

REGULAR “HYBRID/ZOOM” MEETING

June 7, 2022

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, June 7, 2022, at the hour of 6:30 p.m., Hosted by “Hybrid/Zoom” and streamed live on “My Michigan City” Facebook Page.

The meeting was called to order at 6:30 p.m. by Council Vice President D. Przybylinski.

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

Vice President D. Przybylinski asked that when doing our silent prayer this evening that we think of the victims from Texas and New York that were killed along with their families that are grieving for their loved ones; such a tragic thing pray that our Senators, Congressmen and our Indiana Legislation to come together and get a law passed that will stop these mass shootings in our country.

PRESENT: COUNCIL MEMBERS Bryant Dabney, Sean Fitzpatrick, Michael Mack, Angie Nelson Deutch who is on “Zoom”, Don Przybylinski, Gene Simmons, Dalia Zygas, P. Przybylinski and Tracie Tillman who is on “ZOOM” (9).

ABSENT: COUNCIL MEMBERS None (0).

Vice President D. Przybylinski advised that President Deutch is running late and is on her way, back from Chicago and will be here shortly.

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Council Attorney Jewel Harris, Gale Neulieb City Clerk and Stacy Dudley Asst. Deputy Clerk.

APPROVAL OF MINUTES

Vice President D. Przybylinski inquired whether there were any deletions, additions, or corrections to the “Hybrid Zoom” Regular meeting held on May 17, 2022, that will be approved this evening, there was no response.

Councilman Gene Simmons made a motion to approve the minutes of the “Hybrid/Zoom”, Regular meeting held on May 17, 2022, a second was made by Councilman P. Przybylinski.

Vice President D. Przybylinski asked if there were any comments, there was no response

The Regular Council meeting on May 17, 2022 minutes were approved by the following vote: **AYES:** Council members Fitzpatrick, Mack, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman, and Dabney (8) **NAYS:** None (0)

REPORTS of STANDING COMMITTEES

Vice President D. Przybylinski asked if there were any reports of standing committees, there was no response.

Councilman D. Przybylinski stated that he is the Liaison for the Human Rights Commission reporting on their meeting that was held this evening inviting everyone to

the “Pride” parade that will be held on Saturday June 18, 2022 from 1:00 p.m. to 9:00 p.m. at Fedders Alley in Washington Park.

FINANCE REPORT

Councilwoman Tillman reported on their Council Finance Committee that was held today June 7, 2022, at 5:30 p.m. in the Council Chamber.

Councilwoman Deutch reported on the Finance Committee meeting held this evening June 7, 2022 in the Council Chamber and the approval of the Riverboat claims in the amount of \$112,253.55 there were no claims from the Boyd Fund with the total of the claims of \$112,253.55 with the motion carried all in favor 3 – 0.

CLAIMS DOCKET

Vice President D. Przybylinski stated that the June 7, 2022 claims for the Riverboat Claim Docket Fund #2042 was in the amount of \$112,253.55 and no claims from the Boyd fund #2031

Councilman Dabney made a motion to approve the June 7, 2022, Riverboat/Boyd Claim Docket in the total amount of \$112,253.55, second by Councilwoman Tillman

June 7, 2022		
Riverboat/Boyd Claim Docket		
Fund #2042 – Riverboat – Claims	\$	112,253.55
EFT	\$	00.00
Fund #2031 – Boyd – Claims-	\$	00.00
TOTAL CLAIMS	\$	112,253.55

Vice President D. Przybylinski asked if there were any comments or questions from the Council, there was no response.

The June 7, 2022, Riverboat/Boyd Document in the amount of \$112,253.55 was approved by the following vote: **AYES:** Council members Mack, D. Przybylinski, Simmons, Zygus, P. Przybylinski, Tillman, Dabney, and Fitzpatrick (8) **NAYS:** Council member None (0)

REPORTS OF SPECIAL or SELECT COMMITTEES

President Deutch asked if there were any reports of Special or Select Committees.

Councilwoman Zygus reported on the Economic Development Corporation of Michigan City meeting via Clarence Hulse EDC Director

REPORTS FROM THE MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS

President Deutch asked if there were any reports from the mayor or other City Officers and Departments, there was no response; advising that Michigan City Economic Development Corporation is having their silver anniversary gala and investment awards

event on July 20, 2020 at the Blue Chip Startup Center and are excited that they have thirty-three (33) local company sponsors that are attending.

PETITIONS

Vice President D. Przybylinski asked Clerk Neulieb if there were any petitions this evening.

Clerk Neulieb advised there was a petition received in the Clerk's Office on May 31, 2022, from Attorney Brad Adamsky representing the Pritz Family Annexation LLC

PETITION P-100-22 AMENDED; REZONING B2 AND R1b TO M1 PROPERTY BETWEEN HWY 20 AND PAHS ROAD NEXT TO AND NEAR JONSON ROAD, MICHIGAN CITY, INDIANA

COMMUNICATIONS

President Deutch asked if there was any correspondence received in the Clerk's Office.

Correspondence was received in the Clerk's Office on May 23, 2022, from "Hoosiers For Action" regarding the proposed Long Beach Sewer Project

Correspondence was received in the Clerk's Office on May 23, 2022, from the Concerned Citizens of the "Eastport Neighborhood" of Michigan City, regarding safety concerns in their neighborhoods

Correspondence was received in the Clerk's Office on May 23, 2022 from Richard Dziak, 2537 Lakeshore Drive, Long Beach, regarding being against the Long Beach sewer project being proposed.

