

REGULAR ZOOM MEETING – July 19, 2021

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

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

Noted present in person: Andrew White, Virginia Keating and Mayor Duane Parry (3).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Amber Lapaich, Corporate Counsel
Captain Jeff Loniewski, M.C.P.D. Traffic Division
Terry Greetham, Events Director/Recreation Coordinator
Chris Yagelski, Mayor’s Administrator
Kaleb Goodwin I.T. Webmaster
Skyler York, Planning Director
Jeff Wright, City Engineer
Cranston Harris, Superintendent, Central Services
Shong Smith, Director M.C. Central Services

Gale Neulieb, City Clerk
Dawn Debald, Deputy Clerk
Stacy Dudley, Assistant Deputy Clerk

APPROVAL OF MINUTES

President White asked if there were any corrections to the minutes from the Regular “Hybrid/Zoom” Meeting of July 6, 2021.

Mayor Parry moved to approve the minutes of the Regular “Hybrid/Zoom” meeting of July 6, 2021; seconded by Vice-President Keating.

The minutes were approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS:** None (0). **Motion Carries.**

REQUEST FOR SIGNAGE- Kyle Thompson, 11 Grand Beach Road is requesting a three (3) way stop at the intersection of Old Grand Beach Road and El Portal Drive for safety reasons

Kyle Thompson, 11 Grand Beach Road addressed the Board explaining his request; advising there are obstructions by trees and a large Michiana Shores planter sign; stating the stop sign is only for traffic going westbound on Old Grand Beach Road; further stating south and eastbound traffic have the right of way and they do not stop; further advising there is a lot more traffic in the summer with visitors and they are unfamiliar with the area.

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board advising he had a chance to look at the intersection along with Jeff Wright, City Engineer; stating there is an obstruction for sight lines trying to pull out onto Grand Beach Road continuing west; explaining the stop sign is for westbound traffic; further advising he pulled accident statistics for that area and there was only one accident involving a deer; commenting they found that there is some obstruction with overgrown foliage by the stop sign (westbound traffic); further stating that Mr. Wright contacted the Street Department to cut back the foliage; further explaining there is a large field stone pillar that has been at the intersection for decades that belongs to the Michiana Shores Fire Department; further commenting that himself and Mr. Wright came to a conclusion that reducing the foliage around the stop sign, making it more visible to traffic and possibly installing a painted stop bar on the road might improve the conditions; advising at this point they don’t believe a three (3) way stop would be warranted.

Jeff Wright, City Engineer addressed the Board explaining parts of the highway capacity manual, the calculation method and traffic counts; advising the traffic count at that intersection is 3240 vehicles per day; stating the intersection is lacking a stop line; and there is obstruction by the stop sign with foliage from the trees; further advising Shong Smith, Director, Central Services will be heading there this morning to paint the stop line and cut the trees back; recommending that nothing further is done at the intersection.

Discussion ensued between Mayor Parry and Mr. Wright regarding the difference in cost to paint a stop line and maintaining it every couple year’s versus putting up a stop sign once and being done with it. Mr. Wright stated that painting a stop line would cost pennies; changing the function of an intersection could do more harm than good.

Mayor Parry made the motion to deny the request for a three (3) way stop at the intersection of Old Grand Road and El Portal Drive for safety reasons. The motion was seconded by Vice-President Keating.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

“NO PARKING” CONCERN – Malinda Tarquino, 206 Cleveland Avenue has issues with the yellow curb lines that were painted on Cleveland Avenue that prohibits parking in front of her home

Malinda Tarquino, 206 Cleveland Avenue addressed the Board explaining the painted yellow curb lines that prohibit parking in front of her home; explaining she understands the police concerns regarding emergency vehicles coming down the street; stating she spoke to Captain Jeff Loniewski, M.C.P.D. Traffic Division about removing a tree and bushes near her driveway extending it to give her more room to park.

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating that Ms. Tarquino does have off street parking available, and she does have a driveway on the north side of her house; advising that reintroducing traffic on that side of the street would still create a pinch point; explaining he spoke to Ms. Tarquino about expanding her driveway if she needed more parking for guests; recommending they leave the “No Parking” yellow zone as is.

Jeff Wright, City Engineer addressed the Board stating he looked at this and you cannot have parking on both sides of the street; vehicles cannot get through.

