

TOWN OF LONG BEACH
TOWN COUNCIL MEETING at TOWN HALL
May 8, 2017
7:00 p.m.

Present were Pete Byvoets, Jane Neulieb, Bob Lemay, Joy Schmitt, Nick Meyer; Clerk-Treasurer Bill de Funiak, LBVFD Chief Dave Albers, Police Chief Bob Sulkowski and Street Supt. Tom Dolph. There were approximately 30 townspeople in attendance.

Pledge of Allegiance

President Byvoets said Harris, Welsh & Lukmann Attys. have resigned from their position as our town attorney. Jane suggested proposals be sent out to solicit a broader response from potential attorneys. She also suggested we hire different attorneys for individual town committees/commissions. Nick Meyer indicated he had two potential attorneys.

Motion by Bob Lemay to **approve minutes** for the council meetings of April 10, April 24 and April 25, 2017, second by Joy Schmitt, approved 5 – 0.

Police Department – Bob Sulkowski presented the April police report.

Police Commission – Pete Byvoets reported that the May 3, 2017 meeting covered:

- New sign ordinance
- County 800 megahertz system is still under development
- Triathlon
- Ordinance Violation Bureau (more work to be explored at upcoming budget meeting)
- 30 Day Rental Ordinance is still in effect (specific penalties to be developed)
- Expiring Police Protection Contracts for Michiana Shores and Duneland Beach to be re-negotiated (expiry date for each is January 31, 2018)
- Police retirement benefits for those with over 20 years of service
- 3rd shift dispatchers

Fire Department/Fire Commission – Dave Albers read the YTD report through April, 2017. Peter Byvoets reported that meetings had been held with the Michigan City Fire Department. Byvoets read a letter complimenting the LBVFD for 85 years of exemplary service to the town of Long Beach. Pete asked for the council's vote of confidence/appreciation for the LBVFD, which was proclaimed unanimously.

Street Department – Tom Dolph reported that the Spring Leaf Pick-up was completed successfully. He said several drains had been cleaned. Jane asked about progress on the purchase of a new leaf machine. Byvoets asked if Tom was working on an RFP for the new machine and Tom answered in the affirmative.

Street Commission – Jane Neulieb reported that a meeting was held on April 19th. Drains at Stop 20 and Lothair were discussed. Tom reported that we have 325 tons of salt and that sufficient supplies will be acquired for the upcoming winter season. The leaf machine purchase was discussed. Pete Byvoets asked Tom to explain to the council the existing drain/drywell system throughout town. Pete and Tom had driven through town and evaluated the 10 most critical drywells and discussed a remediation plan for same. Jane encouraged residents to participate in the beach clean-up scheduled for Saturday, June 3rd.

TOWN OF LONG BEACH
COUNCIL MEETING MAY 8, 2017

PG 2

C-T de Funiak discussed the Large Item Pick-up scheduled for 6/5 and 6/12 and mentioned the additional exclusion of TV sets from the acceptable item list.

Park Board – Joy Schmitt reported the purchase of a backstop and 2 benches to be installed at the Community Center. An approved bid was received and approved for the clean-up and painting/stripping of the tennis courts. Joy discussed clean-up at Stop 23. Park Board will meet again on May 24th.

Long Beach Community Center met on May 1st in room 2. Joy reported a bid for \$28,000 to replace the fire alarm, more bids will be solicited. Lockheed-Martin recommended replacing all light fixtures with LED bulbs, providing an estimate that the expense would be repaid with savings in 6-12 months. Window glazing of 300-450 units was discussed. A price of \$10/window plus material cost of \$135.00 was presented and approved unanimously.

Water Board – Nick Meyer reported that the major item of import to the council was the purchase of the upgrade to the Civic System. C-T de Funiak explained that the Water/Town split for maintenance was 50/50, and with those percentages each group should expect a \$7,000 charge for 2017 and a \$7,000 charge for 2018. The total cost for the upgrade would be \$28,000.

Budget and Finance – Pete Byvoets said review of regularly covered issues was performed ie. administrative procedures for violations bureau and new ordinances; homeowner rental form procedures with clerk's office; police contracts for the two neighboring communities; discussions of 3rd shift dispatchers for the summer and after, and retirement health benefits were conducted. De Funiak stated he, Jane and Tom Dolph would be going to an IN Dept of Transportation conference in La Porte on May 31st.

Human Resources Advisory Committee –Bill de Funiak reported that the new Employee Handbook Ordinance is on the agenda for consideration by the Council.

