

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – January 19, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded due to recommended coronavirus "social distancing" guidelines.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

None-

Approval of Minutes

The following minutes were approved as presented:

Approval of December 15, 2020 Council Meeting minutes

Approval of December 17, 2020 Council Executive session minutes

Approval of December 18, 2020 Council Executive session minutes

Approval of December 23, 2020 Council Meeting minutes

Approval of January 7, 2021 Council Executive session minutes

Councilor Malik motioned to approve the minutes as presented. Councilor Weber seconded.

There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Elections for 2021

Council President: Councilor Malik motioned to elect Geof Benson as President of Council. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Council Vice President: Councilor Malik motioned to elect Susan Loeb as Vice President of Council. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Four-Year Term Appointments:

Park Board: It was determined that Park Board appointees are a Council appointment. Councilor Malik motioned to appoint Ian Brewe (D) to the Park Board for a 4-year term. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Councilor Malik motioned to appoint Marius Kasniunas (I) to the Park Board for a 1-year term, to replace Michael Ganz. There was no second.

Councilor Blackburn motioned to appoint Joan Crepeau (R) to the Park Board for a 1-year term to replace Michael Ganz. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – nay. Weber = yea. Approved 4-1.

Green Space Committee: Vice President Loeb motioned to appoint Margaret Williford to the Green Space Committee for a 4-year term. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

BZA: President Benson appointed Linda Kurtos for a 4-year term, replacing John Jannsen.

Annual Appointments & Contracts:

Attorney: Councilor Malik motioned to retain Connor Nolan and Harris Welsh & Lukkman, as Town Attorney. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Street Superintendent and Marshal and Fire Chief: Vice President motioned to retain Ed Clapp as Street Superintendent and Marshal and Andy Himan Sr. as Fire Chief. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

The following were approved together:

Monthly meeting days and times: 3rd Tuesday of every month.

Newspaper for Legal Notices: NWI Times

Bank of Record: Porter Bank

Animal Control Contract: Porter County Animal Control

Councilor Weber motioned to approve. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Building Commissioner: Councilor Malik motioned to retain Charles Ray as Building Commissioner. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Building and Site Committee- 5: Councilor Malik motioned to appoint the following to 1-year terms on the Building & Building Site Committee:

David Wagner

Mark Lies

Scott Vliek

Margaret Williford

Brian O'Neil

Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Plan Commission 3: Vice President Loeb motioned to appoint the following to 1-year terms to the Plan Commission:

Tom Weber

John Blackburn

Donna Norkus

Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

NIRPC Commissioner: Councilor Malik motioned to appoint Geof Benson as NIRPC Commissioner. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Capital Planning Committee: These appointments are set.

Council liaisons:

ADA: Matrona Malik

Building & Building Site Committee: Susan Loeb

BZA: Susan Loeb

Capital Planning Committee: John Blackburn

Depot Museum and Gallery: It was determined a liaison was not needed. John Blackburn will be Council contact.

Fire & Emergency Management: Thomas Weber

Greenspace Committee: Susan Loeb

Indiana Dunes National Park: John Blackburn and Thomas Weber

Park Board: Matrona Malik

Plan Commission: John Blackburn and Thomas Weber

Police Dept: Matrona Malik

Volunteer Fire Dept: Thomas Weber

Report of Police & Street Departments

Violation Report – nothing to report.

Police Report – Marshal Clapp gave report.

Street Report – Superintendent Clapp gave report.

Derby Ditch culvert replacement progress: D & M finished culvert work. Derby Ditch and Lake Front reopened. Thanked Ed Bracken for working with D & M. The rest of the culvert, going from LFD to Fairwater, is deteriorating.

New Community Crossings grant from INDOT: No projects scheduled at this time.

Approve Grant application for AED's in police cars: Vice President Loeb motioned to approve the application for grants through the Walmart Foundation and the Firehouse Subs to help the police department. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Ordinances & Resolutions

RESOLUTION NO. 2021-01: TOWN OF BEVERLY SHORES, INDIANA RESOLUTION TO PROVIDE FOR REIMBURSEMENT OF PUBLIC HEALTH AND PUBLIC SAFETY PAYROLL COSTS WITH CARES ACT FUNDING

Councilor Weber motioned to approve resolution as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

RESOLUTION NO. 2021-02: A MULTI-HAZARD MITIGATION PLAN

Councilor Weber motioned to approve resolution as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

RESOLUTION OF APPRECIATION FOR JOHN JANNSEN

Councilor Malik motioned to approve resolution as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the 2020 APVs. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Weber motioned to approve the January APVs. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Councilor Weber motioned to approve. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

Paula Tillman (713 E. Rogers) thanked Marshal Clapp for placing a 'Dead End' sign at Roberts and Drexwood.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: *Nothing* to report.

Park Board:: *Nothing* to report.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals:: *Nothing* to report.

Capital Planning Committee:: *Nothing* to report.

Fire & Emergency Management:: *Nothing* to report.

Indiana Dunes National Park:: *Nothing* to report. **Plan Commission:** Councilor Weber gave report.

NIRPC: No meeting was held.

Depot Museum and Gallery:

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings: Signs still need to be installed.

Engagement of Engineering Firm: Vice President Loeb gave report. Council followed a process ending in unanimously choosing a firm based on a qualitative basis. Loeb and Weber working on redefining the scope project. Reasons to engage an engineering firm include determining what else needs to be done to safeguard the work that has already been done, beach access and use of lakefront, feasibility of proposed east end landscaping, and to help Town with permitting process with the Army Corps of Engineers to comply with the new high-water mark. Additionally, the Town wants a deeper understanding going forward of the coastal conditions based on science, current conditions, high and low conditions, and catastrophic conditions so that a roadmap of best practices can be designed. Finally, the Town needs a firm that will help in identifying outside funding sources to help safeguard and enhance the lakeshore. The Smith Group will provide a new proposal based on the revised scope.

Admin Building & Community house crawl space bids: Two quotes were received for the Admin Building; Free Flow Environmental = \$19,191.25 and Northwest Crawlspace Repair = \$21,650.00. Two quotes were received for the Community House: Free Flow Environmental = \$10,400 and Northwest Crawlspace Repair would not complete quote without electrical work being done first. Councilor Weber motioned to accept the bids from Free Flow for both the Admin Building and the Community House at \$19,191.25 and \$10,402 respectively and to be paid for from the 2017 GO Bond Fund and the Roads and Capital Project Fund. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

New Business

Capital Assets – per SBOA Audit: CT Hundt asked that Council assist in completing a detailed list of capital assets that includes infrastructure assets. Loeb and Blackburn to assist. Attorney Nolan will reach out to Chesterton for guidelines.

Written Communications

None.

Town Council Comment:

Councilor Malik reported receiving communication from resident asking if the Council was going to make a statement about what happened in DC last week. Malik stated, as an individual citizen, she has faith in the electoral process of our country and the results, and she looks forward to the next four years and she denounces the riots in DC. President Benson stated that this upcoming year should be much calmer than 2020, stay safe, and wear your mask.

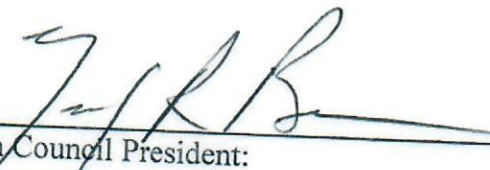
Adjourn:

Motion to Adjourn by Councilor Malik

Seconded by Councilor Weber.


There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Time: 8:50 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – February 16, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded due to recommended coronavirus “social distancing” guidelines.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town’s website.

Public Presentations

None-

Approval of Minutes

Approval of January 19, 2021 Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Approval of February 4, 2021 Council Executive Session minutes

Councilor Malik motioned to approve the minutes as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report – nothing to report.

Police Report – Marshal Clapp gave report.

Street Report – Superintendent Clapp gave report.

Ordinances & Resolutions

The Public Hearing was opened at 7:14pm. There were no comments from the public. The Public Hearing was closed at 7:15pm.

Ordinance 2021-01 Additional Appropriation for Roads & Capital Improvements Fund (448).

Councilor Malik motioned to approve on first reading. Vice President Brown seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. Unanimously approved.

Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. Unanimously approved.

Resolution of Appreciation for John Mackin

Vice President Loeb motioned to approve resolution as presented. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Councilor Blackburn motioned to approve the January 2021 APVs. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Weber motioned to approve the January APVs. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

None.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee:: Nothing to report.

Park Board:: *Councilor Malik gave report.*

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals:: *Councilor Malik gave report.*

Capital Planning Committee:: *Councilor Blackburn gave report.*

Fire & Emergency Management:: *Nothing to report.*

Indiana Dunes National Park:: *Nothing to report.*

Plan Commission: Councilor Blackburn gave report.

NIRPC: Nothing to report.

Depot Museum and Gallery: Councilor Blackburn gave report.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings: Nothing to report.

Engagement of Engineering Firm: An Executive Session was scheduled for Friday, February 19, 2021 at 2pm.

New Business

Approval of CCD re-establish rate (with Bakertilly): Councilor Malik motioned to approve Bakertilly assisting CT Hundt in reestablishing the CCD rate. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Updating the tracking of Town Committee appointment: Vice President Loeb is currently updating the log to make tracking less confusing.

Tracking grant opportunities: Vice President Loeb wants to create a system to help Town be better prepared for upcoming grant opportunities.

LMCP Grant permission: Councilor Blackburn motioned to allow President Benson pursue Coastal Grant opportunities. Councilor Malik seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Honoring Ed Bracken & citizen volunteers There was discussion on different ways to honor Ed Bracken and the volunteers.

Written Communications

None.

Town Council Comment:

Councilor Blackburn reported that he attended a Regional Development Authority meeting on the Transit Development District.


Adjourn:

Motion to Adjourn by Councilor Malik.

Seconded by Councilor Blackburn.

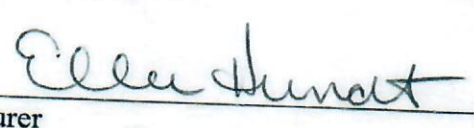
There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Time: 8:06 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – March 16, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded due to recommended coronavirus "social distancing" guidelines.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

Margaret Williford & Terry Bonace Greenspace/ERG combined project
Williford, Chair of the Green Space Committee, spoke about a collaboration between the Green Space Committee and the Environmental Restoration Group (ERG). This collaboration would include seeking volunteers to participate in workdays removing invasive species from green spaces owned by the Town. The Green Space committee would look to the ERG to learn about what needs to be done, where it needs to be done, etc. It is not known at this time when it will start. Bonace stated this will help educate residents on invasive species and how to remove them.

Ruth Graff - Permission to use lawn north of Fire House for ABSR Easter Egg Hunt
Town Council found no issue with this, but Councilor Weber will contact the BS Volunteer Fire Department to make sure there is no conflict and let the ABSR know.

Public Hearing / Adoption on reestablishment of the CCD Fund

The Public Hearing was opened at 7:18 p.m. There was no public comment. The Public Hearing was closed at 7:19 p.m.

Resolution 2021-03 was presented. Councilor Malik motioned to adopt the Resolution as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approval of Minutes

Approval of February 16, 2021 Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approval of March 9, 2021 Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report – nothing to report.

Police Report – Marshal Clapp gave report.

Street Report – Superintendent Clapp gave report. Road work will start in the spring.

Request for travel expenses for Crandall – these will be presented for approval after submission of Expense Voucher.

Ordinances & Resolutions

2021-02 Additional Appropriations for Gift Fund - Non Reverting (445)

Councilor Malik motioned to approve on first reading. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. Unanimously approved. Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. Unanimously approved.

2021-03 Additional Appropriations for 2017 GO Bonds Project Fund (307)

Councilor Malik motioned to approve on first reading. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. Unanimously approved. Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. Unanimously approved.

2021-04 Additional Appropriations for Lease Rental Revenue Bonds, Series 2020 (418)

Councilor Malik motioned to approve on first reading. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. Unanimously approved. Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. Unanimously approved.

2021-05 Codification of Municipal Code 2020 S-10 Supplement

Councilor Malik motioned to approve on first reading. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. Unanimously approved. Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. Unanimously approved.

2021-06 Green Space Ordinance- adjusting number of members

Councilor Malik motioned to approve on first reading. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. Unanimously approved. Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Councilor Weber motioned to approve the February 2021 APVs. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Request for purchasing Keystone Asset Software: CT Hundt requested to purchase the Keystone Asset Software for \$3,470 out of the Garbage Fund. This will aid in State Board of Accounts capital asset reporting requirement. Annual maintenance is \$650. Councilor Malik motioned to approve request. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Public Comment

David Phelps (115 W. Stillwater): Spoke about the Porter County BZA hearing and the proposed RV park and asked if the Town Council planned on speaking against it.