Two (2) Notice of Tort Claims were received in the Clerk's Office from Clifford Law Office on May 25, 2022, from an incident that happened on December 10, 2021

Correspondence was received in the Clerk's Office on May 31, 2022, from Tim Haas, Haas and Associates withdrawing their proposal from March 22, 2022 for Engineering services for the City of Michigan City.

Documents were received in the Clerk's Office on June 1, 2022 from Attorney Matthew Deputy, South Bank Legal, regarding the history of the proposed Long Beach sewer project for the Council's review

RESOLUTIONS

The Clerk read the following resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4845

ADDING TO THE INITIAL PLAN FOR USE OF A PORTION OF THE CITY'S ALLOTMENT OF LOCAL FISCAL RECOVERY FUNDS THROUGH THE AMERICAN RESCUE PLAN ACT TO PAY FOR THE GRADE CROSSING IMPROVEMENTS AT VARIOUS CROSSING INTERSECTIONS IN MICHIGAN CITY, SPECIFICALLY IN THE NORTHERN INDIANA COMMUTER TRANSPORTATION DISTRICT, TO ESTABLISH QUIET ZONES

WHEREAS, on September 21, 2021, the Michigan City Common Council enacted and on September 22, 2021 the Mayor signed Resolution #4813 entitled “*Stating the Initial Plan for Uses of a Portion of the First Tranche of the City of Michigan City’s Allotment of Local Fiscal Recovery Funds Through the American Rescue Plan Act;*” and

WHEREAS, since September 21, 2021, the following Resolutions have been adopted, which either amend or add to the City’s initial plan for use of ARPA funds:

- a. On December 21, 2021, the Michigan City Common Council adopted and on December 22, 2021 the Mayor signed Resolution #4820 entitled “*Amending Resolution #4813 to Comply with the State Board of Accounts Directive 2021-3 Regarding “Premium Pay” Under the American Rescue Plan Act (ARPA),*” which amended Resolution #4813 to comply with State Board of Accounts Directive 2021-3 regarding “premium pay” under the American Rescue Plan Act (ARP);
- b. On May 4, 2022, the Michigan City Common Council adopted and on May 13, 2022 the Mayor signed Resolution #4842 entitled “*Adding to the Initial Plan for Use of Portion of the City’s Allotment of Local Fiscal Recovery Funds Through the American Rescue Plan Act to Pay for Upgrades to the City’s Security and Necessary Equipment for the City’s Emergency Management Volunteers Through the Michigan City Police Department;*” and

WHEREAS, the City intends to submit a Notice of Intent to Establish Quiet Zones in the Northern Indiana Commuter Transportation District for all Grade Crossings from Carrol Ave to Sheridan Ave and the City will need the necessary funding for grade crossing improvements at School Street, Grace Street, Woodland Avenue, Pleasant Avenue, and Carrol Avenue to establish these grade-crossing intersections as “quiet zones;” and

WHEREAS, the anticipated cost for these grade crossing improvements is \$1 Million Dollars, and the City desires to add this cost to the City’s initial plan for use of ARP funds as an “expenditure of lost revenue.”

NOW, THEREFORE BE IT RESOLVED BY THE MICHIGAN CITY, INDIANA COMMON COUNCIL AS FOLLOWS:

1. The aforementioned “Whereas” sections are incorporated herein as if fully set forth herein.
2. **Expenditure of Lost Revenue.** The Council expresses its intent to expend \$1 Million Dollars in funding for the aforementioned grade-crossing from the ARP funds as an expenditure of lost revenue on governmental services.
3. **Compliance with the American Rescue Plan Act.** The City Administration will ensure compliance with prevailing Federal Guidelines at the time the funds are committed for expenditure.

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

INTRODUCED BY: /s/ Angie Nelson Deutch, President
Michigan City Common Council

/s/ Bryant Dabney, Member
Michigan City Common Council

/s/ Gene Simmons, Member
Michigan City Common Council

/s/ Tracie Tillman, Member
Michigan City Common Council

/s/ Don Przybylinski, Member
Michigan City Common Council

Vice President D. Przybylinski asked if the sponsors had anything to add at this time.

Councilman Dabney stated that this proposed resolution if adopted that we support going forward in terms of having studies done to see what could happen with the crossings along (11th) Eleventh Street as well as other crossing within the city to make them quiet zones as the trains cross the tracks.

Vice President D. Przybylinski asked if there were any comments from the public at this time, there was no response.

Vice President D. Przybylinski asked if there were any comments or questions from the Council.

Councilwoman Tillman asked to be added as a sponsor; stating that she also is in agreement that this is something that will be needed done throughout our community, which includes part of the fifth ward.

Councilman P. Przybylinski wanted to remind the public and the Council the lengthy discussion that we had going forward on this quiet zone; that the discussion was brought up that there are other areas of the city also that need to be examined in this study and that he hopes the administration will support that process and that the mayor will put money in the budget to start a study on some of the other corridors that go through town.

