

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