Paula Tillman (713 E. Rogers): Asked why the \$200,000 for engineering contract was not on the agenda. Will the Town Council have a meeting to explain what it will accomplish? President Benson explained that it was not on the agenda because the Town Council already had a special meeting to approve moving forward with the Army Corp of Engineers permitting and that is the only thing they have given the Smith Group permission to act on. There will be more opportunity for public input as things progress.

Mark Alger (815 E. Lake Front): Asked about status of the landscaping proposal of the east end and instead of focusing on engineering study couldn't the Town Council focus on a more expeditious approach on a landscape proposal. President Benson discussed that there is a misconception and there is not landscaping being done but dune restoration and preservation with replanting the dune grass.

Ed Kleese (705 E. Rogers): Asked if the Town will know exactly what we'll get for the \$200,000. Vice President Loeb answered that the purpose of the study will not be evaluating what has been done. The purpose of the study is how do we move forward, what can the Town expect, what might we be faced with in the future.

Susan Thomas (215 S. Broadway): Asked if the Town Council was going to send a representative to object to the RV park proposal.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: Vice President Loeb gave report.

Park Board: *Councilor Malik gave report.*

Building & Building Site Committee: There was no meeting.

Board of Zoning Appeals: *There was no meeting.*

Capital Planning Committee: *There was no meeting.*

Fire & Emergency Management: *Councilor Weber gave report.*

Indiana Dunes National Park: Councilor Blackburn gave report.

Plan Commission: Councilor Blackburn gave report.

NIRPC: Nothing to report.

Depot Museum and Gallery: Councilor Blackburn gave report.

Unfinished Business:

AV equipment purchase and installation: No update.

Additional Appropriation for Crawl Space Work in Community Building: was approved on APV register.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings: CARDNO to come to repair fencing. Councilor Weber requested that maintenance work on fencing required because of damage from work at Derby be paid out of the Infrastructure fund and not from the Bond fund.

New Business

Updating the tracking of Town Committee appointments:

Councilor Weber motioned to appoint Larry Stanton to the Green Space Committee with a term expiring 12/31/2022 and to appoint Terry Bonace to the Green Space Committee with a term expiring 12/31/2021. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Councilor Weber motioned to reappoint Sandy Komaskinski to the Green Space Committee with a term expiring 12/31/2022 and to reappoint Barb Vanecko with a term expiring 12/21/2023. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Councilor Weber motioned to appoint Larry Stanton, as the third Town official appointment, to the Plan Commission with a term expiring 12/31/2022. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

President Benson reappointed to the Plan Commission as citizen members, Greg Lyman and Donna Norkus retroactive to 01/01/2021.

Councilor Weber motioned to confirm the terms for two citizen member seats, Donna Norkus, being the Democratic appointment and Greg Brown, being the non-democratic appointment, to expire the first Monday of January 2023. And the terms for the other two citizen member seats, Greg Lyman, a Democrat, and Joe Kapacinskis, a non-democrat, to expire the first Monday of

January 2024. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Tracking grant opportunities: Vice President Loeb sent grant opportunity information to Smith Group for review. CT Hundt sent Councilor Blackburn information on grants. He shared with Mary Marvel.

Request from NICTD to use parcel # 64-04-09-476-003.000-011 : NICTD requested use of parcel as access to culvert. NICTD is also represented by Harris Welsh & Lukmann and Attorney Nolan requested the Town Council to sign a conflict-of-interest waiver. Councilor Blackburn motioned to allow NICTD to use the parcel and for Council to sign the conflict-of-interest waiver. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

NIPSCO double track mitigation plans around Beglin Garden: NIPSCO has to disturb the garden due to moving gas valves. NIPSCO will work with Terry Bonace and/or others involved with garden to make sure it is put back as the Town requests.

LMCP Grant permission: The grant application has been sent to NOAA for approval and then it will be sent to LMCP. President Benson asked for approval to allow him to sign off on it between meetings. Vice President Loeb motioned to authorize Benson to take whatever action is appropriate between now and the next council meeting to move the coastal grant forward. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Honoring Ed Bracken & citizen volunteers: Nothing to report.

Schedule Executive Session: An Executive Session was scheduled for Tuesday, March 23, 2021 at 1pm.

Written Communications

Written correspondence was received from Donna Norkus, Mark Alger, and Kim Wellman regarding the contract with Smith Group, what is pending, what is the Council going to do about it, and will the public have input on it.

Town Council Comment

Councilor Blackburn encouraged residents to take a stand, whether pro or con, on the Porter County BZA meeting scheduled for March 17, 2021.

President Benson stated that he thought Council does not have standing because the property is not in the Town's jurisdiction.

Marshal Clapp: Stated the Beverly Shores Police Department would only be an assist and not a primary responder.

Councilor Weber: Stated he did not have enough information about the situation to render an opinion but encouraged people to make their own statements.

Vice President Loeb: Stated the traffic issue warrants a statement from the Town.

Attorney Nolan: If the Town sends the Marshal to speak about traffic safety issue, that he should be prepared for questions.

Councilor Malik: Stated it may not be enough time to make a statement by the meeting time. Council requested the Marshal to attend the meeting and speak on behalf of traffic safety.


Adjourn:

Motion to Adjourn by Vice President Loeb.

Seconded by Councilor Weber.

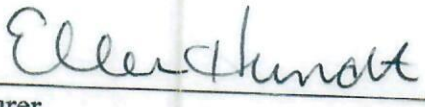
There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Time: 9:44 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – April 20, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded due to recommended coronavirus “social distancing” guidelines.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town’s website.

Public Presentations

Councilor Blackburn explained the Town of Beverly Shores has an opportunity to collaborate with Porter County and the National Park Service (NPS) to research options for the continuation of the Marquette Greenway Trail that includes West Beverly, East Beverly Dr., and the Town’s right-of-way, to Central Avenue. The Town would still own the road. This is the very early stages, and nothing will happen for years. In December 2019 a survey was sent out to Beverly Shores residents. Blackburn reported, that out of the 236 responses, the majority of submitted surveys showed residents were in favor of having a bike and pedestrian trail on West Beverly, as well as supporting the reconstruction of the Calumet Trail. In August 2020, Councilors Blackburn and Weber reported they met with representatives from Porter County, NPS, Michigan City Parks to discuss the bike and pedestrian trail. Blackburn reported in March 2020 that Porter County and NPS would be having a meeting on April 6th. Bob Thompson, Porter County Director of Development and Storm Water Management will be at the May’s Town Council Meeting.

Rafi Wilkinson, Indiana Dunes Natl. Park, re: Area planning for Calumet/Marquette Trail alignment (for bicycle, pedestrian): Wilkinson has been coordinating trail activities that involve NPS. The Marquette Greenway Trail, running from the Indiana/Illinois state line to New Buffalo, MI, has been a long project in the making. It is 58 miles long and designed to be paved and ADA compliant. And, where possible, has clear separation from cars. There are 3 states and 5 counties involved in the planning and funding process. The preliminary plan, in regard to the Town, starts at Kemil and 12, using the existing trail from Kemil to an old road bed (formerly Lake Shore Drive) to Beverly, Beverly Dr. to Central, south on Central to the existing trail, and finally connecting to Michigan City’s trail on Highway 12. No details have been worked out at this time.

Councilor Weber: Reported the Town Council has the right to approve this, and it is not a taking of land. The project proposed for a bikeway on Beverly Drive would require the Town Council to grant a use of the right-of-way for this purpose. He supports bicycle separation from the road, 2-way traffic (at least from Broadway to Montana), shifting the road and burying utilities. One-way traffic from Montana to Central would have a traffic calming effect and he believes this is an opportunity to provide non-motorized recreation to Beverly Shores in conjunction with the double tracking, a non-invasive way of supporting visitors.

Rodney Brewer / Bridget & Mark Degnen 527 E. Lake Front – driveway: Brewer presented revised drawing. Councilors Malik, Benson, and Blackburn voiced concerns about the Town giving up the right-of-way and issues with neighbor's land. Councilor Weber motioned to allow the resident to have 4 additional feet of the Town right-of-way for parking, subject to a building permit, and that the plantings in said right-of-way are native vegetation. There was no second.

Nancy Schwab: Town sign: Nancy stated she was seeking approval to proceed with building and installing a new Town sign in front of the Administration Building. The sign would be completely funded by outside sources and the Town would not have to contribute. Power point is attached. Vice President Loeb motioned to grant permission to move forward with the sign as presented and that the sign is turned off at dusk. Councilor Malik seconded. There was discussion about when to turn it off. Council Malik made a friendly amendment to have the sign dim at dusk and turn off at 9pm. Vice President Loeb accepted the friendly amendment. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Susan Thomas: Susan spoke on behalf of herself, Candice Peterson-Smith, Ed Kleese, Mary Marvel, Rita Dagys, Rosemary and Alan Bell, and Nancy Cassidy. She spoke about the trend in legislation that undercuts home rule. Specifically, she spoke of legislation that allows utilities eminent domain to do carbon capture on private property. Attorney Nolan reported AIM (Accelerate Indiana Municipalities) are very active in following and working on legislature.

Approval of Minutes

Approval of March 16, 2021 Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Approval of March 23 Executive Session Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik – yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report – nothing to report.

Police Report – Marshal Clapp gave report. He reminded residents that Beverly Shores does have a leash law and it will be enforced.

Street Report – Superintendent Clapp gave report. Rieth/Riley has finished crack sealing project. The curbing and paving project has started but delayed due to weather. There was discussion about getting bids for the road edge work needing to be done on Kemil Rd. There was discussion about whether or not parking striping should be done at Lake View. Councilor Weber will reach out to NPS and get back to Marshal Clapp. Marshal Clapp requested Town Council approve a change work order for \$12,990 for work at Derby. Councilor Malik motioned to approve an additional \$12,990 for the overage to Reith-Riley to be taken out of the Bond, Series 2020 Fund

(418). Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Ordinances & Resolutions

2021-07 American Rescue Plan (ARP)

Councilor Blackburn motioned to approve on first reading. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Blackburn motioned to adopt ordinance. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. This ordinance is required by the SBOA to track the spending of the grant.

Clerk-Treasurer's Report

Consideration of Claims – CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the March 2021 APVs. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

(re) Approval for Fire House bathroom: \$2,100 to be paid from the Roads & Capital Improvement Fund (448): This motion was inadvertently omitted from the March minutes. Councilor Malik motioned to approve request. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Mackin invoices: CT Hundt presented invoices, dating back to 2018, submitted by John Mackin for building commissioner fees. Dave Wagner, Chair of the Building & Building Site Committee, declined to approve without Council input. CT Hundt reported the invoices submitted are greater than the appropriation balance. Vice President Loeb motioned to take the issue under advisement. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Public Comment

None.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: Nothing to report.

Park Board:: *Councilor Malik gave report.*

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: *There was no meeting.*

Capital Planning Committee: *There was no meeting.*

Fire & Emergency Management: *Councilor Weber gave report.* The BSVFD is currently researching possible boat launch locations.

Indiana Dunes National Park:: Nothing to report.

Plan Commission: Councilor Blackburn gave report.

NIRPC: President Benson gave report.

Depot Museum and Gallery: Nothing to report.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings. Councilor Weber reported marram grass installation started again on 04/20/2021 in the 300 block, heading west. There is new signage, and the fencing is up. The marram grass planted last year is coming out of dormancy, east of the 300 block. Marshal Clapp reported that a cigarette butt was probably thrown out and set the straw bedding on fire. A resident was able to put it out.

Honoring Ed Bracken & citizen volunteers: No update.

Garbage can/recycling task force: There are plenty of options, but nothing has been decided at this point.

Smith Group progress and tasks: President Benson gave update on progress of Army Corp of Engineers. A final report has been submitted. Lake Michigan Coastal Program Grant has been approved. Approximately \$59,000 has been awarded. A Town Council Meeting was scheduled for April 29, 2021 at 6:30pm for the public to ask questions about the Smith Groups tasks before an order to proceed is given.

