

# REGULAR ZOOM MEETING –

## August 2, 2021

The Board of Public Works, and Safety of the City of Michigan City, Indiana met in regular session on Monday morning, August 2, 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 and Mayor Duane Parry (2), Absent: Virginia Keating (1).

### 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  
Shannon Eason, Assistant Park Superintend  
Shong Smith, Director M.C. Central Services  
Sue Downs, Building Commissioner  
Christine Vanderborg, Code Enforcement  
Aundre Crayton, Code Enforcement  
Sergeant Steve Forker, M.C.P.D

Gale Neulieb, City 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 19, 2021.

Mayor Parry moved to approve the minutes of the Regular “Hybrid/Zoom” meeting of July 19, 2021; seconded by President White.

The minutes were approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). **Motion Carries.**

### OPENING OF BIDS- 2021 Phase II – Miscellaneous Street Paving

President White asked if there was anyone wishing to render a bid for the Phase II Miscellaneous Street Paving Project; there was no response.

Mayor Parry made a motion to close the acceptance of bids for the 2021 Phase II – Miscellaneous Street Paving project. The motion was seconded by President White.

The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). **Motion Carries.**

Corporate Council, Amber Lapaich-Stalbrink addressed the Board advising two (2) bids were received as follows:

Reith-Riley Construction Company, Inc.	\$ 812,615.00
Milestone Contractors North, Inc.	\$ 946,418.75

President White made a motion to refer the bids for the 2021 Phase II Miscellaneous Street Paving project to the Attorneys office for their review and recommendation at the next meeting on Monday, August 16, 2021. The motion was second by Mayor Parry.

Request was approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). **Motion Carries.**

**REQUEST TO PURCHASE CITY PROPERTY-** Tim Taylor and Jeff Alisch, 2310 Maple Street is requesting to purchase City owned property located on Beverly Court Parcel #46-01-33-377-014.000-022

Tim Taylor, 2310 Maple Street addressed the Board explaining his request; advising that he would like to purchase the property that is located next to his home; advising he has been taking care of the property since he bought his home years ago.

Corporate Counsel Amber Lapaich-Stalbrink stated that President White needs to formally make a motion to refer Mr. Taylor to her office; she will check with all City departments to see if the property should be sold or retained; advising she will then inform the Board of Works on what the next steps would be.

Mayor Parry stated that these two gentlemen live in his neighborhood and they approached him about the property.

Mayor Parry made a motion to refer this matter to City Attorney, Amber Lapaich for her review and recommendation at the next meeting. The motion was second by President White.

The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). **Motion**

**REQUEST FOR SIGNAGE-** Joseph Krchnavi, 9788 North 375 West, is requesting placement of a “No Parking” sign on the east side of the alley between 412 and 416 Broadway Street

Captain Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board on behalf of Joseph Krchnavi, 9788 North 375 West explaining his request; advising there is a northside alley that runs between 412 and 416 Broadway which is more like an easement instead of an alley; recommending that they speak to the resident that is parking in the easement rather than installing “No Parking” signs.

President White asked Captain Loniewski what the time frame would be to speak to the individuals.

Captain Loniewski stated that he would be speaking to the residents this week and that he has spoken to Joseph Krchnavi to inform him of what would be taking place; advising he was fine with this plan.

Mayor Parry made the motion to place this matter on the pending items/unfinished business list and revisit at the next meeting on August 16, 2021. The motion was seconded by President White.

The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). **Motion Carries.**

**REQUEST FOR SIGNAGE-** Eileen Westerkamp, 3017 Moore Road, is requesting the installation of two (2) stop signs along Moore Road; one (1) at the intersection of Westwood Drive and Mount Clair Way; and one (1) on Westgate Drive; for traffic management, pedestrian, and bicycle safety.

Eileen Westerkamp, 3017 Moore Road addressed the Board explaining her request; stating her neighbor has been working with Long Beach Town Council and the Long Beach Chief of Police; stating the section between Moore Road, Highway 12 and Lakeshore Drive is the main access point with no sidewalks; this is a very narrow street for residents of Shoreline Hills to walk to the beach with cars speeding and no stop signs; advising there are blind spots in that area.