NOTE: President Deutch entered the Chamber

President Deutch made a motion to adopt the proposed resolution, second by Councilman Dabney.

The resolution was approved by the following vote: **AYES:** Council members Deutch, D. Przybylinski, Simmons, Zygus, P. Przybylinski, Tillman, Dabney, Fitzpatrick, and Mack (9) **NAYS:** Council member None (0)

ORDINANCE

President Deutch stated that this first ordinance on first reading, the council received correspondence from Attorney B. Adamsky asking to remove from the TABLE this evening. **AMENDING THE ZONING MAP OF THE CITY OF MICHIGAN CITY, LAPORTE COUNTY, INDIANA TO REZONE PROPERTY OWNED BY PRITZ FAMILY, LLC, TRENNIS BRADFORD AND THE TRENNIS BRADFORD REVOCABLE TRUST, AND HYER, WISNIESKI INDIANA FARM, LLC FROM B2 AND R1D TO M1**

Introduced by: Angie Nelson Deutch
Sean Fitzpatrick
Don Przybylinski
Dalia Zygus
Bryant Dabney

Attorney J. Harris advised that we did not have a reading on this with President Deutch advising that this will be removed from the TABLE.

President Deutch advised that this was a request from the Plan Commission to remove this ordinance from the TABLE at this time and not to move forward with the rezoning.

The Clerk read the following proposed ordinance on first reading by title only.
APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND FOR HIGHWAY-RAIL GRADE CROSSING IMPROVEMENTS TO ESTABLISH QUIET ZONES ON THE SOUTH SHORE LINE OWNED AND OPERATED BY THE NORTHERN INDIANA COMMUTTER TRANSPORTATION DISTRICT

Introduced by: Angie Nelson Deutch
Bryant Dabney
Gene Simmons

(DECREASE ARP Coronavirus Local Fiscal Recovery Fund 0176 Unappropriated balance \$1,000,000.00 INCREASE ACCOUNT #0176 000 444.050 \$1,000,000.00 Improvement Other than Buildings – Other)

President Deutch asked if there were any comments from the sponsors.

Councilman Dabney stated this is just a follow up ordinance to the resolution he spoke about in regards to getting the money to actually do the study for the crossings to make quiet zones throughout our city.

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

Councilman D. Przybylinski asked if he could be added as a co-sponsor.

President Deutch asked if there were any additional comments from the Council.

Councilman P. Przybylinski questioned the amount that was being proposed of \$1,000,000.00; he thought was that \$150,000 had already been spent on a study and that all we needed was an additional \$850,000.00.

Controller Hoffmaster advised that she was given the amount of \$1,000,000.00 that she was told the preliminary engineering estimate was over \$800,000.00; so to cover any increase in cost that may happen when this project is actually bid out that we are just appropriating the million dollars; advising that this doesn't mean that we will necessarily spend the entire amount, but we wanted to make sure that there was enough money appropriated to cover the entire cost the project.

Councilwoman Tillman asked also to be a co-sponsor to this proposed ordinance.

President Deutch asked if there were any other additional comments from the Council.

Councilman Dabney wanted to piggyback what the controller said which we talked about appropriating a one (1) million dollars that encumbering this one (1) million dollars and the project is only \$850,000.00 as Councilman P. Przybylinski said, the extra money will go back into the ARP fund account.

President Deutch stated if there are no other comments at this time, the proposed ordinance will be held over on second reading at our June 21, 2022 Council meeting.

The Clerk read the following ordinance on second reading by title only.
AMENDING SEC. 2-116(a) IN THE MICHIGAN CITY MUNICIPAL CODE COMMONLY KNOWN AS "USE AND CONTROL OF CITY CREDIT CARDS" TO ADD THE SPECIAL EVENTS DIRECTOR TO THE LIST OF AUTHORIZED USERS

Introduced by: Gene Simmons
Michael Mack
Dalia Zygas

President Deutch asked if the sponsors had anything to add at this time.

Councilman Simmons stated it basically lets the Special Event Director be added to the list of current people using city credit cards adding that there is a specific amount that he is allowed to spend on this card.

President Deutch asked if the public had any comments or questions, there was no response.

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

Councilman Fitzpatrick made a motion to suspend the rules and have third reading this evening, second by Councilman Simmons.

The vote was approved to have third reading this evening by the following vote: **AYES:** Council members D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack, and Deutch (9) **NAYS:** Council member None (0)

President Deutch advised that we are still on second reading; asking if there are any additional comments, there was no response and Clerk Neulieb read the following.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4627

AMENDING SEC. 2-116(a) IN THE MICHIGAN CITY MUNICIPAL CODE COMMONLY KNOWN AS “USE AND CONTROL OF CITY CREDIT CARDS” TO ADD THE SPECIAL EVENTS DIRECTOR TO THE LIST OF AUTHORIZED USERS

WHEREAS, Sec. 2-116 of the Michigan City Municipal Code states as follows:

“Sec. 2-116. - Use and control of city credit cards.

(a) The following individuals are authorized to obtain a credit card in the name of the city: Mayor, police chief, fire chief, personnel director, controller, assistant controller, central maintenance supervisor, and park department superintendent. These individuals shall only use or authorize another employee to use the card under the following restrictions and controls:

(1) The card may be used for city-related expenses (transportation, hotel rooms, food, and on-site conference/education registration fees) only.