New Business

IDEM/Benson: Contract and Conflict of Interest: President Benson presented documents for the IDEM Beach Monitoring grant. Councilor Malik motioned to authorize Vice President Loeb's signature for the IDEM grant. Councilor Weber seconded. There was a roll call vote. Benson abstained. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Weber motioned to approve the contract with Geof Benson to act as the agent for beach monitoring. Councilor Blackburn seconded. There was a roll call vote. Benson abstained. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Benson presented his conflict of interest.

IN Lake Michigan Coastal Program Grant Contract to help pay for Smith Group: Vice President Loeb motioned to allow President Benson to execute the Coastal Grant contract for the Smith

Group tasks delineated in the contract. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Proposed RV park letter: Vice President Loeb motioned for Town Council to approve letter of opposition to the proposed RV park in Porter county. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Written Communications

Written correspondence was received regarding Women's Club re Recycling containers, Letters re: Bike trail, Library committee reopening plans,

Town Council Comment

Vice President Loeb congratulated Mary Marvel for obtaining a grant for the ERG.

Adjourn:

Motion to Adjourn by Vice President Loeb.

Seconded by Councilor Malik.

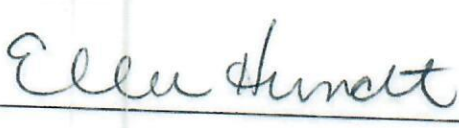
There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Time: 9:26 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – April 29, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded due to recommended coronavirus "social distancing" guidelines.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

Councilor Weber presented the attached power point.

Public Comment

Geof Wendt (19 S. Oval): Stated he believes the Town should tighten the purse strings and not spend money. Also that the Beverly Shores revetment is the best on the coast.

Randy Jonas (837 E. Lake Front): (email read by Councilor Weber) Asked why the sand was not replaced on the east end. President Benson answered said there was actually very little sand, not a dune but a cliff straight down. The sand was removed to level it and to ensure the equipment was not damaged. The water was already so close to the existing revetment. The crushed flat rock that exists now acts as a drain for when the water comes up over the rock. It is Ed Bracken's opinion that anything that goes over it will clog the drain with a canal on the back side. The engineering firm will look at the proposal that the residents proposed and provide their opinion. Jonas stated that there was a lot of dune going all the way to Drexwood. What did they do with all the sand they took, and couldn't they have placed it on the rocks as they went along? Stated that you can still have sand and drainage at the same time. Benson reiterated that there was not as much sand as Jonas thought. Bracken reported there was not a lot of sand there and it was incorporated back into the project. Jonas suggested a curb be put in due to people driving and parking along the edge of the road. Bracken suggested another layer of fine stone to fill in the voids to tighten up the road. A curb requires a base, and it would be an expensive project but there are other alternatives. Jonas stated people parking there is going to be a huge issue. Benson stated the drains require permitting and it is not an easy process and the Town has to maintain them.

Katherine Sellev (841 E. Lake Front): (email read by Councilor Weber) Sellev wrote the residents are asking for restoration of the dune to deter parking on the east end.

Lara Rivera (4 S. Palmer): (email read by Councilor Weber) Why was this restoration work performed without an assessment in other areas of the lakefront and not on the east end?

What is being budgeted for the restoration? When can we expect this work to be started and completed? Benson stated the engineering firm will evaluate and make recommendations before any work would get started. The east end is very different than other parts of the lake front. Weber reported that Smith Group can move ahead with this task quickly. Cannot comment on the budget because we don't know what the project is.

Dave Wagner (603 North Forest): Stated the west end is very different. The plants are a structural part of keeping everything together. The stone on the east end is doing the same. The correct placement of decorative, bigger stones would solve the problem of people parking there with less cost and less disturbance of the water flow. Jonas agreed with the rock solution. Benson reported there are similar parking issues along the entire lake front.

Ed Salomon (811 E. Lake Front): Stated the esthetics does not have to be part of the engineering plan, the east end is an eyesore, and there is no beach access. Marram grass should be planted. It is not acceptable esthetically. Weber stated hardscaping could be done. Wagner stated that there is a reason why the road doesn't flood because there are people in Town who break up the ice. Water flow and drainage is key on the east end.

Marshal Clapp: Scalloping on the road edges is happening the length of Lake Front. Some of the new paving doesn't have support underneath.

Mark Alger (815 E. Lake Front) (email read by Councilor Weber): How long will it take to get the work done so we can finally keep cars off of the shoulder? If the work won't be completed until summer then barricades need to be installed – or east of Drexwood closed to non-residents. Benson answered that closing the road did not work well.

Donna Norkus: (email read by Councilor Weber) Please articulate your thoughts on expected results, the level of spending and why this cannot wait. Weber answered that the maximum cost is approximately \$59,000. Blackburn stated that none of them are engineers but prior to getting bond, the TC promised that there would be a plan in place and that the Town had put the "cart before the horse". The engineers will be able to explore different scenarios the Town might face with varying water levels. There was an expectation that the original revetment was to be maintained by the Town and it wasn't done. Norkus asked: Is this a new contract? Weber answers no, this is the same contract and tonight the TC will vote on a notice to proceed to actually begin conducting the work in the contract. Norkus asked: Is there an addendum to the Smith Group contract not posted to the town website? Again, my recollection from the special meeting is that you approved only the Army Corp work which is Task 1.2.C, also Phase A, in the Service Agreement. But Exhibit 2 of the agreement breaks out costs for each phase while considering all of 1.2 to comprise Phase A. Weber stated the only work approved so far was the portion of the contract that addressed the Army Corp of Engineers permit. Cost to date is \$3,005. Norkus asked: Are you providing Notice to Proceed with the balance of the \$213,450 contract and not just a portion of it as the agenda indicates? This is not clear. Weber answered it will be how they vote on it tonight. Benson answered that the notice to proceed on tonight's agenda is only what is covered in the Coastal Grant and would cost \$118,000 with the reimbursable Coastal Grant of \$59,000. Norkus asked: Specific to the east end lakefront between Drexwood and Drake, what is your expectation for moving forward on recommended restoration of the

roadside? In other words, if we assume the consultant either agrees with the basic proposal submitted by interested residents for restoration of the roadside buffer or suggests a viable alternative, what is next and when? Will the town council commit to acting on the recommendation? Will the town council commit to acting in a timely fashion? The basic proposal presented to the council came with a price tag of \$55,000. A commitment to act could be based on this estimate, setting a somewhat higher maximum cost as you have done when authorizing spending for lake front work in other areas of town. Weber answered yes that he is committed to acting on a recommendation from Smith Group. Attorney Nolan stated the tasks from the Smith Group contract that are covered by the Coastal Program Grant, and the agenda has verbatim, the tasks that are attached to the grant agreement. Listed as Task 1 – 4. They don't correspond directly with how the tasks are broken out in the Smith group agreement. Task 1 under the Coastal program (on the agenda) covers Phase 1 and part of Phase 2 of the agreement with Smith Group, that's Task 1.1 and 1.2 except for the work they're doing for the Army Corp. Task 2 includes the rest of Phase B from the Smith Group contract. Task 1.3, 2.1a, and 2.2a from the Smith Group scope of work and Task 2.1b within Phase C of the Smith Group scope of work as it's currently set up. Task 3 would include the Smith Group Task 2.2b from phase C. And Task 4 is just grant administration. What would be left is the last part of Phase C which is Task 3 and all of Phase D, which on it's own is the largest chunk of the contract cost for Smith Group, which is about 70,000 and not part of the Coastal Grant. Benson, Blackburn, and Loeb stated they cannot commit to anything without knowing what the project is and how much it costs. Malik stated she will commit to supporting a project on the east end with a limit of \$100,000 so as to reserve the money for the project. She does not agree with spending the last of the bond money on an engineering study. Benson stated that the bond money is not supposed to be saved indefinitely.

Councilor Loeb: Stated that the engineering study is a plan and an investment. The Town does not have a lot of money remaining. Planning is paramount. Smith Group will open up doors and help get projects funded. The Town does control the timing of the projects within the contract. And, with all the concerns about the east end shows a plan is needed.

Dave Wagner: Stated if the Town had waited to do the study, instead of doing the revetment work, somewhere the road would have collapsed. The people do not know what we're getting for our money. The Town only owns part of the lake front. Studies are fine but only if the other stakeholders involved allow work to be done. Weber reported there will be a steering committee and vetted with the NPS or other stakeholders.

Councilor Blackburn: We have 7 beach access points and will make sure Smith Group knows. The plans will help future Councils decide what needs to be done in emergency situations. Wagner asked if there was money budgeted for these situations. Benson answered yes. Loeb answered that the Smith Group will help identify and manage the risk. Smith Group understand the Town's situation. Wagner says the residents just want to know what they're getting for their money.

Paula Tillman (713 E. Rogers): How much money will be left after study? CT Hundt answered approximately \$109,000.

Rebecca Alger (815 E. Lake Front): (email read by Councilor Weber) With all of the money being spent on the engineering study, (\$120,000 - 150,000 net of grants?) will there be any money left for the cost of restoring the natural dunescape along the east end of Lake Front Drive? (Task 1.3) Weber answered that it would come out of the balance of \$109,000.

John Wanner (825 E. Lake Front): Hopes there will be a solution to the horrible parking lot that is on the east end.

Councilor Malik reiterated that without the engineering contract, the Town would have \$263,000 left for future needs. Malik motioned to restore the work on the east end of Lake Front Drive between Drexwood and Drake, provided that the Smith Group either approves the plan previously submitted by interested residents or recommends a reasonable alternative for a cost not to exceed a \$75,000. There was no second.

Approval of Notice to Proceed to Smith Group for Tasks 1-4

Vice President Loeb motioned to approve the notice to proceed with the tasks listed in the Lake Michigan Coastal Grant. Councilor Blackburn seconded. There was discussion about amounts. Councilor Blackburn amended the motion to add approval up to \$119,000. Loeb accepted the amendment. Councilor Weber reminded everyone that the grant will reimburse half the amount. Attorney Nolan stated the Town has 1 year to complete the grant work. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = nay. Weber = yea. The motion passed 4-1.

Electronic /Remote Meeting Participation Policy

Governor Holcomb extended the emergency order. This will be on the May agenda.

Councilor Malik motioned to approve up to \$75,000 for restoration work on Lake Front between Drake and Drexwood. Councilor Weber seconded. There was discussion. There was a roll call vote. Benson = nay. Loeb = nay. Blackburn = nay. Malik = nay. Weber = yea. The motion failed 3-2.

Building Commissioner Appointment

President Benson reported that Charlie Ray resigned as Building Commissioner. Vice President Loeb motioned to appoint Dave Wagner as interim Building Commissioner. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Town Council Comment

None.

Adjourn:

Motion to Adjourn by Councilor Malik.

Seconded by Councilor Weber.

There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Time: 8:24 p.m.

Town Council President:

Attest:

Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – May 18, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded due to recommended coronavirus "social distancing" guidelines.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

~~Marquette Bikeway Planning Update, Robert Thompson, AICP, Director, Dept. of Development & Storm Water Mgmt., Porter County~~

~~Public Comments & Questions/Answers on Bikeway~~ Presenter cancelled. Will be on June agenda.

Chuck & Nancy Steffel - 11 E. Lake Front - driveway in right-of-way: Residents presented plan. There was discussion including concepts from Comprehensive Plan. Councilor Malik motioned to deny the extended parking for 11 E. Lake Front. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = nay. Malik = yea. Weber = nay. The motion passed 3-2.

Approval of Minutes

Approval of April 20, 2021 Council Meeting minutes

Vice President Loeb motioned to approve the minutes as presented. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approval of April 29 Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Councilor Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report

#11933 – Brown: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Police Report – Marshal Clapp gave report. He announced that Jamie Spanier is leaving the force and thanked him for his 20+ years of service to the Town.

Street Report – Resurfacing of Lake Front, from Broadway to Derby, has been completed. Crack sealing has not been completed. Councilor Benson explained that Broadway will be closed some time in June for work related to the Double Track Project. Additionally, Kemil will be closed at some point later in the summer. Vice President Loeb requested that a few more signs be put up by the new vegetation west of Lake View.

Ordinances & Resolutions

None.

Electronic /Remote Meeting Participation Policy

Waiting on Governor's decision.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the April 2021 APVs. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Councilor Weber motioned to approve. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Rieth-Riley invoices: Paving work done on Lake Front and curb replacement was previously approved to be paid from the Bonds, 2020 Series in August 2020 and April 2021 respectively. Councilor Weber motioned to pay these from the Roads & Capital Improvements Fund (448) instead of the Bond, Series 2020 (418), as it would deplete the Bond, Series 2020 fund. Vice President Loeb seconded. There was discussion. Councilor Malik stated this would deplete the Roads & Capital Improvements fund. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = nay. Weber = yea. The motion passed 4-1.

