

****Amended** – Approved 10-12-17
TOWN OF LONG BEACH
TOWN COUNCIL MEETING at TOWN HALL
September 14, 2017
7:00 p.m.

Present were Pete Byvoets, Bob Lemay, Joy Schmitt, Nick Meyer; Clerk-Treasurer Bill de Funiak, Police Chief Bob Sulkowski, Volunteer Fire Chief Dave Albers, Street Supt. Tom Dolph and Town Attorney Ethan Lowe. Councilwoman Jane Neulieb was not present. There were approximately 25 townspeople in attendance.

Pledge of Allegiance

Bob Lemay made a motion to approve the amended July 10, 2017 minutes, seconded by Joy Schmitt; approved 4-0. Joy Schmitt made a motion to approve the August 10, 2017 council minutes, seconded by Lemay; approved 4-0.

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

Police Commission – There was no meeting in August. Next meeting is 9/15/2017.

Fire Department/Fire Commission – Dave Albers made the YTD report through August. There were 41,402 hours volunteered through 8/31. Dave continues to work on the duplicate address problem on LSD; he met with MC fire officials and the MC Building Commissioner in this regard. Joy Schmitt introduced Rick Thalmann, who presented Albers with the LB Scout #2 Troop banner. He complimented the LBVFD for their sponsorship of the troop, which is the second chartered Scout Troop in the state of Indiana. There was no fire commission meeting in September.

Street Department – Tom Dolph reported that drains on Lothair were rehabilitated and the sinkhole in front of town hall was repaired and awaits paving. The new leaf vacuum is in residence and other machines have been serviced. The current schedule for leaf pickup is 10/25 through 12/1. Joy Schmitt asked about the town trees at Stop 16, whose branches encroach on a resident's property. Bob Lemay made a motion, seconded by Schmitt, to defer decision on the trees until the October council meeting. Motion passed unanimously.

Street Commission – Tom Dolph stated that plans were still underway to work with Haas Engineering to develop the Street Dept. Asset Inventory. This will enable the town to request state monetary assistance for paving in 2019 and beyond. Mary Lou McFadden asked about the one-way signs at the Community Center. She was told that it was required for safety.

Park Board – Joy Schmitt reported the board met August 23rd and the park budget had been submitted. She stated that Stop 23 drain work continues; the Garden Club will work on improving and maintaining the LBCC Courtyard. The Park Department will maintain the recently completed Eagle Scout project.

Long Beach Community Center Committee – Joy Schmitt reported that Sentinel will test the existing alarm system for under \$600. Byvoets motioned to approve the expense, seconded by Lemay, and

received unanimous approval. She spoke with Curt Garner of the Indiana State Preservation Society, regarding placing the Community Center and Town Hall on the National Registry of Historic Buildings. Project would take 14 months and Garner would charge \$3,000.00. Joy said that grants would be easier to obtain for buildings on the national registry. It was determined that more research would be required to determine the efficacy of this expense.

The **Water Board** met on August 28th – Nick Meyer reported that no town council involvement was needed as a result of the August Water Board meeting.

Budget and Finance – Pete Byvoets reported that, at the September meeting, discussions were held regarding the AIM Medical Trust, which provides health insurance coverage for Indiana municipalities. They currently serve 42 communities, covering 8,000 lives. De Funiak will distribute the material to all covered employees and complete the town's portion of the application.

Human Resources Advisory Committee – de Funiak said that the new Employee Handbooks were distributed in September. Reports of signed acceptance forms have started to be received.

Building Department – Pete Byvoets reported that a Building Commissioner candidate had been interviewed and was waiting for feedback from the interviewers. Bob Lemay made the building report for August, including the approval of the parking lot at the Long Beach Country Club. Steps and a fence have been added to the original permit by the LB Country Club, at the request of the Building Dept.

BZA Report – Lemay reported that the Kavanagh petition would be removed from the BZA schedule. Preliminary hearings will be heard for 2909 LSD and 1510 LSD at the 9/12/2017 BZA meeting. Both petitions will advance to formal hearings at the 10/10/2017 meeting.

Advisory Plan Commission – Nick Meyer reported that the shoreline protection, sign and parking ordinances were discussed and will be reviewed at future APC meetings. Nick stated that a pre-proposal presentation for a Stop 24 grant will be made at the 9/15 Coastal Grants meeting. Stop 24 demolition is still scheduled for 2017. The stop will continue to be available for police and contractor access.

Meyer spoke of a 3 phased approach for Stop 24:

Phase 1 (2017) – Demolition and remediation

Phase 2 (2018) – Potential grant approval and retaining wall

Phase 3 (2019) – Build-out plus accessories

Nick plans for an open house at the Community Center gym on Saturday, October 28, 2017 to get resident input on the Stop 24 project.

