

REGULAR MEETING – June 7, 2010

The Board of Public Works and Safety of the City of Michigan City, Indiana, met in REGULAR SESSION on Monday morning, June 7, 2010, at the hour of 9:00 a.m., in the Council Chambers, in the City Hall Building, located at 100 East Michigan Boulevard, Michigan City, Indiana – a regular meeting room of this Board.

The meeting was called to order by President, Tony Metzcus, who presided.

Noted Present: Tony Metzcus, John Schaefer, and Mayor Charles Oberlie, (3).

Absent: none (0).

A QUORUM WAS NOTED PRESENT.

Also noted in attendance:

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division
John Pugh, Director Planning & Inspection Departments
Bill Phelps, City Engineer
Dave Lamb, Fire Chief, M.C. Fire Department
Judy Pinkston, Community Development Director
Russ Hatfield, Code Enforcement Officer
Joe Siegel, Zoning Administrator
Ta-Tanisha Clark, Executive Director Human Rights, EEO Officer
Monique Cook, Office Manager
Jack Kahn, Street Director, Central Services
Shelley Dunleavy, Personnel Director

Thomas F. Fedder, City Clerk
Kim Sliwa, Asst. Deputy City Clerk

APPROVAL OF MINUTES

Mr. Schaefer moved the minutes of the Regular Meeting of May 17, 2010 be approved as printed. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Schaefer and Oberlie (3). NAYS: None (0). Motion carries.**

REPORT OF BIDS – Gateway Park Projects

Basil Sauder of Lohan Anderson, Chicago, Illinois, presented bid tabulations for the eight (8) bids that were received on May 27, 2010. Mr. Sauder presented recommendations to the Board, and reviewed the proposed project alternates. Mr. Sauder informed the Board that Larson Danielson is the apparent low bid, with a base bid of \$656,700.00; however they have zero (0) percentage participation for women's business enterprises in their bid, so a meeting needs to be held with the EEO Officer to increase their participation. Mr. Sauder stated the project is on schedule to begin in mid July and that there needs to be three (3) reading's of the approval of the bid before the City Council. Mr. Sauder asked for the Board's approval.

Mayor Oberlie made the motion to have the Controller proceed with the development of an additional appropriation ordinance from the Council in the amount of \$1,047,393.00. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Schaefer and Oberlie (3). NAYS: None (0). Motion carries.**

Mayor Oberlie stated that Grants are possible through the Police Department for the security cameras and equipment for the proposed Gateway Park Project.

AWARDING OF BIDS – NSP Phase I Demolitions

Property #1:	116 Grant Street
Property #2:	907 Ohio Street
Property #3:	1715 Tennessee Street
Property #4:	121 Dole Street
Property #4-A:	125 Dole Street
Property #5:	410 Williams Street
Property #6:	408 Greeley Street

Russ Hatfield, Code Enforcement Officer addressed the Board stating after review of all the bids for cost, section 3 plan compliance, H.U.D. requirements and responsiveness, it is recommended that Phelps Construction be awarded these bids in their entirety for the lump sum amount of \$48,212.50.

Mayor Oberlie asked that “Section 3” be explained for the public and for the record.

Mr. Hatfield explained that “Section 3” requires that the Contractor who is awarded the bid employ someone from the target area to work on the demolitions. Discussion ensued regarding this between Mayor Oberlie, Russ Hatfield and Judy Pinkston-Community Development Director for the City of Michigan City.

Mr. Schaefer made the motion to accept Phelps Construction for the demolition of all the properties listed. The motion was seconded by Mayor Oberlie and carried as follows: **AYES: MEMBERS Metzcus, Schaefer and Oberlie (3). NAYS: None (0). Motion carries.**

OPENING OF BIDS – Abatement of Asbestos

John Blosky with Amereco Engineering, Consulting Engineer working with Russ Hatfield, Code Enforcement Officer and Judy Pinkston, Community Development Director, on the NSP Demolition Projects explained that part of the H.U.D. requirements was to put together a bidders list for small items, such as asbestos abatement, where there is \$1000.00 or less in removal costs involved. Mr. Bloski explained the bids received today were for the contractors to submit their qualifications, so a bidder’s list can be established for these types of demolition projects. Mr. Bloski further explained to the Board that at the next meeting there will be proposal bids to be opened for the asbestos abatement of the properties listed for the NSP Phase I Demolitions.

Mayor Oberlie opened the three (3) bid qualifications received:

IFD Inc., Associated Environmental –
405 Lively Blvd., Elk Grove Village, IL 60007

NES, Inc., Environmental & General Contracting Services –
19015 Jodi Road, Unit B, Mokena, IL 60448

MCS Midwest Construction Services, LLC -
9574 North Industrial Drive, Saint John, IN 46373

Mayor Oberlie referred the matter to the Community Development Office for review. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Schaefer and Oberlie (3). NAYS: None (0). Motion carries.**

STATUS REPORT – 220 N. Ashland Avenue

Russ Hatfield, Code Enforcement Officer addressed the Board regarding 220 N. Ashland Avenue, stating there was a discrepancy of a mechanics lien on the title work that is being researched right now to make sure that all parties with substantial interest are notified of the hearing. Mr. Hatfield asked the Board to allow him to carry this over to make sure all parties have received notice, and he will bring it back before the Board in two (2) weeks. (**Note:** informational item only.)

DEMOLITION HEARING – 1203 E. 2nd Street, Owner-John Chalikian

Russ Hatfield, Code Enforcement Officer addressed the Board regarding this property, asking for the Board's approval to proceed with the demolition.

Discussion ensued between Russ Hatfield, Mr. Metzcus and Mayor Oberlie regarding the code violations at this property.