Building Department – Bob Lemay made the building report for April; permits for 2 new homes were issued, 2908 Lakeshore Drive and 1412 Lakeshore Drive. Pete Byvoets mentioned that plans were underway to hire a new Building Commissioner (BC) to replace interim BC Larry Wall.

BZA Report – Lemay reported on a preliminary hearing at their last meeting. He also stated that a vacant lot owned by a resident on Avondale had been precluded from any home construction by a 2009 BZA ruling. The resident has asked the BZA to consider rescission of the earlier judgment.

Advisory Plan Commission – Nick Meyer reported that a meeting was held on April 17th. Included in the proceedings were:

- Continuous Seawalls – this ordinance was approved by APC
- Beach View Protection
- Toters
- Approval of building codes

TOWN OF LONG BEACH
COUNCIL MEETING MAY 8, 2017
PG 3

- Stop 24 plans and progress - Global Engineering will be making a presentation to the council at its July 10th meeting
- The fence permit was approved for the Long Beach Country Club property along Chastleton Drive.

Jane Neulieb commented on the proposed Toter Ordinance, indicating that she had received many complaints on the restrictions and the possible penalties.

Bob Lemay presented a motion to appoint Meg Collins as APC Secretary, seconded by Byvoets, and approved unanimously.

April permit revenue report:

Pete Byvoets announced that building permit fees of \$11,975.00 were collected on project costs of \$1,837,451.23. Bill (C-T) stated 2 electric permits were issued at \$264.00 with town revenue of \$26.40.

Legal Expenses paid in April were \$10,557.46 to Harris, Welsh & Lukmann and \$436.50 to Kopka, Pinkus and Dolin.

Motion by Schmitt and second by Lemay to approve reports and claims; 5-0.

Old Business – de Funiak read Ordinance #2017-03, Amended Employee Handbook. Motion to approve the Ordinance was made by Jane Neulieb, seconded by Nick Meyer; 1st reading approved unanimously. C-T agreed to submit machineable copy of the handbook to council members to review before second reading in June.

New Business – Nick Meyer discussed a mailer to be sent to all residents with projected costs of \$550-570. Long Beach Civic Association (Civic) representatives Laurel Kuczynski and Greg Alberding presented a proposal which would allow Civic to purchase the Town Signs to be installed as part of the Stop 24 Development Plan. Civic would require wording to identify Civic as the donor of the signs.

Bob Lemay presented **Ordinance #2017-04, Non-Conforming Uses and Structures**, motioned by Joy Schmitt and seconded by Bob Lemay. Ordinance #2017-04 was approved unanimously. A motion was made by Lemay to suspend the rules second by Joy S. and was passed unanimously. Pete Byvoets made the second reading of #2017-04; motion made by Schmitt, second by Lemay; #2017-04 was **approved unanimously**.

View protection ordinance was discussed. Bob Lemay commented on conflicting phraseology in the proposed ordinance. A motion by Joy and second by Nick was made to return the ordinance to the APC for their review and revision. Subsequently, a public hearing will be held before returning the ordinance to the council.

TOWN OF LONG BEACH
COUNCIL MEETING MAY 8, 2017
PG 4

Public Comments – Martha Maust, Loma Portal Way, questioned the manhole covers on Moore Road if they can be raised.

Jim Jaksa of Lake Shore Drive spoke about his extensive studies and expense in relation to his request to be connected to the Michigan City sewer system. He re-stated his pledge to pay all expenses and not damage any roads in Long Beach; asked for the council's approval. Jane believed the council should have a special meeting to address Jaksa's request. Byvoets stated "it's not a simple solution". Lemay wants to see letters from all Jaksa's neighbors with their input before proceeding with anything regarding Jaksa's hook-up to City sewers.

Gary Van Overberghe of Van Overberghe Builders spoke about problems with his building projects. Keith Davis, Chastleton Dr., spoke regarding the toter ordinance.

Mary Lou McFadden, Duffy Lane, asked who gave the authority for fees to be waived on previously held Special BZA Meetings.

Council Comments – Jane Neulieb thanked Tom Dolph for removing the Christmas wreath from Town Hall.

Claims Approval: Motion by Nick M. and second by Joy S. to approve salaries for April of \$59,411.60 and checks #14490 through 14543 totaling \$109,373.20; all were approved unanimously.

Meeting adjourned at 9:50 PM.

Respectfully submitted,

Bill de Funiak Clerk-Treasurer