Byvoets made a motion, seconded by Lemay to approve submission of the Letter of Support (by council, clerk-treasurer and park board president) to the Coastal Grants Committee. Motion was passed, 4-0.

August permit revenue report:

C-T de Funiak announced that 3 street cut permits were issued with revenue of \$300.00. One electrical permit was issued for \$160.00 with town revenue of \$16.00.

Legal Expenses paid in August were \$4,645.00 to Harris, Welsh & Lukmann.

Motion by Lemay and second by Schmitt to approve reports and claims; 4-0.

Mary Lou McFadden asked about current attorney fees and was told by Attorney Lowe that he had prepared an invoice for work to date. He said charges were approximately \$9,200.00 through early September.

Old Business – Meyer indicated that Building Code 150 and the Toter Ordinance would be sent back to the APC for review, possible modification and approval before being sent back to council. Motion for this submission was approved unanimously.

Joy Schmitt presented the David Hoppe proposal for grant writing consulting. He would not work on more than 2 potential grants at the same time and would work on a maximum of 5 grants in the 12 month period of the agreement. Prioritization of grants would be performed by the council. Hoppe would require a payment of \$2,500 at the outset and \$2,500 at the completion of the contract.

Nick Meyer suggested that we defer a decision on this agreement until we have determined what our target grants will be. Pete Byvoets agreed to meet with Hoppe to develop a starting point.

Jaksa Sewer Connection – Attorney Lowe indicated that after review of the issue with the Michigan City Sanitary District (MCSD), it was determined that the most effective course of action would be 2 agreements. One agreement would be between the Jaksas and the TOLB, and the second would be between TOLB and MCSD. Lowe presented the agreement which had been approved by the Jaksas and their attorney, Steve Hale. Lowe further indicated that he had prepared the TOLB/MCSD agreement, but had not received a response from the MCSD attorney. Discussion followed among the council members to understand the terms of the Jaksa/TOLB agreement.

Resident Rick Lutterbach spoke about the complexity of any sewer project. His attorney, Adam Sworden, discussed his concerns in the beginning and maintenance of the sewer connection.

A motion by Bob Lemay and second by Byvoets to defer Jaksa/TOLB agreement until the October council meeting; motion passed 3-1.

Pete Byvoets will discuss the sewer project with residents to the west of Jaksa's LSD property to the western boundary of LSD.

New Business – C-T de Funiak read Resolution 2017-003, the Lease Purchase Agreement between Crossroads Bank and the Town of Long Beach for the new leaf vacuum. Motion by Byvoets to approve the resolution, second by Joy Schmitt; approved 4-0.

De Funiak asked that the Civic Upgrade and server upgrade be deferred until the October meeting.

C-T presents the fact that the Police Protection agreements with Michiana Shores and Duneland Beach will expire on January 31, 2018. He suggests that a committee with himself, Chief Sulkowski and at least one council member be appointed to plan for re-negotiation of these contracts. Bob Lemay volunteered to participate in this project.

Garbage Contract – de Funiak discussed the expiring garbage contract with Republic and the possibility that bidding and award to a new vendor will require an extension of the current contract. Council agreed unanimously to request an extension of 90 days.

Demolition Bids for removal of the old pump house – Global representative opened the bids which were submitted:

G E Marshall	\$168,759.00	Base
	\$ 35,000.00	Alt 1
	\$ 14,800.00	Alt 2
Chemchek	\$219,000.00	Base
	\$ 4,800.00	Alt 1
	\$140,000.00	Alt 2

Green Demolition	\$139,700.00	Base
	\$ 6,000.00	Alt 1 **
	\$ 24,000.00	Alt 2

Pete Byvoets made a motion, seconded by Meyer, to grant permission to Global Engineering to evaluate the bids for responsiveness and the bidders for qualifications to perform the work and report their findings and recommendations to the council.

Large Item Garbage Pickup – C-T reported that 10/2 and 10/9 were the scheduled days.

Bob Lemay reported that he had planted trees in the town right-of-way about 20 years ago. The trees are now threatening power lines and obscuring the stop sign. He requested permission to remove the trees and replace them, at his expense, with less intrusive trees. Motion by Meyer, second by Byvoets; approved 3-0.

Portable toilets and dogs at large were discussed.

Public Comments – Mary Lou McFadden asked about the gist of the proposed parking ordinance. Joy told her that it was fairly detailed and suggested viewing it on the web-site. Donna Kavanagh commented about beach erosion in neighboring communities. Nancy McGeady asked about a proposed deer cull. Nick Meyer is continuing his talks with the DNR regarding this subject.

Council Comments – None

Claims Approval: Motion by Byvoets and second by Schmitt to approve an invoice to Ethan Lowe’s firm for \$9,200.00 and check numbers #14755 through #14835 totaling \$120,768.12 and salaries for August of \$69,310.97.

Meeting adjourned at 9:55 PM.

Respectfully submitted,

Bill de Funiak Clerk-Treasurer