

REGULAR MEETING – March 2, 2021

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, March 2, 2021 at the hour of 6:30 p.m., Hosted by “Zoom” and streamed live on “My Michigan City” Facebook Page.

The meeting was called to order at 6:30 p.m. by Council President Michael Mack.

Roll call was authorized, and the following were noted present and/or absent.

PRESENT: COUNCIL MEMBERS Bryant Dabney, Sean Fitzpatrick, Michael Mack, Angie Nelson Deutch, Don Przybylinski, Paul Przybylinski, Gene Simmons, Dalia Zygas and Tracie Tillman (9).

ABSENT: None (0).

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Jim Meyer – Council Attorney, Gale Neulieb City Clerk and Deputy Clerk Dawn Debald.

NOTE: President Mack stated that there was a typographical error on page 3 of tonight’s agenda that the rezoning ordinance for Lake & Blaine, LLC should have stated to be on 3rd reading not 2nd Reading this evening.

APPROVAL OF MINUTES

President Mack inquired whether there were any corrections, deletions, or additions to the minutes of the Regular “Zoom” Meeting of February 16, 2021; there was no response.

President Mack asked for a motion to approve the Regular Council “Zoom” meeting minutes from February 16, 2021; with a motion from Councilman D. Przybylinski and second by Councilman P. Przybylinski. The minutes were approved as printed 9 -0.

REPORTS of STANDING COMMITTEES

Councilwoman Tillman presented the following summary of the “Snow Removal on Sidewalks Workshop” that was held on February 25, 2021 at 5:00 p.m.

Snow removal on sidewalks Workshop

Held on Thursday, February 25, 2021 @ 5 pm, via: zoom recorded

In attendance:

Councilwoman Tracie Tillman

Councilman Don and Paul Przybylinski

Councilman Dabney

Councilman Fitzpatrick

Street department: Shung Smith, Cranston Harris,

Controller Hoffmaster

Connie Adams

Mr. Michaels

Mr. Dempsey

Mr. Kilovach

Purpose of the workshop was to gather recommendations on what is needed to execute such a snow removal sidewalk program.

Councilwoman Tillman stated due to the accumulation of snow we have seen the lack of sidewalks being cleared whether by residents, occupants or city; this is being reviewed by attorney Council. The accumulation of snow posed a safety issue of the people of city of Michigan City.

Councilwoman Tillman Safety findings: snow on sidewalks, inaccessible to bus stop pedestrians had to stand in the streets, school bus stop kids standing in the streets, ADA push buttons crossing intersections inaccessible and fire hydrants covered up from snow not accessible.

Equipment needed: to get started two new Kubotas; current two the city have is two small and the other is two large.

Mr. Cranston Harris manpower needed: full –time can be utilized and used to assist in the summer time with leaf pick up, Part-time help is workable Mr. Harris would need 5 but could get the work done with 6 or more employees.

Three quotes provided by Shung Smith:

Frontier - John Deer B Plow \$37,500 6-8 inches

Rigs in LaPorte \$41,000 6-8 inches

Company on line \$42,000 guarantee to go through a foot of snow

Controller Hoffmaster: Stated we do not have funds in the budget at this time.

Controller Hoffmaster was asked to see if funds could be appropriated from the other sources etc.

Redeveloped have no money; but if the Mayor direct her to appropriate funds Mrs. Hoffmaster will do whatever the Mayor tells her to do.

Councilwoman Tillman said a meeting will be schedule with the Mayor to discuss the need to have funds appropriated to purchase equipment, hire employees and/or to contact/lease out.

Instead spending; possible a service as on call as needed.

Mr. Harris stated that Prisoners has been allowed to clear bus stops in the past but was restricted due to COVID-19, last year; and at one point was not allowed to have them to return, unsure as to why under past administration.

Councilman Dabney sent an email out but did not receive a reply re: contracting out, and his concern was cost and agreed the use the labor of the prison workers to assist, look into possible a lease program.

Mr. Harris suggested that possible a small lease program: But personal would still be needed to operate the equipment.

Vector was taking away from the Street department and assigned to Park & Rec. A conversation is need with the Mayor and the Parks Department Director if their staff could assist when needed.

Controller Hoffmaster: Keep in mind that seasonal help work to many hours could make City lose its seasonal status.