Mr. John Chalikian, owner of 1203 E. 2nd Street addressed the Board regarding this property, asking the Board for a continuation of two (2) weeks so his Attorney can be present to represent him.

Michael Bergerson, 601 Franklin Street, Counsel for the Redevelopment Commission, addressed the Board regarding the ongoing negotiations; and stated the Redevelopment Commission supports the decision of the Building Department.

Mayor Oberlie authorized a continuation of two (2) weeks so Mr. Chalikian's Attorney can be present to represent him, but authorize the department to proceed with demolition bids, and that the Inspection Department will be allowed access to the structure for asbestos testing at their own risk. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Schaefer and Oberlie (3). NAYS: None (0). Motion carries.**

RETIREMENT

A correspondence was received in the Clerk's Office on June 2, 2010 which read:

Assistant Chief Brandon Brooks retired on May 21, 2010. Chief Brooks retired with 32 years of service

Thank you, Reggie Wawok

(**Note:** informational item only.)

RESIGNATION – M.C. POLICE DEPARTMENT

Officer Kyle Mason tendered his resignation from the Michigan City Police Department effective May 17, 2010.

(**Note:** informational item only.)

REQUEST FOR STREET CLOSINGS

The following correspondence was received in the Clerk’s Office on June 2, 2010 from Johnny Stimley, 3205 Tilden Avenue:

On Saturday, July 10th at 9:00 a.m. we will be having the Zoo 5K run. In the past we had 2 police officers and the Emergency Management team. We ask for the course streets to be closed which will take around a half hour. (*Attached to the letter was a flyer with the course outlined.)

Sgt. Jeff Loniewski, M.C.P.D. Traffic Division addressed the Board regarding this request stating this is an annual event; and it has been their experience that the event can be hosted without completely closing any of the streets, and recommends approval.

Mr. Schaefer made the motion to approve the request. The motion was seconded by Mr. Metzcus and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

CLAIMS AND PAYROLL

Mr. Schaefer, moved that the claims set forth in the Register of Claims (in possession of the City Controller) and appearing in the Register be severally allowed and ordered paid and proper warrants for payment thereof hereby ordered issued in the stated amounts to person(s) and/or firm(s) as set forth, and payrolls approved. The motion was seconded by Mayor Oberlie and carried as follows: **AYES: MEMBERS Metzcus, Oberlie and Schaefer (3). NAYS: None (0). Motion carries.**

The Board signed: Payroll items in Register of Claims for informational purposes (which Register is in the possession of the City Controller) as follows:

Page	Date	Amount
1 of 9	05/19/2010	\$428,164.15
1 of 3	05/28/2010	\$56,726.77
1 of 3	06/01/2010	\$230,469.34
1 of 9	06/04/2010	\$434,723.75

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

Page	Date	Amount
1 of 6	06/07/2010	\$3,469,161.03

ADDITIONAL BUSINESS

Shelley Dunleavy, Personnel Director addressed the Board asking for their approval to the Amendments to the City’s Employee Health Care Plan (which are on file in the Clerk’s Office). The amendments are part of the American Recovery and Reinvestment Act of

2009 (COBRA Subsidy) for the Vision Benefit Plan (Amendment #1), the Dental Benefit Plan (Amendment #2), and the Health Benefit Plan (Amendment #4).

Mr. Schaefer made the motion to approve the Amendments to the City's Employee Health Care Plan. The motion was seconded by Mayor Oberlie and carried as follows: **AYES: MEMBERS Metzcus, Schaefer and Oberlie (3). NAYS: None (0). Motion carries.**

ADDITIONAL BUSINESS

Mayor Oberlie addressed the Board regarding a letter he received from Mr. Pete Lange of Lange's Old Fashion Meat Market, 218 West 7th Street, which follows:

Thank you for considering the following request to rectify the insufficient parking matter we've spoken about on a number of occasions. I've had an opportunity to speak with Marc Espar since his meeting with you, and was told to send this letter to you, at your request.

As you know, my business has been negatively impacted due to a lack of parking. This situation came about when the Michigan City planning department allowed McGinnis Pub to expand its operations by providing outside dining, on property that was, and should have remained designated for parking. This expansion created a lack of on-street parking for my patrons, as these spots are taken up by McGinnis employees and customers. And as you are further aware, this expansion by McGinnis, without creating off-street parking, is in contradiction to Michigan City Ordinance No. 2114 (adpt. 02/05/1971).

Therefore, as a way to alleviate the burden to my business and my customers, I am requesting the City provide a curb-cut on 7th Street to allow for parking for my customers on land adjacent to my business, which is owned by me.

An alternative, and less costly approach to the City, is to provide 2 or 3 dedicated parking spaces in front of my business for exclusive use for my customers during normal business hours. This alternative has the added benefit of preserving the 3 parking spaces that would be eliminated with the curb-cut, while still allowing those spaces to be used by others after hours.

As the economy rebounds, and my business returns to normal, I am hopeful that I will be able to provide for permanent off-street parking. Until then, however, this remedies a longstanding negative situation caused by the City's planning department.

Thank you in advance for your consideration, prompt attention, and swift action on this matter.

Mayor Oberlie made the motion to have the City Engineer and Planning Department make the curb-cut at 218 West 7th Street. The motion was seconded by Mr. Schaefer and carried as follows: **AYES: MEMBERS Metzcus, Schaefer and Oberlie (3). NAYS: None (0). Motion carries.**

ADJOURNMENT

The presiding officer inquired whether there was anything else to be considered by the Board at this time and, there being none, declared the meeting ADJOURNED (approximately 9:50 a.m.).

Thomas F. Fedder, City Clerk