

REGULAR “HYBRID/ZOOM” MEETING

August 16, 2022

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, August 16, 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 President Deutch.

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

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

ABSENT: COUNCIL MEMBERS None (0).

A QUORUM WAS NOTED PRESENT

ALSO, PRESENT: Council Attorney Tramel Raggs, Gale Neulieb City Clerk and Stacy Dudley Deputy Clerk.

APPROVAL OF MINUTES

President Deutch stated that we will be approving the August 2, 2022 Regular Council meeting minutes at our September 6, 2022 council meeting.

REPORTS of STANDING COMMITTEES

President Deutch asked if there were any reports of standing committees, there was no response.

FINANCE REPORT

Councilwoman Tillman advised the Council’s Finance Committee meeting was held today August 16, 2022, with Councilman P. Przybylinski, Fitzpatrick and herself were in attendance; stating that funds from the Fund #2042 Riverboat in the original amount of \$75,342.00, but before the meeting Controller Hoffmaster provided us with an additional claim in the amount of \$36,000.00 that was a clerical oversight to the Riverboat Fund #2042 making the final total claims \$111,342.00. Vote to approve was 3 – 0.

CLAIMS DOCKET

President Deutch stated the August 2, 2022, claims for the Riverboat Claim Docket Fund #2042 was in the amount of \$111,342.00, no claims for Riverboat EFT and no claims from the Boyd fund #2031

Councilman D. Przybylinski made a motion to approve the August 16, 2022, Riverboat/Boyd Claim Docket in the total amount of \$111,342.00, second by Councilman P. Przybylinski.

August 16, 2022		
Riverboat/Boyd Claim Docket		
Fund #2042 – Riverboat – Claims	\$	75,342.00
additional	\$	36,000.00
Total fund #2042 -Riverboat Claims		111,342.00
EFT	\$	00.00
Fund #2031 – Boyd – Claims-	\$	00.00
TOTAL CLAIMS	\$	111,342.00

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

The August 16, 2022, Riverboat/Boyd Claim dockets in the amount of \$75,342.00 and an additional claim for \$36,000.00 making the total claims for Riverboat Fund #2042 \$111,342.00; a motion was made by Councilman D. Przybylinski and second by Council P. Przybylinski and was approved by the following vote: **AYES:** Council members Fitzpatrick, Mack, Deutch, D. Przybylinski, Gene Simmons, Zygas, P. Przybylinski, Tillman, and Dabney (9) **NAYS:** Council member None (0)

REPORTS OF SPECIAL or SELECT COMMITTEES

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

Councilman Fitzpatrick reported on the Tax Abatement Committee meeting that was held this evening with the meeting being called to order at 6:01 p.m. In attendance was Chairman Fitzpatrick, committee members Mack with Councilman Dabney absent; also in attendance was Councilwoman Tillman and Deutch, Economic Development Director Clarence Hulse (zoom) and Lilliana Franco, Executive Director of MCEDC. There were no questions from the committee regarding the 2022 tax abatements report received from Mr. Hulse with the list of 2022 CF1 forms received in the Clerk's Office; the committee voted 2-0 to approve the 2022 CF1 applications.

President Deutch asked if the CF1 applications need to be approved by a vote

City Clerk Neulieb stated that Mr. Hulse will be addressing the Council and vote is needed.

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

President Deutch stated that there had been several presentations that were done last week to discuss the amounts of money that is being proposed from the ARPA funds; advising that there is a proposed appropriation on second reading this evening.

REPORTS FROM THE MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS

President Nelson Deutch asked if there were any reports from the mayor or other city officers and departments.

President Deutch stated that we will have Mr. Clarence Hulse who will be presenting the 2022 Tax Abatement CF1 update.

Clarence Hulse, Executive Director of the MCDC addressed the Council to present the 2022 CF-1 tax abatement applicants that was discussed at our tax abatement committee meeting held this evening; advising that companies are facing the same issues that they have been facing for the last two (2) or three (3) years not being able to find people to work; there was a job fair with eighty (80) companies participating and they had over two-hundred (200) job openings, with only about two hundred (200) people that attended the job fair; with these problems companies are facing the companies that have tax abatements with the city asked the Council to approve the CF-1 applications as presented.

