

REGULAR “HYBRID/ZOOM” MEETING October 18, 2022

The Common Council of the City of Michigan City, Indiana, met in Regular session on Tuesday evening, October 18, 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 Jewel Harris, Gale Neulieb City Clerk, and Stacy Dudley Deputy Clerk

APPROVAL OF MINUTES

President Deutch stated that we will be approving the Regular “Hybrid/Zoom” Council meeting minutes that was held on October 4, 2022, asking if anyone had any additions, deletions or corrections at this time, there was no response.

Councilman D. Przybylinski made a motion to approve the minutes of the Regular “Hybrid/Zoom” meeting minutes that was held on October 4, 2022 and second by Councilwoman Tillman.

The motion carried and the minutes from the October 4, 2022, council meeting were approved by the following vote: **AYES:** Council members Dabney, Fitzpatrick, Mack, Deutch, D. Przybylinski, Simmons, Zygas, and Tillman (8) **NAYS:** Council member None (0). **ABTAINED:** Council member P. Przybylinski (1)

REPORTS of STANDING COMMITTEES

President Deutch asked if there were any reports of standing committees.

Councilman D. Przybylinski reported on the last Sanitary Department meeting and that he was handed a report that the sanitary district received from Haas & Associates regarding six (6) residents from the Town of Long Beach that are looking into a process that is called “pressure sewer system” to replace the subject tank pumping and hall procedures that they have been using; advising that the Sanitary District’s superintendent reported that this does not have anything to with the city whatsoever at this time explaining how this proposed new system would work.

President Deutch stated that she forwarded something to Attorney Harris in reference to this project due to injecting comments received in reference to our annexation; asking Attorney Harris to still follow through in researching this matter.

Attorney Harris advised President Deutch that this is worth noting, that if you put in a private system that she was correct that if installed it will go to a public sewer it will ultimately result in some treatment costs, etc. and that he will report back.

Councilman D. Przybylinski also reported that the Town of Long Beach has not responded back to the Sanitary District regarding the payment of the engineering cost in the amount of \$550,000.

Councilman D. Przybylinski announced that tomorrow October 19, 2022 is the Grand Opening/ribbon cutting of the Cheney Run Wetland preserve at the Karwick Nature Preserve at 10:00 a.m. commenting on the history of this environmental success story that was posted in the Herald Dispatch.

Councilman D. Przybylinski also stated being the liaison of the Human Rights Commission commented on the “Disability Awareness Month” with the commission (chair – Bonnie Dimpke) starting this project in March with their goal of raising a \$1,000 to be able to purchase a seat fitted wagon built before school start this year; thanking her husband Paul Dimpke for building the wagon for the Michigan City Area Schools “Special Needs Department” to use; and wanted to thank Stephanie Oberlie from Harbor Trust for their generous donation to the fundraiser and for everyone that worked so hard in getting this project completed.

Councilman D. Przybylinski addressed Councilman Dabney’s questions regard how long the Town of Long Beach has been delinquent on the amount they owe the Sanitary District.

President Deutch asked if there were any additional standing committee reports, there was no response.

FINANCE REPORT

President Deutch asked Finance Chair Tracie Tillman if she had anything to report on this evening.

Councilwoman Tillman stated the Finance Committee did meet this evening at 5:35 p.m. and they went over the claim docket for October 18th advising the #2042 Riverboat Claim in the amount of \$13,823.04 was reviewed and approved by the committee and that there were no claims received for Fund #2031 Boyd Development Fund; with the total claims for October 18, 2022 was \$13,823.04.

Councilwoman Tillman advised the current balance in the Riverboat as of September 30, 2022 was \$4,023,948.19.

CLAIMS DOCKET

President Deutch stated the claims for the October 18, 2022, Riverboat Fund #2042 was \$13,823.04 and that there were no claims from the Boyd Development fund #2031.