(2) When not in use, the card shall be maintained in the respective individual's office.

(3) Each individual should maintain a log, which includes the name of the employee requesting usage of the card, estimated amounts and accounts to be charged, and the date the card is issued and returned.

(4) The employee using the card shall be responsible for all late fees resulting from the failure to submit the credit card slip and detailed receipt in a timely manner for payment under the state statute.

(5) The employee using the card shall be responsible for all costs billed for which the credit card slip and a detailed receipt is not filed. When used for official city business, the required documentation shall include a list of guests and the purpose of the meeting.

(b) The personnel director and the city controller shall maintain a log, which shall include, but is not limited to, estimated amounts and accounts to be charged.

(c) The respective department head shall be responsible for all fees/costs when ordering from the internet if it is determined that the order was placed to a fraudulent or nonexistent company.

(d) The board of public works and safety shall adopt any additional restrictions and controls on credit card usage as it deems necessary;” and

WHEREAS, it is necessary to amend Sec. 2-116(a) to add the Special Events Director to the list of authorized credit card users.

NOW, THEREFORE, BE IT ORDAINED, by the Common Council of the City of Michigan City, Indiana that the first sentence of Sec. 2-116(a) in the Michigan City Municipal Code is hereby amended to add the Special Events Director and shall read as follows:

(a) The following individuals are authorized to obtain a credit card in the name of the City: Mayor, Police Chief, Fire Chief, Personnel Director, Controller, Assistant Controller, Central Maintenance Supervisor, Park Department Superintendent, and Special Events Director.

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/ Gene Simmons, Member
Michigan City Common Council

INTRODUCED BY: /s/ Michael Mack, Member
Michigan City Common Council

INTRODUCED BY: /s/ Dalia Zygas, Member
Michigan City Common Council

President Deutch asked if there were any additional comments from the sponsors, there was no response.

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

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

Councilman Fitzpatrick made a motion to approve the proposed ordinance, second by Council P. Przybylinski with the proposed ordinance being approved by the following vote: **AYES:** Council members Simmons, Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack, Deutch and D. Przybylinski (9) **NAYS:** Council member None (0).

The Clerk read the following proposed ordinance on first reading by title only.
AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF MICHIGAN CITY, INDIANA, APPROVING THE ESTABLISHMENT OF A SEPARATE SCHEDULE OF RATES AND CHARGES BY THE CITY OF MICHIGAN CITY, INDIANA, SANITARY DISTRICT FOR OWNERS OF PROPERTY AND USERS LOCATED IN A PORTION OF THE TOWN OF LONG BEACH, INDIANA, PREVIOUSLY INCORPORATED IN THE CITY OF MICHIGAN CITY, INDIANA, SANITARY DISTRICT

Introduced by: Bryant Dabney
Dalia Zygas
Don Przybylinski

President Deutch asked if the sponsors had anything to add.

Councilwoman Zygas stated since this ordinance was written and submitted, there were additional funds found for this project and that will result in the recalculation of rates and that she didn't believe this was move forward at this time.

President Deutch asked if there were any additional comments from the sponsors, there was no response.

President Deutch asked if there were any comments from the public; sharing that there was a workshop held last week; stating that this evening you will have a maximum of three (3) minutes to speak; we have received numerous emails from all of you on both sides; stating that bully tactics on either side are not welcome or appreciated by any citizen and that civil discourse is important and no one should feel threatened and no one should be threatened by anyone because of how they feel about a passionate issue and for the record that she does not appreciate personal attacks and will not tolerate that this evening; opening it up for public comment:

Attorney Harris agrees with Councilwoman Zygus that there are some additional funds that have been identified and not sure the monies have been fully approved but there is potential for some additional funds with the recalculations being available within a week or so; advising that the Sanitary Board TABLED their final decision as well.

President Deutch advised that she spoke with Attorney Meyer asking for the timeframe for the recalculation stating that they may have the recalculation by the weekend, and this will have to go to the Sanitary Board to be approved before it can come back to the Council.

The following Long Beach residents addressed the Council regarding their pros and cons about the proposed sewer project; Robert Rule, 2901 Lake Shore Drive, Abigail Neary, 2019 Lake Shore Drive, Tim Arndt, 1703 Lake Shore Drive, Pat Clifford, 2216 Lake Shore Drive, Carter Ellens 2721 Lake Shore Drive, Claudia Marciniak (speaking by "ZOOM"), Lisa Moore owner of 1401 and 3100 Lake Shore Drive, Mary Fox 1529 Lake Shore Drive, Greg Meyer 2221 Lake Shore Drive, and Jennifer Schhnefky 2030 Lake Shore Drive,

Brian Gross 630 W. 8th Street stated several concerns regarding what is being proposed by the Sanitation Department for the Town of Long Beach.

Attorney Meyer advised that there is a discussion about the fact that there is now going to be subsidy provided by the SRF (State) for this project, which will result in the rates going down and will require the financial consultant to recalculate the rates and therefore as mentioned by Attorney Harris the Sanitation Board will have to approve the final rates; Sanitation will have to vote on the new rates and if approved will come to the council for approval as well; stating that there are no rate changes to vote on with the rule of this council is amendments can only be made on second reading asking this Council to TABLE the proposed ordinance on second reading until the council meeting on June 21, 2022 to be able to receive those figures; also stating that the decisions that were made to move on with this project are the elected officials of the Town of Long Beach that were voted in by the residents of the Town of Long Beach at the last election.