Councilman Don Przybylinski suggested that since the city fire department knows where the fire hydrants are located why can't a crew be sent out to look at fire hydrants and to clear the snow from them; or when a call is put in to them.

Can the refuse staff use their 2-3 hours to assist with removing snow from the sidewalks after they complete their daily tasks?

Councilman Don Przybylinski suggested that Business that has their property plowed privately leaves large amount of snow on sidewalks; should the snow mounts remain on sidewalk; businesses should be fined.

Captain Loniewski Traffic Division: Yes, it is a safety issue. It was suggested that a list of priority sidewalks, people use bike lanes to walk. Councilwoman Tillman responded that she has begun created such a list and welcome other streets to be added.

Workshop ended at approximate 5:55 p.m.

Councilman D. Przybylinski advised he is the liaison to the LaPorte County Solid Waste District and presented the following minutes from the meeting held on February 22, 2021.

The Laporte County Solid Waste District Board meet on 2/22/2021 at 5 pm to hold a public hearing to discuss a possible rate increase of 50%. All board members were in attendance. No one from the public addressed the board either for or against the rate increase. Board member Laporte Mayor Tom Dermondy addressed the Board with the motion stating that apartment complexes with three or more apartments should have a rate increase also of 50%. The Board voted in favor of the motion. The final motion was made also by LaPorte Mayor Tom Dermondy that the curb side recycling program fee be raised 50% for households and apartment complexes of three or more apartments. The Board voted unanimously 6 – 0 in favor of the increase.

Councilwoman Deutch addressed the Council regarding the joint workshop she called; advising this workshop was to discuss the \$100,000 being proposed on third reading this evening and is being set aside receiving information and feedback with City Engineer Jeff Wright being present answering questions regarding sidewalks in our community.

Councilman Fitzpatrick advised that there wasn't a Finance Committee meeting this evening due to not having any claims for the Riverboat or Boyd Development funds.

CLAIMS DOCKET

President Mack advised that there were “0” zero claims for March 2, 2021 asking; all in favor to pay the claims as amended signify by saying “AYE”, all responded “AYE”; those opposed; there was no response. Claims were approved (9-0).

February 16, 2021 Riverboat/Boyd Claim Docket

| | | |
|---|-----------|--------------|
| Fund #2042 – Riverboat – Claims- | \$ | 00.00 |
| EFT | \$ | 0.00 |
| Fund #2031 – Boyd – Claims- | \$ | 0.00 |
| TOTAL CLAIMS | \$ | 00.00 |

REPORTS OF SPECIAL or SELECT COMMITTEES

President Mack asked if there were any reports of Special or Select Committees; there was no response.

REPORTS OF OTHER CITY OFFICERS and DEPARTMENTS

President Mack asked if there were any reports of other City Officers and Departments; there was no response.

PETITIONS

President Mack asked if there were any petitions; Clerk Neulieb stated there were none received.

CORRESPONDENCE

President Mack asked if there was any correspondence this evening; with the Clerk reading the following.

Correspondence was received in the Clerk's Office on February 10, 2021 from City Controller Hoffmaster regarding the MCPD overtime hours for beach patrol in 2020

Correspondence was received in the Clerk's Office on February 10, 2021 from City Controller Hoffmaster regarding the MCFD overtime hours for beach patrol in 2020

Correspondence was received in the Clerk's Office on February 16, 2021 from Kathy Curtin Parker regarding snow removal at City bus stops

Correspondence was received in the Clerk's Office on February 17, 2021 from Controller Hoffmaster listing the benefits of the City's eSuite module software

Correspondence was received in the Clerk's Office on February 17, 2021 regarding an incident report for an accident involving a police vehicle

Correspondence was received in the Clerk's Office on February 18, 2021 from Councilwoman Tillman regarding her concerns of snow removal on Michigan Blvd and the 5th Ward

RESOLUTION

There were no resolutions this evening.

ORDINANCES

The Clerk read the following proposed ordinance on first reading by title only,
AMENDING SEC. 2-459(b)(3) OF THE MICHIGAN CITY MUNICIPAL CODE TO PROVIDE THAT PAYMENT OF MEMBERS OF THE COMMISSION OF WOMEN BE SET IN THE ANNUAL SALARY ORDINANCE EACH YEAR

Introduced: Dalia Zygus, Member

President Mack asked if the Author had anything to add this evening.

