

# REGULAR MEETING – August 17, 2021

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, August 17, 2021 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 President Michael Mack.

President Mack commented on the time frame when speaking on each item being discussed; stating public comment will be held at the beginning of the meeting because the meeting might take some time.

President Mack asked for a motion to have public comment after roll call with a motion made by Councilwoman Deutch, second by Councilman D. Przybylinski and was approved by the following vote: **AYES:** Council members Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman and Dabney (9). **NAYS:** None (0).

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

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

**ABSENT:** None (0).

## **A QUORUM WAS NOTED PRESENT**

**ALSO, PRESENT:** Attorney Meyer, Gale Neulieb, City Clerk and Dawn Debald, Deputy Clerk.

## **PUBLIC COMMENT**

Bruce Domenici, 718 Esther Street addressed the Council commenting on the City’s ARP fund; hoping to obtain access to reports or statuses that Baker Tilly may be presenting to the City; stating the public should be informed.

President Mack asked if there was anyone else from the public who wished to speak; there was no response.

President Mack asked if there were any “Zoom” comments; there was no response.

## **APPROVAL OF MINUTES**

President Mack inquired whether there were any corrections, deletions, or additions to the minutes of the Regular Council “Zoom/ Hybrid” Meeting of, August 3, 2021; there was no response.

President Mack asked for a motion to approve the Regular Council “Zoom/Hybrid” meeting minutes of August 3, 2021 with a motion made by Councilman D. Przybylinski, second by Councilman Dabney and was approved by the following vote: **AYES:** Council members Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman and Dabney (9). **NAYS:** None (0).

## **REPORTS of STANDING COMMITTEES**

President Mack asked if there were any reports of Standing Committees.

Councilman D. Przybylinski stated there was a Labor Relations Executive Session this evening, discussing the contracts between the F.O.P. and the Firefighters

## **FINANCE REPORT**

President Mack asked if there were there was a finance committee meeting held.

Councilman Fitzpatrick read the following Finance Committee meeting minutes held on August 12, 2021.

The meeting was called to order by Chairman Fitzpatrick at 5:30 p.m. Committee members Tillman, Przybylinski were present; Chairman Fitzpatrick was absent.

There was one claim for a total of \$75,000.00 for the Economic Development Corporation. A motion was made to recommend that the Council approve this item by Committee member Tillman, second by Councilman P. Przybylinski and unanimously voted on by the committee.

Discussion ensued between Councilman D. Przybylinski and Councilman Fitzpatrick regarding if it was mentioned at the Finance Committee meeting how much money is in the Riverboat and in the unappropriated General Fund. Councilman Fitzpatrick stated that was not mentioned in the meeting.

## **CLAIMS DOCKET**

President Mack read the following claims for the record.

### **August 17, 2021 Riverboat/Boyd Claim Docket**

<b>Fund #2042 – Riverboat – Claims</b>	<b>\$</b>	<b>0.00</b>
<b>EFT</b>	<b>\$</b>	<b>0.00</b>
<b>Fund #2031 – Boyd – Claims-</b>	<b>\$</b>	<b>75,000.00</b>
<b>TOTAL CLAIMS</b>	<b>\$</b>	<b>75,000.00</b>

President Mack asked for a motion to approve the Claims in the amount of \$75,000.00. With Councilman Fitzpatrick making a motion to approve, second by Councilman Dabney with the claims being approved by the following vote **AYES:** Council members Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman, Dabney and Fitzpatrick (9). **NAYS:** None (0).

## **REPORTS OF SPECIAL or SELECT COMMITTEES**

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

## **REPORTS OF OTHER CITY OFFICERS and DEPARTMENTS**

President Mack asked if there were any reports of other City Officers or Departments;

Yvonne Hoffmaster, City Controller addressed the council stating that herself and the Mayor have met with all City Department Heads to discuss their 2022 budgets and Capital expenditures; explaining the effects Covid-19 has had on the manufacturing industry and how many products are difficult if not impossible to receive in a timely manner; advising there are five (5) additional appropriations on the agenda this evening

totaling over 1.5 million dollars; commenting that the items requested can take up to six (6) months to receive and have been determined to be essential; further stating these purchases should be made from the Riverboat fund; and the operating funds for the various departments cannot absorb any capital purchases; further advising in 2010 the state legislature implemented circuit breakers also known as property tax caps; further explaining the property tax dollars that will be lost due to the circuit breaker credits; advising that will be just over 9.3 million dollars in 2022; this money will not be collected from taxpayers and the City will never receive those funds; continuing to explain the several City Departments that operate under the general fund and the just over eight (8) million dollars they will not receive in property tax dollars because of the credits; and the MVH fund which operates the Street department and Park department will be losing monies as well.

Discussion ensued between Councilman Dabney and Controller Hoffmaster regarding how capital expenditures were paid back in the 80's and 90's when we didn't have a Riverboat. Controller Hoffmaster stated back in 1984 the City was receiving revenue sharing dollars from the Federal Government; advising in the late 80's early 90's those funds were no longer available so the City made little to no capital purchases; if there was a project or they had to make a capital purchase it was done with a bond; the City took out a debt for the purchases; explaining in 1997 is when the Riverboat came to the City and this was a new source of revenue that allowed the City to make capital purchases as needed.

