

TOWN OF LONG BEACH  
TOWN COUNCIL MEETING @ Town Hall  
SEPTEMBER 9, 2019  
7:00 p.m.

Attending tonight's meeting were council members Bob Lemay, Jane Neulieb, Nick Meyer (in after Police Dept. report was read), Joy Schmitt, Clerk-Treasurer Bill de Funiak, Officer Mitchell Sightes, Town Attorney Chris Willoughby of Braje, Nelson & Janes, Marilyn Jones & Associates videographer and court reporter, Becky Lempa; and ALCO TV. There were approximately 21 audience members present. Councilman Byvoets, Street Superintendent Dolph, Police Chief Sulkowski, and LBVFD Chief Wall were absent.

After the **Pledge of Allegiance**, the minutes of August 12, 2019 were approved with motion and second by Neulieb and Schmitt, respectively.

**Reports were Read:**

**Police Department /Police Commission-** Police report for August was read by Officer Sightes for Chief Sulkowski. There was no Police Commission report to read this evening.

**Fire Department/Fire Commission** – John Wall was absent so no reports were read and no commission meeting was held

**Street Department/Street Commission** – Tom Dolph was absent; Lemay gave a brief report for the department. Jane mentioned that paving for the year 2020 was discussed at the September commission meeting and is progressing with Haas and Associates continuing their work with Tom Dolph and Bill deFuniak on the Community Crossings Grant for the next year.

**Park Board** – Joy Schmitt read the report and gave a “Beach Stop” improvements update.

**Long Beach Community Center Committee** – Joy Schmitt read the monthly report.

**Water Board** – Nick Meyer reported for the August meeting held August 26th. He spoke of beautifying the lift station on Moore Road. Budgeted repairs to the water tower will begin next month. The “tap fee charges” ordinance will be discussed in new business this evening.

**Budget and Finance** – The committee will meet at 8:30 a.m. on September 11<sup>th</sup> at Town Hall. de Funiak also stated the 2020 budget hearing will be held September 23<sup>rd</sup> in Town Hall at 7:00 p.m. He needs at least 3 council members to attend.

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

**Building Department** – Lemay discussed the August meeting and issues that continue:

- 1802 LSD, Perry residence-the homeowner has 30 days to get in conformance or petition the BZA. Otherwise “the C of O will be rescinded and the homeowner will have to find another place to live”.

- 1906 LSD, the Nash residence- Continued work without a registered contractor and without a permit. No C of O will be issued until resolved.
- 2943 LSD, the Miniat residence-The building commissioner will speak with the homeowner regarding a resolution to the retaining wall.
- 2909 LSD, the Maschmeyer residence- There is work being done beyond the submitted scope of work. A Stop Work Order was issued on this property.
- 3010 LSD, the Flando residence- Sand was moved at the property without permit; he was cited.
- 2308 LSD-The homeowner wants to build a deck next door to his residence but there is no primary structure on that lot.
- 2925 Roslyn Trail-The homeowner did his own plumbing but needed an inspection performed by a state licensed plumber. Foreman Plumbing performed the inspection; Lemay noted that Foreman Plumbing did not need to register since he has a state license and it was an inspection only.
- 2234 LSD – Put up a retaining wall on town property without a permit.
- 2116 LSD- A permit application was submitted with a \$50 permit fee but the homeowner gutted the entire house because of water damage and the scope of work is significantly higher than the application states. A stop work order was issued and homeowner needs an approved permit to commence.
- 2932 Mt. Claire Way -A non-registered contractor built a deck without a permit. Because of possible lot coverage issues homeowner should petition the BZA.
- In the last 6 weeks there were 5 stairs on seawalls put in on public trust property. All homeowners have been fined. They will be asked to take the stairs down. This issue is being discussed with the town attorney.
- 2010 Juneway – The commission mentioned rescinding Sunset Septic & Excavating's contractor registration with the Town. They had installed a septic without submitting a LP County Health Dept. permit.
- Permit applications submitted for Stops 14 and 18 had been approved.

Lemay reported the upcoming September 13th meeting has been cancelled, no new date announced .

**Board of Zoning Appeals** – Lemay stated an upcoming preliminary hearing will be held on September 10<sup>th</sup> for 2823 Elbridge and a public hearing for 1403 Lake Shore Drive.

**Advisory Plan Commission** – The sign ordinance which was approved by the town council went back to the APC for amendments. The APC accepted those amendments; the ordinance is now in effect.

Nick Meyer stated changes to an existing ordinance for the Shoreline Protection will need additional language to address stairs that extend past seawall structures. A workshop is being held October 7<sup>th</sup> at Town Hall with public response in by the close of September 30<sup>th</sup>.

August 2019 **permit revenue** report:

De Funiak reported 17 permits were issued with fees of \$4,140.00 collected on project costs of \$261,845.00. Two street cut permits for driveways brought in \$200 in revenue.

**Legal Expenses** paid in August totaled \$9,642.85; \$5,971.17 to Braje, Nelson & Janes, LLC and \$3,280.68 to Austgen, Kuiper & Jasaitas; and \$391.00 to Knight, Hoppe, Kurnik & Knight, Ltd.

A motion was made by Schmitt and second by Meyer to approve all reports. Motion carried 4 - 0.

**Old Business** – Joy Schmitt gave an update on the sewer project (See the attached information sheet). Haas Engineering is developing the preliminary study. The Stop 31 plan for the lift station was rejected by the MC Sanitary District and re-submitted for approval. A Public Hearing on the Sewer Project will be held later this year.

**New Business** – Nick Meyer spoke on the progress for the new website and showed a current design being developed. He solicited input from council for items to be added to the web-site.

Ordinance ##2019-04: Additional Appropriations for the Community Crossing Grant Fund was approved 4-0 after consideration, no public comment, suspension of rules, and a motion to approve by Joy and a second by Jane.

Ordinance #2019-05: An Ordinance of the Long Beach Town Council amending Title V, Chapter 50, Section 50.03(B) of the Code of the Town of Long Beach, Indiana - Nick Meyer announced the new tap fee charges in this ordinance. Joy motioned to approve, Jane seconded, and it was approved 4 – 0.

Clerk de Funiak announced, for the record, the largest check he had ever written from his office, the invoice from Walsh & Kelly in the amount of \$624, 566.66, for the road improvement paving project.

Nick announced the Stop 24 will be moving forward with the \$100,000 matching federal grant.

**Public Comments** – Mr. Haggerty, Lake Shore Drive, asked about copper pipes instead of galvanized when the sewer goes in on Lake Shore Drive. Ernie Summers, Elbridge Way, questioned the building commission report, and if the retaining wall issues at 2919 LSD property had been discussed at their building commission meeting. Lemay said he would send the inspector out to the property. Mary O’Neil, Lake Shore Drive, questioned L. Wall Constructors’ saw horses across the street from her and how their lengthy stay relates to the new sign ordinance.

There were no additional **comments** from the **council**.

Claims Approval: Motion by Schmitt and second by Neulieb to approve claims #16584 through #16651, totaling \$753,188.93 and salaries for August of \$64,596.58; approved 4-0.

Motion and second to adjourn by Schmitt and Meyer, approved 4-0. Meeting adjourned at 7:55 PM.

Respectfully submitted,

Bill de Funiak,

Clerk-Treasurer