Councilwoman Zygus explained the proposed ordinance is to make an amendment to state that a person serving will be paid \$50.00 each month not each meeting held in one month, with this clearing up the language.

President Mack asked if the public had any questions or comments at this time; there was no response.

President Mack asked if there were any comments or questions from the Council.

Councilman Fitzpatrick thanked Councilwoman Zygus for amending this; advising that when proposing this it was the fact that these ladies on this commission worked so hard and were so dedicated that he felt they should be compensated; commenting on what fund this would be coming out of.

Controller Hoffmaster stated at this time it is budgeted in the Board of Public Works and Safety line item; with this amendment it will be coming out of the general fund, where a lot of the boards and commissions are paid from.

Councilwoman Deutch stated that this board is well deserving; with them doing a lot of work and several fundraisers to raise money to get projects done; asking to be a Co-Sponsor.

Councilmen Dabney and D. Przybylinski asked to be a co-sponsor to this proposed ordinance.

Councilman D. Przybylinski asked that this amendment will make it that if the board meets more than one time, they only get paid the \$50.00; with Councilwoman Zygas addressing his question.

President Mack asked if there were any other comments or questions from the Council; there was no response; stating that this proposed ordinance will be held over on second reading at the March 16, 2021 Council meeting.

Clerk Neulieb read the following proposed ordinance on third reading by title only,

**MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. 4571**

**AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY,
LAPORTE COUNTY, INDIANA TO REZONE PROPERTY OWNED BY
LAKE & BLAINE, LLC
FROM M2 to R1E**

WHEREAS, Lake & Blaine, LLC, (Petitioner) filed a Petition with the Michigan City Plan Commission (“Commission”) asking that certain property within the boundaries of Michigan City, Indiana be re-zoned from M2 to R1E, said property being commonly known as an approximate 2.25 acre parcel of land situated generally between Blaine Street, Mulligan Street, Center Street and Lake Avenue in Michigan City, Indiana, and more particularly described as follows:

(See attached Exhibit “A” consisting of two (2) pages)

PARCEL ID No. 46-01-28-103-006.000-022; and

WHEREAS, following the filing of the Petition the Commission scheduled a public hearing on the Petition for January 26, 2021; and

WHEREAS, at that public hearing, the Commission found that the Petitioner properly gave the necessary notice of the filing of the Petition and of the date and time of the public hearing thereon by publication in the manner prescribed by I.C. 5-3-1-1 et seq; and

WHEREAS, the Commission found that the Petitioner properly gave the necessary notice to the persons who own property that abuts the property which the Petitioner requested to be re-zoned and who needed to be given notice of the filing of the Petition and of the date and time of the hearing thereon; and

WHEREAS, the Commission conducted the public hearing on the Petition to re-zone as advertised and noticed on January 26, 2021, and following said hearing, determined that the property described above should be re-zoned from M2 to R1E, all as permitted by the Joint Zoning Ordinance and Indiana law, and on January 26, 2021, certified the Commission's findings and determinations, including those required by IC 36-7-4-603, and this proposed Ordinance to the Common Council with a favorable recommendation for passage, all as shown in the Certification attached hereto as Exhibit “B” (consisting of four (4) pages) ; and

WHEREAS, the City Clerk, on behalf of the Common Council, provided the necessary public notice of the Council's intention to consider the proposed change in the zoning map as required by IC 5-14-1.5-5; and

WHEREAS, the Council has paid reasonable regard, consideration, and attention to the recommendation of the Commission, to the documentation and other evidence presented to the Council regarding the proposed zoning change, and to the legal requirements applicable to the Council's decision, including, as required by IC 36-7-4-603, the City's comprehensive plan; the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; the conservation of property values throughout the City; and responsible development and growth.

NOW, THEREFORE, BE IT ORDAINED by the Michigan City Common Council, pursuant to applicable laws, including IC 36-7-4-608, that:

1. The Council finds, based on all of the evidence before it, that:
 - A. The requested change in zoning for the property described above from M2 to R1E is compatible with the City's comprehensive plan, the current conditions and the character of current structures and uses in each district; the most desirable uses for which the land in each district is adapted; the conservation of property values throughout the City; and responsible development and growth; and
 - B. The requested change in zoning will provide for the most reasonable use for which the affected property is adapted and the proposed land use will not have an adverse effect on surrounding land; and
 - C. The requested change in zoning will not be injurious or detrimental to the surrounding property values and will further the conservation of property values throughout the City; and
 - D. The requested change in zoning will promote orderly and responsible community growth and development and will not adversely affect the community; and
 - E. The topography, soil condition, and other physical features of the land involved are suitable for the proposed use and zoning change; and
 - F. The change in zoning is not "spot zoning" which will confer a special benefit on a relatively small tract without commensurate benefit to the community; and
 - G. The change in zoning will not disrupt or destroy any neighborhood plan.