Councilwoman Deutch advised we are not losing any additional funding this is how it has been for some time; stating the way Controller Hoffmaster is presenting it seems like we are losing additional monies, but that is not the case; the circuit breakers have been there forever; understanding why they are needing to use the Riverboat funds for these purchases.

Discussion continued between Councilwoman Deutch and Controller Hoffmaster regarding if some of these items that are needed from various departments were cut last year; Controller Hoffmaster stated that is correct.

Discussion ensued between Councilwoman Tillman and Controller Hoffmaster regarding what the total balance in the general fund is. Controller Hoffmaster stated she did not have the information on hand but would send it to the Council tomorrow. Councilwoman Tillman asked if the monies in the general fund can be utilized to appropriate the essential needs; asking if TIF funds can be used for equipment in conjunction with the development within the TIF areas. Controller Hoffmaster stated the equipment that they are being asked to purchase cannot be purchase with TIF funds.

Discussion ensued between Councilman P. Przybylinski and Controller Hoffmaster regarding the tax payment installment and how much we will be receiving and when we will be receiving it. Controller Hoffmaster stated we will receive it in December after the November 10<sup>th</sup> tax deadline; stating it is based on what they collect; advising in June we received 55% of the estimated levy which is the amount of property tax which is typical for any June disbursement.

Discussion further ensued between Councilman D. Przybylinski and Controller Hoffmaster regarding how much money is in the Riverboat. Controller Hoffmaster stated it is roughly six (6) to seven (7) million dollars. Councilman D. Przybylinski asked if the Council could be given via email the amount of money in the Riverboat and also the amount of money in the unappropriated general fund before every Council meeting.

Councilman P. Przybylinski commented on Councilwoman Tillman's comments about the circuit breakers; stating that he was curious about what's in the different funds as well; asking Controller Hoffmaster what the amount was of the tax payment/settlement received in the spring; advising that the County had released a statement that this year was one of the best tax collection received in many years; asking Ms. Hoffmaster what those figures were that the City received; with Ms. Hoffmaster stating that the city will

get their next installment at the end of December after the November 10<sup>th</sup> tax deadline, it was based on what we collect; stating we received in June 55% of our estimated levy which is the amount of property tax we receive which is typical for any June disbursement and we average about 97%.

Councilman P. Przybylinski stated let's not dance around asking Ms. Hoffmaster what the actual figure was; with Ms. Hoffmaster stating that she doesn't have that; well, I don't have the actual number.

Councilman P. Przybylinski when we're looking at figures, we to have the figures. So, I think it's very incumbent that Controller's office to have those figures at a moments notice because you deal with it

Councilman Fitzpatrick commented on the additional appropriations and the major equipment that is needed; asking if there is a plan with the City for fleet rotation or equipment management so that there is not always a crisis when vehicles are needed; advising the vehicles have been deteriorating for some time and he doesn't believe anyone has taken a look at how we should manage this besides jumping into using Riverboat monies; explaining the Riverboat was almost depleted once before and this is why the City should have a Rainy Day fund in place to deal with things like this; stating he is not opposed to a management plan for fleet rotation every so many years; further commenting that it doesn't make sense that this has been mismanaged and we are trying to spend almost two (2) million dollars before the budget comes out; further stating that the only emergency net we have is the Riverboat monies and with the Covid numbers on the rise again, there could be another shut down and we would not have Riverboat funds coming in.

Controller Hoffmaster stated her office is in the process of redefining the City's capital assets and they will be coming to the Council for updates to the capital asset policy; advising part of this is creating an asset management plan.

Councilman Dabney advised that at last year's budget they cut all essential spending and capital projects; stating no equipment was purchased last year; explaining we are in a good cash position when it comes the Riverboat; further explaining other ways monies can be collected rather than using the Riverboat fund; or the City can go in debt borrowing funds via the bond market.

Councilwoman Zygas agreed with Councilman Dabney; stating there are other small towns that do not have a Riverboat with the luxury of having additional monies; advising they go into debt; they float bonds or they cut services; explaining the money is sitting in the Riverboat fund and should be used for these essential purchases.

President Mack stated that employees need the tools to do their jobs and the tools are important to keep quality employees; the Riverboat fund is a last resort; advising there is a lot to be considered of when you are voting on these capital expenditures.

Councilman Fitzpatrick stated that the Riverboat fund has 6.8 million in it now and it looks ok, but the Council is looking to spend two (2) million of it tonight and before you know it, it will be depleted.

Councilwoman Deutch stated there is a back log when ordering vehicles and equipment; and if they are not ordered now, we may not get them this year; advising this is everywhere, all municipalities are fighting against this; wanting the Council to take this into consideration.

Discussion ensued between Councilman D. Przybylinski and Controller Hoffmaster regarding what is the total amount in the unappropriated general budget for the proposed salaries for all departments (salary study). Controller Hoffmaster stated that it does exceed one (1) million dollars; taking into account all of the benefits and salary increases from the 2019 salary study.

Councilman P. Przybylinski commented on the tax distribution that was received in June of this year; stating they are rushing to the Riverboat fund to pay for capital purchases; explaining that the Council did not eliminate any capital expenditures in last year's budget (cars and trucks) because they were not put in the budget; asking what happened to the funding in the MVH fund that could have been used to purchase equipment for the street department; explaining there was no language in the ordinance stating they needed to put the money back into the Riverboat fund when we received the tax distribution.