Public Comment

Bridget Degnen (527 E. Lake Front): Resident verbally presented her new plans for using the Town right of way for redoing driveway. Vice President Loeb requested that resident submit new plans and present at June meeting.

Reports from Committees/Liaisons:

ADA progress: Councilor Malik reported the new handicap parking sign was placed at the Palmer Ave parking lot and Marshal Clapp will be painting the lines.

Greenspace Committee:: Vice President Loeb gave report.

Park Board:: Councilor Malik gave report.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: There was no meeting.

Capital Planning Committee: There was no meeting.

Fire & Emergency Management: No report.

Indiana Dunes National Park:: Councilor Blackburn reported there were communications regarding the Marquette Trail.

Plan Commission: Councilor Blackburn gave report.

NIRPC: President Benson had no report but gave instructions on how to join upcoming meeting.

Depot Museum and Gallery: Councilor Blackburn reported there will be a Veterans event on Saturday, May 22, at 1pm.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings. Councilor Weber reported all marram grass has been planted. He will ask CARDNO to put up fencing at Derby, on the lake side because people are climbing up on the dune to avoid the ditch.

Honoring Ed Bracken & citizen volunteers: No update.

Garbage can/recycling task force: Councilor Blackburn reported Republic is working on various proposals. Councilor Malik reported there is a pest problem as raccoons are feeding during the day and mice are getting into the fire house; it is a problem. Additionally, she added the Town is the exception when it comes to providing these additional garbage bins.

Smith Group progress and tasks: Vice President Loeb reported Smith Group will be meeting Friday, May 21, on site. Ed Bracken will also meet with herself and Councilor Weber. Loeb and Weber will be creating a core working group including a member of the Park Board and residents.

Mackin Invoices: Councilor Blackburn motioned to authorize Benson and Loeb to reach a settlement with Mackin and come back to Council with recommendation. Councilor Weber seconded. There was a discussion including explanations from Mackin. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

New Business

Suggested modifications to NIPSCO lights.

Vice President Loeb received communications from Alan Bell, ABSR Environment Committee. It has been reported that some of the new streetlights are too bright. Questions for NIPSCO: "Are cutoff shields available that can be installed to the new lights, which would cut down on glare. Can we get a sheet with the complete specifications on the new equipment? Most importantly what we are looking for would be the specification on the "beam angle", which is critical to the amount of glare coming off of each light." Benson will give contact information to Loeb.

Written Communications

None.

Town Council Comment

Vice President Loeb requested that people with dogs stop putting poop bags in other people's garbage bins as not all residents are here to have bins emptied on a weekly basis.

Councilor Malik requested that people do not abandon poop bags in the road or other people's yards.

Councilor Blackburn explained that he brought up the BZA in regard to the Steffel's request because he wondered if the Council should be hearing the request before the BZA.

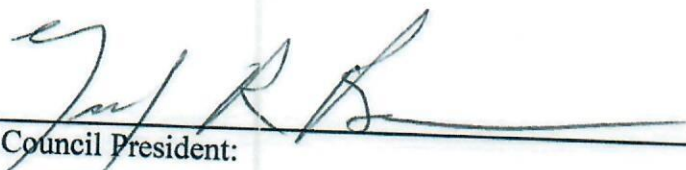
Adjourn:

Motion to Adjourn by Vice President Loeb.

Seconded by Councilor Malik.

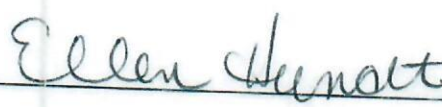
There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Time: 8:59 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – June 15, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was in the Administration Building at 500 S. Broadway as well as broadcast live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt and Town Attorney Connor Nolan. Marshal Ed Clapp attended virtually.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

Marquette Bikeway Planning Update, Robert Thompson, AICP, Director, Dept. of Development & Storm Water Mgmt., Porter County: Public Comments & Questions/Answers on Bikeway
Thompson explained Porter County would like to see the trail run from Furnessville Rd. to Kemil, down Kemil to Beverly, Beverly to Central, up Central and east to connect to existing trail on Highway 12. He explained that there are no concrete plans, and everything is in preliminary stages. Thompson states he will not be putting any money into the Calumet Trail as it exists now.

Marshal Clapp expressed his concern about sharing the road and asked if they were considering adding a lane. There are too many cyclists who do not obey traffic rules now and there is greater risk on Beverly Dr. He would prefer a trail separate from road. Thompson stated that is a possibility but that going off the road proposes difficulty because of wetland. Thompson further stated he would like to look into the land between Highway 12 and railroad. But everything is up for discussion.

Frank Hardwick, 219 S. Broadway. Concerned about the share the road concept as the road is not wide enough now for the traffic it handles. Asked that he be invited to attend meetings as he is the President of the Park Board. Thompson asked that he give contact information to Weber or Blackburn.

Debbie Fritz, 16 W. Stillwater. Expressed concerns about the strain visitors make on the Town now with very limited resources. Who will address the possible problems with even more visitors? Thompson stated it would be Porter County, but those issues will have to be worked out as these are all preliminary discussions. He doesn't believe there will be an increase in visitors.

Marcia Metzcus, 25 W. Stillwater. If there are no existing issues then why are you doing this? There are already issues on Beverly east of Broadway with bikers taking up whole lanes on a road with 2-way traffic with bikers, walkers, etc. What improvements would you be making if you're not creating a separate bicycle lane or would most of the improvements be on the west side of Beverly? Thompson answered that yes, there would be significant investment on west Beverly because of the need for a significant structure where the water is passing through the road and to bring back that section to a passable route for everyone. On the eastern part, the ideas are very preliminary, and he understands that there is an issue with share the road. There could be a possibility of widening Beverly Dr. in order to add a lane. They just don't know yet.

Tom Weber, Town Council Member. Is it among the options for the County to rebuild the north side of the road and resurfacing the south end of the road for a bike lane in the Town's right of way? Thompson answered that it is a possibility, and they would have scientists come in to delineate the wetlands and right of way. Weber confirmed Porter County would pay for construction. Thompson answered it would come out the funding and they would have to come to some agreement with the Town of Beverly shores on the use of it and how to go forward.

John Blackburn, Town Council Member. Reiterated that Tom and himself have been advocating for lane separation on East Beverly.

Matrona Malik, Town Council Member. Believes the option of using the existing Calumet Trail should remain an option as it the least disturbance to the community. Furthermore, Malik dislikes the use of scare tactics in stating that NIPSCO will just take the use of the trail away. Thompson stated it is in the agreement with NIPSCO that NIPSCO could take it away at any time. He is not using as a scare tactic but that he has been told that if NIPSCO rips up the trail it will fall on the Porter County taxpayers to repair it. The entire trail will cost 8 – 10 million. He would rather drop the project than keep it as it exists unless NIPSCO assures they would never close the trail. It took 2 years to permitting east of Beverly Shores.

Frank Hardwick, 219 S. Broadway. Is developing the shoulder of US 12 a possibility? Thompson answered that it could be an option but difficult because of business and homes going through Beverly Shores and The Pines located on 12.

Bill May, 805 E. Vera. How long is the NIPSCO corridor and why can't the trail go through park land, north side of the existing trail? Thompson responded that all things are possible.

527 E. Lake Front Drive / Degnen

There was discussion about why this is needed, and the plans submitted.

Councilor Malik motioned to deny request. There was no second.

There was further discussion.

Councilor Weber motioned approve the use of the Town's right of way at 527 E. Lake Front Drive in accordance with the document that Rodney Brewer gave us that shows an additional depth of parking and that this approval by the Town Council be further conditioned on the necessary approvals by the Building & Building Site Committee and Building Commissioner. Councilor Blackburn seconded. There was further discussion regarding use of Town right of way. There was a roll call vote. Benson = nay. Loeb = nay. Blackburn = yea. Malik = nay. Weber = yea. Motion was denied 3-2.

Approval of Minutes

Approval of May 18, 2021, Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Councilor Weber seconded. Unanimously approved.

Report of Police & Street Departments

Violation Report

11675 / Connors: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. The appeal was denied 4-1.

Police Report – Marshal Clapp gave report.

Street Report – Rieth-Riley to finish crack sealing project soon.

Ordinances & Resolutions

Ordinance No. 2021-08: An Ordinance of the Beverly Shores Town Council Amending Portions of the Text of the Town's Code.

Attorney Nolan presented the ordinance on first reading: Ordinance No. 2021-08, An Ordinance of the Beverly Shores Town Council Amending Portions of the Text of the Town's Code. This is an ordinance recommended by the Plan Commission on fee changes related to building code. Councilor Weber motioned to approve on first reading. Vice President Loeb seconded. There was discussion. Unanimously approved. Councilor Weber motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. Unanimously approved. Councilor Weber motioned to adopt ordinance. Councilor Malik seconded. Unanimously approved.

Electronic /Remote Meeting Participation Policy

Resolution 2021-04: Town of Beverly Shores, Indiana Resolution Adopting Public Meeting Electronic Participation Policy was presented. Councilor Malik motioned to approve the resolution. Councilor Blackburn seconded. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the May 2021 APVs. Councilor Blackburn seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

CT Hundt informed that the reestablishment of the CCD Fund was approved.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Blackburn seconded. Unanimously approved. RDA to approve claims at next meeting.

CT Hundt requested an additional appropriation of \$561.60 for the increased cost of wire for the previously approved installation of the new generator in the Administration Building to be paid from the Roads & Capital Improvements Fund (448). Councilor Malik motioned to approve. Councilor Blackburn seconded. Unanimously approved.

Public Comment

Matt Smith, Member of Pine Township Advisory Board. Requested use of Town Hall for use of meetings for the Pine Township Advisory Board. They meet at least 4 times a year but no set dates. Vice President Loeb motioned to approve. Councilor Weber seconded. Unanimously approved. Smith to contact CT Hundt with dates.

Paula Tillman, 713 E. Rogers. Asked if there were any plans to repair or maintain any of the smaller roads in Town, specifically E. Rogers and another road across from Rogers and

Drexwood. Marshal Clapp said he would be reviewing the roads. Benson stated there was already a plan created by Susan Resteau and Brian O'Neil.
Marcia Metzcus, 25 W. Stillwater. Requested a copy of the new policy.

Reports from Committees/Liaisons:

ADA progress: Councilor Malik reported the new handicap parking lines were completed at Palmer Ave. parking.

Greenspace Committee:: Vice President Loeb gave report.

Park Board:: Councilor Malik gave report.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: There was no meeting.

Capital Planning Committee: Councilor Blackburn gave report.

Fire & Emergency Management: Councilor Weber gave report.

Indiana Dunes National Park:: Councilor Blackburn reported there were no meetings.

Plan Commission: Councilor Weber gave report.

NIRPC: President Benson requested approval of letter of support for NIRPC's RAISE application for Marquette Trail Completion. Councilor Weber motioned to approve. Councilor Blackburn seconded. Unanimously approved.

Depot Museum and Gallery: Councilor Blackburn gave report.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings. Councilor Weber reported there are new signs on LFD regarding restoration and CARDNO put up fencing on lake side at Derby.

Authorize signing of the Certificate of Compliance for the ACOE permit LRC-2020-00899 Councilor Malik motioned to authorize President Benson to sign permit. Councilor Weber seconded. Unanimously approved.

Honoring Ed Bracken & citizen volunteers: Vice President Loeb suggested a fall event.

Garbage can/recycling task force: Councilor Blackburn reported this is an ongoing project. Councilor Malik reported that Long Beach has announced the removal of garbage bins at their beach stops.

Smith Group progress and tasks: Vice President Loeb reported there is a core group consisting of herself, Tom Weber, Ed Bracken, Bob Young, Candice Smith, and Ian Brewe. Met with Smith Group walking the lake shore. The next step is to meet with stakeholders, including members of the Park Board, DNR, IDEM, Porter County, etc. Additionally, the first quarterly report is due soon for the grant. Loeb and Weber attended a Coastal Grant management training course.

Mackin invoices- approve agreement: Benson and Loeb met with John. John will accept a payment of \$6,000. Vice President Loeb motioned to pay John Mackin \$6,000 subject to him

signing release and settlement agreement. Councilor Blackburn seconded. There was discussion. Unanimously approved.