2. The Council finds that it is in the best interests of the City of Michigan City and its citizens that the Council accept and approve the recommendation of the Plan Commission that the requested change in the City's zoning map be approved by the Council.

3. The zoning for the property located in the City of Michigan City, LaPorte County, State of Indiana, commonly known as an approximate 2.25 acre parcel of land situated generally between Blaine Street, Mulligan Street, Center Street and Lake Avenue in Michigan City, Indiana, be changed from M2 to R1E; and the zoning map of Michigan City, Indiana shall be amended to reflect this change; and the amended zoning map shall hereafter be available in the office of the Plan Commission and the City Clerk for review and copying by the public.

3. The Clerk of the Michigan City Common Council shall furnish a certified copy of this Ordinance to the LaPorte County Recorder in order that the same may be placed of record in the records of the Recorder's Office.

Introduced by: /s/ Bryant Dabney, Member

President Mack asked if the Author had anything to add at this time.

Councilman Dabney stated that this is just a rezoning from M2 to R1E single family dwelling.

President Mack asked if there were any comments from the public.

Attorney Barry McDonnell, representing Lake & Blaine, LLC addressed the council; thanking them for their support and that if anyone had any questions, he would be glad to answer them.

Skylar York Planning/Inspection Director commented on the proposed ordinance that it is a great opportunity for our city and has been a long time coming adding single family dwellings.

President Mack asked if there were any other comments from the public, there was no response.

President Mack asked if there were any comments from the Council.

Councilman Dabney made a motion to adopt the proposed ordinance, second by Councilwoman Zygus.

President Mack asked if there were any other comments or questions; there was no response with the proposed ordinance being approved by the following vote: **AYES:** Council Members D. Przybylinski, Simmons, Zygus, P. Przybylinski, Tillman, Dabney, Fitzpatrick Mack and Deutch (9). **NAYS:** Council members None (0).

The Clerk read the following proposed ordinance on second reading by title only,
AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY, LAPORTE COUNTY, INDIANA TO REZONE PROPERTY OWNED BY GENERAL DEVELOPMENT CORPORATION OF KANKAKEE FROM B2 AND R1D TO B2 ONLY

Introduced by: Gene Simmons

President Mack asked if the Author had anything to add this evening, there was no response.

Discussion ensued between Councilman Dabney and City Clerk Neulieb regarding the proposed ordinance being on second or third reading this evening; with Ms. Neulieb advising that the proposed ordinance was on read on first reading at the February 16, 2021 Council meeting.

Councilman Mack asked if there were any comments or questions from the public.

Attorney Brad Adamsky representing Steven Lyle Smith owner of General Development Corporation of Kankakee addressed the Council; asking if anyone from the council or the public had any questions; there was no response.

Planning Director Skylar York stated that if anyone was present and had any questions, he would be glad to answer them.

President Mack asked if there were any other public comments; there was no response

President Mack asked if there were any more comments or questions from the Council; there was no response; stating that the proposed ordinance will be held over on third reading at the March 16, 2021 Council meeting.

The Clerk read the following proposed ordinance on second reading by title only,
CREATING SECTION 2-2 TO REQUIRE THAT ALL MICHIGAN CITY-ELECTED OFFICIALS UTILIZE ELECTRONIC DIRECT DEPOSIT

Introduced by: Bryant Dabney

Dalia Zygas

President Mack asked if the Authors had anything to add this evening.

Councilwoman Zygas wanted to clarify that all City employees are on this system; with this requesting that all elected City Officials be on this as well; to be able to move forward and be able to use the full features that we purchased in 2017 and hasn't been used.

President Mack asked if there were any comments or questions from the public; there was no response.

President Mack asked if the Council had any questions or comments.

Councilwoman Tillman questioned to utilize this software, where the elected official given the option regarding receiving a check or receiving it electronically when signing their papers in 2020 or was it already mandatory in the City Policy; asking Controller Hoffmaster how many elected officials receive their check in the mail; with her responding "one".