President Deutch commented on the most recent "Special Meeting" the Sanitary Board called where they tabled two items with a vote of 4 – 0 and passed two items with not having any public comment.

Christopher Damato ("ZOOM") 1805 Lake Shore, advising that he lives on the north side of Lake Shore Drive echoing all the sentiments that we have shared by the residents that are opposed to this project in the current form.

Jimmy Anderson 2961 Lake Shore Drive addressed the council regarding the misinformation being given to the resident regarding this project and how it has been going since this proposed project was brought; advising that there are less than 40% of people that live on Lake Shore Drive that can even vote in the Town of Long Beach's election.

Susan Ziak, 2537 Lake Shore Drive clarified what Attorney Meyer stated at the last meeting when we came to listen to the vote about the sewer project no one was allowed to make any public comments that it was for voting and no comments can be made at

this time; commenting on the proposed one million dollars this evening and if it is given to the Town of Long Beach the monthly rate may go down maybe a penny, what about the other twelve (12) million dollars.

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

Councilman P. Przybylinski stated he appreciates all the information at our last meeting that has surfaced and he believes that this will be remedied in July with the new legislation; asking if there was anyone present from the Town of Long Beach's board, there was no response; asking if their board changed any of the laws regarding the building codes when repairing the sea walls along the lake side of Lake Michigan.

President Deutch stated that she would send an email directly to their board to get that information for Councilman P. Przybylinski.

Councilman P. Przybylinski commented on the Lafayette south side sewer project that eight (8) million-dollar tunnel was put through under Eleventh Street and it sits there not being used and we're paying on the bond to date for the tunnel to no ware; advising that they don't have as many calls on sewers backing up in the Lafayette area because Mike Kuss told him just before he left that they capped or combined sewers so they won't back up, but the problem still exists.

Councilwoman Zygas made a motion to TABLE the proposed ordinance on second reading until the June 21, 2022, Council meeting, second by Councilman D. Przybylinski.

The motion to TABLE the proposed ordinance on second reading until the June 21, 2022, Council meeting was approved by the following vote: **AYES:** Council members Zygas, Dabney, Deutch, and D. Przybylinski (5) **NAYS:** Council member Tillman, Fitzpatrick, P. Przybylinski, and Mack (4).

Attorney Harris addressed Councilman D. Przybylinski's question about an action he would like to propose regarding the proposed ordinance that was just TABLED to the next Council meeting; that the motion was to TABLED until the June 21, 2022 Council meeting and was approved and can't be changed unless there is another motion to vote on.

Clerk Neulieb read the following proposed ordinance on second reading by title only.
APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE LOCAL INCOME TAX (FORMERLY KNOWN AS CREDIT) FUND FOR ON-CALL ENGINEERING SERVICES WITH HAAS & ASSOCIATES

Introduced by: Dalia Zygas

(DECREASE Local Income Tax (LIT) Fund 2224 Unappropriated balance \$50,000.00
INCREASE ACCOUNT#2224 114.431.020 \$50,000.00 Other Services and Charges –
Engineering Services)

President Deutch asked if the sponsor had anything to add at this time.

Councilwoman Zygas stated that she was sure that everyone received the letter from Haas and Associates withdrawing his contract for professional services for the City of Michigan City for 2022; advising that she would be removing her sponsorship on this appropriation.

President Deutch asked if there was anyone from the Council that wished to sponsor the proposed ordinance (repeating three times); there was no response with the proposed ordinance being pulled from the TABLE for lack of sponsorship.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4628

**AMENDING MUNICIPAL CODE SECTION 2-461(b)(3) COMMONLY KNOWN AS
THE SUSTAINABILITY COMMISSION TO PROVIDE THE ABILITY TO
COMPENSATE SUSTAINABILITY COMMISSIONERS IN THE CITY'S ANNUAL
SALARY ORDINANCE FOR THEIR SERVICES**

WHEREAS, on March 19, 2019, the Michigan City Common Council enacted and the Mayor signed Ordinance No. 4507 creating the Sustainability Commission; and

WHEREAS, Sec. 2-461(b)(3) of the Michigan City Municipal Code currently states that the members of the Sustainability Commission "...shall serve without compensation;" and

WHEREAS, members of the Sustainability Commission spend a considerable amount of time and effort performing their duties and promoting the mission of said commission each month; and

WHEREAS, numerous members of other City Commissions, such as the Police Civil Service Commission, Board of Works & Safety, Board of Cemetery Trustees, Licensing Board, Plan Commission, Board of Zoning Appeals, Fire Merit Commission, Human Rights Commission, Social Status of African American Males Commission, Women's Commission, Tree Board, Fire Pension Board, Police Pension Board, and Park Board, are compensated on a monthly basis as provided by the City's annual salary ordinance; and

WHEREAS, the Common Council finds that it is in the best interest of the City to amend Sec. 2-461(b)(3) to now read as follows: Compensation of the members, if any, shall be established annually by including same in an ordinance setting salaries and wages for appointed officials and employees of the City.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, Indiana as follows:

1. Section 2-461(b)(3) of the Michigan City Municipal Code shall be amended to now read as follows:

Compensation of the members, if any, shall be established annually by including same in an ordinance setting salaries and wages for appointed officials and employees of the City.