Mayor Parry stated he would like to read a proclamation that he authored to four (4) dedicated brave individuals that stepped forward to serve Michigan City and protect our beaches and our swimmers; he read it as follows:

**WHEREAS**, Lake Michigan has garnered a reputation for being one of the most beautiful Great Lakes, and also one of the most visited, and

**WHEREAS**, this Lake also boasts the title of the most dangerous lake in the country, and

**WHEREAS**, it is estimated that nearly 300,000 people have lost their lives in this lake alone and that nearly 10,000 ships have sunk to its depths, and

**WHEREAS**, the lifeguards at Michigan City's Washington Park beach, put their own personal safety at risk to save the lives of those in danger and,

**WHEREAS**, during the 2021 season, our Michigan City Customer Service Team assisted with 8 water rescues and unfortunately, 2 fatalities, and

**WHEREAS**, this team also assisted with other non-water related emergencies, and

**NOW THEREFORE**, I, Mayor Duane Parry, Mayor of the City of Michigan City, do hereby recognize the following individuals, for their life-saving efforts, as members of our Michigan City Lakefront Customer Service Team:

**Jessica Arnett, Juliana Kroll, Solveig Shimnoski, and Ava Sinclair**

**DATED THIS 17<sup>TH</sup> day of August 2021**

### **PETITIONS**

President Mack asked if there were any petitions.

The Clerk advised that there are no petitions this evening.

### **COMMUNICATIONS**

President Mack asked if there were any Communications.

Clerk Neulieb read the following correspondence received.

Correspondence was received in the Clerk's Office on August 3, 2021 from Controller Hoffmaster advising the Council about an accident the M.C.P.D. had on July 27, 2021 with one of their vehicles

### **RESOLUTION**

The Clerk read the following resolution by title only, **SUPPORTING THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND NORTH CENTRAL COMMUNITY ACTION AGENCIES, INC. TO FUND THE “WEATHERIZATION PROGRAM” TO PROVIDE FINANCIAL ASSISTANCE TO LOW-INCOME HOMEOWNERS IN MICHIGAN CITY**

**Introduced by** Bryant Dabney  
Dalia Zygas  
Michael Mack

President Mack asked if any of the authors had anything to add at this time.

Councilman Dabney stated this is a Memorandum of Understanding between the City of Michigan City and North Central Community Action Agencies, Inc.

President Mack stated North Central Community Action Agencies gave an outstanding presentation; advising this is a federal program to provide financial assistance to low income homeowners in Michigan City.

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

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

Councilman D. Przybylinski stated the organization helps low income, less fortunate families; advising we are looking at \$300,000 as a funding mechanism; asking the organization and the co-sponsors what their annual budget is and why they are coming before the Council now because they never have in the past.

President Mack stated that North Central Community Action Agencies didn't come to us; this was initiated by Councilman Dabney; advising we will be assisting the federal government to assist our residents.

Councilman Dabney stated that North Central Community Action Agencies goes into the homes and weatherizes them for cooling in the summertime and heating in the winter; stating a full inspection is done on the house prior to weatherizing; explaining if they find bad windows, doors or a bad roof, etc. the homeowner would not qualify for the weatherization program; they would be put on a deferred list, which basically means there is nothing that can be done; advising the homeowner qualifies for weatherization, but they do not have the funding to fix what needs to be fixed; this program will close that gap and funds will be provided to help them move forward with their projects, windows, doors, etc.

Councilwoman Deutch asked if \$7,500.00 is the max a household will get out of the \$300,000?

President Mack stated in the presentation the presenter stated that he averaged 25-30 homes that are on the deferred list and \$7,500.00 or less is what they came up with; explaining all homes do not need new roofs.

Lee Haas, Weatherization Program Manager for North Central Community Action Agency was at the meeting and available to answer any question the Council may have.

Discussion ensued between Councilwoman Deutch and Mr. Haas regarding if there is a timeframe for the residents that are on the deferred list and will they be able to get work done this year or next year. Mr. Haas advised that people are eligible for this program on an ongoing basis when they are part of the Energy Assistance program; explaining they have a list of deferred projects and he always keeps the homeowners in mind because sometimes they receive funds from other sources; stating the Federal Government has really strict guidelines; further stating if they go into a home and find leaks, water issues, mold, etc. they have to walk away from the project; but if they can

find outside funding they can take care of some of these issues and bring homeowners into the weatherization program.

Discussion ensued between Councilman Fitzpatrick and Attorney Meyer regarding if there are any other organizations that do this type of service and if they will be using public funds for private needs. Attorney Meyer stated all funds are private, but it is permissible to use Riverboat funds. Councilman Fitzpatrick asked if ARP funds could be used for this? Attorney Meyer stated it depends on each situation; advising you have to set up an ARP fund that can only be paid out of the City's checking account or an ARP fund to the homeowner; and it would be whether there was an adverse Covid impact on the homeowner that caused them to not to be able to fund their windows or leaking roof, etc. Councilman Fitzpatrick stated he doesn't want to use the Riverboat fund; maybe they can find other means to help this organization or any other organization; stating the resolution needs to be passed before they can look at the ordinance.