Councilwoman Tillman asked at the time that person filled out their papers, were they given an option; with Ms. Hoffmaster advising that she wasn't present; Ms. Tillman stated several concerns that this person may have giving their personal information due to so much fraud and hacking happening within our city's and is being investigated at this time; that she could understand wanting a printed check.

Councilman Fitzpatrick stated that their ten (10) elected officials present at this meeting tonight and eleven counting the Mayor; that he feels that the one person not doing is being targeted for some reason; questioning if there has been any attempt to contact this person asking them if they would do his pay electronically, with every possible means to resolve this issue.

Discussion ensued with Council member Fitzpatrick, Deutch, D. Przybylinski regarding who developed this software and how can one person could stop the rest of the module from moving forward to be able to utilize this program; bullying one person, how long have they had this program, has the vendor been contacted regarding this and has there been any upgrades or changes been made to the module since it was purchased,

Councilman D. Przybylinski asked Controller Hoffmaster to do her do diligence; go back to the vendor and see why we can't set this module up to be used if there is one, five, or ten, people that want their checks mailed to them; making a motion to TABLE this ordinance until Controller Hoffmaster brings back a report to the council in writing from the computer company explaining why there has to be 100% participation to be able to use this program;

President Mack asked Councilman Dabney he could make his comment.

Councilman Fitzpatrick called a "Point of Order" advising when there is a motion on the floor there are no more comments until there is a second.

Discussion ensued between President Mack, Attorney Meyer, and Council Fitzpatrick, D. Przybylinski, Deutch, regarding parliamentary procedures regarding the motion that was made.

Councilwoman Deutch made a motion to second the proposed ordinance.

The proposed ordinance was **TABLED** by the following vote: **AYES:** Council Members P. Przybylinski, Tillman, Fitzpatrick Deutch, D. Przybylinski and Simmons (6). **NAYS:** Council members Zygas, Dabney, and Mack (3).

Councilman Dabney advised that he works with these computer systems dailey; stating several reasons how this systems works and why it is necessary that everyone receives their check electronically.

The Clerk read the following proposed ordinance on second reading by title only,
AMENDING THE CITY’S INTERNAL CONTROL POLICY IN SEC. 2-498 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE

Introduced by: Bryant Dabney

President Mack asked if the Author had anything to add at this time; there was no response.

President Mack asked if the public had any questions or comments regarding the proposed ordinance, there was no response.

President Mack asked if the Council had any questions or comments from the Council.

Councilman P. Przybylinski asked if the sponsor could explain what this is going to do that the policy that was adopted last year is going to do.

Councilman Dabney advised the proposed ordinance is due to the findings and audits that were found with the Community Block Grant; recommending changes that this policy will do; making sure this doesn’t happen again; explaining it will be more efficient.

Discussion ensued between Councilman Dabney and Councilman P. Przybylinski regarding the findings during the audit by the State Board of Accounts and the Community Block Grant.

President Mack asked if there were any other comments from the Council; there was no response, stating that the proposed ordinance will be on third reading at the March 16, 2021 Council meeting.

The Clerk read the following ordinance on third reading by title only,

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4572

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO PROVIDE FUNDING FOR SIDEWALKS

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 2021 Annual Budget to provide funding for sidewalks for 2021, and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #2042 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 Riverboat Fund #2042 Unappropriated balance | \$100,000.00 | |

| | |
|--------------------------------------|--------------|
| INCREASE ACCOUNT#2042 114 443.031 | \$100,000.00 |
| Capital Outlay – Streets - Sidewalks | |

| | |
|-----------------------|---------------------|
| TOTAL FOR FUND | \$100,000.00 |
|-----------------------|---------------------|

None of these funds shall be spent for any work within the boundaries of a City Tax Increment Financing (TIF) District. All work, including engineering, for sidewalks within the boundaries of a TIF District shall be paid for with TIF funds.

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: /s/ Donald Przybylinski, Member
Michigan City Common Council

CO-SPONSOR: /s/ Paul Przybylinski, Member
Michigan City Common Council

President Mack asked if either of the Author's had anything to add at this time.

Councilman Simmons stated that he didn't have anything to add at this time; but advised that Chief Campbell was present to answer any questions the Council may have.

President Mack asked if there were any questions or comments from the public; there was no response.

