

**Minutes  
Long Beach Town Council  
Town Hall  
Long Beach, Indiana  
August 13, 2012**

Following the Pledge of Allegiance, the meeting was called to order at 7:00 P.M. by Robert Schaefer. The following Council members were present: Robert Schaefer, Jane Neulieb, Patrick McDonald, Robert Angelo and Peter Byvoets.

Also present were Fire Chief Dave Albers, Police Chief Sulkowski, Clerk/Treasurer Bill deFuniak and Attorney Jeff Thorne. Approximately 30 residents were in attendance.

**Approval of Minutes** – On motion made and seconded, the Minutes of July, 2012 were approved with the addition of a copy of the Opinion from the State regarding the Executive Session.

In addition a Special Meeting was held on July 18, 2012, regarding the anti-nepotism Ordinance. On motion made and seconded, the Minutes were approved unanimously.

**Police Department** – Chief Sulkowski delivered a report for the month of July, 2012. The report indicated that there were 544 calls in the month of July, with 182 walk-in's. A detailed report of the activities was reviewed by the Chief. It was also noted that the Vice President's recent visit to Long Beach involved the Long Beach Police Department.

**Police Commission** – Mr. Schaefer stated that the Police Commission met on August 1, 2012 and addressed a salary matter. Also, Mr. Schaefer had prepared a real time analysis of the costs incurred by the Police Dept. for servicing Michiana Shores and Duneland Beach. It was noted that the current rate of \$43,600 per year for Michiana Shores and based on Mr. Schaefer's analysis the charge will be \$47,800 for 2013 and \$52,000 for 2014. Based on the analysis, the charge to Duneland Beach will remain the same.

A motion was made and seconded to approve the change to the fee charged to Michiana Shores. Motion approved unanimously.

Mr. Schaefer stated that the Commission discussed the 30-day rental procedure and that the Chief has sent out warning letters to 16 agencies advertising for less than 30 days.

The matter of fines and fees in general were discussed.

Mr. Schaefer congratulated Chief Sulkowski who as of August 1, 2012, has been at the department for 30 years.

The next Police Commission meeting is scheduled for September 5, 2012 at 8:30 A.M.

Mr. Byvoets noted that with regard to fines and fees, he requested each department to take the list that he has prepared and review the ordinances and identify what fees and fines we are currently using so we can move forward with this project. Input will be due at the September, 2012 council meeting.

**Volunteer Fire Department** – Chief Albers delivered a report for the month of July, 2012. Chief Albers stated that there have been 26 Fire calls year to date. 20 in LB and 3 in Duneland and 3 mutual aid to Michiana Shores.

There have been 45 Medical calls year to date. 39 in Long Beach, 6 in Duneland). The average response time for medical calls is 4.3 minutes, and the average response time for fire calls is 3.00 minutes.

The Chief stated that the Long Beach Volunteer Fire Department has donated year to date, a total of 1,100 hours to the Town at an estimated value of donated hours of \$46,000.00.

The next Fire Commission meeting is scheduled for September 17, 2012 at 7:00 P.M.

**Fire Commission** – There was no meeting in July.

**Street Department** – Mr. McDonald reported that the front-end loader has been repaired. Catch basins are being cleaned out. Mr. McDonald noted that a warning sign will be installed at the location of the blind hill in the 2900 block Oriole Trail.

**Park & Recreation Board** – Jane Neulieb gave a report of the recent Park & Recreation Board meetings held in July. The Board met to work on the proposed 2013 Park & Recreation budget and the regular meeting was held in July. The Board discussed the repairs that were made to Stops 23 and 28 due to storm damage. Mr. McDonald noted that repairs to Stop 23 have not been completed as the drainage still needs to be addressed and will be scheduled in the Fall. It was also noted that repairs to Stop 21 are also under review. Mr. McDonald noted that the work at the overhang at Stop 28 is scheduled to be completed.

It was noted that the summer program is over for the year and a thank you to Sarah Kanyer and her staff for their work this summer.

**Community Center** – Mr. McDonald stated that a circulating pump needed replacement. Ron Griffin and Greg Parrish were able to replace the circulating pump and correct the problem saving the town \$1,000 in repair fees.

