

REGULAR ZOOM MEETING – February 16, 2021

The Board of Public Works, and Safety of the City of Michigan City, Indiana met in regular session on Tuesday morning, February 16, 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
Chief Dion Campbell, M.C.P.D
Ed Shinn, Park Superintendent
Chief Doug Legault, M.C.F.D
Chris Vanderborg, Code Enforcement Officer
Jeff Bruder, M.C.F.D. Fire Marshall
Sue Downs, Building Commissioner
Jeff Wright, City Engineer

Gale Neulieb, City Clerk
Dawn Debald, Deputy Clerk

APPROVAL OF MINUTES

Vice-President Keating moved to approve the minutes of the Regular “Zoom” meeting of February 1, 2021 as presented; second by Mayor Parry.

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

PARADE REQUEST – Ed Shinn, Park Superintendent, representing the Michigan City Special Events Committee, is requesting approval for a reverse parade at Fedder’s Alley on Saturday, March 13, 2021 from 1:00 p.m. to 2:30 p.m.

Ed Shinn, Park Superintendent addressed the Board explaining his request and the route they will use for the reverse parade; advising there will be a food drop off at the Senior Center; stating that he met with Captain Jeff Loniewski, M.C.P.D. Traffic Division who advised him that EMA volunteers and the M.C.P.D. will help with directing traffic and he has no issues with this request; further stating if the bridge is closed they will route cars through the exit and reverse the parade; further explaining there will be two (2) groups of spectators going through the parade; one group of spectators at 1:00 p.m. and one group of spectators at 1:30 p.m.; this will split up the traffic up.

Mayor Parry stated that by holding this event, the City is establishing an event schedule for 2021 that was badly impacted in 2020 by the Covid-19 pandemic.

President White made the motion to approve the request by Ed Shinn, Park Superintendent, representing the Michigan City Special Events Committee for a reverse parade at Fedder’s Alley on Saturday, March 13, 2021 from 1:00 p.m. to 2:30 p.m. The motion was seconded by Mayor Parry.

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

PURCHASE REQUEST- David Cooney, M.C.P.D., Chief of Operations, is requesting approval to trade in old patrol equipment for updated electronics for the M.C.P.D. Chaplain’s vehicle; trade in amount of \$2,593.00 and new parts/service in the amount of \$2,593.00; this will be an even trade

Chief Dion Campbell addressed the Board stating this is outdated equipment that the M.C.P.D. can no longer use; advising the Chaplain’s vehicle is in need of new lighting and radio’s; explaining that they are trading in outdated equipment for new equipment; further stating the lowest quote was JB Detail in the sum of \$2,593.00; the trade in equipment is worth \$2,593.00; further advising this will be an even trade.

President White made the motion to approve the trade in of old patrol equipment for updated electronics for the M.C.P.D. Chaplain’s vehicle by David Cooney, M.C.P.D., Chief of Operations; trade in amount of \$2,593.00 and new parts/service in the amount of \$2,593.00; this being an even trade. The motion was seconded by Mayor Parry.

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

REQUEST FOR SOLICITATION OF BIDS/APPROVAL OF BID PACKET – Jeff Wright, City Engineer is requesting approval to solicit bids for the 2021 Miscellaneous Street Paving project and approval of the bid packets

Corporate Counsel, Amber Lapaich-Stalbrink addressed the Board stating she is in support of this request; advising they contemplated the meeting will still be via “Zoom” in March when the bids are due; stating they detailed in the bid specifications a way for bidders to get set up with a secured email address thru the City’s server so they can submit their bids electronically; the bids will be open the second meeting in March, which is March 16, 2021.

President White made the motion to approve the solicitation of bids for the 2021 Miscellaneous Street Paving project and approval of the bid packets. The motion was seconded by Mayor Parry.

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

APPEAL HEARING- Paul Patel, representing Aarna Inc. DBA King’s Inn, 201 W. Kieffer Road, is formally requesting a sixty (60) day extension to bring rooms up to code; Jeff Bruder, Fire Marshall, M.C.F.D. cited several life safety violations.