Discussion ensued between MCPD. Chief Campbell and Council members D. Przybylinski, Tillman, and P. Przybylinski, regarding police vehicles having police emblem on the side of them, having a workshop prior to the next fleet being either leased or purchased along with items the Council and the MCPD want implemented, purchasing these vehicles at the end of these ten vehicles,

A motion was made by Councilman Dabney, with a second by Council members Deutch and P. Przybylinski.

President Mack asked if there were any other comments from the Council, there was no response; with the proposed ordinance being adopted by the following vote: **AYES:** Council Members Zygas, P. Przybylinski, Simmons, Tillman, Dabney, Fitzpatrick, Mack Deutch, D. Przybylinski and Simmons (9). **NAYS:** (0).

Chief Campbell thanked the Council for their support on this issue.

The Clerk read the following proposed ordinance on third reading by title only,

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4573

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE
RIVERBOAT FUND TO PROVIDE FUNDING FOR SIDEWALKS**

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 2021 Annual Budget to provide funding for sidewalks for 2021, and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Riverboat Fund #2042 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 Riverboat Fund #2042 Unappropriated balance | \$100,000.00 | |
| INCREASE ACCOUNT#2042 114 443.031 Capital Outlay – Streets - Sidewalks | | \$100,000.00 |
| TOTAL FOR FUND | \$100,000.00 | |

None of these funds shall be spent for any work within the boundaries of a City Tax Increment Financing (TIF) District. All work, including engineering, for sidewalks within the boundaries of a TIF District shall be paid for with TIF funds.

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: /s/ Donald Przybylinski, Member
Michigan City Common Council
CO-SPONSOR: /s/ Paul Przybylinski, Member
Michigan City Common Council
/s/ Sean Fitzpatrick, Member
Michigan City Common Council
/s/ Angie Deutch Nelson, Member
Michigan City Common Council
Tracie Tillman, Member
Michigan City Common Council

President Mack asked if there were any comment from any of the Authors this evening.

Councilman D. Przybylinski stated that this is \$100,000 of improvements that will be happening within our neighborhoods, with this being a win/win situation for everyone.

Councilman Dabney presented the map of the north and south side TIF areas explaining to the Council the areas where the monies being proposed us almost his entire ward; requesting that his name be pulled from the ordinance; advising that he wouldn't be supporting it.

Discussion ensued between Councilwoman Deutch, Zygas, P. Przybylinski, Fitzpatrick, Tillman, and Mack stating several reasons why they would be supporting this.

Skylar York addressed the Council regarding the TIF funds and sidewalk maintenance being done versus new sidewalks by these funds.

Attorney Meyer advised that no TIF monies are collected from residents.

Councilwoman Deutch made a motion to adopt the proposed ordinance, second by Councilmen P. Przybylinski and D. Przybylinski.

President Mack asked if there were any other comments from the Council; there was no response; with the proposed ordinance being approved by the following vote: **AYES:**

Council Members P. Przybylinski, Simmons, Tillman, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, and Zygas (8). **NAYS:** Council member Dabney (1).

The Clerk read the following proposed ordinance in third reading by title only,

MICHIGAN CITY COMMON COUNCIL
ORDINANCE NO. 4574

AMENDING PROVISIONS OF THE MUNICIPAL CODE REGARDING THE COUNCIL'S RULES OF ORDER AND PROCEDURE

WHEREAS, the Council finds it would be in the interest in improving the efficiency of its form operations and in the best interest of the City of Michigan City and its citizens to amend the Council's Rules of Order and Procedure.

NOW, THEREFORE, BE IT ORDAINED, by the Michigan City Common Council that the Michigan City Municipal Code be amended as follows:

1. Section 2-51(a)(2) is amended to read as follows:

(2) Except for section 2-57(a) regarding the number of readings of an ordinance and to the extent not in violation of any state law, the provisions of this Division may be suspended by a two-thirds (2/3) vote of the members.

All other provisions of Division 2 shall remain in full force and effect.

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

INTRODUCED BY: /s/ Angie Nelson Deutch, Member

CO-SPONSOR: /s/ Dalia Zygas, Member

/s/ Sean Fitzpatrick, Member

/s/ Michael Mack, Member

/s/ Tracie Tillman, Member

President Mack asked if any of the Authors had anything to add this evening; there was no response.

President Mack asked if there were any comments from the public; there was no response.