October 18, 2022

Fund #2042 – Riverboat – Claims -	\$	13,823.04
EFT	\$	00.00
Fund #2031 – Boyd Development -	\$	00.00
EFT	\$	00.00

TOTAL CLAIMS \$ 13,823.04

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

A motion was made by Councilman Dabney to approve the October 18, 2022, Riverboat/Boyd Claim docket in the amount of \$13,823.04; 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:** Council member None (0)

REPORTS OF SPECIAL or SELECT COMMITTEES

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

REPORTS FROM THE MAYOR OR OTHER CITY OFFICERS AND DEPARTMENTS

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

Michigan City Fire Chief Doug Legault addressed the Council regarding the September 2022 calls in his department as follows:

Total Number of Incidents – 281
 Fires – 6
 Rescue/Emergency Medical – 210
 Hazardous Conditions (non-fire) – 7
 Service Call – 7
 Good Intent call – 43
 False Alarm – 7
 Special Incident Type – 1
 Narcan was used on six (6) calls

Chief Legault stated that if any of the Council members had any questions about the Fire Department to please contact him and he will meet at their convenience; thanking President Deutch for meeting with him to discuss the purchase of a new fire truck as well as talking about the poor condition the recent fire trucks are in; hoping that the council will reconsider using ARPA monies to purchase a new truck.

Chief Legault stated that he is establishing a “truck committee” within his department to review and discuss the best needs for the city on the purchase of a second fire truck that needs to be replaced.

Chief Legault advised President Deutch that it isn’t unusual to have as many structure fires that we’ve seen in the last few weeks, due to residents starting their furnaces and using space heaters to keep warm.

Chief Legault advised Councilman D. Przybylinski that a “good intent” call is like a lift assist when a medical alarm comes in.

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

PETITIONS

President Deutch asked Clerk Neulieb if there were any petitions.

Clerk Neulieb stated that there are no petitions this evening.

COMMUNICATIONS

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

Correspondence was received in the Clerk's Office from Controller Hoffmaster regarding the cash position (unreconciled) documents of all City funds.

Correspondence was received in the Clerk's Office on October 12, 2022, from Brian Gross regarding his application for renovation of a small industrial building. (Requested to read this in its entirety for the record)

President Deutch asked Mr. Gross to read his letter in its entirety:

Council Members:

Prior to February 2021, my applications for renovation of a small industrial building which I own at 212 Cook Street, and for which I personally performed all of the work, have always been issued in a timely fashion. Since February of 2021 I have not been able to obtain building permits from the building department.

The current administration's position is that excepting a single- or two-family residence which a person owns and resided in as his permanent residence, a property owner is not allowed to perform permitted work on said property without being a licensed and registered contractor in the various trades involved.

There is, nor has there ever been any such State or Michigan City Code requirement.

I have spoken at several Council meetings, spoken to the Mayor and the Building Commissioner, never been able to reach the Planning Director, written multiple letters and emails to all of the above citing the relevant supporting code, but all to no avail.

I talked to the Building Commissioner after the Council meeting on June 15, 2021 and she stated that she would organize a workshop to investigate suggestions for an updated building code and that she would welcome suggested revisions. I have sent my suggestions for clarification of the code, but to date, the workshop has not happened.

As a resident, property owner, and taxpayer, I could not be more disappointed in the lack of response of this administration to this problem, which affects not only me, but also, landlords and business owners who may wish to update and maintain their properties themselves.

After talking with past mayor Sheila (Brillson)Matias (now LaPorte County Commissioner), she suggested that I try to have the ordinance modified to clarify the position of the City Council.

Chapter 22, Article XI, Sec. 22-661, states in Paragraph 3, "For the purpose of this section, ..., but shall not include:

- (1) Any private person doing such work upon his own private home or property."

Sec. 22-232. States:

“(a) Nothing contained in this chapter shall be construed as prohibiting any person who is the bona fide owner of a building or premises from personally installing plumbing, sewerage or well work therein; nor shall this chapter be construed as prohibiting any firm or corporation from doing plumbing, sewerage or well maintenance work upon the premises of the firm or corporation, provided the permits required by this chapter have first been obtained.”

I feel that these two sections clearly indicate the intent of the code to allow property owners to perform work upon their properties and that the building department must issue the relevant permits without requiring the property owner to be a registered contractor.

If you support this position, I strongly urge that the city code be amended as follows to clarify the intent:

Sec. 22-571. – Purpose.

ADD: ‘(c) This article shall not apply to any private person doing such work upon his own private home or property.’

This language is restating Sec. 22-661. As quoted above, and will apply to the entirety of Chapter 22, Article XI.

Respectfully,
Brian Gross
830 W. 6th Street
Michigan City, IN 46360

President Deutch asked Councilman Fitzpatrick who is the liaison to the Planning Commission to schedule a joint workshop with Skyler York, Planning Director and his staff to review and discuss Chapter 22 “Building Regulations”

President Deutch asked the Clerk to read the first resolution.