Discussion ensued between Vice-President Keating and Captain Loniewski regarding if he was aware historically that there had been a yellow line on the opposite side of the street. Captain Loniewski stated yes, he believes it was at the corner of the intersection prohibiting people from parking too close to the intersection.

Ms. Tarquino addressed the Board stating she will remove the tree and bushes off to the right of her driveway and extend it; advising this will fix the issue.

Vice-President Keating stated that safety trumps a parking issue and Ms. Tarquino has presented the Board with a solution to solve her problem.

Discussion ensued between Mayor Parry and Ms. Tarquino regarding if her original request was to have the painted curb lines removed. Ms. Tarquino stated yes until she spoke to Captain Loniewski regarding the issues with the emergency vehicles getting through; advising at that time they came up with the solution of extending the driveway.

Mayor Parry made the motion to allow Ms. Tarquino to make the changes to extend her driveway as long as they do not impede on any other properties.

Corporate Counsel, Amber Lapaich stated the Board does not need to make a formal motion for Ms. Tarquino to do something on her private property.

Vice-President Keating made the motion to deny the removal of the “No Parking” painted curb in front of Ms. Tarquino’s residence at 206 Cleveland Avenue. The motion was seconded by Mayor Parry.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

SAFETY CONCERNS- Tracy L. Coleman, 218 Willard Avenue has concerns with speeding vehicles on Willard Avenue and children’s safety

Rodney McCormick, 617 Union Street addressed the Board on behalf of Ms. Coleman stating there are issues on Willard Avenue with people not obeying traffic signs; advising they need to come up with a solution.

Discussion ensued between President White and Mr. McCormick regarding a solution to help with this issue. Mr. McCormick stated Police presence would be very helpful.

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating this is not just an issue on Willard Avenue, it is all over Michigan City; advising in his 24 years of service, he has not received so many complaints about speeding; explaining it is not a lack of patrolling by officers, it is a lack of respect for law enforcement; giving the accident statistics and fatalities for this year compared to last year; further stating we are significantly higher than last year at this time; recommending they place the radar trailer on Willard Avenue and have some officers do more traffic enforcement at that location.

Discussion further ensued between Mayor Parry and Captain Loniewski regarding if speed bumps or stop signs could be placed on Willard Avenue. Captain Loniewski stated that he discourages against stop signs; advising that most accidents they investigate are due to failure to yield right of way or disregarding stop signs; so stop signs are not the answer; explaining that the Street Department is using thermal plastic speed bumps that are not as high as regular concrete or asphalt speed bumps; further stating the thermal plastic speed bump was installed on Walker and Grace Street and it seems to have solved the situation; this is something they can look at.

Discussion continued between President White and Captain Loniewski regarding if M.C.P.D. Traffic has seen an increase/decrease in the number of citations for speeding and disregarding stop signs within the City. Captain Loniewski stated that he does not have that information on hand; advising they are short officers, so they are focusing their patrol efforts on areas that are having accidents, which are the main arteries in Michigan City.

Discussion further continued between Vice-President Keating and Captain Loniewski regarding if the nature of the accidents has been property damage with no injuries. Captain Loniewski responded, no, besides the two fatalities they have had this year, there were also two serious bodily injuries they thought were going to be fatalities; explaining there are more injury accidents because people are disregarding the law.

Discussion ensued between Mayor Parry, President White, Vice-President Keating, Captain Loniewski and Mr. McCormick regarding the use of stop light cameras. Captain Loniewski stated there was a company that came before the Council earlier this year with a proposal on these types of cameras. Mr. McCormick stated you can't put a price on someone's safety. Mayor Parry made the motion to "TABLE" this matter to the next meeting on Monday, August 2, 2021 and refer it to all interested parties; M.C.P.D. Traffic Division, Jeff Wright, City Engineer, Central Services. The motion was seconded by Vice-President Keating.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

RATIFICATION OF USE OF PARKING LOT- Pastor Ericka Kilbourne, First Presbyterian Church, 121 W. 9th Street is requesting the use of the City owned parking lot located at 8th & Washington Street for Vacation Bible School from 5:00 p.m.– 7:30 p.m. on July 20-22, 2021

Corporate Counsel, Amber Lapaich-Stalbrink addressed the Board stating that President White and herself looked over the request and the Certificate of Insurance; advising everything is in order.