President Mack asked if the Council had any questions or comments regarding the proposed ordinance.

Councilman D. Przybylinski addressed the Council regarding the history of rule/procedure that has been followed for decades; stating several reasons why he would be supporting this ordinance.

Councilman P. Przybylinski agreed with everything Councilman D. Przybylinski spoke about; that change is good but this isn't something that doesn't need to be changed due to never having any issues following what we are doing for decades.

Councilman P. Przybylinski apologized to Councilwoman Deutch that this thought had just came to him this evening to TABLE this ordinance until the March 16, 2021 Council meeting and amend it; stating that we will be on a trial bases for a year and revisit how the 2/3 vote is working.

Councilman Fitzpatrick commented on Councilman P. Przybylinski statement; explaining if right now we would ask to do what he wants to do it would take a

unanimous consent as it is followed now; if we adopt the proposed ordinance and Councilman P. Przybylinski made his request it would take a 2/3 vote; stating that he appreciates Councilman D. Przybylinski research and bringing it to the Council, stating several reasons why he would be supporting this ordinance.

Councilwoman Deutch addressed the Council stating her philosophy is that if you put up a good enough reason to support something you will get the vote; with her making a motion to adopt the proposed ordinance; second by Councilwoman Tillman.

President Mack asked if there were any other comments from the Council, there was no response and the proposed ordinance was adopted by the following vote: **AYES:** Council Members Tillman, Fitzpatrick, Mack, Deutch, Simmons, Zygas, (6). **NAYS:** Council member Dabney D. Przybylinski, and P. Przybylinski (3).

NEW BUSINESS

President Mack stated the Mayor is requesting the advice and consent of the Members of the Michigan City Common Council for the re-appointment of Ms. Joyce Dalton as a member of the Michigan City historic Review Board (term begins immediately and will expire on 3/15/2024).

President Mack asked if there is no objection, we will have the vote this evening; there was no response; with the Mayor's request being approved by the following vote of 0 – 0.

President Mack stated the Mayor is requesting the advice and consent of the Members of the Michigan City Common Council for the re-appointment of Mr. Dwayne Hurt as a member of the Michigan City Historic review Board (term begins immediately and will expire on 3/15/22024).

President Mack asked if there is no objection, we will have the vote this evening; there was no response; with the Mayor's request being approved by the following vote of 0 – 0.

UNFINISHED BUSINESS

President Mack advised the Common Council has one (1) appointment to the Michigan City Enrichment Corporation Board (term expiring 03-31-2021); Incumbent Jack Van Etten; advising nominations will be held at the next Council meeting on March 2, 2021.

President Mack stated that nominations will take place this evening opening them (repeating three times) "are there any nominations for the Michigan City Enrichment Corporation"

Councilman D. Przybylinski nominated Rev. Dennis Carroll, second by Councilman P. Przybylinski.

Councilman Dabney nominated Mr. Kenneth Fly, second by Councilman Sean Fitzpatrick.

President Mack asked; "are there any other nominations" (repeating three times); there was no response, and nominations were closed and that the vote will take place at the March 16, 2021 Council meeting.

President Mack advised the Common Council has one (1) appointment to the Urban Enterprise Association (due to the person appointed not living in the Urban Enterprise Zone); stating that nominations are now open (repeating three times) "are there any nominations to the Urban Enterprise Association.

Councilman Dabney nominated Mr. David Augustus, second by Councilwoman Zygas.

Councilwoman Tillman nominated Mr. Rodney McCormick, second by Councilman Fitzpatrick.

President Mack asked, “are there any other nominations” (repeating three times; there was no response and nominations were closed; advising the vote will take place at the March 16, 2021 Council meeting.

COMMENTS FROM THE PUBLIC

President Mack asked if there were any comments from the public at this time; there was no response.

COMMENTS FROM THE COUNCIL

President Mack asked if there were any comments from the Council this evening.

Councilman D. Przybylinski congratulated Ms. Michelle Glidden on her retirement and has worked for the City for thirteen years; along with Mr. Randy Durham working for the City as the City’s Golf Green Supervisor for 34 years; thanking them for their service.

Councilman D. Przybylinski advised that he spoke with Ms. Eason and that they have received seven (7) applications for the lifeguard positions; and that the Port Authority and Park Department are accepting seasonal applications.

Councilwoman Tillman advised that the City is in the “yellow” with covid; when do we anticipate going back to personal meetings.

