stated that NIPSCO has added the installation of the light to their schedule; but he has no date of when it will be completed.

**President White stated the next item on the Pending Items List is a request from Don Przybylinski, 215 Gardena Street-for the City to have an audit done on the ADA accessible crossings**

Jeff Wright, City Engineer addressed the Board stating that he had contacted Midwest Electric and they stated that they would send an email with all of the crossings/push buttons that were repaired between U.S. 20 and 4<sup>th</sup> Street; advising all the work is done and he is waiting on a summary of the work that has been completed; explaining as soon as Midwest Electric sends the audit list he will send it out to everyone.

**PUBLIC COMMENTS**

Mayor Parry stated that he received an agenda request from the Michigan City Police Department; asking for approval to enter into an agreement with AMC movie theater for a short-term rental for training purposes from January 15, 2021 till January 25, 2021.

Mayor Parry made the motion to approve the agreement between Michigan City Police Department and AMC Movie theater from January 15, 2021 till January 25, 2021. The motion was seconded by President White.

The motion carried as follows: **AYES: MEMBERS White, Keating and Parry (3). NAYS: (0). Motion Carries**

**BOARD COMMENTS**

There were no Board comments

**ADJOURNMENT**

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, asked for a motion to ADJOURN the meeting at approximately 9:27 a.m. Vice-President Keating made the motion to Adjourn. The motion was seconded by Mayor Parry.

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Gale A. Neulieb, City Clerk