Vice-President Keating made the motion to approve the request by Pastor Ericka Kilbourne, First Presbyterian Church for use of the City owned lot located at 8th & Washington Streets for Vacation Bible School from 5:00 p.m. – 7:30 p.m. on July 20-22, 2021 contingent on cleanup of the lot afterwards. The motion was seconded by Mayor Parry.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

RETIREMENT- Chief Dion Campbell, Michigan City Police Department is announcing the retirement on Lieutenant Tim Richardson with 27 years of service; effective August 15, 2021 (note: for informational purposes only)

President White wished Lieutenant Richardson the best of luck with his new endeavor as Chief of Police for the town of Chesterton.

REQUEST TO SOLICIT BIDS/APPROVAL OF BID PACKET- Cranston Harris, Superintendent, Central Services is requesting approval to solicit bids for 2022 Fuel Procurement – Unleaded & Diesel Fuel and approval of bid documents

Corporate Counsel, Amber Lapaich-Stalbrink addressed the Board stating our current contracts for fuel expire the end of this year; advising we need to create a pool of vendors that can competitively procure at each fuel purchase; explaining the bids are due on August 16, 2021 and there is a packet with all of the instructions; recommending approval.

Mayor Parry made the motion to approve the solicitation of bids and the bid packet for 2022 Fuel Procurement – Unleaded and Diesel Fuel by Cranston Harris, Superintendent, Central Services. The motion was seconded by Vice-President Keating.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

SAFETY CONCERNS – Rodney McCormick, 617 Union Street is requesting to address safety issues with several homes in his neighborhood

Rodney McCormick, 617 Union Street addressed the Board with his issues and concerns with several properties in his neighborhood; explaining we need to demolish the empty homes and garages and put hefty fines on the owners or take possession of the properties; advising he spoke with Michael Kuss, General Manager, Sanitary District and Steve Stanford, Michigan City Sanitary District and they will go back to tearing down garages like they did years ago as long as the homeowner signs a waiver form.

Discussion ensued between Mayor Parry and Mr. McCormick regarding 925 W. 7th Street and an incident on York Street that involved Code Enforcement Officer's and the Refuse Inspector.

Vice-President Keating thanked Mr. McCormick for bringing these issues to the Board's attention; advising this is a Code Enforcement issue; and we need Code Enforcement to look at the properties, find out how many properties are on the list to be demolished and what kind of funds they have for the demolitions.

Vice-President Keating made the motion to "TABLE" this matter and have Code Enforcement review it and come back with a recommendation at the next meeting on August 2, 2021. The motion was seconded by Mayor Parry.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

REQUEST FOR STREET CLOSURE- Pierre Twer, representing Bolt for the Heart, 3173 Smokey Ridge Lane, Carmel, Indiana is requesting street closure of Lakeshore Drive at Washington Park from Krueger Avenue to Blaine Street; Blaine Street to Lake Avenue; Lake Avenue to Lakeshore Drive to Colfax Avenue; and Colfax Avenue to Stop 9 and back on Saturday, October 30, 2021 from 6:00 a.m. – 1:00 p.m. for a 5K and 10K to raise money to provide AED's (Automatic External Defibrillators) in all Michigan City and LaPorte City Police vehicles

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating this is their 3rd annual event; advising it will be the same route as in the past; explaining last year Bolt for the Heart raised money to purchase AED's for the entire Sherriff's Department; recommending approval.

Vice-President Keating made the motion to approve the street closure request by Pier Twer; closure of Lakeshore Drive at Washington Park from Krueger Avenue to Blaine Street; Blaine Street to Lake Avenue; Lake Avenue to Lakeshore Drive to Colfax Avenue and Colfax Avenue to Stop 9 and back on Saturday, October 30, 2021 from 6:00 a.m. – 1:00 p.m. for a 5K and 10K to raise money to provide AED's in all Michigan City and LaPorte City Police Vehicles. The motion was seconded by Mayor Parry.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS:** None (0). **Motion Carries.**

CLAIMS AND PAYROLL

Mayor Parry moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The motion was seconded by Vice-President Keating and carried as follows: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS:** None (0). **Motion Carries.**