President Nelson Deutch asked if there were any questions from the public or council for Mr. Hulse, there was no response.

President Deutch asked if there is a motion to approve the 2022CF-1 applications; Councilman P. Przybylinski made a motion to approve the 2022 CF-1 applications, second by Councilman D. Przybylinski; with the motion being approved by the following vote: **AYES:** Council members Mack, Deutch, D. Przybylinski, Gene Simmons, Zygas, P. Przybylinski, Tillman, Bryant Dabney, and Fitzpatrick (9) **NAYS:** Council member None (0)

President Nelson Deutch asked if there were any other reports from the mayor or other city officers and departments.

Chief Dion Campbell, MCPD addressed the Council to show a presentation regarding the "Body Worn Camera System" explaining the current system that MCPD is using expired in July 2022 and are out of contract and is why he is coming here today to do this presentation because of the pandemic getting equipment is taking so much long; with them wanting to move forward and get this system ordered.

Discussion ensued between Chief Campbell, Dave Hutchinson, President Deutch, and Council members Zygas, P. Przybylinski, D. Przybylinski, Dabney, and Controller Hoffmaster, regarding how the system will work with the existing equipment in the MCPD vehicles, timeline of receiving this system, the funds to pay for the proposed contract after the \$600,000 is appropriated on an annual base, the difference between the "Flock" system that was presented early this year and the Body Worn Camera System, waiting until January 2023 using the LIT funds, lifespan, cyber security safety, and updates of the new system, how the cloud server works, why this wasn't put in the 2023 budget

PETITIONS

Clerk Neulieb advised that there were no petitions this evening.

COMMUNICATIONS

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

Clerk Neulieb stated that correspondence was received in the Clerk's Office on August 9, 2022, from Attorney Shaw Friedman regarding the Council's appointment to the County Economic Development Commission.

President Deutch stated that Matt Reardon was here to speak on this matter.

Matt Reardon, LaPorte County Economic Development, addressed the Council stating that the County has an investment opportunity through industrial revenue bonds with a project to create their own economic development commission according I.C. 36-7-12

Popular city in the County to make an appointment of three (3) person body -one (1) from this council and the other two (2) appointments come from the County Council and County Commissioners; asking the Council to consider making an appointment to this body so that they can move forward with the potential Industrial Revenue Bond Project.

Discussion ensued between President Deutch and Matt Reardon regarding this appointment and that Economic Development is an on-demand type committee in surrounding communities.

Matt Reardon advised Councilman D. Przybylinski that the Project is to purchase a vacant manufacturing building and invest about 9.5 million in the building which will then require additional capital to buy another portion of the property using the Industrial Revenue Bond Program and retain a Bond Counsel to move forward with the application process.

Mr. Reardon advised Councilman P. Przybylinski that they are looking for an appointment as soon as possible.

Mr. Reardon advised Councilwoman Tillman that the other appointments will be made at the County Commissioners meeting tomorrow August 17th and the County Council will make their appointment at their meeting on August 20th.

President Deutch asked if anyone from the Council is interested, that it does not have to be a Council person, we can appoint someone; with Councilman D. Przybylinski stating he would like to be appointed to the this appointment.

President Deutch asked if there was anyone that objected to Councilman D. Przybylinski representing the Council on this board, there was no response with Councilman P. Przybylinski making a motion to appoint Councilman D. Przybylinski to the Economic Development Commission, second by Councilwoman Tillman and was approved by the following vote: **AYES:** Council members Deutch, D. Przybylinski, Gene Simmons, Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick, and Mack (9) **NAYS:** Council member None (0).

RESOLUTIONS

Clerk Neulieb stated that there are no resolutions.