Suggested modifications to NIPSCO lights: The ABSR's Environmental Restoration Group took pictures of every streetlight in the Town and reported that every streetlight needs to be retrofitted with full surround cutoff shields. Vice President Loeb asked to bring the map and request to NIPSCO. There was a unanimous consensus.

New Business

Town support of Great Lakes & St. Lawrence Cities Initiative's grant application to the NFWF
Vice President Loeb sent letter of support that shares the story of Beverly Shores' erosion experience.

Written Communications

A letter from Deb Ramstorf was received regarding the garbage situation.

Town Council Comment

President Benson reported the Michigan City Schools Corp reissued their bond. Councilor Malik asked about school districts. Benson reported that the Michigan City School district will never let Beverly Shores out of their district.

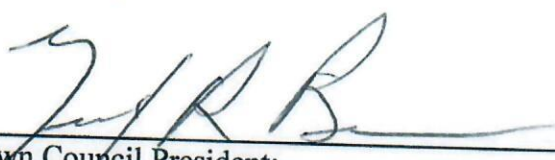
Adjourn:

Motion to Adjourn by Councilor Malik.

Seconded by Councilor Weber

Unanimously approved.

Time: 9:25 p.m.



Town Council President:

Attest:



Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – July 20, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(*This meeting was broadcast live via Microsoft Teams and was recorded.*)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber (signed on at 7:03) were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

0W Lake Front Drive, Beverly Shores – Nancy Townsend on behalf of 116 W. Fairwater LLC. Requested a public hearing to vacate an easement. The easement is a 16-foot east-to-west easement platted between the northerly lots and the southerly lots of the property. Councilor Malik motioned to accept the petition for 0W Lake Front Drive to be heard on August 17, 2021. Vice President Loeb seconded. President Benson made a friendly amendment that the motion includes that it is a public hearing for the petition. Councilor Malik accepted the amendment. Vice President Loeb accepted the amendment. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Accept grant from Firehouse Subs Public Safety Foundation Board of Directors has awarded the Town of Beverly Shores, on behalf of Beverly Shores Police Department in Beverly Shores, IN the requested Four Stryker Lifepak AEDs; Two Stryker Lifepak CR2 AEDs; Two Rotaid Wall Cabinets & Accessories valued at up to \$13,380.76. Councilor Malik motioned to accept the grant as awarded. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approval of Minutes

Approval of June 15, 2021, Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: CT Hundt presented the following appeals:

11915 / Rogers: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

11949 / Goeddeke: After discussion, it was determined that this ticket would be voided.

11954 / *Elite Ambulance*: Councilor Malik motioned to deny appeal. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

12008 / *McCall*: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

12010 / *Peterson*: Councilor Weber motioned to grant appeal. Vice President Loeb seconded. There was discussion. There was a roll call vote. Benson = nay. Loeb = nay. Blackburn = nay. Malik = nay. Weber = yea. The motion failed 4-1. Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = nay. Th motion passed 4-1.

Police Report – Marshal Clapp gave report.

Street Report – Rieth-Riley has finished crack sealing project. There was discussion regarding Shore and Lake Front where a sink hole developed due to drain issues. Ed Bracken estimated cost to repair would be under \$5,000. President Benson had approved repair. Councilor Malik motioned to ratify Benson's decision to allow Sutton Excavating to work on Shore and Lake Front and to spend up to \$5,000 from the 2020 Bond Series. Councilor Weber seconded. There was discussion. Councilor Weber asked why the Town was not fixing the issue at Lake View as well. Marshal Clapp explained there is no drain at Lake View, so it is different than what is occurring at Shore. Council requested Marshal Clapp look into it and come up with ways to prevent the runoff.

Marshal Clapp warned people to stop driving and walking out on the revetment and restoration areas.

Councilor Weber asked Marshal Clapp regarding his follow up about the E. Rogers Avenue road repair. Marshal Clapp responded that it is difficult to determine Town property without a survey. Councilor Weber recommended using the homeowners' surveys to help determine ownership and responsibility.

Ordinances & Resolutions

Ordinance No. 2021-09: An Ordinance of the Beverly Shores Town Council Amending Portions of the Text of the Town's Code.

Vice President Loeb motioned to approve on first reading. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Weber motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Weber motioned to adopt ordinance. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Councilor Weber motioned to approve the June 2021 APVs. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

Bruce Reyes: Asked what official documentation was required for him to submit to Council regarding his request for an additional parking pad in the Town right-of-way. President Benson answered that a formal written request with details was required.

Kris Jacobucci: Discussed previously sent letter to Council regarding the dangerous speeding that is occurring on Drexwood. There was discussion about various deterrents. Vice President Loeb motioned to authorize the Street Superintendent to investigate traffic calming devices, including rumble strips and any other appropriate types of solutions and report back so Council can move forward on this initiative. Councilor Blackburn seconded. Councilor Malik made a friendly amendment to include speed bumps. Vice President Loeb agreed that it should be any appropriate solution. There was discussion. President Benson asked if the motion should include letting the Street Superintendent to install them as well. Loeb responded that she did not want to delay things but wanted an overarching picture of how this would work, what it entails, and what it would look like. Marshal Clapp discussed the possibility of borrowing traffic monitoring equipment from another municipality. Loeb withdrew her motion. Councilor Blackburn withdrew his second. Vice President Loeb motioned to authorize the Street Superintendent to investigate the purchase of temporary speed bumps and install them with the appropriate signage and any other requirements that are necessary or reasonable. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Reports from Committees/Liaisons:

ADA progress: Councilor Malik gave report.

Greenspace Committee: Vice President Loeb gave report.

Park Board: Councilor Malik gave report.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: There was no meeting.

Capital Planning Committee: There was no meeting.

Fire & Emergency Management: Councilor Weber gave report.

Indiana Dunes National Park: Councilor Blackburn reported there were no meetings.

Plan Commission: Councilor Weber gave report.

NIRPC: President Benson gave report.

Depot Museum and Gallery: Councilor Blackburn gave report.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings. Councilor Weber stated there was nothing new to report. Weber reported he will talk to CARDNO to look at the marram grass on the 300 block of West Lake Front.

Honoring Ed Bracken & citizen volunteers: Vice President Loeb created a committee consisting of herself, Monique Rub, Ed Kleese, Bobbi Petru, and Angela Maurello to organize this event on October 23rd at the Fire House. She is asking the DWC and ABSR to underwrite the event.

Garbage can/recycling task force: Councilor Blackburn reported the bins between the Admin Building and the Fire House will be removed. There will no longer be a place for recycling. A locked dumpster will be placed behind the building. An educational letter will be sent to all Beverly Shores' homes. There will be a 6-month test period. If garbage and littering are still an issue, the dumpster will be removed. Blackburn also requested that a fence with a gate be built between the 2 buildings. Councilor Weber motioned to end recycling at the Town center, to move trash collection from its current location, between the buildings, to a point at the back of the parking lot behind the Administration Building with a locking mechanism that residents can use for their typical household trash only. Furthermore, that the Town Council notifies the residents by letter with an effective date and information and to use trash funds for the construction of a fence to abate the vectors in between the buildings. Additionally, that Council goes out for quotes for the fence installation. Vice President Loeb seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = nay. Weber = yea. Motioned passed 4-1.

Smith Group progress and tasks: Vice President Loeb reported that the core group continues to work the Smith Group. There was a virtual meeting the prior Friday who shared some of their initial observations and started to identify opportunities, but it was a very high level thing. The core group will be meeting without the Smith Group so the core group can solidify the issues that matter. Councilor Weber believes the core group could make the Smith Group focus more on the Town's island and lake front issues than other access areas. They have been gathering historical data regarding lake levels to better understand the future. The Town did submit the Lake Michigan Coastal Program quarterly report.

Suggested modifications to NIPSCO lights: Vice President Loeb reported NIPSCO is ordering some type of shield for all the lights in town.

Town support of Great Lakes & St. Lawrence Cities Initiative's grant application to the NFWF Vice President Loeb gave them a summary of what was done in 2019 and 2020 and attended a webinar. Coastal erosion is 20% armored. Coastal erosion is an issue along the entire shore.

New Business

None.

Written Communications

An Executive Session was scheduled for August 5, 2021, at 2pm to discuss possible litigation. Councilor Blackburn was appointed the Porter County representative to the Lake Michigan Coastal Program Advisory Board, replacing Donna Norkus.

Town Council Comment

None.


Adjourn:

Motion to Adjourn by Councilor Blackburn.

Seconded by Councilor Weber

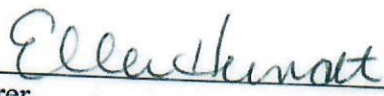
Unanimously approved.

Time: 9:12 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Police Report – Marshal Clapp gave report. Councilor Malik motioned to approve the use of Town Hall by Marshal Clapp for August 30, 2021, at 7pm for the AED demonstration. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Street Report – Marshal Clapp gave report. The new speed humps for Drexwood have been delivered. PAL paid for a mobile electronic sign that shows driver speed and warns people to slow down. Two problem areas because of erosion have occurred along the lakefront at Lakeview. Ed Bracken will be arranging the work. President Benson will be getting an extension for the special use permit. Councilor Weber mentioned there is another area of erosion at the Shore and 300 block area. Marshal Clapp will visit the area. Clapp also reported that someone had created a walkway down to the beach in that area and reminded residents that is National Park Property. Unauthorized items were removed from the beach area by the NPS. Marshal Clapp reminded everyone to stay off the revetment areas and the roped off areas. Councilor Weber motioned to spend up to \$10,000 for erosion repairs, out of the Bonds, 2020 Series, for areas near Lakeview and Shore. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Ordinances & Resolutions

Ordinance No. 2021-10: An Ordinance Vacating an Easement

Councilor Malik motioned to approve on first reading. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims – CT Hundt presented APV registers, noting items that were not in monthly expenses. Councilor Weber motioned to approve the APVs as presented. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

Dennis Wolter (110 W. Fairwater): Resident reported that his house appears to be leaning toward the new construction at 116 W. Fairwater. He reports that the grade between the houses has become steeper. Vice President Loeb responded she would have Dave Wanger contact him.

Dave Phelps (115 W. Stillwater): Resident inquired as to why the gravel repair over the culvert on Central Ave was never paved over. Representing a group of concerned cyclists, he requests that the Town repair the road or advise as to who is responsible for the repairs. Marshal Clapp answered that part of Central Ave belongs to the National Park Service. Clapp will contact the NPS. Phelps requests the Town Council fully understand where the maintenance dollars are going to come from if Beverly Shores decides to participate and allow bike paths to come thru the community.

Frank Hardwick (219 S. Broadway): reported falling armor stone and rip rap on the beach side of Lakeview.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee:: Vice President Loeb gave report.

Park Board:: No meeting.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: Vice President Loeb gave report.

Capital Planning Committee: There was no meeting.

Fire & Emergency Management: Councilor Weber gave report. There is a CPR and AED class at the fire house on October 17, 2021, from 1-4pm.

Indiana Dunes National Park:: Councilor Blackburn reported there were no meetings.

Plan Commission: Councilor Blackburn gave report.

NIRPC: President Benson gave report.

Depot Museum and Gallery: Councilor Blackburn gave report.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline: No update.

Garbage can/recycling task force: Councilor Blackburn reported the last day for garbage and recycling pickup from the bins at Town Hall will be September 13, 2021. A letter explaining everything will be going out shortly.

Smith Group progress and tasks: Councilor Weber reported that the core group gave the Smith Group an updated list of priorities. The Smith Group submitted three ideas for the east end.

New Business

President Benson reported meeting with Senator Braun and Paul Labovitz (NPS) regarding erosion solutions.

Written Communications

A request was received for a refund for a building permit application.

Town Council Comment

Vice President Loeb inquired about mask mandates with the increase of the Delta variant. Councilor Blackburn motioned to implement a mask mandate for all Town owned buildings. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Councilor Weber reported the Cleveland Cliff's wastewater discharge permit is being renewed. There will be a virtual public meeting on September 1, 2021, at 6pm. Information can be found on the IDEM website.

Councilor Blackburn reporting

Adjourn:

Motion to Adjourn by Councilor Blackburn.

Seconded by Councilor Weber

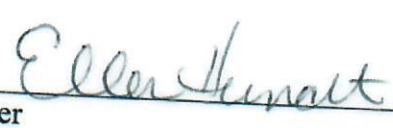
Unanimously approved.