President Mack stated no, they haven't looked into any actual funds the dollars would come out of.

Councilman Fitzpatrick made a motion to "TABLE" the proposed resolution until they get more information on other potential ways to fund this and how they can help this organization versus going straight to the Riverboat for funds; second by Councilwoman Tillman and P. Przybylinski.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members Deutch, D. Przybylinski, Simmons, P. Przybylinski, Tillman, and Fitzpatrick (6). **NAYS:** Council members, Zygus, Dabney and Mack (3).

President Mack stated the proposed resolution will be "TABLED" until the next Council meeting on September 7, 2021.

## **ORDINANCE**

The Clerk read the following proposed ordinance on first reading by title only,  
**CREATING SECTION 2-411 IN CHAPTER 2 OF THE MICHIGAN CITY MUNICIPAL CODE TO ESTABLISH A RESTRICTED, NON-REVERTING CITY-SPONSORED SPECIAL EVENT FUND**

**Introduced by:** Bryant Dabney

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

Councilman Dabney stated the Ordinance is pretty self-explanatory.

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

President Mack asked if there was anyone on "Zoom" that wished to speak; there was no response.

President Mack asked if there were any Council comments;

Councilman P. Przybylinski asked if the special events fund is going to be regulated by the Park Department or by the Event Coordinator and how is it going to be regulated?

Yvonne Hoffmaster, City Controller advised that it will be regulated by the Special Events Planner who will be the one utilizing this fund; stating as the City has special events, some will have admissions or corporate sponsors for the big events; this fund will isolate the funds and they will only be spent on special events.

Discussion ensued between Councilman P. Przybylinski and Controller Hoffmaster regarding if there will be regulations on how much can be spent out of the fund without having to go before the Board of Public Works and Safety. Controller Hoffmaster stated any contracts will need to go before the Board.

Discussion ensued between Councilman D. Przybylinski and Controller Hoffmaster regarding if the Michigan City Mainstreet Association is a part of this? Controller Hoffmaster stated no, that is not the intent; this is for City planned events only; advising Michigan City Mainstreet is their own separate entity.

Discussion continued between Councilwoman Tillman and Controller Hoffmaster regarding if this is for current special events throughout the City or will new special events be created that could utilize this? Controller Hoffmaster stated these will be new events the City is looking into doing.

Councilman Dabney explained to the public what non-reverting fund means.

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

President Mack stated the proposed ordinance will be held over on 2<sup>nd</sup> reading at the next Council meeting on September 7, 2021.

### **ORDINANCE**

The Clerk read the following proposed ordinance on first reading by title only,  
**REPEALING SEC 2-443 IN THE MICHIGAN CITY MUNICIPAL CODE COMMONLY KNOWN AS THE "BARKER CIVIC CENTER" DUE TO THE TRANSFER AND RETURN OF THE BARKER MANSION TO THE BARKER WELFARE FOUNDATION**

**Introduced by:** Michael Mack  
 Dalia Zygas  
 Gene Simmons

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

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

President Mack if there were any Council comments; there was no response.

President Mack stated the proposed ordinance will be held over on 2<sup>nd</sup> reading at the next Council meeting on September 7, 2021.

### **ORDINANCE**

The Clerk read the following proposed ordinance on first reading by title only,  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR ESSENTIAL CAPITAL PURCHASES NEEDED TO OPERATE THE CENTAL SERVICES AND CENTRAL MAINTENANCE DEPARTMENTS**

**Introduced by:** Bryant Dabney

DECREASE Riverboat Fund 2042 Unappropriated balance \$615,000.00 INCREASE ACCOUNT#2042 116.445.050 \$280,000.00 Other Machinery & Equipment (Street Sweeper) INCREASE ACCOUNT#2042 108.445.020 \$75,000.00 Other Machinery & Equipment – Motor Equipment (Mechanics truck) INCREASE ACCOUNT#2042 116.445.020 \$120,000.00 Other Machinery & Equipment – Motor Equipment (2-350 4x4 Crew Cab w/plow & salt boxes) INCREASE

ACCOUNT#2042 116.445.020 \$140,000.00 Other Machinery & Equipment – Motor Equipment (Utility Sign Truck)

President Mack asked if the author had anything to add at this time;

Councilman Dabney advised the additional appropriations are for essential capital expenditures that are needed.

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

President Mack asked if there were any Council questions or comments;

Councilman Fitzpatrick made a motion to “TABLE” the proposed ordinance for two (2) meetings which would be September 21, 2021 until they get more information on the fund balances and the projection of revenue; seconded by Councilman P. Przybylinski.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members, D. Przybylinski, Simmons, P. Przybylinski, Tillman and Fitzpatrick (5). **NAYS:** Council members, Zygas, Dabney, Mack and Deutch (4).

President Mack stated the proposed ordinance will be “TABLED” until the Council meeting on September 21, 2021.