ORDINANCE

The Clerk read the following proposed ordinance on first reading by title only.
**AMENDING SEC. 98-85 OF THE MICHIGAN CITY MUNICIPAL CODE KNOWN AS
 ADDITIONS TO THE SANITARY DISTRICT TO AMEND THE ANNEXATION
 CONDITIONS AND PROCEDURES**

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

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

President Deutch stated this proposed ordinance and following proposed ordinance will create sections in the City's municode to have a process for annexations/parcels before going out of the city limits; working with the water and sewer departments as we provide proposed extensions.

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

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

Councilwoman Tillman stated that she would like to be added as a co-sponsor.

President Deutch asked if there are any additional comments from the Council, there was no response; stating that the proposed ordinance will be held over on second reading at the September 6, 2022 Council meeting.

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

CREATING SEC. 98-86 AND SEC. 98-87 IN THE MICHIGAN CITY MUNICIPAL CODE TO ESTABLISH THE CONDITIONS AND PROCEDURES FOR ADDITIONS TO THE SANITARY DISTRICT

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

President Deutch asked if the sponsors had anything to add at this time, there was no response.

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

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

Councilwoman Tillman stated that she would like to be added as a co-sponsor.

Councilman Dabney addressed the Council stating that is long overdue and that he has more to say about it but will wait until second reading; advising that he is happy to see we are tackling this issue.

President Deutch asked if there are any additional comments from the Council, there was no response; stating that the proposed ordinance will be held over on second reading at our September 6, 2022 Council meeting.

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

CREATING SECTION 2-410.4 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO ESTABLISH A PUBLIC SAFETY LIT FUND

Introduced by: Angie Nelson Deutch
Don Przybylinski
Bryant Dabney

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

Councilman D. Przybylinski stated that this basically puts a procedure in place for the LIT Funds as they come in and explains the thirteen (13) different categories that the LIT Fund can be spent.

President Deutch asked if there are any additional comments from the Sponsors, there was no response.

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

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

Councilman P. Przybylinski addressed the Council stating that he would like to be added as a co-sponsor.

President Deutch asked if there are any additional comments from the Council, there was no response; stating that the proposed ordinance will be held over on second reading at our September 6, 2022 council meeting.

The Clerk read the following proposed ordinance on second reading by title only.
APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND FOR THE FOURTH ADDITION 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 ALLOCATE MONIES FOR VARIOUS MATTERS, INCLUDING BUT NOT LIMITED TO COMMUNITY GRANT FUNDING FOR SMALL BUSINESS AND NONPROFITS, CITY PROJECTS, AND EQUIPMENT/ IMPROVEMENTS FOR CERTAIN CITY DEPARTMENTS

Introduced by: Angie Nelson Deutch
 Bryant Dabney
 Dalia Zygas
 Paul Przybylinski

(DECREASE ARP Coronavirus Local Fiscal Recovery Fund 0176 Unappropriated
 Balance \$7,053,000.00. INCREASE ACCOUNT #0176 000 421.050 \$5,000.00
 Supplies – Other Office Supplies. INCREASE ACCOUNT #0176 000 431.
 \$260,000.00 Professional Services – Other Professional Services INCREASE
 ACCOUNT #0176 000 439.050 \$2,000,000.00 Other Services & Charges –
 Grants and Subsidies. INCREASE ACCOUNT #0176 000 442.010 \$2,500,000.0
 Infrastructure – Water Extension INCREASE ACCOUNT #0176 000 443.050
 \$135,000.00 Capital Outlay – Buildings – Other. INCREASE ACCOUNT #0176 000 444.050
 \$200,000.00 Capital Outlay – Improvements Other Than Buildings – Other INCREASE
 ACCOUNT #0176 000 445.020 \$815,000.00 Capital Outlay – Motor Equipment. INCREASE
 ACCOUNT #0176 000 445.050 \$1,138,000.00 Capital Outlay – Other Machinery & Equipment)

President Deutch asked if the sponsors had anything to add at this time, advising that this advertised in the Herald Dispatch and that there will be a formal public hearing this evening.