RESOLUTIONS

The Clerk read the following resolution by title only.

MICHIGAN CITY COMMON COUNCIL

RESOLUTION NO. 4857

APPROVING THE CHANGE OF USE OF APPROPRIATED FUNDS IN THE 2022 BUDGET IN THE RIVERBOAT FUND FOR THE AIRPORT

WHEREAS, in the 2022 budget in the Riverboat Fund, \$75,000.00 was appropriated for runway crack sealing and striping; and

WHEREAS, crack sealing can be done by the Street Department, if the need arises, and the runway striping is not needed this year per the INDOT Office of Aviation annual inspection, the Airport Manager requests that said appropriated funds now be spent on the new maintenance building; and

WHEREAS, the Mayor and the Common Council now desire to implement the recommendations of the Airport Manager and allow funds appropriated in the 2022 budget in the Riverboat Fund to now be utilized on the addition of a maintenance building at the airport.

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

1. The aforementioned “Whereas” sections are incorporated herein as if fully set forth herein.
2. The funds in Account #2042 901.444.050, namely \$75,000.00, shall now be utilized on the addition of a maintenance building at the airport.

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

INTRODUCED BY: /s/Gene Simmons, Member
Michigan City Common Council

President Deutch asked if the sponsor had anything to add.

Councilman Simmons stated that this is renaming the fund which was originally earmarked for asphalt repairs to be used for a new maintenance building.

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

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

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

President Deutch asked Clerk Neulieb to read the proposed ordinance on first reading.

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 THE CONSTRUCTION OF A NEW MAINTENANCE BUILDING AT THE MICHIGAN CITY MUNICIPAL AIRPORT

Introduced by: Gene Simmons

(DECREASE General Fund # 2042 Unappropriated balance \$130,000.00 INCREASE ACCOUNT #2042 901.444.050 \$130,000.00 Capital Outlay – Improvements Other than Buildings)

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

Councilman Simmons advised that there is a dire need for a new maintenance building; stating that he went and looked at the current building they are using with there being a lot of major equipment being stored outdoors and needs to be stored inside so the city doesn't need to replace it so often.

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

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

Jessica Ward, Airport Manager and Paul Schaefer, Butler, Fairman and Seufert, Inc, Engineering, Indianapolis, Indiana addressed Councilman D. Przybylinski question that the airport has already went out for bids sending sixteen bids out and only received one back due to not being able to meet their deadline to complete, lack of supplies, and

getting people to work; advising him that they are here to ask for an additional \$130,000.00 to be able to do this project.

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 second reading at the November 1, 2022 Council meeting.

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

APPROVING ADDITIONAL APPROPRIATION IN THE BUDGET OF THE RIVERBOAT FUND FOR THE CONSTRUCTION OF A NEW FUEL FARM AT THE MICHIGAN CITY MUNICIPAL AIRPORT

Introduced by: Gene Simmons

(DECREASE Riverboat Fund 2042 Unappropriated balance \$800,000.00 INCREASE ACCOUNT#2042 901.444.050 \$800,000.00 Capital Outlay – Improvements Other than Buildings)

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

Councilman Simmons advised that fuel farm that the airport uses at this time basically has almost run out of its usefulness and is dire need to be upgraded and replaced and that the old one is undergrown and the recommendation with most all airports now that their fuel tanks be placed above ground.

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

Councilman D. Przybylinski advised that he spoke with Ms. Ward and also City Attorney Lapaich about this; stating that the reason he did was due to receiving the Aviation Committee meeting minutes from July which stated under their comments the above ground fuel tank that “the city attorney is requesting additional information from BF&S making sure that we can use this grant money to reimburse the city, for the appropriation itself; advising that when she spoke to Attorney Lapaich today she had not received an answer back from BF&S engineering, and that he and Ms. Ward agreed that we should reach out to Baker and Tilly the City’s Financial advisors to make sure that we can do what the plan is.

Councilwoman Zygas questioned about how all this fuel farming works that if it is revenue producing and that a few weeks ago the council approved an additional appropriation for fuel at the airport; why if the fuel is revenue producing we needed to appropriate more money.

Ms. Ward, Aviation Director explained that when we order fuel you have to pay for it what is being purchase when it is delivered, and they ran out of money due to the cost of the fuel that is available now.