Time: 9:12 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – September 21, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:01 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matriona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

Evaluation of Mitigation Efforts & Long-Term Shoreline Protection Plan: Preliminary Findings and Public Discussion, by Chris Devick, P.E. & Gregg Calpino, PLA, LEED BD+C, Smith Group: Devick and Calpino gave power point presentation with live polling. Contact information and a copy of the presentation will be on www.beverlyshoresindiana.org.

Public Hearing and First Reading of the 2022 Budget and Salary Ordinances: The public hearing was opened at 8:21p.m. There were no questions from the public. Councilor Weber motioned to close the meeting. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. There was no other action taken on the ordinances.

Approval of Minutes

Approval of August 17, 2021, Council Meeting minutes

Councilor Weber motioned to approve the minutes as presented. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: CT Hundt presented the following appeals:

11924/Reaves: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

12155/Sheehan: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

12176/Baker: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

12177/Flickert: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

12276/Barlow: Councilor Weber motioned to deny appeal. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

Police Report – Marshal Clapp gave report. He reported that Chris Eckert, Police Officer, has retired. He wished him luck and thanked him for his service to the Town. He reported he hired 3 (three) new officers.

Street Report – Marshal Clapp gave report. He thanked Greg Brown for all his help with tree removal. Clapp also reported he is waiting for a call back from Michigan City Streets regarding the potholes just west of Mount Baldy, just outside Town limits.

Ordinances & Resolutions

None.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Malik seconded. There was a roll call vote. Benson = yea (but recused himself from voting on APV 4947). Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

Doug and Suzanne Ashby (9 W. Atwater): Resident reported that CT Hundt refused to sell his new tenant a parking permit despite being a registered renter. He reported that CT Hundt requested residency proof.

Angela Maurello (11 S. Broadway). Resident reported that her tenant did not have to fill out any paperwork.

Doug and Suzanne Ashby (9 W. Atwater): Resident asked CT Hundt for proof that she has collected these documents from other renters. CT Hundt responded that she did not ask for these documents. She asked renter for proof that she was a resident of Beverly Shores. Attorney Nolan reminded Council that this was a public comment only section. President Benson asked if there were any further comments. Benson stated there were two (2) ways to be a resident of Beverly Shores: 1) You own property in Beverly Shores that is improved or with an active building permit. 2) To be a registered voter and pay taxes in Beverly Shores. That is the Town Code.

Nick Davey (337 E. Lake Front): Stated there seemed to be confusion by what is required and asked for clarification.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: Vice President Loeb gave report.

Park Board: No meeting.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: Vice President Loeb gave report.

Capital Planning Committee: There was no meeting.

Fire & Emergency Management: Nothing to report.

Indiana Dunes National Park: Councilor Blackburn reported he did meet with NPS. NPS reported they did not see any value in putting more fencing or signage at Derby beach because people tend to ignore it. The water level in 2022 will contribute to what NPS will do about ramp and ADA lift. NPS did talk about putting matting down at Kemil for wheelchair access. Input regarding new fees is due October 1, 2021.

Plan Commission: Councilor Blackburn gave report.

NIRPC: President Benson gave report.

Depot Museum and Gallery: Councilor Blackburn gave report.

Marshal Clapp reported the tree removal and snow removal contracts are up for bids. Councilor Malik motioned for the Marshal to go out for bids for tree removal and snow removal. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline: Councilor Weber reported that CARDNO is satisfied with the progress. Weber updated CARDNO about needing to gain access to the lakefront over the matted areas.

Garbage can/recycling task force: Councilor Blackburn reported the bins have been removed and the new dumpster is in place.

Smith Group progress and tasks: Updated was covered in public presentation.

New Business

Approve IDEM Beach Grant application for 2022 (deadline Nov 19, 2021): Vice President Loeb motioned to give Benson permission to apply for the IDEM grant application for 2022. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Written Communications

Marshal Clapp reported he identified four properties participating in illegal short-term rentals. After making contact, three out of four have stopped advertising. One rental reported they are only renting once in a thirty-day period. There are two additional rentals that advertise short term rentals but are outside Town limits.

Porter County Animal Control: This type of contract is not required to go out for bid. If a municipality does not have a contract then they are required to have their own animal control. Councilor Malik motioned to renew the animal control contract for five years. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Town Council Comment

Vice President Loeb reported NIPSCO has replaced the shields on the streetlights. She thanked the ABSR and the other organizations for their volunteer work.

Councilor Blackburn in regard to the Ashby's renter, if renter brings in proof of changing their voter registration plus notification to state of Indiana that this address is where their taxes information sent to, does that suffice as a definition of a resident and she would be eligible instead of having to present a driver's license? Benson answered yes.

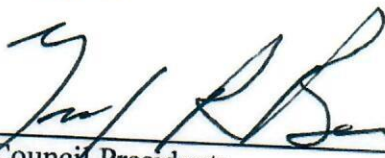
Adjourn:

Motion to Adjourn by Councilor Weber.


Seconded by Vice President Loeb.

Unanimously approved.

Time: 9:31 p.m.



Town Council President:

Attest: 

Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – October 19, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

INDOT Idea for Beverly Drive East End: President Benson gave a brief history of the section of road outside of Town limits off of Beverly Dr., west of Mt. Baldy, that connects to Highway 12. INDOT filled the potholes. Benson met with INDOT on October 12, 2021, and INDOT determined this was a dangerous intersection. This area is scheduled to be paved by INDOT in 2024 with culvert repair/replacement in 2025. INDOT has determined it will be the responsible party until then. INDOT's options are 1) INDOT will remove the existing roads and put in one connector road from Beverly Dr. to Highway 12. Beverly Shores would then be responsible for the upkeep of the road and enter into a Memorandum of Understanding with INDOT; or 2) INDOT will remove both connector roads and close off Beverly Dr.

ABSR Environmental Committee - Susan Thomas/Candice Smith: Request for use of Fire House for a Clean Water Action event on November 13, 10am - 12pm: Candice Smith gave a brief description of event. Councilor Weber motioned to approve the ABSR Environmental Group permission to use the Fire House for this event. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Second Reading and Adoption of the 2022 Budget and Salary Ordinance

Councilor Malik motioned to approve on second reading Ordinance 2021-11. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to adopt Ordinance 2021-11. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Councilor Malik motioned to approve on first reading Ordinance 2021-12: The 2022 Salary Ordinance for the Town of Beverly Shores, Indiana. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider Ordinance 2021-12 on second reading during the same meeting as it was introduced. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Councilor Malik motioned to adopt Ordinance 2021-12. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approval of Minutes

Approval of September 21, 2021, Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Vice President Loeb seconded. Councilor Weber requested "There was no other action taken on the ordinances." to the Budget Hearing Section of the minutes. Councilor Malik accepted the amendment. Vice President Loeb accepted the amendment. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: CT Hundt presented the following appeals:

11974/Henault: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

12303/Minkis: Councilor Malik motioned to deny appeal. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved

Police Report – Marshal Clapp gave report.

Street Report – Marshal Clapp gave report. Speed humps will be installed in the next few weeks. They will be removed in the winter for snow plowing. Clapp requested permission to purchase a propane hammer and adapter. This will assist in installing signposts throughout town with more ease. There was discussion about how many signs get installed in town. Councilor Malik motioned to approve this purchase up to \$3,000 to be paid out of the General: Other Services Appropriation. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Clapp also reported the new radar speed sign arrived and will be installed in the upcoming weeks.

Ordinances & Resolutions

None.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

There was no public comment.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: Vice President Loeb gave report.

Park Board: Councilor Malik gave report.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: Vice President Loeb gave report.

Capital Planning Committee: There was no meeting.

Fire & Emergency Management: Councilor Weber reported the new contract has been submitted to Attorney Nolan.

Indiana Dunes National Park: Councilor Blackburn reported he and Councilor Weber will be meeting the NPS on October 20, 2021, to discuss the Calumet Trail.

Plan Commission: Councilor Blackburn gave report.

NIRPC: President Benson gave report.

Depot Museum and Gallery: Councilor Blackburn gave report.

Marshal Clapp reported the tree removal and snow removal contracts are up for bids. Councilor Malik motioned for the Marshal to go out for bids for tree removal and snow removal. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline: Councilor Weber reported that CARDNO will lay new mats after revetment repair is complete.

Garbage can/recycling task force: Councilor Blackburn reported 125 people have the code and it is going well.

Smith Group progress and tasks: Vice President Loeb reported Smith Group will meet with steering group consisting of Town Council members, Porter County, and NPS stakeholders. Loeb reported the quarterly filing is complete.

New Business

ARPA Plan. CT Hundt supplied Council with sample plan and power point explaining steps in creating a plan. CT Hundt explained a plan must be created before any of the funds can be spent. The Town has until the end of 2024 to spend the money and until the end of 2026 to finish any projects. There was no reduction in revenue in 2020.

Written Communications

President Benson reported receiving written communication from Mary Corrigan regarding the delays in progress of the revetment repair at Lake View. President Benson reported on causes of delay and waiting for the NPS approval. The NPS reported today, October 19, 2021, that the work has been approved. Bracken to use Derby to gain access to beach for repair.

Town Council Comment

Councilor Malik reported she pushed NPS to have a face-to-face meeting.
Vice President Loeb wanted to remind everyone of the celebration taking place on October 23, 2021, to celebrate Ed Bracken and the volunteers.

Adjourn:

Motion to Adjourn by Councilor Weber.

Seconded by Vice President Loeb.

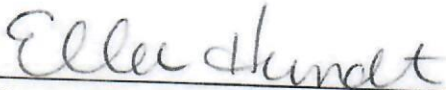
Unanimously approved.

Time: 9:31 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – November 16, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

Approve in principle the draft MOU for Fire Road maintenance

President Benson summarized the need for an official agreement between the Town and the NPS regarding the old roadbeds that are now paths west of Town limits. The Beverly Shores Park Board will be responsible for maintaining their portion and NPS will maintain theirs. See map attached to these minutes. Attorney Nolan will prepare a legal MOU. Vice President Loeb motioned for the Council to approve, in principle, a Memorandum of Understanding (MOU), that captures the relationship of the Town and the NPS regarding maintenance and use of Town roads, park property, and shared uses and needs of the property. Councilor Blackburn seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approve in principle new preferred route for Marquette Trail & letter of support

President Benson explained there is a new proposal for the Marquette Trail based on the survey showing there was not enough room on Beverly Drive for another lane and it would be too expensive. The new proposed trail is attached to this email. Councilor Weber motioned to have Geof Benson send a letter on behalf of the Town Council as a letter of support for this leg of the trail and Beverly Shores' participation in it. Vice President Loeb seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approval of Minutes

Approval of October 19, 2021, Council Meeting minutes

Vice President Loeb motioned to approve the minutes as presented. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: CT Hundt presented the following appeals:

12196/Harness: Councilor Blackburn motioned to deny appeal. Vice President seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = nay. Weber = nay. The motion passed 3:2.

Police Report – Marshal Clapp gave report.

Street Report – Marshal Clapp gave report. Clapp reported the Traffic Asset Management Report was accepted for 2021, qualifying the Town for the 2022 Community Crossings Grant, which opens in January 2022. There is crack filling that needs to be done. Councilor Malik motioned to approve Marshal Clapp going out for bids for the road work that needs to be done in anticipation of the grant. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Clapp received 2 bids on Friday, November 6, 2021, in response for snow removal and tree removal. Bids were opened. The first bid was from D & M for snow removal. The second bid was from Signature Lawns for snow removal and tree removal. Councilor Malik motioned to take the bids under advisement and to allow time for the Marshal to review. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to set a virtual Town Council meeting to award the bids for November 30, 2021, Thursday, 1pm. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea.

Ordinances & Resolutions

Ordinance 2021-13 AN ORDINANCE OF THE BEVERLY SHORES TOWN COUNCIL REVISING, REARRANGING, RESTATING, AMENDING AND RECODIFYING THE TOWN CODE: Councilor Malik motioned to approve on first reading. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Councilor Malik motioned to adopt ordinance. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Ordinance 2021-14 AN ORDINANCE OF THE BEVERLY SHORES TOWN COUNCIL ESTABLISHING THE LAKE MICHIGAN COASTAL PROGRAM GRANT FUND (225): Vice President Loeb motioned to approve on first reading. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Vice President Loeb motioned to consider on second reading during the same meeting as it was introduced. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. Vice President Loeb motioned to adopt ordinance. Councilor Blackburn seconded. There was a roll

call vote. Benson = yea Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Malik seconded. There was a roll call vote. Benson = yea Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

Susan Thomas, ERG. Reported the ERG held their Clean Water Action event but felt the weather might have kept people away. She has made email templates and contact sheets available at the Clerk-Treasurer's office.