President Deutch stated there will be a formal public hearing this evening; repeating three (3) times “Is there anyone that wish to speak on the proposed ordinance”.

Tommy Kulavik, 1316 Ohio Street stated that he feels that the art money should go to buying machinery for striping roads throughout the city, then maybe the city could lease the machine out to surrounding municipalities to earn revenue for the Street Department.

President Deutch asked, “if there were any additional questions or comments from the public at this time”. (repeating three times), there was no response and the public hearing was closing

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

Discussion ensued between Councilman P. Przybylinski and MCFD Deputy Chief Janeski the money being proposed for a new fire truck and the engine trucks that were sent for frames to be replaced, the age of the truck being replaced and the NFB recommendations on the lifespan.

Councilman P. Przybylinski addressed the money being proposed for the infrastructure project to extend water and sewage to the Pritz annexation, explaining what facts he had found and that the amount of money being proposed is not enough to completely finish the project.

Councilman P. Przybylinski also brought up that due to this year being Census year you can't not annex property until 2023; stating that we may have more lead time on this entire project; advising that he spoke with Mr. York, Planning Director stating that he was correct and that this could be a technical issue.

Councilman P. Przybylinski made a motion to be able to make amendments to this proposed ordinance on 3rd reading at our next Council meeting on September 6, 2022, second by Councilman Fitzpatrick and was approved by the following vote: **AYES:** Council members D. Przybylinski, Simmons, P. Przybylinski, Tillman, Fitzpatrick, Mack, and Deutch (7) **NAYS:** Council member Zygas and Dabney (2).

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

Councilman Dabney commented on waiting to use the LIT tax funds to purchase the "Body Worn Camera" until January 2023 stating that regardless of being able to use it as early as next year, that the city will only have collected a quarter of a year from October thru December, that the Council needs to be careful about trying to lean on the dollar amount that we were told we would have for an entire year.

Councilwoman Zygas commented that the money that is being proposed for the sewer/water project for the annexed land was not for the entire project but for purpose of just ordering and paying for parts/material due to them being backed-up for delivery, which may be seventy-two (72) months out and that she encouraged the Mayor to contact Congress Mrvan for funding because there is a lot of federal money out there for infrastructure.

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

Councilman P. Przybylinski questions about the comments Councilwoman Zygas made about urging the mayor to reach out; asking "If she knew if he did that yet?"; stating that there is a lot of funds out there for infrastructure but if you don't ask, you don't get.

President Deutch stated that no one has heard if the mayor has reached out; that there was a resolution that was passed in April asking him to do that.

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

Councilwoman Zygas commented that there are a lot of urgent matters in this ordinance and was hoping that we could move to 3rd reading just to get the System set up for the MCPD and other matters that we are dragging our feet on.

President Deutch stated that she feels that this one need to go through all three (3) readings du to having so much in it and how we could have already had the "Flock System".

President Deutch asked if there were any additional comments from the public, there was no response; stating the proposed ordinance will be held over on third reading at the September 6, 2022 Council meeting.

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

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE LOCAL INCOME TAX – ECONOMIC DEVELOPMENT (FORMERLY KNOWN AS CEDIT) FUND FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE MICHIGAN CITY HOUSING AUTHORITY HEARINGS

Introduced by: Angie Nelson Deutch
Sean Fitzpatrick

(DECREASE Local Income Tax (LIT-ED) Fund 2224 Unappropriated balance \$30,000.00.
INCREASE ACCOUNT#2224 114.431.050 \$30,000.00 Other Services and Charges – Other Professional Services)

President Deutch stated that this was advertised in the Herald Argus on August 3, 2022 and that there will be a formal public hearing this evening.

President Deutch asked if the sponsors had anything to add at this time, there was no response.

President Deutch opened the formal public (hearing repeating three times) “Is there anyone from the public that wished to speak at this time on the proposed ordinance” there was no response and the public hearing was closed.

President Deutch asked if there were any comments from the Council, there was no response; stating that the proposed ordinance will be held over on third reading at the September 6, 2022 Council meeting.