Captain Loniewski, M.C.P.D. Traffic Division stated that this has been an ongoing issue; advising they placed a radar trailer to try to slow the speed; explaining Chief of Police Mark Swistek, Long Beach Department did a traffic study and within the last five (5) years there was only one (1) accident on Moore Road between Highway 12 and Westgate Drive which was not related to an issue at the intersection; explaining they do not recommend putting stop signs up because the intersection is located in a valley and it could create more accidents; further stating another option would be to install permanent radar signs; the estimated cost would be \$4,000.00 per solar power sign; further advising the mobile trailers cost between \$10,000 -\$19,000; further explaining Moore Road is narrow with no possibility of ever installing sidewalks; recommending denial of the request for stop signs.

President White asked if this was a Michigan City Road that is being addressed.

Captain Loniewski answered that the east side of the road is Michigan City, and the west side is Long Beach if a stop sign is placed at this intersection it would require approval from Long Beach because we could only place a stop sign for northbound traffic.

Discussion ensued between President White and Captain Loniewski regarding if the radar installation is something that would only have to be placed on one side of the street. Captain Loniewski stated that he spoke with Chief Swistek about the purchase of a radar sign for southbound traffic and he stated it is something that he would pursue if the funding is available this year.

Discussion further ensued between Mayor Parry and Captain Loniewski regarding Westwood Drive and also what point is the break point north and south to where you leave Michigan City and go into Long Beach.

Eileen Westerkamp continued to comment on issues on Moore Road.

Becky Lipton 3016 Moore Road, addressed the Board with her issues and concerns at the corner of Montclair, Westwood, and Moore Road.

Rodney McCormick 617 Union Street addressed the Board stating that the City is talking about spending a lot of money on signs; explaining they should place a temporary stop sign up and see if it works.

President White asked Captain Loniewski if we could reach out to the school transportation department and give them a friendly reminder that there might be a bus driver speeding through that area and is there anything that can be done to potentially address the construction traffic.

Captain Loniewski stated that we cannot prohibit those trucks so the only option would be to contact the owner of the company driving the trucks and creating the violations.

Mayor Parry stated he appreciates Mr. McCormick's thoughts to put up a temporary sign, but the labor would cost the same as putting up a permanent stop sign; also we would have to have the approval of the Town Council in Long Beach; suggesting they install a stop sign and pay 50% of the cost with Long Beach paying the other half.

Discussion continued between President White and Captain Loniewski regarding Captain Loniewski's recommendation to deny the request for stop signs. Captain Loniewski stated that when stop signs are installed, they get complaints about speeders and people running the stop signs; explaining if we put a stop sign it may create more problems.

Mayor Parry stated that he agrees with Captain Loniewski's suggestion about the electronic sign installation; with the cost being split between Michigan City and Long Beach.

Corporate Counsel, Amber Lapaich-Stalbrink addressed the Board advising that Jeff Wright, City Engineer should be involved in this discussion and this Board cannot do anything definitively until they know what Long Beach agrees to do.

Jeff Wright, City Engineer stated after observing the intersection he feels that we should not place any stop signs at the bottom of the hill; this could cause rear end accidents; advising there are improvements that should be made but not with signage; explaining that they need to trim back the foliage on Westgate Drive and a install a stop sign warning ahead sign and a stop line needs to be painted; recommending this matter be tabled to give more time to observe this issue.

Eileen Westerkamp stated that the 55 miles per hour speed limit at the top of the hill needs to be researched.

Mayor Parry made a motion to table this matter and revisit at the next meeting on August 16, 2021. The motion was seconded by President White.

The request was approved by the following vote: AYES: Board of Public Works and Safety members White and Parry (2). NAYS: None (0). Motion Carries.

**VENDOR LICENSE- Brealon Hervey, Hervey, LLC. DBA Social BBQ and Catering, 1705 Springland Avenue is requesting the renewal of his Mobile Food Vendor License to be located at Reprographic Arts, Inc. 2824 E. Michigan Boulevard.**

Brealon Hervey, 1705 Springland Avenue addressed the Board stating he is renewing his mobile food vendor license.

Discussion ensued between Mayor Parry and Mr. Hervey regarding if the BBQ sauce he uses is an original. Mr. Hervey stated the sauce was his own personal sauce.