2. All other provisions of Section 2-461, not in conflict herein, shall remain in full force and effect.

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

INTRODUCED BY: /s/ Bryant Dabney, Member
Michigan City Common Council

INTRODUCED BY: /s/ Michael Mack, Member
Michigan City Common Council

INTRODUCED BY: /s/ Dalia Zygas, Member
Michigan City Common Council

INTRODUCED BY: /s/ Angie Nelson Deutch, Member
Michigan City Common Council

INTRODUCED BY: /s/ Don Przybylinski, Member

Michigan City Common Council

President Deutch asked if any of the sponsors had anything to add, there was no response.

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

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

Councilman D. Przybylinski made a motion to adopt the proposed ordinance, second by Councilwoman Zygas.

The ordinance was approved by the following vote: **AYES:** Council members P. Przybylinski, Dabney, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, and Zygas (8) **NAYS:** Council member Tillman (1).

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4629

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE BOARD OF PUBLIC WORKS & SAFETY OF THE GENERAL FUND TO PROVIDE MEMBERS OF THE MICHIGAN CITY SUSTAINABILITY COMMISSION WITH A MONTHLY PAYMENT FOR THEIR SERVICE ON THE COMMISSION

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 2022 Annual Budget to provide funding for members of the Michigan City Sustainability Commission, and

WHEREAS, simultaneous with this Ordinance, separate ordinances are being proposed to do the following:

- 1.) Amend Section 2-461(b)(3) of the Michigan City Municipal Code pertaining to the Sustainability Commission to add the following language: "Compensation of the members, if any, shall be established annually by including same in an ordinance setting salaries and wages for appointed officials and employees of the City;" and
- 2.) Amend Section 9 of Ordinance No. 4598, commonly known as the 2022 Salary Ordinance, to provide for a monthly compensation in the amount of \$50.00 for the thirteen (13) members of the Sustainability Commission, and

WHEREAS, if legislation is passed to compensate members of the Sustainability Commission at \$50.00 per month, which would take effect in 2022, the need exists to additionally appropriate monies to pay the same; and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the General Fund #1001 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:

AMOUNT

AMOUNT

	<u>REQUESTED</u>	<u>APPROPRIATED</u>
DECREASE General Fund #1001 Unappropriated balance	\$3,900.00	
INCREASE ACCOUNT#1001 105 411.015 Salaries & Wages – Boards & Commissions		\$3,900.00
TOTAL FOR FUND	\$3,900.00	

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: /s/ Bryant Dabney, Member
Michigan City Common Council

INTRODUCED BY: /s/ Dalia Zygas, Member
Michigan City Common Council

INTRODUCED BY: /s/ Michael Mack, Member
Michigan City Common Council

INTRODUCED BY: /s/ Angie Nelson Deutch, Member
Michigan City Common Council

INTRODUCED BY: /s/ Don Przybylinski
Michigan City Common Council

President Deutch asked if any of the sponsors had anything to add, there was no response.

President Deutch asked if the public had any questions or comments, there was no response.

President Deutch asked if the Council had anything to add.

Councilman D. Przybylinski made a motion to adopt the proposed ordinance, second by Councilwoman Zygas.

The ordinance was approved by the following vote: **AYES:** Council members Dabney, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, and Zygas (7) **NAYS:** Council member Tillman and P. Przybylinski (2).

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4630

AMENDING ORDINANCE NO. 4598 COMMONLY KNOWN AS THE “2022 SALARY ORDINANCE” TO ESTABLISH A MONTHLY COMPENSATION FOR MEMBERS OF THE MICHIGAN CITY SUSTAINABILITY COMMISSION

WHEREAS, on October 19, 2021, the Michigan City Common Council enacted and on October 27, 2021, the Mayor signed Ordinance No. 4598, which established the salaries and wages for appointed officials and employees for the year 2022, which included various City boards and commissions; and

WHEREAS, simultaneous with this Ordinance, the City Controller is considering an Ordinance to Amend Sec. 2-461(b)(3) of the Michigan City Municipal Code to remove language that the members of the Michigan City Sustainability Commission serve without compensation and to add the following language: “Compensation of the members, if any, shall be established annually by including same in an ordinance setting salaries and wages for appointed officials and employees of the City;” and

WHEREAS, the Common Council reasonably believes that members of the Sustainability Commission should be compensated in the amount of \$50.00 per month for their services, and that the 2022 Salary Ordinance should be amended to reflect the same; and

WHEREAS, the City Controller has advised that an additional appropriation is necessary to fund the monthly compensation for members of the Sustainability Commission, and as such, an additional appropriation ordinance is being considered by the Common Council simultaneously with this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, LaPorte County, Indiana, as follows:

1. The aforementioned “Whereas” sections are incorporated herein as if fully set forth herein.
2. In Section 9 of Ordinance No. 4598, the Sustainability Commission shall be added to the list of boards and commissions and shall be compensated at the rate of \$50.00 per month.
3. All other provisions of Ordinance No. 4598 not in conflict with this Ordinance shall remain in full force and effect.