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

AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET IN THE CITY OF MICHIGAN CITY LOCATED NORTH OF THE INTERSECTION OF SUPERIOR AVENUE AND NIPPERSINK AVENUE

Introduced by: Dalia Zygas

President Deutch stated that this proposed ordinance was advertised in the Herald Dispatch on August 3, 2022 and that there will be a formal public hearing this evening.

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

Councilwoman Zygas commented that all the departments have signed off on moving forward on this portion of land being vacated; and that NIPSCO is proposing to put around the substation located on this land a fence to make it more secure and that Mr. McManama is on line to answer any questions the council may have.

President Deutch opened the formal public hearing (repeating three times) asking, “ if there were any questions or comments from the public at this time.”

Tommy Kulavik, 1316 Ohio Street, stated that he researched these properties on Beacon Schneider which shows that the City has no deed or title of any value so it is not transferable, stating that this should be moved to third (3rd) reading and vacate the property.

Jeremy McManama thanked the Council for providing him with the opportunity to clarify the request for the vacation.

President Deutch (repeating three times) asked “If there were any additional comments from the public, there was no response with the public hearing being closed.

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

Councilman D. Przybylinski stated that he and Skylar York took a ride to the property that is being proposed to be vacated to NIPSCO advising that the property looks like is a flat plat of a sand dune; stating that if NIPSCO needs this property to put a fence up they should have to pay the City, then take that money to improve something in the city.

Councilman P. Przybylinski stated that maybe the correct verbiage we should be using is that NIPSCO donate monies to the city for this piece of property, as Mr. Kulavik advised the council this request should going to the BOW; stating concerns he had about NIPSCO shutting different plants in surrounding areas near our community, along with the Michigan City Gen Station on our lake front is being closed losing taxes, jobs and NIPSCO wants us the customers pay 40 million dollars to clean up their mess.

President Deutch asked if there were any additional comments from the Council there was no response; stating that the proposed ordinance will be held over on third reading until the September 6, 2022 Council meeting.

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

AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET IN THE CITY OF MICHIGAN CITY LOCATED SOUTH AND EAST OF THE IMPROVED TEMINUS OF EDGEWOOD AVENUE AND WEST AND NORTH OF THE WEST TEMINUS OF WESTCHESTER COURT

Introduced by: Dalia Zygas

President Deutch stated that the proposed ordinance was advised in the Herald Dispatch on August 3, 2022 and that there will be a formal public hearing this evening.

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

Councilwoman Zygas commented that this is very similar to the last ordinance.

President Deutch opened the formal public hearing (repeating three times) asking, "if there were any questions or comments from the public at this time."

Tommy Kulavik, 1316 Ohio Street, stated that he agrees with Councilwoman Zygas that he feels the same about this proposed ordinance as he did the previous one.

President Deutch (repeating three times) asked "If there were any additional comments from the public, there was no response with the public hearing being closed.

President Deutch asked if there were any comments from the Council, there was no response; stating that the proposed ordinance will be held over on third reading at our September 6, 2022 Council meeting.

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

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE AVIATION FUEL FUND FOR THE PURCHASE OF AVIATION FUEL DUE TO THE DRASTIC INCREASE IN FUEL PRICES

Introduced by: Gene Simmons
Angie Nelson Deutch

(DECREASE Aviation Fuel Fund #2568 Unappropriated balance \$250,000.00
 INCREASE ACCOUNT#2568 000.422.015 \$250,000.00 Operating Supplies – Aviation Fuel)

President Deutch stated that the proposed ordinance was advertised in the Herald Dispatch on August 3, 2022 and that there will be a formal public hearing this evening.

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

Councilman Simmons stated this is the same fight everyone has been fighting at the gas pumps with the high prices of gas this year; there is a shortage with this being a source of revenue at the airport due to selling gas.

President Deutch advised that Jessica Ward, Aviation Director is present to answer any questions the council may have.

President Deutch opened the formal public hearing (repeating three times) asking, “if there were any questions or comments from the public at this time.” There was no response, and the public hearing was closed.