Corporate Counsel, Amber Lapaich-Stalbrink stated that the letter received from Reprographic Arts, Inc. only gives permission thru the end of the year and not for one (1) full year from the approval date of the permit; advising the Board should approve the request contingent on receiving the updated letter from Reprographics.

Brealon Hervey stated that he did not have the letter giving permission through the life of the permit because he will be changing locations.

President White stated that in event that Mr. Hervey were to change locations he would need to come back before the Board for approval.

Discussion ensued between Corporate Counsel, Amber Lapaich-Stalbrink and Mr. Hervey regarding if he only planned on being at Reprographic Arts, Inc. for a short period of time. Mr. Hervey stated that he will be changing locations in two (2) weeks.

Mayor Parry made a motion to approve the request by Brealon Hervey, LLD. DBA Social BBQ and Catering; the renewal of his Mobile Food Vendor license to be located at Reprographics Arts, Inc. 2824 E. Michigan Boulevard. The motion was seconded by President White.

The request was approved by the following vote: AYES: Board of Public Works and Safety members White and Parry (2). NAYS: None (0). Motion Carries

**MEMORANDUM OF UNDERSTANDING-** Shannon Eason, representing the Michigan City Public Art Committee is requesting approval of the Memorandum of Understanding between Artist and the Michigan City Public Art Committee for the display of artwork on City owned property – Janet Austin “Waterbird” located on the southeast corner of 5<sup>th</sup> and Franklin Streets; artist will be paid \$3,000.00 in two (2) \$1,500.00 installments.

Shannon Eason, representing the Michigan City Public Art Committee addressed the Board stating that this is a renewal of the current lease for the artwork, “Waterbird” in front of Horizon Bank.

Mayor Parry made a motion to approve the Memorandum of Understating between Artist and the Michigan City Public Art Committee for the display of artwork on City owned property- Janet Austing “Waterbird” located on the southeast corner of 5th and Franklin Streets; artist will be paid \$3,000.00 in two (2) installments. The motion was seconded by President White.

The request was approved by the following vote: AYES: Board of Public Works and Safety members White and Parry (2). NAYS: None (0). Motion Carries.

**MEMORANDUM OF UNDERSTANDING-** Shannon Eason, representing the Michigan City Public Art Committee is requesting approval of the Memorandum of Understanding between Artist and the Michigan City Public Art Committee for the display of artwork on City owned property – Gary Kulak “Whoa” located on the northwest corner of 8th and Franklin Streets; artist will be paid \$3,000.00 in two (2) \$1,500.00 installments.

Shannon Eason, representing the Michigan City Public Art Committee stated that this is just a renewal of the current lease for the artwork, “Whoa” located on the northwest corner of 8th and Franklin Street.

Mayor Parry made a motion to approve the Memorandum of Understating between Artist and the Michigan City Public Art Committee for the display of artwork on City owned property- Gary Kulak “Whoa” located on the northwest corner of 8th and Franklin Streets; artist will be paid \$3,000.00 in two (2) installments. The motion was seconded by President White.

The request was approved by the following vote: AYES: Board of Public Works and Safety members White and Parry (2). NAYS: None (0). Motion Carries.

**RETIREMENT-** Chief Dion Campbell, Michigan City Police Department is announcing the retirement on Officer David Baker with 28 years of service; effective August 23, 2021 (note: for informational purposes only)

President White wished Officer David Baker the best of luck in his retirement and thanked him for his services to the Community.

**PERMIT AND INDEMNIFICATION AGREEMENT -** Sergeant Steve Forker, M.C.P.D. is requesting approval of the agreement between NICTD and the Michigan City Police Department for use of NICTD owned properties (Double Track Project) for training purposes from September 1, 2021 thru November 30, 2021.

Sergeant Steve Forker stated that as the Double Track Project progresses there are several properties that are being torn down and demolished so he are asking permission to use these properties for training; advising a list of properties will be provided upon approval.

Discussion ensued between President White and Corporate Counsel, Amber Lapaich-Stalbrink regarding if there are any liability issues or concerns. Counsel Lapaich-Stalbrink stated that M.C.P.D. will be using NICTD properties and they are requesting the M.C.P.D. signs an indemnification and harmless agreement and they also provide a certificate of liability insurance from the City which has been submitted.