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/ Bryant Dabney, Member
Michigan City Common Council

INTRODUCED BY: /s/ Dalia Zygas, Member
Michigan City Common Council

INTRODUCED BY: /s/ Michael Mack, Member
Michigan City Common Council

INTRUDUCED BY: /s/ Angie Nelson Deutch, Member
Michigan City Common Council

INTRODUCED BY: /s/ Don Przybylinski, Member
Michigan City Common Council

President Deutch asked if any of the sponsors had anything to add this evening, there was no response.

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

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

Councilman D. Przybylinski made a motion to adopt the proposed ordinance, second by Councilman Dabney.

The ordinance was approved by the following vote: **AYES:** Council members Dabney, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, and Zygas (7) **NAYS:** Council member P. Przybylinski and Tillman (2).

NEW BUSINESS

President Deutch stated Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council regarding his appointment of Ms. Dalia Zygas to the Michigan City Tree Board (term would begin immediately and will expire 08-01-2025)

Councilman D. Przybylinski asked to suspend the rules and go ahead and vote on this, there was no response and the request of Mayor Parry for the advice and consent to appoint Ms. Zygas to the Tree Board was approved by the following vote: **AYES:** Council members Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman and Dabney (9) **NAYS:** Council member None (0).

UNFINISHED BUSINESS

NOMINATIONS: President Deutch advised the Council has the following appointments to the Commission of the Social Status of African American Males (term expired 2/15/22)

Incumbents:

Ms. Albertine Allen – Minority Health Partners of LaPorte County
(resigned)

Dr. Wendall McCollum- MCAS

President Deutch advised that Councilwoman Tillman is working with Attorney Harris on amending the ordinance and filling these positions.

COMMENTS FROM THE PUBLIC

President Deutch asked if there were any comments from the public at this time.

Mary Nell Murphy, 2209 Bay View reported that Michigan City has received designation as a “Bird Town” of Indiana by the Indiana Audubon Society presenting three (3) of these signs to the City to place them on the way to Washington Park, and possibly at the entrance of our city as well.

President Deutch ask Ms. Murphy to contact Chris Yagelski in the Mayor’s office and he will get them placed.

Ernie Hullahan, 302 Gladys Street addressed the council regarding the proposed sewer project in the Town of Long Beach; also addressing a fight/shooting that happened at the Tall Timbers Park between children and young adults and the response time of our MCPD.

Brian Gross, 830 W. 6th Street, advising since the last council meeting on May 17th he attended the Plan Commission and spoke at their meeting but didn’t seem interest about what he was saying that no one has still reach out to him regarding any concerns he may has; that they are more interested in Economic Development and understands that but this administration should also care about the residents, citizens, and taxpayers that already exist in this city.

James Stewart, 505 W. 8th Street, addressed the council regarding the petition that the Council received at their May 17th Council meeting with over a thousand signatures supporting this community to get a “field house” built so the children and young adults have a place to go; stating several positive reasons why our community needs this built in our city.

Tommy Kulavik 1316 Ohio Street, stated that he had attended the presentation Councilman Mack did at the Hope Center and that he feels that they should be going to the Michigan City School Board to get the conversation going about getting a “field house” in our community.

Mr. Kulavik commented on our city giving tax abatements to companies that say they are going to locate in our city and then turn around and leave in a few months like in LaPorte.

Ernie Hullahan, 302 Gladys Street, commented about the activities at the old Elston High School that took place years ago when he was working there at night and now that the it belongs to the YMCA they charge to play basketball and no one is using the courts.

Sarah Segoville, Michigan City addressed the Council regarding building a “field house” in our community stating that these are our kids, and they will hopefully one day be sitting where each of the council members are now if we give them a chance to show their ability to be someone and show our kids in our community that we support their future; that she doesn't feel that going to our school board they will support these programs but she does believe that our community will support what they want to do.

COMMENTS FROM THE COUNCIL

President Deutch asked if there were any comments from the council.

Councilman Simmons commended Officer Patrick Lewis of the MCPD who was working the violent crime reduction patrol on Friday, June 3rd when doing a traffic stop to make it short he was able to make three (3) arm robbery arrests seizing four hand guns and consequently arrested four (94) subjects out of a 6 were also charged; great job.

Councilman Dabney commented on safety in our city with the recent shooting happening throughout our city for a long time which brings up the idea of the “field house” community center so there is someplace for people to go; reporting that at the last Park Department meeting these shooting were discussed and there were promises made with the mayor stating things would happen within seventy-two (72) hours; wishing was present to address what was said.

Councilman Dabney advised that in his ward he has five (5) neighbor associations, and they have all requested to have a meeting with the mayor, Chief Campbell to see what can be done to work on the issues we are facing in a daily occurrence.

Councilman Dabney commented on the ARPA funds and the committee the mayor put together regarding how these funds will be spent; advising that they have agreed on a lot of ways to spend these funds as far as more security in our community and that we need to move quickly and that he believes everyone sitting up here knows that we really need to address security in our city.

Councilman D. Przybylinski agreed with Councilman Dabney, stating that he spoke with the Mayor last week after this shooting happen along with some other events that took place down at the park; suggesting to him that we should hire State or County police officer on their days off; also stating that addressed IT Director Andy Metanic regarding

camera's in the parking lot at Washington Park and he advised that it is hard to get mostly anything that has to do with computers, cyber security, cameras due to pandemic and people being short staffed for this year but should be able to get them for next year's season.