Clerk Neulieb read the following proposed ordinance on first reading by title only,  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE  
 RIVERBOAT FUND FOR ESSENTIAL CAPITAL PURCHASES NEEDED TO  
 OPERATE THE MICHIGAN CITY PARK DEPARTMENT**

**Introduced by:** Bryant Dabney

DECREASE Riverboat Fund 2042 Unappropriated balance \$313,000.00 INCREASE  
 ACCOUNT#2042 511.444.050 \$100,000.00 Improvements Other than Buildings (tree work at South  
 Course) INCREASE ACCOUNT#2042 505.445.050 \$99,000.00 Other Machinery & Equipment (3 –  
 crew cab trucks) INCREASE ACCOUNT#2042 505.445.050 \$35,000.00 Other Machinery &  
 Equipment (Tractor w/loader) INCREASE ACCOUNT#2042 505.445.050 \$62,000.00 Other  
 Machinery & Equipment (Compact Utility Tractor) INCREASE ACCOUNT#2042 505.445.050  
 \$17,000.00 Other Machinery & Equipment (Gator w/beach tires)

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

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

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

Councilman Fitzpatrick made a motion to “TABLE” the proposed ordinance for two (2) meetings which would be September 21, 2021 until they get more information on the fund balances and the projection of revenue; seconded by Councilman P. Przybylinski.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members, Simmons, P. Przybylinski, Tillman, Fitzpatrick and D. Przybylinski (5). **NAYS:** Council members, Zygas, Dabney, Mack and Deutch (4).

President Mack stated the proposed ordinance will be “TABLED” until the Council meeting on September 21, 2021.

Clerk Neulieb read the following proposed ordinance on first reading by title only,  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR ESSENTIAL CAPITAL PURCHASES NEEDED TO OPERATE THE MICHIGAN CITY POLICE DEPARTMENT**

**Introduced by:** Bryant Dabney

DECREASE Riverboat Fund 2042 Unappropriated balance \$457,500.00 INCREASE ACCOUNT#2042 202.445.050 \$20,200.00 Other Machinery & Equipment (Portable radios - Chaplains) INCREASE ACCOUNT#2042 202.445.020 \$416,000.00 Other Machinery & Equipment – Motor Equipment (8 – Fleet vehicles) INCREASE ACCOUNT#2042 116.445.050 \$21,300.00 Other Machinery & Equipment (Protest/Riot Gear – gas masks (40), gas masks holder (86), gas canisters (90))

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

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

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

Councilman Fitzpatrick stated he understands that the equipment and vehicles are needed; advising he wants to make sure we have all of the information before we spend the funds.

Councilman Fitzpatrick made a motion to “TABLE” the proposed ordinance for two (2) meetings which would be September 21, 2021 until they get more information on the fund balances and the projection of revenue; seconded by Councilman P. Przybylinski.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members, P. Przybylinski, Tillman, Fitzpatrick, D. Przybylinski and Simmons (5). **NAYS:** Council members, Zygus, Dabney, Mack and Deutch (4).

President Mack stated the proposed ordinance will be “TABLED” until the Council meeting on September 21, 2021.

Clerk Neulieb read the following proposed ordinance on first reading by title only,  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR ESSENTIAL CAPITAL PURCHASES NEEDED TO OPERATE THE MICHIGAN CITY FIRE DEPARTMENT**

**Introduced by:** Bryant Dabney

DECREASE Riverboat Fund 2042 Unappropriated balance \$105,000.00 INCREASE COUNT#2042 201.445.050 \$25,000.00 Other Machinery & Equipment (UTV & Equipment) INCREASE ACCOUNT#2042 201.445.050 \$20,000.00 Other Machinery & Equipment (Water rescue vehicle) INCREASE ACCOUNT#2042 201.445.050 \$15,000.00 Other Machinery & Equipment (Rope Rescue Equipment) INCREASE ACCOUNT#2042 201.445.020 \$45,000.00 Other Machinery & Equipment – Motor Equipment (Fire Marshal Vehicle)

President Mack asked if the author had anything to add at this time;

Councilman Dabney listed some of the essential capital purchase items that are going to be purchased by various departments; explaining items are being pushed out and delayed in terms of getting them to the City because they are on back order.

President Mack asked if there were any comments or questions from the public,

Rodney McCormick, 617 Union Street thanked the Council for “TABLING” the additional appropriations for essential capital purchases; stating the City needs to make sure they

have the money for these purchases; advising the Riverboat monies need to be used in our neighborhoods.

Chief Dion Campbell, M.C.P.D. addressed the Council stating his issues with the multiple M.C.P.D. vehicles exceeding 100,000 miles and beyond; advising that his officers that have put their lives on the line in these trying times; asking everyone to do what is necessary to move the City forward; commenting that the City workers need raises and equipment to do their jobs.

Chief Doug Legault, Michigan City Fire Department commented that the items the various departments are asking for are essential; advising the purchases the Fire Department is asking for are life -saving items that are needed; explaining that the jet ski and the ATV need to be ordered ASAP; there is nothing available now; stating the City has great employees and they need to the tools to do their work; explaining the Fire Marshal's vehicle was in the budget last year, but it was taken out.

Cranston Harris, Superintendent, Central Services commented on the several M.C. F.D. and Street Department vehicles that all have blown engines and the cost to fix them; advising the Council of the number of M.C.P.D. vehicles he has worked on so far this year; stating he will not send out a dangerous vehicle to Police officers or the Fire Department; explaining this drains his budget because the cars are older, and they are more expensive to fix; further stating the truck his mechanics use is old and raggedy and his vehicle is borrowed from the Refuse department; commending the Police and Fire Chief for what they said and backing them 100%.