Aarna, Inc. (d/b/a: King’s Inn) Appeal: Aarna, Inc, by and through owner, Panav Patel, filed an Appeal in the City Clerk’s Office on February 3, 2021 requesting additional time to comply with the following two (2) orders: 1.) A Notice & Order for Kings Inn issued by the Fire Marshal on January 25, 2021 pursuant to Sec. 54-5 of the Michigan City Municipal Code; and 2.) an Order to Repair for Kings Inn issued by the Planning & Inspection Department on January 21, 2021 pursuant to Sec. 22- of the Michigan City Municipal Code, which adopted the Indiana Unsafe Building Law.

Two (2) separate appeal hearings were conducted, one appeal hearing pertaining to the Fire Marshal’s Order, and the second appeal hearing pertaining to the Planning Department’s Order.

With respect to the first hearing pertaining to the Fire Marshal’s Order, Mr. Patel, on behalf of Aarna, Inc, appeared in person and by counsel, Todd Andrew Perkins. Michigan City Fire Marshal, Jeff Bruder, appeared. Witnesses were sworn and evidence was presented to the Board. At the conclusion of the evidence, a motion was made by President White to sustain the Fire Marshal’s Order and modify said order in part to allow Mr. Patel an extension of time until March 26, 2021 to comply with Section B of the Order. Mayor Parry seconded the motion.

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

With respect to the second hearing pertaining to the Planning Department’s Order to Repair, Mr. Patel, on behalf of Aarna, Inc, appeared in person and by counsel, Todd Andrew Perkins. Michigan City Planning Department appeared by Skyler York (Director), Sue Downs (Building Commissioner), and Christine Vanderborg (Code Enforcement Officer). Witnesses were sworn and evidence was presented to the Board. At the conclusion of the evidence, Virginia Keating made a motion to affirm the Planning Department’s Order, and President White seconded the motion.

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

CLAIMS AND PAYROLL

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

CLAIMS DOCKET	<u>February 16, 2021</u>	
	Municipal Claims	\$627,477.90
	CDBG	\$0.00
	Health & Life	\$16,930.74
	Workers Comp.	\$218,375.73
	Total Claims	\$862,784.37

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

PAYROLL DOCKET	February 12, 2021 Payroll Claims Docket was not available – Per the Controller’s Office
	City Payroll Total: \$0.00

UNFINISHED BUSINESS

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

Jeff Wright, City Engineer addressed the Board stating he did not have an update regarding this matter.

Mayor Parry addressed the Board stating that himself and Mr. Wright have been in contact with NIPSCO and Comcast; advising the poles are within NIPSCO's easement, and we would be trespassing if we went onto their property; this would also be a liability issue; explaining we have done everything we can to this point.

President White stated attempts have been made to contact both NIPSCO and Comcast.

President White made the motion to revisit this at the second meeting in April, which is April 19, 2021. The motion was seconded by Mayor Parry.

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

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

President White stated correspondence was received from Ms. Cambridge stating that the light has been installed and she is happy it has finally been completed.

President White made the motion to remove this matter from the pending items/unfinished business list. The motion was seconded by Vice-President Keating.

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

PUBLIC COMMENTS

Doug Legault, Chief, M.C.F.D. addressed the Board stating recent information has come out pertaining to the incident that occurred on November 5, 2020; asking for an extension of up to thirty (30) days to determine a course of action.

Mayor Parry addressed the Board asking them to grant Chief Legault the extension; advising there is pending action that is being taken at this time.

Mayor Parry made the motion to approve a thirty (30) day extension to extend investigation by Chief Doug Legault, M.C.F.D. so that he can determine a course of action; The motion was seconded by Vice-President Keating.

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

BOARD COMMENTS

President White stated we have quite a bit of snow and cold temperatures; please check up on loved ones and friends; asking residents to reach out and ask for help to clear the snow; advising he wants everyone to be safe and warm.

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 10:39 a.m. President White made the motion to Adjourn. The motion was seconded by Vice-President Keating.

Gale A. Neulieb, City Clerk