Corporate Council, Amber Lapaich-Stalbrink advised that the indemnification states the properties are in the vicinity of the Double Track and NICTD was okay with that language without specifics at this time.

Discussion further ensued between Mayor Parry and Sergeant Steve Forker regarding if there will be weapons involved in these training sessions. Sergeant Steve Forker stated that no weapons will be fired; the training will be officer type rescues and building searches.

Mayor Parry made a motion to approve the agreement between NICTD and the Michigan City Police Department for use of NICTD owned properties (Double Track project) for training purposes from September 1, 2021 thru November 30, 2021. The motion was seconded by President White.

The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). Motion Carries.

**CONTRACT APPROVAL-** Contract between the Michigan City Board of Public Works and Safety and Charles Hendricks & Associates P.C. for professional engineering, surveying and related services; effective through 2021; total fee not to exceed \$25,000.00

Corporate Counsel, Amber Lapaich-Stalbrink addressed the Board stating this is a standard contract for professional engineering, surveying and related services; not to exceed \$25,000.00.

Mayor Parry made a motion to approve the contract between the Michigan City Board of Public Works and Safety and Charles Hendricks & Associates P.C. for professional engineering, surveying and related services; effective through 2021; total fee not to exceed \$25,000.00. The motion was seconded by President White.

The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). Motion Carries.

**RETIREMENT-** Chief Doug Legault, Michigan City Fire Department is announcing the retirement of Firefighter David Teeters with 31 years of service; effective July 18, 2021 (Note: for informational purposes only)

President White wished Mr. Teeters the best of luck and thanked him for his years of service to the Community.

#### 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 President White and carried as follows: **AYES:** Board of Public Works and Safety members White and Parry (2). **NAYS:** None (0). Motion Carries.

**CLAIMS DOCKET August 2, 2021**

<b>Municipal Claims</b>	<b>\$</b>	<b>524,385.67</b>
<b>CDBG</b>	<b>\$</b>	<b>21,895.51</b>
<b>Health Life</b>	<b>\$</b>	<b>271,974.52</b>
<b>Workers Comp.</b>	<b>\$</b>	<b>43,578.19</b>
<b>Wabash Costs</b>	<b>\$</b>	<b>9,626.49</b>
<b>Ohio Street Project Const.</b>	<b>\$</b>	<b>619,714.27</b>
<b>Total Claims -</b>	<b>\$</b>	<b>1,491,174.65</b>

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

**PAYROLL DOCKET July 30, 2021**

**City Payroll & Pension Total: \$823,982.62**

Mayor Parry made the motion to approve the payroll docket for July 30, 2021. The motion was seconded by President White and carried as follows: AYES: Board of Public Works and Safety members White and Parry (2). NAYS: None (0). Motion Carries.

**UNFINISHED BUSINESS**

President White stated the first item on the pending items/unfinished business list is Tracy Coleman, 218 Willard Avenue, concerns with speeding on Willard Avenue and children’s safety

President White stated that Captain Jeff Loniewski, M.C.P.D. Traffic Division recommended the placement of a radar trailer on Willard Avenue and possibly the placement of a thermal plastic speed bump.

Captain Loniewski addressed the Board stating he is still looking into this matter and he needs to pull the accident statistics for the intersections on Willard Avenue to see if there is a specific block where they are experiencing problems; also providing the statistics for the number of citations that have been issued so far this year; explaining the citations are lower this year and it could be because the Police Department’s manpower is significantly down with retirements and resignations; advising he is still working with Jeff Wright, City Engineer to see if anything else can be done on Willard Avenue.

Discussion ensued between President White and Captain Loniewski regarding the number of accidents there have been in Michigan City so far this year.

Rodney McCormick, 617 Union Street, representing Tracy Coleman addressed the Board thanking Mayor Parry for his visit and speaking to them about what can be done in the neighborhood; advising it is a bad part of town with a lot of crime; stating there is no police presence.

Mayor Parry stated that he spoke to Ms. Coleman regarding putting cameras up on Willard Avenue when the equipment becomes available.