Angela Maurello, DWC. Requested a meeting with a Council member to get definition of "contractor" for a write up for the DWC. Vice President Loeb will meet with her.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: Nothing to report.

Park Board: Councilor Malik gave report.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: No meeting.

Capital Planning Committee: No meeting.

Fire & Emergency Management: Councilor Weber reported the BSVFD discussed the use of ARPA funds for protective gear. Weber reported the new contract will be ready for review next month.

Indiana Dunes National Park: Councilor Blackburn reported two meetings with NPS regarding the Marquette Trail. Councilor Weber reported meeting with Smith Group, DNR, and NPS regarding shoreline planning.

Plan Commission: Councilor Blackburn gave report.

NIRPC: President Benson gave report.

Depot Museum and Gallery: Councilor Blackburn gave report.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings. President Benson reported on the need for additional emergency work that was done at Derby, Lakeview, and Shore. Ed Bracken did repair in all areas including additional work on

drains and building berm at Lakeview. NPS required the Town to put in a new metal drain at Shore. Benson reported all work is done at this time and the NPS has closed the special permit.

Ratify up to \$10k overage decision re: Lakefront repairs: President Benson requested the Town Council ratify emergency spending of up to \$10,000 from the 2020 Bonds Series. Councilor Weber motioned to ratify the appropriation, after the fact, of \$10,000 from the 2020 Bonds Series to pay for the repairs that have been described at Derby, Lakeview, and Shore. Vice President Loeb seconded. There was discussion. Benson reported that he felt there was a need to get this done. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Garbage can/recycling task force: Councilor Blackburn reported it is going well. Marshal Clapp reminded residents they need to move their bins back from the road after pickup as it is an ordinance violation.

Smith Group progress and tasks: Vice President Loeb reported on grant opportunities that will be beneficial to the Town. They have done their 3 Quarter reporting.

ARPA Plan: President Benson will start editing plan. Council Weber will begin researching spending opportunities.

New Business

Consider appropriating additional 2020 bond series funding for CARDNO to carry an additional one year of re-vegetation, stabilization, and related maintenance of the shoreline sand embankments. Councilor Weber motioned to add another year of maintenance at a cost not to exceed \$13,000. Vice President Loeb seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Written Communications

President Benson reported receiving written communication regarding the Marquette Trail which was discussed earlier in the meeting.

Town Council Comment

Councilor Malik told everyone to have a Happy Thanksgiving.

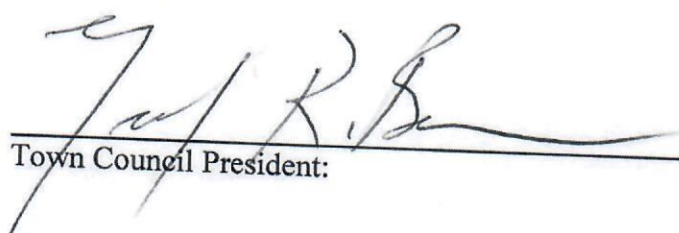
Adjourn:

Motion to Adjourn by Councilor Malik.

Seconded by Vice President Loeb.

Unanimously approved.

Time: 9:35 p.m.



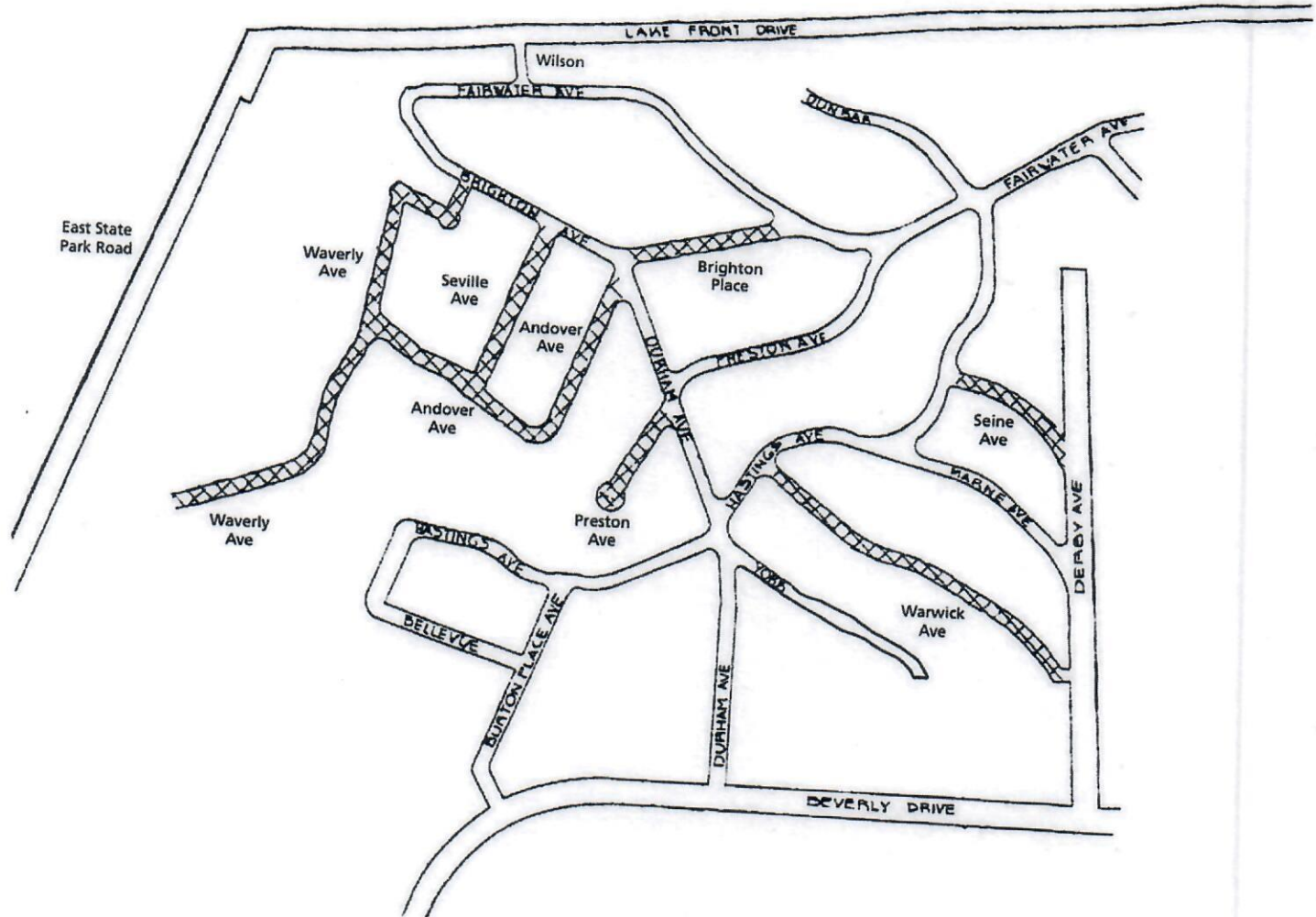
Town Council President:

Attest:

Ellen Hundt

Clerk-Treasurer
Ellen Hundt

Beverly Shores West End Trails



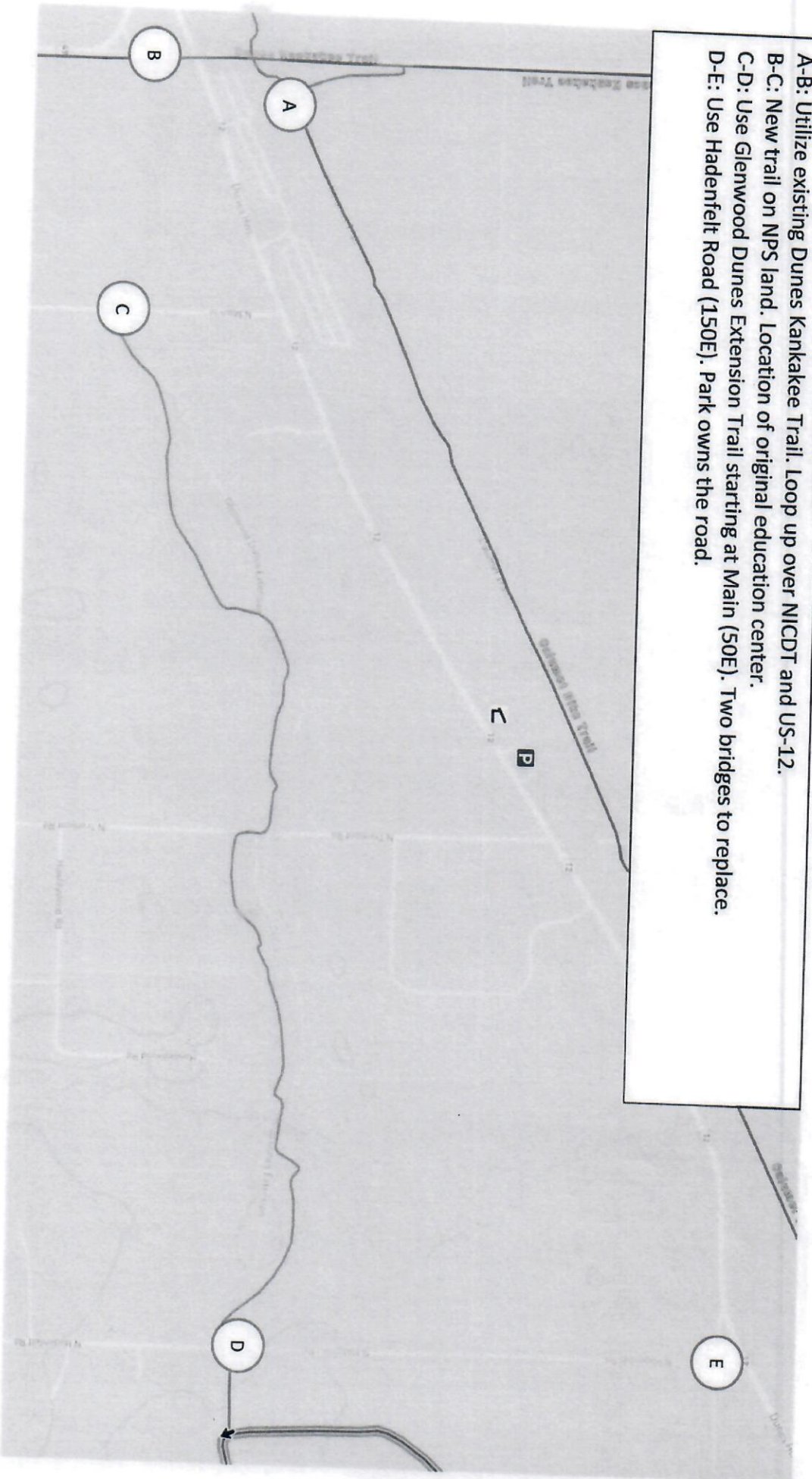
1. Dune Park Train Station to Furnessville Road

A-B: Utilize existing Dunes Kankakee Trail. Loop up over NICDT and US-12.

B-C: New trail on NPS land. Location of original education center.