Discussion ensued between Councilman Fitzpatrick and Mr. Harris regarding if all of the repairs for the City fleet vehicles are being paid out of Mr. Harris's budget. Mr. Harris stated no, the Police and Fire departments and some vehicles for the street department. Councilman Fitzpatrick asked if there is a maintenance rotation for the vehicles. Mr. Harris stated he is a stickler for having maintenance done on the various City vehicles.

Discussion further ensued between Councilman D. Przybylinski and Mr. Harris regarding if his department would be better off if they didn't have such a large budget, absorbing the all the costs for the Fire, Police and other departments. Mr. Harris stated it would be beneficial if the departments managed their own budgets, they would know what they are spending. Councilman Przybylinski asked Mr. Harris to look at each vehicle and decide if they should be sold or if there is another year left on them and report back at the next meeting.

Discussion continued between Councilwoman Tillman and Mr. Harris regarding salt boxes.

President Mack asked if there were any further comments from the public;

Shong Smith, Director, M.C. Central Services addressed the Council commenting on the vehicles and equipment that needs to be replaced in the Street department; advising these items are essential for them to do the work that has to be done.

Discussion ensued between Councilman P. Przybylinski and Mr. Smith regarding the various vehicles used at the Street department. Councilman Przybylinski stated he will be visiting Central Maintenance to look at the vehicles.

Patrick Voltz, Park Maintenance Supervisor addressed the Council with his issues and concerns with the vehicles that are used by the Park Department; stating they use their plows to help Central Maintenance with the dead ends and cul-de-sac plowing in the winter; advising he also has reports that shows the maintenance done on their vehicles.

Discussion ensued between Councilman D. Przybylinski, Mr. Voltz and Ed Shinn Park Superintendent regarding improvements that are needed at the north and south golf courses but they are not on the essential capital purchase list. Mr. Shinn stated these items will be taken care of on a contract that will go before the Board of Works for

approval; advising there are trees on the courses that are deemed dangerous to property and persons and this is on the essential capital purchase list.

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

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

President Mack thanked the Department heads and supervisors for coming to the meeting and expressing their sense of urgency; explaining when you are in a supervisory position you are responsible for people; commenting on the budget process and how it works.

Councilwoman Deutch thanked the Department heads for speaking to the Council about their essential needs; stating a Committee meeting should be scheduled sooner than later to address these items so hopefully it can be taken off the "TABLE" at the next Council meeting rather than waiting two meeting from now; advising there are three (3) readings on an ordinance for a reason and she is hopeful they will get their answers and get this done; explaining the Council is responsible for the finances of the City and they need to be taken seriously.

Councilman Simmons commented that he sees the urgency for all of the requests; stating the Council needs to have answers before they can move forward and adopt the additional appropriations.

Councilman P. Przybylinski commented on the statements that Chief Dion Campbell, M.C.P.D. and Chief Doug Legault, M.C.F.D. made earlier regarding the Council having something against their departments; explaining it is not right to criticize the Council for wanting answers; stating the finances need to be straightened out, we cannot deplete the Riverboat fund; asking how much money is in the general fund and how much did we get for the June tax payment.

Councilman P. Przybylinski made a motion to "TABLE" the proposed ordinance for two (2) meetings which would be September 21, 2021 until they get more information on the fund balances and the projection of revenue; seconded by Councilman Fitzpatrick.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members, P. Przybylinski, Tillman, Fitzpatrick, D. Przybylinski and Simmons (5). **NAYS:** Council members, Dabney, Mack, Deutch and Zygas (4).

President Mack stated the proposed ordinance will be "TABLED" until the Council meeting on September 21, 2021.

Clerk Neulieb read the following proposed ordinance on first reading by title only,  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE  
 RIVERBOAT FUND FOR ESSENTIAL CAPITAL PURCHASES NEEDED TO  
 OPERATE THE CEMETERY DEPARTMENT**

**Introduced by:** Bryant Dabney

DECREASE Riverboat Fund 2042 Unappropriated balance \$86,500.00 INCREASE  
 ACCOUNT#2042 119.445.050 \$32,000.00 Other Machinery & Equipment (2 – riding mowers)  
 INCREASE ACCOUNT#2042 119.445.020 \$54,500.00 Other Machinery & Equipment – Motor  
 Equipment (1-Ton dump truck w/plow)

President Mack asked if the author had anything to add at this time;

Councilman Dabney listed the essential items that are needed for the Cemetery department.

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

President Mack if there were any questions for comments from the Council;

Councilman Fitzpatrick explained this process will take two (2) to three (3) readings and the additional appropriations have to be approved by the Council before any orders can be placed for equipment or vehicles; advising that the Council are representatives of the residents of the City, and they need to make sure the administration is doing the right thing with the City's finances.

Councilman Fitzpatrick made a motion to "TABLE" the proposed ordinance for two (2) meetings which would be September 21, 2021 until they get more information on the fund balances and the projection of revenue; seconded by Councilman P. Przybylinski.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members, Tillman, Fitzpatrick, D. Przybylinski, Simmons and P. Przybylinski (5). **NAYS:** Council members, Dabney, Mack, Deutch and Zygus (4).

President Mack stated the proposed ordinance will be "TABLED" until the Council meeting on September 21, 2021.

