

TOWN OF LONG BEACH  
TOWN COUNCIL MEETING @ Town Hall  
APRIL 8, 2019  
7:00 p.m.

Attending tonight's meeting were council members Bob Lemay, Pete Byvoets, Jane Neulieb, Joy Schmitt, Nick Meyer, Clerk-Treasurer Bill de Funiak, Town Attorney Chris Willoughby of Braje, Nelson & Janes, Police Chief Robert Sulkowski, and Fire Chief John Wall; Marilyn Jones & Associates videographer and court reporter, Becky Lempa; and ALCO TV; there were approximately 25 audience members present. Street Superintendent Tom Dolph was absent.

After the **Pledge of Allegiance**, the Town Council meeting minutes of March 11th were approved 5– 0 with a motion and second by Schmitt and Byvoets. Minutes of March 12<sup>th</sup> meeting approved 5 – 0 with motion and second by Byvoets and Schmitt. Minutes of March 18<sup>th</sup> meeting approved 4 – 0 with motion and second by Byvoets and Neulieb; Schmitt abstained since she didn't attend that meeting. Minutes of March 19<sup>th</sup> meeting approved 5 – 0 with motion and second by Schmitt and Byvoets.

**Reports were Read:**

**Police Department /Police Commission-** Police report for March was read by Chief Sulkowski. Byvoets read the report for the police commission meeting that was held March 6<sup>th</sup>.

**Fire Department/Fire Commission** – John Wall gave the March YTD report and spoke of the progress on the new station. The Duneland Beach Fire Contract was discussed at the Fire Commission meeting March 26<sup>th</sup>.

**Street Department/Street Commission** – Jane Neulieb reported on all department and commission news in Tom Dolph's absence. Leaf pick up for spring clean up will begin on April 15<sup>th</sup> and continue through the 26<sup>th</sup> until all leaves are removed from town. The tennis courts' nets are up; street paving is on track.

Matt Miniell of Haas Engineering was present at tonight's April 8<sup>th</sup> meeting. He stated that there is an April 15, 2019 INDOT deadline to submit some CCMG paperwork. Once paving begins the duration could be approximately 180 days from start to finish.

**Park Board** met on March 26<sup>th</sup>. Joy Schmitt gave the park report and stated the April meeting will be held on the 23<sup>rd</sup> at Town Hall, 6:00 p.m.

**Long Beach Community Center Committee** – Joy Schmitt reported the committee met on April 1<sup>st</sup> at the community center. The building heating system was switched to A/C for the season.

**Water Board** – Nick Meyer gave the March 25<sup>th</sup> meeting report. He stated that Board Member Randy Eckley had passed and there is a vacancy on the Water Board to be filled. At the upcoming April 22<sup>nd</sup> Water Board meeting, the Board will discuss possible candidates and take recommendations to the May 13<sup>th</sup> Council meeting. Next Water Board meeting will take place April 22<sup>nd</sup> at 9:00 a.m. at Town Hall.

**Budget and Finance** – de Funiak said no meeting was held in March.

**Human Resources Advisory Committee** – There was no meeting to report.

**Building Department** – Byvoets had no report for the department this month.

**Board of Zoning Appeals** met on March 12<sup>th</sup>. Lemay reported (2) preliminary hearings were heard and advanced to public hearing in April. 1403 LSD, Jacobson , and 2742 Floral Trail, Applegate.

**Advisory Plan Commission** – Nick Meyer provided information on Stop 24 development. Any development at the stop will likely occur after Labor Day. The Parking Ordinance was discussed but some review of state laws/restrictions needs to be conducted. A Public Hearing will be scheduled later this year. Nick was hopeful that the new web-site and host would be operational by Summer, 2019.

March 2019 **permit revenue** report:

De Funiak reported fees of \$3,704.60 collected on project costs of \$280,243.00.

There were also 3+ electrical permits issued for \$522.00 with town revenue of \$52.20 and 1 street cut/boring permit for 1402 LSD, Jakska – revenue \$100.00.

**Legal Expenses** paid in March totaled \$11,109.50: \$5,737.50 to Braje, Nelson & Janes, LLC; and \$5,372.00 to Knight, Hoppe, Kurnik & Knight.

A motion was made by Schmitt and seconded by Byvoets to approve all reports. Motion carried 5 - 0.

**Old Business** – Joy Schmitt provided an update on the sewer project. Haas Engineering provided a bid of \$46,815 for a 6 month capacity study to be performed with Michigan City Sanitary District (MCSD). MCSD will pay for the study and it will be assimilated into the overall project costs for the sewer. In the event that LB does not proceed with sewers, LB will reimburse MCSD. To that end, Byvoets made a motion, seconded by Schmitt to approve this potential expense. After considerable discussion, the motion passed 4 – 1.

**New Business** – Bob Lemay discussed the existing Toter Ordinance and its enforcement. He assured the public that no fines would be levied until further review by APC and the Council. The purpose of the ordinance is to beautify the town, not to collect fines.

Attorney Willoughby discussed the judgment by the court to reimburse the attorney for former Building Commissioner Tomscheck. The fee paid to Douglas, Koeppen & Hurley was \$19,000 and Braje, Nelson agreed to provide a \$3,500 credit. Willoughby stated that attorney representation for a town official was similar to the hiring of Knight, Hoppe, Kurnick & Knight to defend the council and appointed town officials in the Osborne suit.

**Public Comments** – Mary Lou McFadden asked questions about the termination of Building Commissioner Tomscheck. She also asked about the new planter on Chastleton Drive at Avondale Drive.

**Claims Approval:** Motion by Schmitt and second by Byvoets to approve claims #16196 through #16267, totaling \$213,101.06 and salaries for March of \$68,398.55; approved 5-0.

Motion and second to adjourn by Byvoets and Schmitt. Meeting adjourned at 8:00 PM.

Respectfully submitted,

Bill de Funiak,

Clerk-Treasurer