CLAIMS DOCKET

July 19, 2021

Municipal Claims	\$	1,046,173.50
CDBG	\$	7,905.74
Health Life	\$	242,396.67
Workers Comp.	\$	79,737.50
Ohio Street Project Oper FD	\$	540.00

Total Claims - \$ 1,376,753.41

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

PAYROLL DOCKET

July 2, 2021

City Payroll Total: \$568,388.30

July 16, 2021

City Payroll Total: \$591,150.00

Mayor Parry made the motion to approve the payroll docket for July 2, 2021 and the payroll docket for July 16, 2021. The motion was seconded by Vice-President Keating and carried as follows: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS:** None (0). **Motion Carries.**

UNFINISHED BUSINESS

President White stated the first item on the pending items/unfinished business list is Lacy Kelly, 434 Hendricks Street, is requesting a stop sign at Barker Avenue & Hendricks Street for safety purposes

Jeff Wright, City Engineer, addressed the Board stating there was a suggestion for a crosswalk on Barker Avenue for pedestrians trying to cross to go to the Cemetery, but he is recommending against a crosswalk because there is no sidewalk on the other side of the road; advising that Hendrick's Street is missing a stop line so Shong Smith, Director of Central Services will have the stop line painted.

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating he doesn't believe a stop sign is warranted at the intersection of Barker Avenue and Hendrick's Street; explaining they would have liked a crosswalk, making it safer for pedestrians, however the state law does not

allow a crosswalk unless it is connected to a sidewalk; advising until a sidewalk is installed on the opposite side of the street, they cannot paint a crosswalk.

Discussion ensued between Mayor Parry, Corporate Counsel, Amber Lapaich-Stalbrink and Mr. Wright regarding if a sign could be placed in that area for foot traffic wanting to walk across the street to the Cemetery reading “Caution Pedestrian’s Crossing into Cemetery”. Counsel Lapaich-Stalbrink stated our City Engineer would have to look at the MUTCD manual to see if it is a recognized sign. Mr. Wright stated you have to have a crosswalk to place a caution and advisory sign; and we can’t have a crosswalk at that location.

Mayor Parry made the motion to deny the request by Lacy Kelly for a stop sign at Barker Avenue and Hendrick’s Street for safety purposes and remove it from the pending items/unfinished business list. The motion was seconded by Vice-President Keating.

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

President White stated the next item on the pending items/unfinished business list is - Jeff Santana, 4954 Lindsey Lane- request for signage- requesting the installation of a “Do Not Block Drive” sign and painted lines along the intersection of Cleveland Avenue and Pahs Road

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board stating that the “Do Not Block Driveway” sign has been installed and the striping has occurred; advising the only thing that still needs to be addressed is for Jeff Wright, City Engineer to look and see if it is practical to have a left turn lane for southbound traffic turning off of Cleveland Avenue onto Pahs Road.

Jeff Wright, City Engineer addressed the Board stating he looked at the Cleveland Avenue approach to Highway 20 and there is not enough space to put in a dedicated left turn lane onto Pahs Road; advising they wouldn’t be able to stripe a left turn lane.

Discussion ensued between President White and Mr. Wright regarding the challenging area near the high school; primarily the two lanes heading south before turning onto Pahs Road and which is the turning lane. Mr. Wright stated the striping is faded and not highly visible in that area.

Shong Smith, Director, Central Services addressed the Board stating the Street Department striped the two (2) yellow lines on Cleveland Avenue that were requested and they also installed the “Do Not Block Driveway” sign.

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

The request was approved by the following vote: **AYES: Board of Public Works and Safety members** White, Keating and Parry (3). **NAYS: None** (0). **Motion Carries.**

President White stated the next item on the pending items/unfinished business list is Councilman Don Przybylinski’s request that signage (rough crossings) be placed at Ohio Street and Tilden Avenue CSX crossings

The rough crossing signs have been placed. This matter will stay on the pending items/unfinished business list so that Mayor Parry can keep in communication with CSX in regard to making actual repairs at the crossings at each location.

Mayor Parry stated he is still calling CSX and will keep the Board updated on the progress.

Discussion ensued between Vice-President Keating and Mayor Parry regarding if CSX has confirmed with the Mayor in writing that they received his request, and these repairs are on their list. Mayor Parry stated he only reached out verbally, but he will send them an email asking them to put this in writing.