Councilman D. Przybylinski commented on the appropriation for \$50,000 that Councilwoman Zygus pulled her sponsorship due to Mr. Haas pulling his contract for doing work this year for the city; asking if the administration could give the Council a report at our next Council meeting on June 21st the status of either a new engineer or another engineering firm that we are going to contract with along with what the status regarding repairs sidewalks and black topping of any streets this year.

Councilman D. Przybylinski thanked the NAACP, the Northwest Ministerial Association for hold the prayer vigil at St. Johns Church last Thursday for the students/teachers in Texas and the citizens in New York that were killed that our entire country needs unity, healing, peace and tranquility get us together.

Councilman D. Przybylinski reminded everyone that next Tuesday June 14th is flag day asking the entire city residents to get their flags hanging in front of their homes for show our unity.

Councilman D. Przybylinski announced that the Sanitary District Board approved to place lights at both parking lots at Striebel Pond in August which is great news.

Councilman Mack commented on what we saw here tonight that government is your government it is our government; it's not a talent competition or an entertainment field, this is how stuff get done with everyone attending this meeting tonight you learn that you do have the right to speak your mind; the room is full of people that don't live in our city but are here to let us know how they feel and what they are asking for; thanking everyone for their comments.

Councilman Mack thanked Mr. Stewart for all he has done and for attending his form he had last week at the Hope Center that we will work together to get this done; we need to teach and develop our young adults with positiveness and potential; advising that he is working on a resolution with Councilman Dabney for what he saw is a vision of a "field house" in our community center.

Councilwoman Zygus commented on the Singing Sand Sculpting Festival that was held this weekend it was amazing; thanking Terry Gresham the Special Event Director for a great job done along with the volunteers and Park Staff for their hard work and that this event will be coming back next year even bigger.

Councilman Paul Przybylinski commented about his concerns with having the Police and Fire Commissions having their meetings at their individual facilities instead of like the past having their meetings and offices at City Hall; so people that want to attend them can and that they should keep their records here as well; and where this administration put the Council is the room that was for both the Police Commission and Fire Merit Commission along with their files.

Councilman P. Przybylinski talked about some of the security issues within our city and that we need to address the mental health crisis that is happening in our younger youth/society.

Council P. Przybylinski said he spoke with Jell Loniewski of MCPD Traffic Division about cameras being placed at busy intersection throughout our city; stating not to hand out tickets but to review what is happening when people drive and if there is an accident the MCPD can go back and see what did happen.

Councilman P. Przybylinski stated that he appreciated all the information the residents of the Town of Long Beach brought to us; that it was pertinent information and that he feels the moratorium by the county is causing this problem for them and that it is the

Town of Long Beaches problem not the City of Michigan City's problems and that we need to be very prudent on what we do because we're not providing services to the people in our community like we should be; commenting on the status of the Lafayette sewers.

Councilman P. Przybylinski stated that it is nice to see our streets where there is "No parking" being painted yellow; asking the administration to try to get more painting done on Wabash, Washington, Ohio and any other busy thoroughfares in town.

Councilman D. Przybylinski addressed the comments made when we tabled the ordinance for Long Beach sewer project; advising that he couldn't change the motion to bring the ordinance back at the June 21st meeting, but he would have liked to of tabled the proposed ordinance for at least three months to see what the residents in the Town of Long Beach wants.

President Deutch asked if there were any additional comments from the Council before she speaks.

Councilman Paul Przybylinski reminded everyone that yesterday was the 78th anniversary of D-Day stating that we are all grateful to the greatest generation and all the veterans that served in Indiana.

President Deutch stated that we have residents at the farthest east part of our city on Eastwood Road that don't have sewer that were promised as a part of the lake land annexation years ago and still haven't got sewers, agreeing with Councilman P. Przybylinski.

President Deutch thanked Terry Greetham Special Event Director on the Sing Sands Sculpture Festival last weekend hoping to make it free, bigger, more food and more vendors; you did an excellent job as a one man show with lots of volunteers.

President Deutch mentioned Jeremiah Clinton and Zaria Travillion for the high school; that they went down state this past weekend representing the city with record breaking times, congratulations and congratulations to the Marquette High School students and the Michigan City High School Students.

President Deutch advised that on June 23rd the Michigan City High School Piranhas are having the world's largest swimming lesson and our high school for boys and girls ages 3 to 18 to raise awareness about drowning.

President Deutch announced that she has scheduled several ARPA workshops in the next few weeks and yes we do have a ARPA Committee that was established last year and with us being half way through the year we want to move forward; stating there is a meeting in the EOC Room on June 14th at 6:30 p.m., June 22, 2022 at 5:30 p.m. in the Council Chamber, June 27, 2022 at 11:30 a.m. and one on June 29, 2022 both in the Council Chamber with all these meetings addressing the ARPA monies that we are receiving to answer questions, receive input and listen to what this community wants and move forward.

ADJOURNMENT

A motion by Councilman D. Przybylinski, second by Councilman P. Przybylinski and there being no further business to transact, President Deutch declared the meeting **ADJOURNED** (approximately 8:37 p.m.)