

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – August 20, 2019
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.

Roll Call - Council Members: Donna Norkus, President, Greg Brown, Vice President, Geof Benson, and Matrona Malik were present. Also, present: Clerk-Treasurer Ellen Hundt, Town Marshal Susan Resteau, and Town Attorney Connor Nolan. Councilor Brian O'Neil was absent.

Public Presentations

Thomas Thorne-Thomsen (4 W. Atwater) requested Town Council to vacate an alley adjacent to his property. Angela Maurello (11 S. Broadway) spoke in favor of the alley vacation. No one spoke against. Councilor Malik and Benson stated they felt this vacation would not infringe on the Town. Councilor Benson motioned to approve Ordinance 2019-06 An Ordinance Vacating an Alley on first reading. Councilor Malik seconded. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Councilor Benson seconded. Unanimously approved. Councilor Benson motioned to adopt ordinance. Councilor Malik seconded. Unanimously approved.

Approval of Minutes

Minutes for the July 16, 2019 TC meeting were presented. Councilor Benson motioned to approve. Councilor Malik seconded. Unanimously approved.

Minutes for the July 23, 2019 TC meeting were presented. Councilor Malik motioned to approve. Vice President Brown seconded. Unanimously approved.

Minutes for the July 23, 2019 TC Executive Session were presented. Councilor Malik motioned to approve. Councilor Benson seconded. Unanimously approved.

Report of the Police Department & Street Departments:

Violation Clerk Report

CT Hundt presented 3 appeals:

10733 – *Verma*: Councilor Malik motioned to deny appeal. Council Benson seconded. Unanimously approved.

10734 – *Plecnik*: Councilor Malik motioned to deny appeal. Council Benson seconded. Unanimously approved.

10753 – *Phillips*: Councilor Malik motioned to deny appeal. Council Benson seconded. Unanimously approved.

Street Report

Marshal Resteau presented updates for the Street Department.

Police Report

Marshal Resteau presented updates for the Police Department

Ordinances & Resolutions

Ordinance 2019-05, Additional Appropriation for the Gift Fund – Non-Reverting (445): Councilor Benson motioned to approve ordinance on first reading. Vice President Brown seconded. Unanimously approved. Councilor Benson motioned to consider on second reading during the same meeting as it was introduced. Councilor Malik seconded. Unanimously approved. Councilor Benson motioned to adopt ordinance. Vice President Brown seconded. Unanimously approved.

Resolution 2019-07, Approving the Title VI Implementation Plan and Policy 2019: Councilor Malik motioned to approve resolution. Councilor Benson seconded. Unanimously approved.

Councilor Malik motioned to rescind Resolution 2019-06: The Establishment of the Park and Recreation Cumulative Fund (1390) and Resolution 2019-05: The Cumulative Capital Improvement Fund (2390). Councilor Benson seconded. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not monthly expenses. Councilor Benson motioned to approve. Vice President Brown seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, and Garbage reports. Councilor Malik had previously reviewed and signed off on reports.

Public Comment

Sam Olins (431 E. Roberts) stated that the Beverly Shores Volunteer Fire Department should be given a vote of confidence with all the turmoil surrounding them.

Susan Thomas (215 S. Broadway) commented on recent industrial spills into Lake Michigan and asked if there was anything we could do as a community. Council President Norkus agreed there was a need for better communication.

Al Piening (645 S. Broadway) stated non-compliance was a result of deregulation from the federal government.

Marcia Metzcus (25 W. Stillwater) stated there was already a pending lawsuit.

Laura Hennessey (103 E. Clearwater) asked if the Town's beaches were tested. Councilor Benson answered that they were only tested for E.coli but that the National Park does monitor. President Norkus stated that IDEM reputedly has a history of being slow to respond..

Angela Maurello (11 S. Broadway) asked if Michigan City Water Department tested our water and asked how we would know. CT Hundt responded that the Water Department would inform its customers.

Reports from Committees/Liaisons:

ADA Progress: Nothing to report.

Green Space Committee: Councilor Malik gave report.

Park Board: Councilor Malik gave report. Frank Hardwick, Vice President of Park Board, presented information on bicycle repair station and requested Town Council consider allowing it to be placed by the building at 35 W. Service Ave. or near the electric car charging station. The Council gave consensus to have Park Board proceed with planning and purchase of station.

Building & Building Site Committee: No report.

Board of Zoning Appeals (BZA): No meeting.

Capital Planning: No meeting.

Fire & Emergency Management: Councilor Malik gave report.

Indiana Dunes National Park: Vice President Brown reported he will have meeting in a few weeks.

Plan Commission: Tom Weber gave report.

NIRPC: Councilor Benson gave report.

Depot Museum and Gallery: No meeting.

Unfinished Business:

Coastal (Historic Landmark) Grant: President Norkus reported the windows in Town Hall have been replaced. Window replacement and ADA door installation are being scheduled.

Depot Window repair/replacement: President Norkus reported window delivery is scheduled for mid-September.

Community FAQ development: Vice President Brown reported the process is ongoing.

Five-year Capital Plan: Nothing to report.

Purdue University beach erosion study: Nothing to report.

New zoning map: Nothing to report.

A/V equipment: Frank Hardwick reported the projector, screen, and sound bar have been ordered.

Rebora feasibility study: Nothing to report.

Capital Asset: Nothing to report.

Palmer Ave ROW – request for pedestrian access improvements on Palmer Ave unimproved right of way: Evelyn Jackson (6 S. Palmer) presented rough draft of drawing and stated the stairs would come down on east end of parking area on Lake Front. Councilor Malik motioned to allow residents to use Town right-of-way to build path and stairs. Councilor Benson seconded. Discussion followed. Councilor Benson asked how ADA standards could be applied to this path. Tom Weber (807 E. Vera) stated that he believed reasonable accommodations must be made and people can still drive from Palmer to Lake Front and vice versa. The question was asked about who owns the parking area on Lake Front and it was acknowledged that the parking area belongs to the Town. Vice President Brown suggested putting in a handicapped parking space. The motion passed 3-0. President Norkus abstained.

Short-term rentals: CT Hundt stated the rules for short-term rentals.

Highway 12/Broadway crosswalk: No update.

FEMA open house: 5pm-7pm, August 29 at the Indiana Dunes National Lakeshore Training Room, 1100 N Mineral Springs Rd., Porter, IN 463804

Community House roof repair: Councilor Benson stated there is a wait on the roofer's schedule.

New Business

Request to use Administration Building for Candidates Forum October 18, 2019, 7:00-9:00pm:
Marcia Metzcus, on behalf of the ABSR and League of Women Voters, requested use to Town Hall. Councilor Benson motioned approve use of building. Vice President Brown seconded. Unanimously approved.

LED streetlight conversion: CT Hundt to complete and submit form for the use of 3,000k bulbs.

Written Communication

None.

Town Council Comment

Councilor Malik reported the hazard workshop was cancelled but she will update when rescheduled.

President Norkus stated that people believed an unimproved portion of Palmer Ave was being opened for vehicle traffic which had never been proposed or considered and cautioned people from reporting false or misleading information.

Vice President Brown stated that ArcelorMittal took responsibility for contamination, but it was IDEM who lapsed in reporting.

Adjourn:

Motion to Adjourn by Councilor Benson

Seconded by Vice President Brown

Approved by unanimous vote.

Time: 8:26 p.m.



Town Council President: Donna Norkus

Attest:



Clerk-Treasurer Ellen Hundt