President White stated this matter will stay on the pending items/unfinished business list as a reminder to keep the Board updated on communications between the Mayor and CSX.

President White stated the next item on the pending items/unfinished business list is Robin Tillman, Transit Director – RFP proposals for bus shelters.

Counsel, Lapaich-Stalbrink addressed the Board stating Skyler York, Planning Director, Robin Tillman, Transit Director and herself met with Lakefront Associates; advising they are working on the terms and conditions of the contract; explaining they need to hammer out more details; asking this matter stay on the pending items/unfinished business list.

President White advised this matter will stay on the pending items/unfinished business list.

PUBLIC COMMENTS

President White asked if there was anyone from the public who wished to speak;

Councilman Paul Przybylinski, 1716 Washington Street addressed the Board regarding decrepit homes within the City; advising he has been getting a lot of complaints about speeding on Wabash Street and other secondary streets; stating that maybe M.C.P.D. can put together a program like the “Click it or Tick it program and officers can sign up for overtime to enforce the speeding issues; commenting on railroad crossings within the City and quiet zones; explaining he would have no problem introducing some type of ordinance that would allow the City to spend money to improve crossings; creating less noise and better safety in neighborhoods; asking why the issue with redundant telephone poles was taken off of the agenda and does the City need to go to the Utility Regulatory Commission on this issue.

Discussion ensued between Mayor Parry and Councilman Przybylinski regarding railroad crossings throughout Michigan City and concrete panels that were used between the tracks like what is on Franklin Street which is much better than a permanent crossing. Mayor Parry stated that he proposed to CSX that if they could get the crossings fixed at Ohio Street and Tillden Avenue faster and give the City a better product that he would propose to the Counsel that Michigan City could possibly pick up a portion of the cost; continuing to speak about what is needed for a quiet zone.

Jessica Arnett, 320 E. Homer Street, Customer Service Team at Washington Park addressed the Board on behalf of herself and her team members; extending a heartfelt and sincere thank you to the Michigan City Fire Department who served alongside the lifeguards as beach rescue at Washington Park.

Rodney McCormick, 617 Union Street addressed the Board commenting on misconduct within the Michigan City Police Department; reading sections of the Whistleblower ordinance.

Discussion ensued between Mayor Parry, Mr. McCormick and Vice-President Keating regarding an incident at the Michigan City Police Department. Vice-President Keating stated personnel matters are confidential and this is not the forum to discuss this matter; advising this subject matter is not within the Board of Works mandate.

Tommy Kulavik, 1316 Ohio Street addressed the Board commenting on the Willard Avenue speeding issue; stating there was a presentation at a City Council meeting a few months ago regarding flock cameras; expressing his gratitude to Lieutenant Tim Richardson for his years of service with the Police Department; stating he will make a fine Chief for the Town of Chesterton; explaining there is a Government assistance program called Internet Essentials through Comcast for students that receive free or reduced lunches at school; they offer affordable internet service; the website is internetessentials.com; encouraging everyone to go out and support the Farmer’s Market every Saturday morning.

Jay Slutzkin, 121 Boyd Circle, Owner of the Boathouse Grill addressed the Board explaining his issues and concerns with mobile food trucks in the downtown area.

BOARD COMMENTS

President White asked if there are any Board comments;

Mayor Parry asked for information from Skyler York, Planning Director in regard to a local business owner going in front of the Redevelopment Commission asking for approval to place a food truck on his easement near 7th & Franklin Street; stating it could possibly turn into a more permanent structure; advising he doesn’t want to see anything effect the Taste of Michigan City event or the Grand Prix Boat race.

Skyler York, Planning Director addressed the Board advising the business owner would need to follow the applicable Food Truck Vendor License ordinance for the City; stating it is an easement and the business owner has the right to retain and execute it; explaining he cannot do anything until after the Taste of Michigan City and the Boat race.

ADJOURNMENT

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, asked for a motion to ADJOURN the meeting at approximately 10:33 a.m. Mayor Parry made the motion to Adjourn. The motion was seconded by Vice-President Keating. **AYES: Board of Public Works and Safety members White, Keating and Parry (3). NAYS: None (0). Motion Carries.**

Gale A. Neulieb, City Clerk