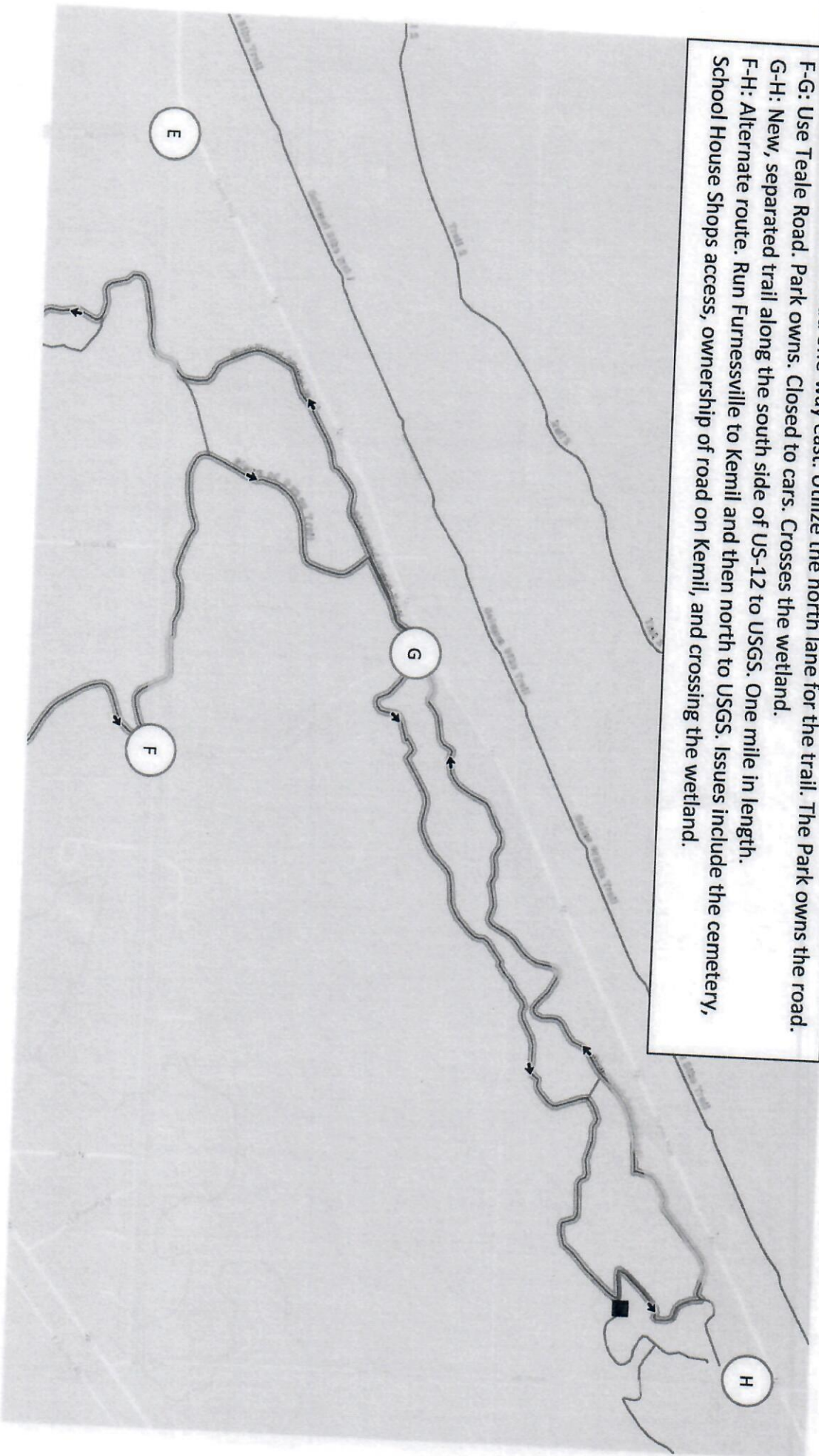
C-D: Use Glenwood Dunes Extension Trail starting at Main (50E). Two bridges to replace.

D-E: Use Hadenfelt Road (150E). Park owns the road.



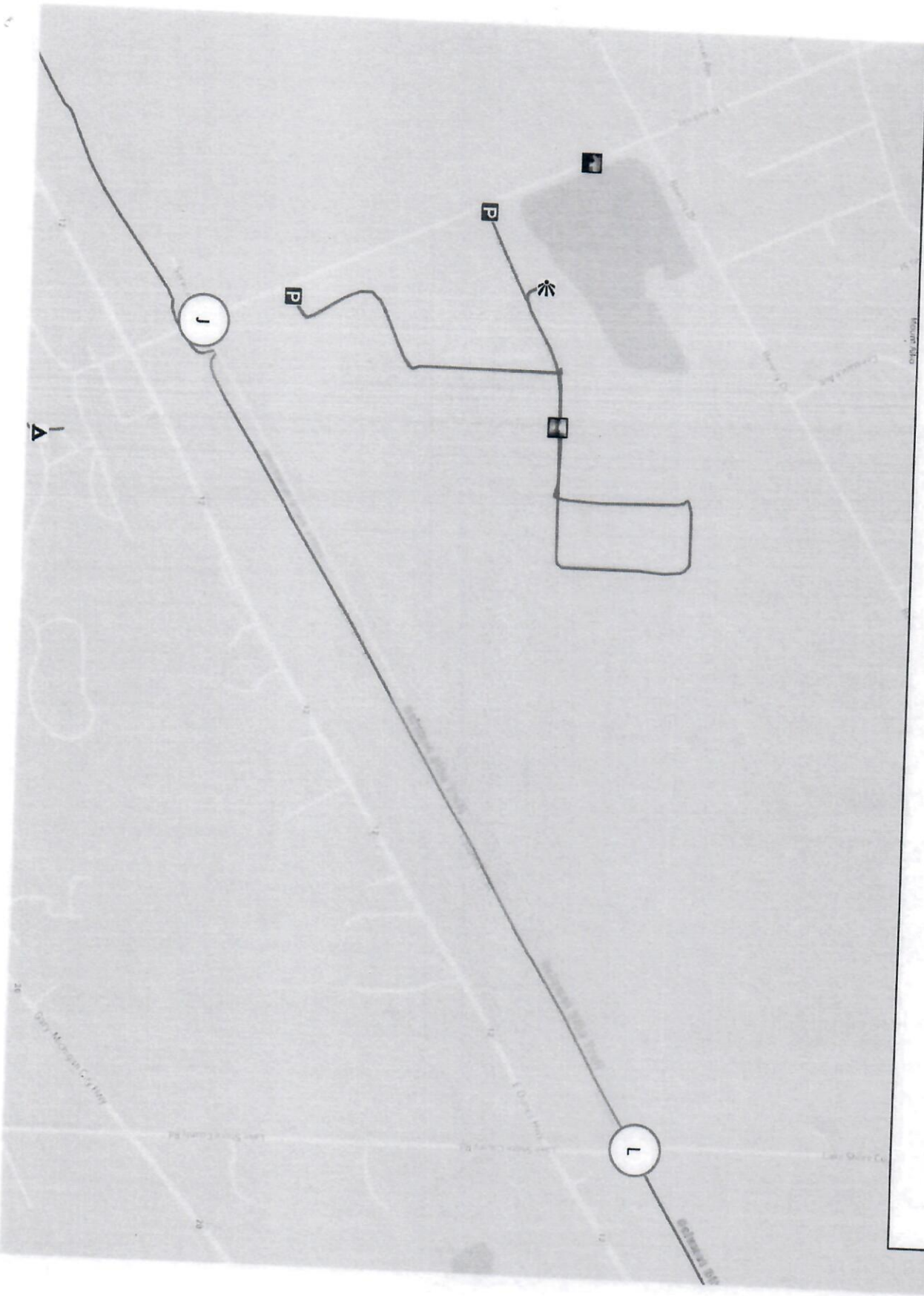
2. Furnessville Road to USGS (Kemil and US-12)

- E-F: Make Furnessville Road one-way east. Utilize the north lane for the trail. The Park owns the road.
- F-G: Use Teale Road. Park owns. Closed to cars. Crosses the wetland.
- G-H: New, separated trail along the south side of US-12 to USGS. One mile in length.
- F-H: Alternate route. Run Furnessville to Kemil and then north to USGS. Issues include the cemetery, School House Shops access, ownership of road on Kemil, and crossing the wetland.



4. Broadway (Train Station) to Lake Shore County Road

J-L: Utilize the roadbed of Service Avenue and then run as north as possible along the corridor. Prefer to run on park land. Move it off the existing route.



L-M: Run as north as possible along the corridor. Prefer to run on park land. Move it off the existing route.

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – November 30, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was broadcast live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan. Matrona Malik was absent.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Awarding of Bids for Snow Removal and Tree Removal

Councilor Blackburn motioned to accept the proposal from D & M Excavating for snow removal per the proposal submitted for a 3-year contract. Vice President Loeb seconded. Councilor Blackburn seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Weber = yea. Unanimously approved.

Councilor Blackburn motioned to accept the proposal, dated November 5, 2021, from Signature Lawns for tree removal. Councilor Weber seconded. Councilor Blackburn seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Weber = yea. Unanimously approved.


Adjourn:

Motion to Adjourn by Councilor Weber.

Seconded by Councilor Blackburn.

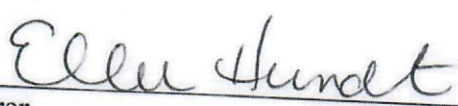
Unanimously approved.

Time: 1:11 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – December 21, 2021
Administration Building – 500 S. Broadway

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(*This meeting was broadcast live via Microsoft Teams and was recorded.*)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb (joined at 7:01pm due to technical issues), Matrona Malik, and Thomas Weber were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Town Attorney Connor Nolan.

Title VI Survey Availability

President Benson announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

None.

Approval of Minutes

Approval of November 16, 2021, Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Approval of November 30, 2021, Council Meeting minutes

Councilor Weber motioned to approve the minutes as presented. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: CT Hundt presented the following appeals:

12144/Kirtland: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Police Report – Marshal Clapp gave report.

Street Report – Marshal Clapp gave report. INDOT has cleaned out the drains at 12 & Broadway. During the process, a truck driving over a drain caused it to collapse a few inches. Clapp warns drivers to be aware of this area.

Ordinances & Resolutions

None.

Clerk-Treasurer's Report

CT Hundt requested an additional appropriation of \$7383.50 to pay for 2021 leaf removal, \$7238.69 from Fund 623; Garbage - Other Services and \$144.81 from Fund 101 General - Other Services. Vice President motioned to approved request. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Consideration of Claims –CT Hundt presented APV registers, noting items that were not in monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Blackburn seconded. There was a roll call vote. Benson = yea Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, Garbage reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series – Vice President Loeb motioned to approve. Councilor Weber seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved. RDA to approve claims at next meeting.

Public Comment

Carl Reed wrote that the Fowlers have proposed another RV resort at Highway 20 and Tremont Rd., 150+ parking pads.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: Vice President Loeb gave report.

Park Board: Councilor Malik gave report.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: Vice President Loeb gave report.

Capital Planning Committee: Councilor Blackburn gave report.

Fire & Emergency Management: Councilor Weber motioned to approve the new 5 year Fire Protection and Service Contract Between the Town of Beverly Shores, Indiana & the Beverly Shores Volunteer Firemen, Inc. Councilor Blackburn seconded. There was a roll call vote. Benson = yea Loeb = yea. Blackburn = yea. Malik = yea. Weber = yea. Unanimously approved.

Indiana Dunes National Park: Nothing to report.

Plan Commission: Councilor Weber gave report.

NIRPC: Nothing to report.

Depot Museum and Gallery: Councilor Blackburn stated the Council had received written correspondence from Suzy Vance, President of the Depot, requesting the Town pay for internet. President Benson recommended the use of a hot spots on individual smart phones as a way of internet access at an affordable price.

Unfinished Business:

AV equipment purchase and installation: No update.

Report on re-vegetation project on shoreline; consider methods to deter trampling of new plantings. Councilor Weber reported CARDNO completed repairs at Derby, Lake View, and Shore, planted marram grass, and repaired fences. Attorney Nolan is working on contract extension.

Garbage can/recycling task force: Councilor Blackburn reported it is going well.

Smith Group progress and tasks: Vice President Loeb reported Smith Group is ready to move forward on Task 3 which involves taking the information gathered in Task 2 and presenting different scenarios for consideration. Loeb recommended the Council discuss in January. A written communication was received by resident, Nancy Ide, regarding the East End. The Smith Group responded.

ARPA Plan: President Benson has been editing the draft of the plan. Council Weber has been researching spending opportunities and is confident the Town can use the funds for green infrastructure. Councilor Blackburn discussed using funds for the drain that runs under Derby. Benson recommended everyone continue to research and work on the plan draft.

New Business

None.

Written Communications

All written communication was previously discussed.

Town Council Comment

Councilor Malik wished everyone a Merry Christmas. Vice President Loeb wished everyone Happy Holidays.

Councilor Blackburn asked if the Town was going to do anything special for the Town's 75th anniversary. President Benson said that Carl Reed was doing something with the help of the fire department.

Annual appointments are open for the Plan Commission, BZA, Building & Building Site, Park Board, and Green Space. Interested parties should contact CT Hundt.

President Benson asked that residents take a drive to Soldier Park in LaPorte. LaPorte has made it a one-way drive around the lake with the other lane being a 2 lane walking and biking path.

Adjourn:

Motion to Adjourn by Councilor Malik.

Seconded by Councilor Weber.

Unanimously approved.

Time: 8:30 p.m.

Town Council President:

Attest:

Clerk-Treasurer

Ellen Hundt

