

TOWN OF LONG BEACH
TOWN COUNCIL MEETING at TOWN HALL
October 12, 2017
7:00 p.m.

Present were Jane Neulieb, Bob Lemay, Joy Schmitt, Nick Meyer; Clerk-Treasurer Bill de Funiak, Police Chief Bob Sulkowski, Volunteer Fire Chief Dave Albers, and Town Attorney Ethan Lowe. Council President Pete Byvoets and Street Superintendent Tom Dolph were not present. Council Vice President Joy Schmitt chaired the meeting. There were approximately 15 townspeople in attendance.

Pledge of Allegiance

C-T de Funiak reported that an error had been made in the minutes of the September 14th meeting; a figure of \$6,000 in the Green Demolition bid was recorded as \$46,000. Lemay motioned for approval of the minutes, with the noted correction, seconded by Meyer and was passed unanimously. The minutes of the Budget Hearing on September 18th and the Budget Adoption Meeting on October 2nd were approved 4-0.

Police Department – Chief Bob Sulkowski presented the September police report.

Police Commission – Results of the meeting on 9/15/2017 were reported by Nick Meyer. Discussion of the Noise Ordinance continued with plans to review procedures in other communities. The proposed amendments to the Parking Ordinance are available on the town web-site, but additional changes are likely. Then, the parking ordinance will be sent to the APC. Short term rentals and abandoned cars were discussed. A lengthy discussion followed regarding unleashed dogs with input from residents, Chief Sulkowski and several board members.

Fire Department/Fire Commission – Dave Albers made the YTD report through September. There was no Fire Commission meeting but one will be convened in the next few weeks.

Street Department – Jane Neulieb reported that 2 paving projects will be started shortly. She mentioned that leaf pickup will begin on October 25th and run through December 1st. Resident Mary Lou McFadden asked about state paving awards granted to several neighboring communities. Neulieb and de Funiak explained that LB must complete the Street Asset Inventory, which will then be approved by INDOT, before state paving awards can be issued to LB. Joy Schmitt reported on the trees at Stop 16. She suggested that C & A Arborists had deemed the trees healthy, but requested a drone study to develop the best pruning strategy. Motion by Lemay and second by Neulieb to approve an expenditure of \$180.00 with C & A.

Street Commission – There was no meeting in September.

Park Board – There was no meeting in September. Joy Schmitt reported that the owner at Stop 23 produced documents showing that the seawall that juts 21' into Town property has been there since 1950, and protects their septic system.

Long Beach Community Center Committee – Joy Schmitt reported that the Sentinel Alarm testing of the fire alarm system was successful. The system was installed in 1958 and was last tested in 1997 and, while it works, it is less than optimal. The committee suggests that the Town eventually replace this system. Discussion followed about placing the Town Hall and the Old School Community Center on the National Historic Register. A motion was made and unanimously approved to hire a specialist for \$3,000 to conduct this 14 month project.

The **Water Board** –Nick Meyer reported on the September meeting. Hydrants are being tested, maintained and, in some instances, replaced. A coordination meeting with the LBVFD will be scheduled in the near future.

Budget and Finance – There was no meeting on October 11th. De Funiak did report on 3 budget categories that were or would be exceeded. The Building Dept. has exceeded its \$45,000 target; attorney fees have surpassed the \$112,000 budget; and the Stop 24 project will exceed the \$109,000 remaining in the 2017 CCD budget.

Human Resources Advisory Committee – de Funiak said that the new Employee Handbooks had been delivered to the full-time employees but a few remain to be delivered to the part-timers.

Building Department – Bob Lemay reported that a meeting will be held on October 13, 2017. Mary Lou McFadden asked how, with only 3 members present, a vote of 4-0 could be recorded. Bob Lemay indicated that it was an error and the minutes would be corrected.

BZA Report – Lemay reported that the Higdon petition for 1607 LSD was set for hearing at the November meeting. The Maschmeyer hearing for a variance at 2909 LSD was continued to the November meeting. The hearing for a variance on 1510 LSD resulted in an approval.

Advisory Plan Commission – Nick Meyer reported that the Toter, Shoreline Protection, Sign and Parking Ordinances were discussed and will be reviewed at future meetings. Residents asked about building codes and the Stop 24 project. Meyer indicated that both subjects would be considered during the Unfinished Business portion of this meeting. Nick indicated that he was planning an open forum meeting on the morning of Saturday, October 28th at the Old School Community Center Gym. The purpose of the session will be to discuss the Stop 24 project with representatives of Global Engineering and to solicit input from residents and guests.

September permit revenue report:

C-T de Funiak announced that 4 street cut permits were issued with revenue of \$300.00. Two electrical permits were issued for \$279.00 with town revenue of \$27.90.

Legal Expenses – There were no legal expenses paid in September.

Motion by Meyer and second by Neulieb to approve reports and claims; 4-0.

Old Business –

- Attorney Adam Sworden, representing Rick Lutterbach, spoke of the potential problems which might arise with the proposed Jaksa sewer connection with MC Sanitary District. Town Attorney Lowe provided some clarifications. No action was taken on the Jaksa proposal.
- The Toter ordinance is still under revision at the APC level.

- The Hoppe Grant Writing proposal is still awaiting decisions on project priorities.
- C-T de Funiak presented the Civic Systems Upgrade for \$30,375.00 to be paid in equal payments in 2017 and 2018. These payments would be shared equally by the Town and the Water Dept. Motion by Bob Lemay with second by Schmitt to approve this expenditure subject to contract review by Attorney Lowe. Motion was approved, 4-0.
- C-T de Funiak and Bob Lemay will review the Police Protection Agreements with Chief Sulkowski on October 13th and develop renewal charges for the proposed 3 year contracts with Michiana Shores and Duneland Beach. These agreements will be reviewed by Attorney Lowe before meeting with these communities.
- The Garbage services for 2018 will be put out for bid in the near future.
- Nick Meyer discussed the bid opening for the Stop 24 Demolition Project and the Global Engineering representative discussed the proposed effort. Attorney Lowe verified that Green Demolition was the lowest responsive and responsible bidder. Discussion followed with Global, council members and the public asking questions and receiving answers on the risks and viability of the project. Nick Meyer stated that he had reviewed the history of the Water Plant with the Water Dept. and that no history was available. Global Engineering explained that the project would be done with due caution considering some of the unknowns. Meyer motioned for approval of the Green Demolition bid, including Alternatives 1 and 2 for a total of \$169,700, seconded by Neulieb and approved unanimously.

New Business –

- C-T de Funiak discussed contacting his attorney after receiving a subpoena to testify in a deposition regarding a lawsuit originally filed against the town a few years ago. He also mentioned contact by an attorney, hired by a resident, requesting actions that de Funiak thought would put him and the town in legal jeopardy.
- Trick or Treat hours were announced.
- Nick Meyer spoke about notice on the web-site and e-mail alerts for removing all resident-owned property at the beach stops by November 1st. This would include watercraft, coolers, chairs, umbrellas and the like. This was in response to complaints about unsightliness at the stops.
- Nick discussed his interactions with representatives of the DNR regarding deer culling. Extensive discussions followed with input from council members and the public. No resolution of this issue was recommended.

Public Comments – None

Council Comments – None

Claims Approval: Motion by Lemay and second by Schmitt to approve check numbers #14836 through #14907 totaling \$112,744.91 and check numbers #14908 through #14913 totaling \$37,075.69 and salaries for September of \$61,584.34.

Meeting adjourned at 9:25 PM.

Respectfully submitted,

Bill de Funiak Clerk-Treasurer