Councilman D. Przybylinski made a motion to TABLE the proposed ordinance until the November 1, 2022 Council meeting, second by Councilwoman Tillman with the proposed ordinance being TABLED until the November 1, 2022 Council meeting by the following vote: **AYES:** Council members D. Przybylinski, Zygas, P. Przybylinski, Tillman, Dabney, and Mack (6) **NAYS:** Council member Deutch, Simmons and Fitzpatrick (3).

Councilman P. Przybylinski asked if it would be appropriate that we have our attorney contact Baker and Tilly.

The Clerk read the following proposed ordinance on 1st Reading by title only.

AMENDING SEC. 50-283 IN THE MICHIGAN CITY MUNICIPAL CODE KNOWN AS THE FIRE CODE COMPLIANCE INSPECTION FEE AND NON-EMERGENCY MEDICAL ASSISTANCE FEE

Introduced by: Angie Nelson Deutch

President Deutch asked the Fire Department to come up and address the Council regarding the proposed ordinance.

Jeff Brueder, Michigan City Fire Marshall addressed the Council stating that the City has had five (5) structure fires within the last nine (9) days and that we all know they all have one thing in common and that is displacement, so we are at fifteen (15) people that have been displaced out of their homes; stating that when the firefighters are done with the fire and back to the station; these families that lost everything and have no where to go; so what we are trying to establish and attempt for this and one of the most important pieces of legislation that we could pass; is that the City has an inspection fee from businesses that they collect every year, with their intent to increase that fee slightly and take a portion of that fee and introduce it into our assistance program to help the people that have fires and need assistance after they have faced the devastation of a fire; requesting to have a workshop with the Council to discuss all the details; advising that to do this program we need the support of the Council and the Controller to get everyone on board. Explaining how they want this program to work.

President Deutch advised that there will be a "Public Health and Safety" workshop that will be scheduled before the next Council meeting on November 1, 2022 to review and discuss the MCFD proposal.

Councilman Dabney asked to be added as a co-sponsor.

Councilman Dabney stated that we have talked about this before where people are displaced when a person's home has a fire and that we no longer have the Red Cross located in our community and the residents have nowhere to go; advising that he is in full support of this program.

President Deutch asked if the amount of the inspection fee that we have at the present time been increased recently; with Fire Marshall Bruder advising that it has been at least twenty (2) years since this fee has been increased.

Attorney Harris advised that after this ordinance is adopted that this council will have to bring back an additional ordinance creating a fund for this money to go into.

Mr. Bruder stated that since it is Fire Prevention month that everyone needs to change their batteries in the smoke alarms and that if they don't have a smoke detector that they should stop by any of the fire stations and they will give any resident of the city one to place in their homes.

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

Rodney McCormick, Michigan City Housing Authority thank the fire department and President Deutch for bringing this proposed ordinance to the floor, that it is a great idea and have been trying to help a lot of people that have been displaced due to fires.

Nathan Patrick, Michigan City Housing Authority advising that he works in the world of insurance and under each insurance policy there is a provision called loss of use which goes into effect to help with displacement of home or people that for whatever reason and is something to share.

Tommy Kulavik, 1316 Ohio Street stated that when he bought his house in 2013 there were no detectors but to date, he has three smoke/carbon monoxide detectors that are hard wired in batteries for back up.

Councilman P. Przybylinski asked to be added as a co-sponsor as well.

Councilman P. Przybylinski commented on the turmoil a house fire can bring to a family in any community; stating that he feels this is a good legislation thanking Mr. Bruder for expanding on this picture and bringing this to the Council.

Councilman D. Przybylinski also asked to be added as a co-sponsor; commenting on the fee being proposed will be \$50.00 questioning if this fee should be even higher.

President Deutch advised that this can be discussed at our workshop, that there are surrounding cities that do charge more, but we need to think of all the smaller businesses that are still struggling from the pandemic to keep their businesses open.

Councilman Fitzpatrick asked that once the ordinance is adopted, a fund is created will there be any other way if someone wanted to donate monies to the program, will they be able to; with President Deutch advising that anyone will be able to donate funds after the fund is created.

Councilman Fitzpatrick also asked to be a co-sponsor.

President Deutch asked if there were any additional comments to the council, there was no response; stating that the proposed ordinance will be on second reading at our November 1, 2022 Council meeting.