President Mack advised that he is looking forward to that and know it will happen this year; stating the Mayor is here and might want to comment on this.

Councilwoman Zygus advised that they did open vaccination to people 55 and older; and that the Indiana Emergency Rental Assistance is open and they are offering up to a year of your rent paid; stating that she does have the qualifications up on her web page.

Councilman P. Przybylinski stated that last year this Council was meeting in person when we were in the “yellow” and that he feels we should be going back to the senior center and have public meetings.

Councilman P. Przybylinski stated that he had an informal meeting with the Park Department, Coast Guard, DNR, and David Benjamin discussing emergency rescue on Lake Michigan; stating that he is hoping we can move forward and look into purchasing water crafts for rescues.

Councilman P. Przybylinski thanked Councilman D. Przybylinski for stimulating him to clean out the snow from fire hydrants and him for cleaning out bus stops for our residents.

Councilman D. Przybylinski agreed with Councilwoman Tillman’s comments regarding snow removal and the frustration she had; hoping that we can move forward to rectify that this doesn’t happen when receiving this much snow again.

Councilman Dabney read the following “Press Release” receiving it this evening from Mayor Parry’s office.

A MESSAGE FROM MAYOR PARRY

Mayor Parry sincerely apologizes to everyone and asks forgiveness for the letter from Michigan City Police Chief Dion Campbell recently delivered to the people of Michigan City with their monthly Water Works statement.

Mayor Parry did not know that the letter was written to our citizens, nor would he have approved the letter being written or the most recent Facebook posting. Furthermore, Mayor Parry feels this action by the Michigan City Police Department is inappropriate and unnecessary.

Mayor Parry wants the people of Michigan City to know that this administration, your government, will never beg the people of Michigan City for money to do what we understand our job is, which is to provide the good government and services you are entitled to and pay for through your taxes.

Mayor Parry's position on this matter is simply this, "My administration and I work every day to keep your trust and confidence through honest, fair and competent management of the monies, property taxes, Blue Chip revenues, etc., we receive, to maintain the quality of life and services we have today, and insure a bright future for the people of Michigan City tomorrow". Thank you.

Councilman Dabney stated that he had to read this press release twice to comprehend what the Mayor was saying due to that he feels it was a public scolding to our Police Chief for sending out a fund raising letter; stating this fundraiser was started by the Mayor's Administrator Mr. Yagelski years ago; so why now is things changing when it has been done in the past for years asking the community for donations; stating he feels this press release was wrong.

Councilwoman Deutch advised that she has participated in many of these events put on by the MCPD in past years; and have been receiving these letters for years requesting donations; the Mayor can decide to do these events or not; but a courteous call to Chief Campbell would been more appropriate before sending this press release out and is definitely a public scolding for something that has been done for years.

President Mack stated that he was confused and relatively insulted about how this took place.

Mayor Parry commented on how he feels about having public meetings in the future; stating he was thinking about moving meetings into the EOC Room downstairs; stating several reasons why he wasn't looking at going back to the Senior Center.

Mayor Parry addressed Councilmembers comments regarding the press release he sent out this afternoon regarding the fund-raising letter the Police Department sent out in the Water/Sanitation Department bills; stating that he stands by what he said.

Councilman Simmons stated he wanted to end this meeting sharing the following: "praise of public, reprimand in private".

Councilwoman Deutch stated that she agrees that professionalism means to reprimand someone in private not in public like what has happened and is deeply offended.

Councilman P. Przybylinski commented on Councilman Simmons statement that it made a point with him with just those few words; reminding everyone the comments that were made to Councilwoman Tillman and himself during our budget in public at a City Council meeting this last year; was offending and disrespectful and never received an apology for what the Mayor stated.

Councilman D. Przybylinski thanked Councilman Dabney for bringing this up; that what took place was unprofessional and unacceptable; stating that he is 100% behind Chief

Campbell that he does a great job not only being chief but as the leader of his department.

President Mack agreed with the Mayor regarding getting back to normal in regards to having public meetings; advising that he has spoken with the IT department regarding have hybrid meetings.

ADJOURNMENT

A motion by Councilwoman Deutch, supported by Councilman D. Przybylinski; there being no further business to transact, President Mack declared the meeting

ADJOURNED (approximately 8:30 p.m.)

Gale A. Neulieb