

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.

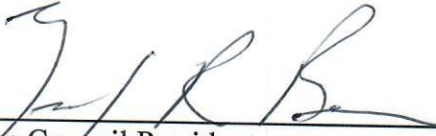
Adjourn:

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