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

Councilman Fitzpatrick made a motion to have second and third reading this evening, a second was made by Councilman P. Przybylinski.

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

President Deutch asked the Clerk to read the proposed ordinance on third reading by title only.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4635

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE AVIATION FUEL FUND FOR THE PURCHASE OF AVIATION FUEL DUE TO THE DRASTIC INCREASE IN FUEL PRICES

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 purchase aviation fuel for resale, and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Aviation Fuel Fund #2568 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Aviation Fuel Fund #2568 Unappropriated balance	\$250,000.00	
INCREASE ACCOUNT#2568 000.422.015		\$250,000.00

Operating Supplies – Aviation Fuel

TOTAL FOR FUND **\$250,000.00**

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/ Gene Simmons, Member
Michigan City Common Council

CO-SPONSOR: /s/ Angie Nelson Deutch
Michigan City Common Council

President Deutch asked if the sponsors had any comments, there was no response.

President Deutch asked if anyone from the Council had anything to add at this time.

Councilman Fitzpatrick made a motion to approve the proposed ordinance, second by Councilman Dabney.

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

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE NO. 4636

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE LOCAL INCOME TAX – ECONOMIC DEVELOPMENT (FORMERLY KNOWN AS CREDIT) FUND FOR ON-CALL ENGINEERING SERVICES WITH JOHN A DOYLE & ASSOCIATES AND PRIMERA ENGINEERING

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 retain John A. Doyle & Associates for on-call engineering services and additional funding for the contract with Primera Engineering, and

WHEREAS, the City Controller has determined that sufficient unappropriated funds are available in the Local Income Tax – Economic Development (formerly known as CREDIT) Fund #2224 to be appropriated for that purpose.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Michigan City, La Porte County, Indiana, that for the expenses of the City the following additional sums of money are hereby appropriated out of the fund named and for the purpose specified above, subject to the laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROPRIATED</u>
DECREASE Local Income Tax (LIT-ED) Fund 2224 Unappropriated balance	\$150,000.00	
INCREASE ACCOUNT#2224 114.431.020 Other Services and Charges – Engineering Services		\$150,000.00

TOTAL FOR FUND**\$150,000.00**

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/ Dalia Zygas, Member
Michigan City Common Council

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

Councilwoman Zygas stated that this is an on-call system that the City uses until the City hires an engineer, which is needed.

Councilwoman Zygas advised Councilman P. Przybylinski that she believes that it is just for 2022 but would let Controller Hoffmaster answer what the start end date of these contracts are with John Doyle and Associates and Primera Engineering.

Councilman P. Przybylinski stated that he didn't like the language in this proposed ordinance, questioning the timeframe and a project they would be working on at the end of 2022.

Controller Hoffmaster stated yes, these contracts are the current budget year the money is appropriated from; advising the language is put in there because if they are doing a project for the city, they are allowed to complete it, but when you're looking at a project that takes multiple years to complete it's not going to be done on an on call service contract.

Controller Hoffmaster advised the appropriation for \$150,000 is for this year with \$75,000 is going to John Doyle and Associates contract and \$75,000 is going to Primera Engineering contract.

Councilman Dabney stated that it sound like a Purchase Order, we are appropriated funds and then as they do on call work for the city; they will send invoices that will be charged against this money.

Councilman Fitzpatrick stated that if there is no work being requested there will be no monies spent from these contract, with the funds going back into the general fund.

Councilman Fitzpatrick made a motion to approve the proposed ordinance, second by Councilwoman Tillman; with the motion to adopt the appropriation was approved by the following vote: **AYES:** Council members Tillman, Dabney, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, and Zygas (8) **NAYS:** Council members P. Przybylinski (1).

NEW BUSINESS

President Deutch advised that there was no new business this evening.

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 we are still working on the amendments to the Social Status of African American Males appointments that are vacant.