The Clerk read the following proposed ordinance on second reading by title only.
TRANSFERRING DORMANT FUND BALANCES, DISSOLVING DORMANT FUNDS & REPEALING SEC. 2-400 (“NEW POLICE PROJECT FUND”) SEC. 2-409 MARKETING/PROMOTIONAL FUND”), AND SEC. 2-410.1 (“LEADSAFE FUND”) IN THE MICHIGAN CITY MUNICIPAL CODE

INTRODUCED BY: Don Przybylinski

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

Councilman D. Przybylinski made a motion to also have third reading this evening, second by Councilman P. Przybylinski; with the motion to move forward and have third reading this evening was approved by the following vote: **AYES:** Council members D. Przybylinski, Simmons, Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack and Deutch (9) **NAYS:** Council member (0).

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

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

Councilman Fitzpatrick asked if the “lead safe fund” the fund the administration was working on and it didn’t work out.

Mary Lynn Wall, Asst. Controller advised Councilwoman Zygas that there is only two (2) of these funds that have a balance.

President Deutch asked if the Council had anymore questions or comments, there was no response; asking the Clerk to read the proposed ordinance on third reading.

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

MICHIGAN CITY COMMON COUNCIL

ORDINANCE: [4657](#)

TRANSFERRING DORMANT FUND BALANCES, DISSOLVING DORMANT FUNDS & REPEALING SEC. 2-400 (“NEW POLICE PROJECT FUND”), SEC. 2-409 (“MARKETING/PROMOTIONAL FUND”), AND SEC. 2-410.1 (“LEADSAFE FUND”) IN THE MICHIGAN CITY MUNICIPAL CODE

WHEREAS, the City Controller of this City of Michigan City has determined that the purposes for which Fund 4101 (“MC Marketing/Promotional Non-Reverting”), Fund 4800 (“New Police Station Project”), and the various funds listed in the below chart are no longer needed; and

Fund	Last Year of Transactions
0152 - CARES ACT Funds thru IFA	2020
2012 - Employee Health & Life Insurance	2021
4125 - Lead Hazard Grant	2020
4600 - Redevelopment Sinking Fund	2020
4601 - Redevelopment Oper & Reserve	2020
4602 - Redevelopment Reserve	2020
4603 - SSTIF Bond 2007 Reserve	2015
4604 - MCRD Bonds 2010 Sinking	2018
4605 - MCRD Bonds 2010 Oper & Reserve	2018
4606 - MCRD Bonds 2010 Debt Svc Reserve	2018
4607 - MCRD Bonds 2010	2017
4608 - MCRD Bonds 2010 Bond Construction	2017
4609 - MCRD Bonds 2011 Interest	2017
4610 - MCRD Bonds 2011 Sinking Expense	2020
4611 - MCRD Bonds 2011 Oper & Reserve	2020
4612 - MCRD Bonds 2011 Reserve	2020
4613 - MCRD Bonds 2011	2017
4614 - MCRD Bonds 2011 Bond Construction	2018
4615 - Wabash Streetscape Interest	2020
4625 - Lafayette Barker Refund Bond Construction	2019
4626 - Lafayette Barker Refunding	2019
4627 - Lafayette Barker Refund	2019
4629 - Double Tracking Project	2019
2473 - Major Moves	2018
4801 - ESG Energy Savings Project	2020

WHEREAS, the monies collected into these funds have not been appropriated and the funds have become dormant; and

WHEREAS, IC 36-1-8-5 states that whenever the purpose of a fund has been fulfilled, any unused and unencumbered balances will be transferred to the General Fund and the fund closed; and

WHEREAS, the following funds are dormant and have the following balances and should be transferred to the General Fund:

- a. Fund 4101 (“MC Marketing/Promotional Non-Reverting”) \$2,123.79
- b. Fund 4800 (“New Police Station Project”) \$ 281.21

WHEREAS, all the other aforementioned funds mentioned above are dormant and have a zero balance; and

WHEREAS, it is in the best interest of the City to close all of the aforementioned dormant funds, and where a balance remains, transfer said balance to the General Fund; and

WHEREAS, several of these dormant funds, more specifically Sec. 2-400 (“New Police Project Fund”), Sec. 2-409 (“Marketing/Promotional Fund”), and Sec. 2-410.1 (“Leadsafe Fund”) are listed in the City’s Municipal Code and should now be repealed.