Mrs. Neulieb noted that the Community Center had a budget meeting and stated that the Community Center Committee indicated that the roof should be replaced. Further, the Committee is working on renovating the interior of the front entrance.

**Water Board** – Mr. Schaefer stated that the Water Board met on July 23, 2012. It was noted that Mr. Ron Griffin informed the Board that there may be a requirement for residents to install a back-flow preventer on the meter to protect the town water system. Also, these connections may need to be installed on individual residential spigots.

Mr. Schaefer noted that hydrants are being color coded as to flow rate. The pumping station is being cleaned out. A reserve fund of \$300,000. may be transferred to a local bank to increase interest rate.

Next meeting is August 27, 2012 at 9:00 A.M.

**Budget & Finance Committee** - Mr. Byvoets stated that the various departments have prepared their budgets and the budget is being prepared to be submitted to the State. Mr. Byvoets recapped a procedure for expenditures by the Town. It was noted that this procedure would be the guideline for all purchases in the Town. Discussion followed and a motion was made to accept the procedures as outlined. Motion was seconded and approved by a unanimous vote of all present.

**Building Commission Report** – Mr. McDonald noted that the next meeting of the Building Commission is scheduled for September 4, 2012 at 7:00 P.M.

Mr. Byvoets inquired about the pathway at Stop 16. Also, Mr. Byvoets noted that 2313 Lake Shore Drive had sheet pilings installed and he inquired if adequate supervision was provided by the Town during that procedure.

**Human Resources Committee** - Mr. deFuniak stated that the Human Resources Committee met on August 8, 2012 to review the anti-nepotism notice and to include it on the employment application. An audit of the employee benefits and handbook was recommended. Bids have been sent out regarding this work.

**Building Permit Report** - Mr. deFuniak reported that for the month of July, 2012, there were 9 permits totaling \$610,570.00 (which includes an amended permit from June, 2012 of and additional \$73,200.00; which is \$5,825.00 in fees; and 3 electrical permits for a total of \$570.00 were issued with a revenue to the Town of 10% or \$57.00.

A motion was made and seconded to approve the above reports as presented. The motion was approved by all present.

## **OLD BUSINESS**

**Leaf Pick-up Bids** - Mr. deFuniak noted that only one bid was received for the Leaf Pick-up Contract. The bid was from Healy Landscaping. Full discussion followed

with regard to the leaf pick-up program. The bid was referred to the Street Committee for further review.

**Advisory Plan Commission** – Mr. Byvoets stated that the Advisory Plan Commission met on July 12, 2012. Items on the agenda included the permit issuance process. The Commission recommended forwarding this to Attorney Lukeman for further review and recommendations. This would also include using the Town Engineer, Haas, for review of certain structures. The Steep Slope Resolution was submitted to Attorney Lukeman to turn it into an Ordinance. The Advisory Commission recommends to the Building Commission and the Town Council that the ordinances are enforced and that the Police Dept. monitor the Town for construction permits and contractors. Also, the fee schedule should be revised. The Septic Ordinance is still being worked on.

Dr. Angelo suggested a procedural policy regarding Ordinances to better enforce the violations of the Ordinances. Mr. Byvoets recapped that the Town Council, Building Commission, Building Inspector and Advisory Plan Commission are responsible for enforcement. Full discussion followed with regard to the need to follow through on enforcement of Code violations. The idea of a Code Enforcement Officer was discussed. It was noted that the Police Department does enforce matters of Ordinance violations. Also, it was noted that the Building Inspector should be at the meeting to discuss violation procedures. It was noted that better communication is needed to follow through on all Code violations.

**30-Day Rental and Permit Enforcement** – The Advisory Plan Commission recommended a step-fine be considered for enforcement of the 30-day Rental Ordinance. Discussion followed with regard to the fine structure for the Ordinance. The following fine structure was recommended for enforcement of the Ordinance: \$100.00 for the first 10 days; \$250 for 15 days and \$500 for 30 days. A motion was made and seconded to approve the fines set for violation of the 30-day rental Ordinance.

