

**Town of Beverly Shores**  
TOWN COUNCIL MEETING MINUTES – October 16, 2017  
Administration Building – 500 S. Broadway

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

**Roll Call** - Council Members: Donna Norkus, President, Greg Brown, Vice President, Geof Benson, Craig Nordstrom, and Brian O'Neil were present. Also, present: Clerk-Treasurer Ellen Hundt and Town Marshal Susan Resteau. Town Attorney Connor Nolan arrived at 7:05 p.m.

**2018 Budget Adoption**

Councilor Benson motioned to adopt the 2018 Budget Ordinance 2017-10 as presented. Councilor O'Neil seconded. Unanimously approved. Councilor Benson motioned to adopt the 2018 Budget Ordinance 2017-10 on second reading. Councilor O'Neil seconded. Unanimously approved.

**Public Presentations**

None.

**Approval of Minutes**

Minutes for the August 21, 2017 TC meeting were presented. Councilor Nordstrom motioned to approve. Vice President Brown seconded. Unanimously approved.

**Report of the Police Department & Street Departments**

**Violation Clerk Report**

Ct Hundt presented parking violation appeals:

*PV9547/Cha*: Councilor Benson motioned to deny appeal. Councilor Nordstrom seconded. Unanimously approved.

*PV 10277/Nordyke*: Councilor Nordstrom motioned to deny appeal. Vice President Brown seconded. Unanimously approved.

*PV10322/Wilson*: Councilor Benson motioned to deny appeal. Councilor O'Neil seconded. Unanimously approved.

**Street Report**

Marshal Resteau presented updates for the Street Department.

**Police Report**

Marshal Resteau presented updates for the Police Department.

**Ordinances & Resolutions**

None.

**Clerk-Treasurer's Report**

*Consideration of Claims* – Clerk-Treasurer Hundt presented APV register, noting items that were not monthly expenses. Councilor Benson motioned to approve. Councilor Nordstrom seconded.

Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, and Garbage reports.

**Public Comment:**

None.

**Reports from Committees/Liaisons:**

**ADA Progress:** Councilor Nordstrom gave report.

**Greenspace Committee:** Nothing to report.

**Park Board:** Vice President Brown gave report.

**Building & Building Site Committee:** Councilor O'Neil gave report.

**Board of Zoning Appeals (BZA):** Councilor Nordstrom gave report.

**Capital Planning:** Nothing to report.

**Fire & Emergency Management:** Jay Hennessey gave report.

**Indiana Dunes National Lakeshore:** Councilor O'Neil gave report. Council authorized Attorney Nolan to pursue reimbursement from Nation Park Service (NPS) for approximately \$6,735 in road damages due to flooding.

**Plan Commission:** Councilor O'Neil gave report. Attorney Nolan was authorized to work on ordinances for business licenses and tree removal.

**NIRPC:** Councilor Benson gave report.

**Depot Museum and Gallery:** President Norkus gave report.

**Unfinished Business:**

*Request to waive water tap-in fee for 7 S. Drake:* Attorney Nolan reported receiving response today from the attorney for 7 S. Drake. He has not had a chance to review it.

*Cellular Tower Request:* Councilor Benson gave brief background and reported land currently being considered is on Broadway between Lake Front Drive and Fairwater Avenue.

*Coastal (Historic Landmark) Grant:* Nothing new to report.

*Community Crossing Grant:* The Town received grant award of \$469,065.

*NIPSCO lighting:* Nothing new to report.

*Storage Facility (Phase III) update:* Councilor O'Neil reported construction has begun. Councilor O'Neil reported receiving questions regarding project via email from resident today. He answered the first two questions: 1) *Is there a building permit for the building?* No permit is required. 2) *Are there periodic inspection being made to ensure that the building is being constructed in accordance with Beverly Shores/Porter County/Indiana Code?* Yes. The Building Commissioner is up to date on plans and will be inspecting. Councilor O'Neil reported needing time to answer the remaining questions.

*Leaf pickup:* Nothing new to report.

*IDEM water certification:* Nothing to report.

*Beach replenishment:* Nothing to report.



*Depot Window repair/replacement:* President Norkus reported NICTD informed them that funds are not currently available.

### **New Business**

*IDEM beach monitoring contract:* Vice President Brown motioned to submit grant application for the 2018 IDEM beach monitoring funding. Councilor Nordstrom seconded. Unanimously approved. Councilor Benson abstained. Vice President motioned to allow Geof Benson to monitor the 2018 IDEM beach monitoring program. Councilor Nordstrom seconded. Unanimously approved. Councilor Benson abstained.

*Ordinance violation – Hood:* Council authorized Attorney Nolan to file an ordinance violation in Porter County Superior Court.

*NIPSCO tree removal request:* Councilor Benson motioned to table matter. Councilor Nordstrom seconded. Unanimously approved.

### **Referrals to Plan Commission**

*Sign ordinance:* President Norkus reported new federal court case ruling has make Town ordinance unconstitutional; no municipality may discriminate based on sign content. Councilor Benson will work with Attorney Nolan in redoing sign ordinance.

*Reasonable accommodation/town right-of-way:* Council authorized Plan Commission to expedite review of Town ordinances to allow stairs/steps in setbacks and right-of-way for equal treatment of those with mobility limitations.

*Marquette Greenway TIGER letter of support for NIRPC funding:* Town Council sent letter in support to NIRPC.

### **Written Communication**

None.

### **Town Council Comment**

None.

### **Adjourn:**

Motion to Adjourn by Councilor Benson.

Seconded by Councilor O'Neil.

Approved by unanimous vote.

Time: 8:38 p.m.



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Town Council President: Donna Norkus

Attest:



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Clerk-Treasurer Ellen Hundt