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

1. The aforementioned “Whereas” sections are incorporated herein as if fully set forth herein.
2. Fund 4101 (“MC Marketing/Promotional Non-Reverting”), Fund 4800 (“New Police Station Project”) and funds listed below are hereby declared dormant:

Fund	Last Year of Transactions
0152 - CARES ACT Funds thru IFA	2020
2012 - Employee Health & Life Insurance	2021
4125 - Lead Hazard Grant	2020
4600 - Redevelopment Sinking Fund	2020
4601 - Redevelopment Oper & Reserve	2020
4602 - Redevelopment Reserve	2020
4603 - SSTIF Bond 2007 Reserve	2015
4604 - MCRD Bonds 2010 Sinking	2018
4605 - MCRD Bonds 2010 Oper & Reserve	2018
4606 - MCRD Bonds 2010 Debt Svc Reserve	2018
4607 - MCRD Bonds 2010	2017
4608 - MCRD Bonds 2010 Bond Construction	2017
4609 - Refunding Bonds 2011 Interest	2017
4610 - MCRD Bonds 2011 Sinking Expense	2020
4611 - MCRD Bonds 2011 Oper & Reserve	2020
4612 - MCRD Bonds 2011 Reserve	2020
4613 - MCRD Bonds 2011	2017
4614 - MCRD Bonds 2011 Bond Construction	2018
4617 - Wabash Streetscape Interest	2020
4625 - Lafayette Barker Refund Bond Construction	2019
4626 - Lafayette Barker Refunding	2019
4627 - Lafayette Barker Refund	2019
4629 - Double Tracking Project	2019
2473 - Major Moves	2018
4801 - ESG Energy Savings Project	2020

3. Any unused and unencumbered monies remaining in the aforementioned dormant funds, shall be transferred to the General Fund.
4. Sec. 2-400 (“New Police Project Fund”), Sec. 2-409 (“Marketing/Promotional Fund”), and

Sec. 2-410.1 (“Leadsafe Fund”) of the Michigan City Municipal Code are hereby repealed.

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

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

President Deutch asked if the sponsor had anything to add, there was no response.

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

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

Councilman Don Przybylinski made a motion to approve the proposed ordinance, second by Councilman P. Przybylinski; with the proposed ordinance being approved by the following vote: **AYES:** Council members Simmons, Zygas, P. Przybylinski, Tillman, Dabney, Fitzpatrick, Mack, Deutch and D. Przybylinski (9) **NAYS:** Council member (0).

NEW BUSINESS

President Deutch stated there was no new business to address this evening.

UNFINISHED BUSINESS

NOMINATIONS: Vice President D. Przybylinski 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

COMMENTS FROM THE PUBLIC

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

Rodney McCormick 617 Union Street addressed the Council regarding Belinda Lee being hired and working at the Housing Authority; announced that the Social Status of African American Males Commission received a \$4,000.00 donation on behalf of the Criminal Justice and Educational Self Committee from the LaPorte County Council and are doing great things on the Social Status.

Linda Simmons, Marketing Director of the LaPorte County Visitors Beareau, addressed the Council to discuss the 2022 Community Report about programs and events that they did as a Tourist Bureau this year: giving appreciation to the Council and various City Departments for their help and hard work.

Tommy Kulavik 1316 Ohio Street addressed the Council reading a article written by Gary Dick from Indiana Business.com webpage that announced the field house project that has been approved and will be built in Valparaiso by their park department in 2023

and invited everyone to stop at the last 2022 Farmer's Market being held this season on Saturday October 22nd.

Wesley Scully (zoom) 508 Pinetree Drive addressed the Council regarding a comment made at a meeting about him; stating several positive things he has done in our community the last forty (40+) years dedicating, sharing and helping people in the city of Michigan City

Ernie Holland 302 Gladys Street addressed the Council commented on Mr. Gross's comments; advising that he feels a property owner should be able to do construction/work to properties they own and pay taxes on (with a permit) and not have to hire a Michigan City licenses contractor: also stating he in the paper all of the schools in Indiana receiving millions of dollars in grant monies, but Michigan City Area Schools wasn't on that list and the school district has lost a lot of students due to their parents being afraid for their student's safety, sending their children to Westville and Porter school districts; that we need that income for the students we have lost brought back to our schools district in Michigan City.

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

COMMENTS FROM THE COUNCIL

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

Councilman P. Przybylinski stated he would like to introduce the new Chief of Police Steven Forker.