President White stated this matter will stay on the pending items list and will be revisited at the next meeting on August 16, 2021.

President White stated the next item on the pending items/unfinished business list is Rodney McCormick, with safety issues with several homes in his neighborhood 705 & 727 & 803 Emily Street and 925 & 910 W. 7<sup>th</sup> Street

President White stated this matter was referred to Code Enforcement for their review and recommendation.

Sue Downs, Building Commissioner addressed the Board stating that 925 W. 7<sup>th</sup> Street is going to be demolished; it is going through the process and will hopefully be demolished sometime this year; explaining the situation with 803 Emily Street.

Christine Vanderborg, Code Enforcement addressed the Board advising a citation has been issued for 803 Emily Street; explaining the demolition process takes approximately six (6) months.

Discussion ensued between Corporate Counsel, Amber Lapaich-Stalbrink and Ms. Vanderborg regarding the Board exercising the appellate body under the unsafe building act for any orders to repair or demolish through the Inspection Department. Counsel Lapaich-Stalbrink asked if they anticipated any orders to repair or demolish in the near future. Ms. Vanderborg, stated yes, they have a list.

Rodney McCormick, 617 Union Street addressed the Board thanking Code Enforcement for coming out and keeping him informed; stating the consequences for the violations need to be more severe than what they are now; explaining the issue with the garage at 727 Emily Street.

President White stated this matter will stay on the pending items list and be revisited at the first meeting in September, which is September 7, 2021 and will continue to be revisited on a monthly basis.

Mayor Parry made a motion to adjust the pending items/unfinished business list to re-address this matter to September 7, 2021 and continue to revisit on a monthly basis. The motion was seconded by President White.

The request was approved by the following vote: **AYES:** Board of Public Works and Safety members White and Parry (2). **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.

At the last meeting Vice-President Keating asked Mayor Parry to confirm in writing to CSX that they received his request, and the repairs are on their list.

Mayor stated he was unable to make contact with CSX; advising he sent an email asking for a detailed list of probable dates for the Ohio Street and Tilden Avenue repairs also adding verbiage that these conditions present eminent danger.

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 she sent a draft of the proposed contract to Lakefront Associates last week and she is waiting to hear back from them.

President White advised this matter will stay on the pending items/unfinished business list until the next meeting on August 16, 2021.

## **PUBLIC COMMENTS**

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

Rodney McCormick, 617 Union Street addressed the Board regarding a shooting at the Duke of Oil and the recent drug overdoses at the Housing Authority in Michigan City; asking why the public is not being informed.

Tommy Kulavik, 1316 Ohio Street addressed the Board stating on Saturday, October 14, 2021 from 12:00 – 4:00 p.m. they are having a back to school rally at Elston's Gil Field; commenting on a government assistance program called Internet Essentials through Comcast for kids that receive reduced lunches at school; they can receive internet service for \$9.95 per month; advising the school system will be receiving a 5.6 million dollar Capital Improvement grant; further stating they have replaced the turf at Ames Field and there are several other school projects in the works for next year; explaining he saw graffiti on the north wall at Ames Field and filed a police report; continuing to explain that this matter has already been taken care of; continuing to comment on the speeding that is happening on Willard Avenue and what LaPorte has done to slow down speeders.

## **BOARD COMMENTS**

President White asked if there are any Board comments;

Mayor Parry stated he was shocked to hear about the shooting that happened in Indianapolis over the weekend; stating that a lot of things happening in the nation today, such as road rage, shootings, etc.; advising they are stemming from stress due to the Covid pandemic; everyone needs to stay cool and think about what they are doing.

President White congratulated the staff at the Michigan City Municipal Golf Course; stating they did a tremendous job with the City tournament over the last two (2) weekends; wishing Terry Greetham and his team the best of luck with the boat race and events that are happening this week.

## **ADJOURNMENT**

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, asked for a motion to ADJOURN the meeting at approximately 9:46 a.m. President White made the motion to Adjourn. The motion was seconded by Mayor Parry. **AYES: Board of Public Works and Safety members White, Keating and Parry (3). NAYS: None (0). Motion Carries.**

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Gale A. Neulieb, City Clerk