Clerk Neulieb read the following proposed ordinance on first reading by title only,  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND TO ENHANCE THE WEATHERIZATION PROGRAM THROUGH THE NORTH CENTRAL COMMUNITY ACTION AGENCIES, INC. TO ASSIST LOW-INCOME HOMEOWNERS OF MICHIGAN CITY WITH REPAIRS**

**Introduced by:** Bryant Dabney  
 Dalia Zygus  
 Michael Mack

DECREASE Riverboat Fund 2042 Unappropriated balance \$300,000.00 INCREASE  
 ACCOUNT#2042 000.439.090 \$300,000.00 Other Services & Charges – Contractual Services

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

Councilman Dabney explained to the public the process that North Central Community Action Agencies, Inc.; follows when weatherizing homes; stating the \$300,000 will be available to help the homeowner be able to make improvements, such as roofs, windows and doors so they can qualify for the weatherization program; advising the Riverboat funds can help City residents.

Councilwoman Zygus stated North Central Community Action Agencies, Inc. is an established organization; advising this can help a lot of homeowners; explaining there is a point system on how to qualify and also an income level; and this is a good use of Riverboat money.

President Mack stated this is for homeowner's only and you have to live in the home; commenting on the Riverboat and ARP funds that are available.

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

Nancy Moldenauer, 107 Kaye Lane commented that the City needs to do more to help the lower income homeowners and this project will do exactly that; stating the Federal Government is offering our community a lot of money and we need to take advantage of it.

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

Councilwoman Deutch commented on the CDBG and ARP funds; stating they know the citizens of our City need help with work on their homes; and there is a lot more money they need to put towards it; explaining that North Central Community Action Agencies, Inc. is established in the community; asking if they can create a bucket as a line item in the ARP money and can CDBG funds be used for this as well.

Councilman D. Przybylinski asked to be added as a co-sponsor on the proposed ordinance; stating they need to find out if there are other funding mechanisms available and can they use ARP monies.

Councilman D. Przybylinski made a motion to “TABLE” the proposed ordinance on 1<sup>st</sup> reading until the next Council meeting on September 7, 2021 so they can get more information on other funding mechanisms; seconded by Councilman P. Przybylinski.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members, Fitzpatrick, Deutch, D. Przybylinski, P. Przybylinski and Tillman (5). **NAYS:** Council members, Dabney, Mack, Simmons, and Zygas (4).

President Mack stated the proposed ordinance will be “TABLED” until the next Council meeting on September 7, 2021.

Clerk Neulieb read the following proposed ordinance on 2<sup>nd</sup> reading by title only,  
**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE LOCAL INCOME TAX (FORMALLY KNOW AS CEDIT) FUND FOR BAKER TILLY CONTRACT FOR ASSISTANCE WITH ARPA PLAN**

**Introduced by:** Bryant Dabney

DECREASE Local Income Tax (LIT) Fund 2224 Unappropriated balance \$100,000.00 INCREASE ACCOUNT #2224 000.431.050 \$100,000.00 Other Services and Charges – Professional Services

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

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

President Mack asked if the Council had any questions or comments; there was no response.

President Mack stated that there will be a formal public hearing this evening repeating three times; “Are there any comments or questions from the public”; there was no response and the public hearing was closed.

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

Councilman Fitzpatrick made a motion to suspend the rules and read on 3<sup>rd</sup> reading tonight; second by Councilwoman Deutch.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman and Dabney (9). **NAYS:** None (0).

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

**MICHIGAN CITY COMMON COUNCIL**

**ORDINANCE NO. 4593**

**APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE  
LOCAL INCOME TAX (FORMERLY KNOWN AS CEDIT) FUND FOR BAKER TILLY  
CONTRACT FOR ASSISTANCE WITH ARPA PLAN**

**WHEREAS**, it has been demonstrated to the Common Council of the City of Michigan City that it is necessary to appropriate more money than was appropriated in the 2021 Annual Budget for the professional accounting and consulting services from Baker Tilly for assistance with the monies the City received from the American Rescue Plan Act of 2021; and

**WHEREAS**, the City Controller has determined that sufficient unappropriated funds are available in the Local Income Tax (formerly known as CEDIT) 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) Fund 2224 Unappropriated balance	\$100,000.00	
INCREASE ACCOUNT #2224 000.431.050 Other Services and Charges – Professional Services		\$100,000.00
<b>TOTAL FOR FUND</b>	<b>\$100,000.00</b>	

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

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

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

President Mack asked if the Council had any questions or comments; there was no response.

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

Councilwoman Deutch made a motion to adopt the proposed ordinance; second by Councilman Dabney.

President Mack asked City Clerk Neulieb to take the vote: **AYES:** Council members Mack, Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman, Dabney and Fitzpatrick (9). **NAYS:** None (0).

**NEW BUSINESS**

President Mack stated that Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council regarding his appointment of Ms.

Soljourna Atwater as a member of the Michigan City Human Rights Commission (term will begin immediately and expire on February 2, 2024)

President Mack stated that if there was no objection, he would like to take the vote on the Mayor's request, there was no response.

Councilwoman Deutch made a motion to approve the Mayors request, second by Councilwoman Tillman

Ms. Atwater was appointed to the Michigan City Human Rights Commission by the following vote: **AYES:** Council members Deutch, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick and Mack (9). **NAYS:** None (0).