Steven Forker Chief of Police addressed the Council stating he is a seventeen (17) year veteran, served as a detective, patrolman, and most recently served as school resource officer and public information officer. He has a well-rounded knowledge and is looking forward to the council's support and working with this department and making our city a great place to live.

Councilman P. Przybylinski stated that he looks forward to working with the new chief moving in a new direction and that we can get security through strength; advising also that there is a house terrorizing the neighborhood located on Fulton Street and is in the Marsh School district that is a nuisance to that area regarding random shot fired from that resident and that it is time for this council to establish a code/ordinance for nuisance property within our city and will be investigating to bring forward a document to help make our neighborhoods more safe.

Councilman P. Przybylinski doesn't want anyone to forget that the City needs to remember to create a fund for the sewer replacement funds for individuals that have sewer/water (goose neck) problems that are outside their property.

Councilman P. Przybylinski commented on the new rule for the Board of Public Works and Safety meetings regarding that you must fill out a form before you can speak under public comment to address an issue at that present meeting.

Councilman Dabney congratulated the new Police Chief, Steve Forker addressing the Mayor's press release that came out on Friday October 14, 2022 regarding the removal of Police Chief Dion Campbell; stating several concerns that were said in this document; that he contacted the MCPD regarding how many officer/employees have left since Chief Campbell became Chief but didn't have time to review and be able to report this evening; stating that he is defending Chief Campbell with the Mayor not taking any blame for any issues.

Councilman D. Przybylinski thanked Ed Shinn, Park Director regarding the Civil War Monument as you cross over the Franklin Bridge with the Park Department installing four (4) LED lights lighting up the statue which has been long overdue looking awesome

lit up; and also was happy to see the LED speed limit signs installed in front of Gardena Park, Water Tower Park, and Tall Timbers Park thanking Shong Smith and the Street Department; please don't forget to get out and vote; and thanked Dion Campbell for serving the City and agrees 100% with Councilman Dabney comments and welcomed the new MCPD Chief Steve Forker.

Councilman D. Przybylinski commented on how he found out about the release of our MCPD Chief on Friday October 14th; stating this administration has no respect regarding transparency and communications with this council; advising how he found out about the Press Release that was put out on Facebook by Mayor Parry.

Councilman Simmons stated for the record thanking Chief Campbell for his service and commitment as chief and wished him good luck on his endeavors; congratulating Chief Forker letting him know that he has the Council's full support; advising that he was also embarrassed in regard to how he had to hear about this from someone in the County, that at the very least the mayor could have notified the council president.

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

President Deutch addressed the Council stating that the Michigan City's Woman's Commission is having their annual meeting and will be held at Franciscan Health and Wellness Center 301 Homer Street with a full agenda.

President Deutch stated that it was profound and thinks we missed it at our last meeting that Councilman Mack stated that we are not "HR" and not here to mediate for all these different issues with different people for any board/commission; advising that we did training earlier this year for boards and commissions; needing to do another about agendas, meeting notifications, etc.; stating that this council is the most open and transparent council in the state of Indiana; that we ask the sponsors, the public and then the council for comments or questions after every single reading; stating that if there is an issue with a board or commission that it should be in writing to the Council and Mayor and then mediate the situation.

President Deutch advised that the Redevelopment Commission approved the Phase I for the engineering of Barker and Lafayette Street sewer project, and they will be working with Tim Hass & Associates.

President Deutch stated that Michigan City is one of the top cities in having compressed air companies in the Midwest; advising that at the High School they have a compress air academy where they're looking to students working there and coming out when they graduate a good wage and will be trained which is a great opportunity along with the school system purchasing the Brown Mackie building that is going to pave ways for our students to be trained and be ready to in our community when they graduate; and that we also need to have a conversation about early learning coming back in our community like we had in the early 2000 is an issue that we have in our city and needs to be discussed and addressed; inviting everyone to the Robots open house is tomorrow October 19, 2022 at the high school.

President Deutch congratulated Chief Forker on his position; stating that the mayor is a coward; explaining how she found out that Chief Campbell was being replaced and that the way this was handled was terrible; stating several reasons why she felt this was handled in a very unprofessional way and is very wrong for a leader of our City to handle a situation of this matter in the way he did; thanking Dion on for his services and what ever endeavors he is going to do in his future.

ADJOURNMENT

A motion by Councilman Fitzpatrick, second by President Deutch and there being no further business to transact, President Deutch declared the meeting **ADJOURNED** (approximately 8:24 p.m.)

Gale A. Neulieb