**Town Parking Lot – Parking Restrictions** – A motion was made to read the Parking Ordinance by title only was made and seconded. Full discussion followed regarding the procedures for enforcing the parking permit process. The matter was tabled for further deliberation. Mr. Schaefer noted that he will refer this matter to the Police Commission for discussion.

**Septic Tank Ordinance** – In progress, no report at this time.

**Nuisance/Abandoned Homes and Signs** – Mr. Byvoets noted several sign violations and inquired about the enforcement of the sign ordinance. It was noted that warning letters will be issued to those individuals or the signs will be removed.

Mr. Byvoets noted that right-of-way violations need to be addressed from a safety aspect. Mr. Thorne recommended that the Council identify public safety concerns and have a survey prepared to identify the areas in question.

**Long Beach Fitness Center** – Mr. Byvoets noted that the LaPorte County YMCA will begin operation of the Fitness Center on August 15, 2012.

## **NEW BUSINESS**

**Fanning & Howey** - Mr. deFuniak stated that a bill was received in June from Fanning & Howey in the amount of \$10,000.00 regarding a contract that was signed in June of 2010. The work was for architectural drawings for the water plant at Stop 24. Full discussion followed and it was noted that a contract was signed for this work and the bill should be paid. A motion was made to approve the payment of the bill and to pay the bill out of the Riverboat Fund. The motion was seconded and approved unanimously.

**1612 Indianapolis Update and 1911 Lake Shore Drive Update** - Mr. Byvoets made a motion to have the deck at the residence removed. Mr. Thorne requested a review of the motion and recommended that the motion be approved subject to his review and approval. Motion was seconded and approved by all present conditionally.

Mr. Thorne reviewed the status of the electrical box at 1911 Lake Shore Drive. Full discussion followed and it was recommended that the Town proceed with a legal remedy to this matter. A motion was made to request Atty. Thorne to proceed with court proceedings with regard to the relocation of the electrical box. Motion was seconded and approved unanimously.

**Police Advisory Board** – Mr. Schaefer noted that there was an opening in the Police Advisory Board. Mr. Schaefer recommended that the position be filled by Mr. Robert McFadden. The Board has not met in a while and a meeting will be scheduled in the near future. Mrs. Neulieb noted that she had recommended to Mr. Schaefer to appoint a woman to fill the position.

Discussion followed, and on motion made and seconded the appointment of Mr. Robert McFadden to the Police Advisory Board was approved by a vote of 4 to 1.

**Ward Council Elections** – Mr. Schaefer stated that he had received a request to review the at-large vs. ward system in Long Beach. Discussion followed regarding the ward system. Mr. Uminski noted that the Forum in October of last year, the Ward system was endorsed by most town council members. Mrs. Nancy McGeady was introduced as a member of the 2006 committee that looked into this matter. Mrs. McGeady noted that at that time the committee could not find a way to have an equal number of voters in each ward, so the conclusion was to revert to at-large.

It was noted that a committee will be formed to research the reinstatement of the Ward system as the demographics of the town has changed.

**Street Superintendent** – Mr. McDonald noted that Tom Dolph has taken on the responsibilities for the Street Department and recommended that he be promoted to the position of Street Superintendent and to increase his salary by \$2,000.00, effective

immediately. It was noted that overtime will continue for this position. A motion was made to approve the recommendation, seconded and approved by a unanimous vote of all present.

### **COMMENTS FROM THE FLOOR**

Chief Albers made a recommendation for parking in the Town Parking Lot. Full discussion followed on this matter and several recommendations were discussed. Mr. Schaefer noted that this will be referred to the Police Commission.

Donna Kavanagh volunteered to work with a task force to identify individuals in town who may need assistance and provide someone in town who can assist them.

Mickey Gallas inquired why a building permit was required to replace an awning. She noted that a building permit requirement and maintenance should be separate.

Bill deFuniak stated that he received Petition for installing a stop light at Moore Road and Rt. 12.

**Claims Approval** - Mr. deFuniak informed the Council of the following claims: #10552 through #10613 in the amount of \$142,360.71; and Salaries for July in the amount of \$63,367.74.

**Adjournment** - With no further business to come before the Council, the meeting was adjourned at 9:35 P.M.

Respectfully submitted,

By: \_\_\_\_\_  
William deFuniak, Clerk Treasurer