COMMENTS FROM THE PUBLIC

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

Tommy Kulavik, 1316 Ohio Street stated he is very happy that Michigan City Area School system acquired the deed and title and own the Brown Mackey Campus for an 8.5-million-dollar project as this building will be an Early Childhood Center. There is an Ordinance that prohibits any signage for business that has been closed, the school system needs to have the signage removed as soon as possible.

Jeff Santana addressed the Council stating that he lives right off of Pahs Road, and the County did take care of their part of the road, and it is to his understanding it is the City obligation to from Cleveland Ave to the East entrance of Michigan City Highschool.

Ernie Hallahan, 302 Gladys Street, said he is disappointed this room is empty, no one seems to show interest about what happening in Michigan City as the Mayor Is not here to even answer any questions; further discussing that his granddaughter has an issue with the Housing Authority she has been on the waiting list and someone had removed her and still has not received housing.

President Deutch asked Did they lose the list, what happened to the list?

Rodney McCormick 617 Union Street stated this problem has been resolved.

Rodney McCormick 671 Union Street stated I was at the last workshop from ARP money and couple of things that offended him going into detail and further explain the issues we are facing in this City.

Rick Carlson Municipal Band stated he is here to thank the City Council for their continued cooperation and support the band just finished up there 154 season and further went on to discuss the notes from the director of the band and selection played and how to teach the audience the history of the band and lyrics.

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

COMMENTS FROM THE COUNCIL

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

Councilman Fitzpatrick stated that one of the first things he worked on is trying to get lighting, repayment, curving and sidewalks on Pahs Road as there is a lot of foot traffic up and down that road. It's been a back-and-forth thing while the former engineer stated we would have to get a MOI from the County because the Southside of the street is County, and the Northside is City as Mr. Santana stated there needs to be some type of coordination between County and City; further addressing the Mayor running into something or some type of accident and leaving the scene, and would like to know what happened, did this occur, was the law enforcement contacted, is this a process where the vehicle is being repaired, where is the vehicle where is the mayor, stating that no one is above the law so if these things did occur, he'd like to know what's the next step in the process.

Councilman D. Przybylinski thanked Mr. Carlson for coming tonight, stating he went to the last concert of the season, and it was outstanding; also addressing the Long Beach Solar Project and where we stand; further addressing the ARP money snow removal ordinance that was put in place 3 years ago and we still do not have appropriate equipment, further asking Controller Hoffmaster if we have received a letter from Attorney General Todd Rokita about the opioid money the City is supposed to be receiving in a restricted payment of \$922,000.00.

Controller Hoffmaster stated she will have Amber read through all of the legal documents.

Councilwoman Zygus announced that the Michigan City Chamber Music Festival is going on with world class musicians performing for free at the First Presbyterian Church and for the community to check that their voting registration is up to date and ready to vote in November.

Councilman P. Przybylinski would like to thank Rick Carlson for coming here and all your years on the band, also stating he believes Rodney has a point how the ARP money is spent and to remind the public we still have an 8-million-dollar tunnel to nowhere that we are still paying a bond payment on for the Lafayette Swear Project that needs to be utilized the people in the 2nd Ward and further South need relief, there are no lights at the gazebo or around it at Washington Park and that the City is giving away money as we no longer have parking attendants there was 87 cars from outside of Michigan City.

President Deutch stated as far as the Lafayette sewer project we have an opportunity to get that done but it will take the administration to move forward, highly encouraging them to do so, further explaining that having our parks adopted by local companies which will help spend some of the money and help upkeep our parks; Women's Equality Day is August 26 to commemorate the 1920 adoption of the 19th Amendments, of the United States Constitution prohibits the States or Federal Government from denying the right to vote based on sex and the Women's Commission is having their 10-year anniversary event at the Oreck; also reminding everyone with school starting back this week the school buses have cameras on them so if you are running past a bus, you will be on video which is a good thing, Let's keep our babies safe!

ADJOURNMENT

A motion by President Deutch, second by Councilman Fitzpatrick and there being no further business to transact, President Deutch declared the meeting

ADJOURNED (approximately 8:38 p.m.)

Gale A. Neulieb