President Mack stated that Mayor Parry is requesting the advice and consent of the members of the Michigan City Common Council regarding his appointment of Ms. Amy Bowman as a member of the Michigan City Historic Review Board (term will begin immediately and expire on March 15, 2023)

President Mack stated that if there was no objection, he would like to take the vote on the Mayor's request, there was no response.

Councilwoman Deutch made a motion to approve the Mayors request, second by Councilman Przybylinski.

Ms. Atwater was appointed to the Michigan City Human Rights Commission by the following vote: **AYES:** Council members, D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack and Deutch (9). **NAYS:** None (0).

### **UNFINISHED BUSINESS**

President Mack stated that the Council has one appointment to the Youth Leadership Commission representing "Marquette High School" (term expired 06-01-2021)  
Incumbent: Mr. Trayvon Moore.

Ms. Neulieb stated that the Clerk's office didn't receive any correspondence from Marquette High School regarding their appointment to the Youth Leadership Commission.

President Mack stated that the Council has one (1) appointment to the Urban Enterprise Association due to the resignation of Mr. Keith Devereaux; expiring on December 31, 2024.

Ms. Neulieb stated that her office received two Board & Commission forms as follows: David Augustus and Tommy Amico.

Councilwoman Tillman asked if there was a form received from Kimberly Williams;

Councilwoman Deutch stated we need to confirm if the applicants reside in the Urban Enterprise Zone; asking if this can be held over until next meeting.

### **COMMENTS FROM THE PUBLIC**

President Mack asked if there anyone from the public who wished to speak.

Soljourna Atwater, 1906 Michigan Boulevard thanked the Council for appointing her to the Michigan City Human Rights Commission; stating she is looking forward to serving on the Board.

Rodney McCormick, 617 Union Street commented on the correspondence that he sent to the Council regarding conversation between himself and Mayor Parry; continuing to comment on the whistleblower ordinance and the investigation between Chief Dion Campbell and Steve Westphal; stating there are still issues at the Sanitary District and there is also a problem at the Refuse department.

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

### **COMMENTS FROM THE COUNCIL**

President Mack asked if there were any Council comments.

Councilwoman Deutch commented on the Refuse departments delay in service because of Covid protocol; asking what the protocol is for notifying individuals working in close proximity to someone that has Covid; is the employee with Covid still allowed to come to work, but just has to stay away from everyone? stating it saddens her that there are employees that do not want to bring these issues up in fear of retaliation; advising she is going to ask for an investigation and allow for anonymous polling or a survey to make sure things are being done right by the employees; explaining we need to make sure the public, residents and business owners are informed of City processes (vendor licenses, code enforcement, permits, etc.) explaining we need to do a better job of educating the public on what they need for these types of things.

Councilman Fitzpatrick stated there is a townhall style workshop at the Macedonia Missionary Baptist Church on August 24, 2021 at 5:30 p.m. to discuss the American Rescue Plan Funds; everyone is welcome, public input is important; advising to all Department heads that they have his full support in everything they are doing to try to do their jobs for the City; explaining many are underpaid and running on skeleton crews; further commenting that as of today, he still has zero confidence in Mayor Parry.

Councilwoman Tillman stated the Michigan City Area Schools had a back-to-school rally on Saturday; listing some of the vendors that participated in it; also thanking the donors and contributors that were involved.

Councilman D. Przybylinski congratulated Marty Corley as our new Assistant Chief for the Michigan City Police Department; thanking Michigan City Mainstreet Association for putting on the Taste of Michigan City last weekend and for all their hard work and effort; also thanking Jack Arnett, LaPorte County Visitors Bureau for the work that was done for the Boat race; commenting that as long as he has been on the Council, he has always voted in favor of everything the M.C.P.D. has wanted or needed; they have always had his support; further stating by ordinance in 2022 the City is only allowed to spend 25% of the Riverboat funds for operations of the City then the percentage goes down in 2023 and the money will get tighter and tighter, which is why the Council has to ask questions and make these decisions.

Councilwoman Zygas thanked all of the Department heads that came to the meeting tonight and explained why they needed the money for their departments.

Councilman P. Przybylinski stated that the Council is doing their fiduciary responsibility for the City; commenting on the statement that Rodney McCormick brought up earlier regarding the Mayor; asking about the investigation going on at the Michigan City Police Department; advising he has been trying to set up a workshop with the Council and M.C.P.D. to come up with some creative financing ideas for police vehicles.

Councilman Dabney stated that hopefully the Memorandum of Understanding between the City and North Central Community Agencies, Inc. will help some of the neediest people in our Community weatherize their homes and fix roofs, windows, etc. and they can stay in their homes.

President Mack advised that Mr. Daryl J. Borton, a political person with the democratic party was recognized by the Congress of the United States; reading his recognition; stating that he has been seeing signs that the world is short staffed, please be patient; explaining we have unrealistic expectations; commenting on the exceptional Customer Service that was provided at St. Anthony's Hospital on a busy night when they took his father there.

**ADJOURNMENT**

A motion by Councilwoman Deutch, second by Councilman P. Przybylinski and there being no further business to transact, President Mack declared the meeting **ADJOURNED** (approximately 9:09 p.m.)

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Gale A. Neulieb