

TOWN OF LONG BEACH
TOWN COUNCIL MEETING at TOWN HALL
June 11, 2018
7:00 p.m.

Present were Pete Byvoets, Joy Schmitt, Bob Lemay, Jane Neulieb, Nick Meyer; Clerk-Treasurer Bill de Funiak, Police Chief Bob Sulkowski, Street Superintendent Tom Dolph, Long Beach Volunteer Fire Chief Dave Albers and Town Attorney Chris Willoughby of Braje, Nelson & Janes. There were approximately 30 townspeople in attendance.

Pledge of Allegiance

Approval of Council Meeting of May 14, 2018 and Special Council Meeting of May 23, 2018; motion made by Schmitt, second by Byvoets for approval, were approved 5 – 0.

Police Department – Chief Sulkowski presented the May, 2018 police report.

Police Commission – Pete Byvoets reported that a meeting was held on June 6th. Body camera procedures and financing was discussed. Collection of overdue citations will be coordinated with Braje, Nelson and Janes. Resident complaints regarding political signs, RV's and short- term rentals were reviewed. Jane Neulieb asked about the May 8th Supreme Court ruling referenced in recent minutes.

Fire Department/Fire Commission – Dave Albers read the YTD report through May. Dave indicated that there was no Fire Commission meeting.

Street Department – Tom Dolph reported that several areas in town had drainage issues that were being evaluated. The town hired an outside contractor to vacuum several obstructed drains. Pete Byvoets mentioned that he had viewed a truck entering the Maintenance Building area with a full load of debris and leaving empty. Superintendent Dolph stated that that situation has been and continues to be a problem.

Street Commission – Jane Neulieb reported on the 5:30 p.m. Street Commission meeting held on May 16th. The beach steps at Stop 19 have been completed. Work to be done at Stops 22 and 26 was reviewed. The tennis court fence was repaired at minimum cost by the Town's street and water departments' employees. Jane provided details about coordinating our Pavement Asset Management Plan (PAMP-recently completed by Haas & Associates) with INDOT. Tom Dolph has agreed to serve as ERC, which is a required position before Community Crossing grants will be approved by INDOT.

Park Board – Joy Schmitt thanked all the participants in the June 9th beach cleanup. Review is still underway on the apparent encroachment on town property at Stops 18 and 30.

Long Beach Community Center Committee – Joy Schmitt indicated that committee member Doug Wickstrom will be developing the bid package for the Community Center roof replacement. He requests Attorney Willoughby's assistance in preparing a sound and legal document for publishing.

Water Board – Nick Meyer reported that random sampling of water quality in Long Beach is underway and a report should be delivered to residents later in June.

Budget and Finance – Pete Byvoets reported that, at the last meeting, the committee discussed the sewer system under consideration. The 2019 budget development will begin shortly.

Human Resources Advisory Committee – No report.

Building Department – Bob Lemay reported on the recent building commission meeting.

BZA Report – Lemay reported that a special BZA board meeting was convened on May 30, 2018 to provide background to the new special BZA members on the case which is to be heard.

Advisory Plan Commission – Nick Meyer reported on the APC meetings held in May. The Beach Protection Overlay Ordinance was discussed at a Public Hearing held on Thursday, May 24, 2018 at 7 P.M. in the Community Center Gym. Constructive comments were made by the speakers and residents in attendance and a continuation of the Hearing will be conducted in the same venue on June 28, 2018 at 7:00 p.m. Meyer provided a project report on the Stop 24 demolition.

May permit revenue report:

De Funiak reported that permits were issued with total project costs of \$536,833.00 with town revenue of \$5,350.00.

C-T de Funiak announced that 7 electrical permits were issued for \$1,487.00 with town revenue of \$148.70.

2 Street cut permits with town revenue of \$200.00.

Legal Expenses – Legal expenses paid in May were \$9,575.86 to Braje, Nelson & Janes, LLC.

Motion was made by Byvoets and second by Meyer to approve the reports. Motion carried by 5-0.

Old Business –

Attorney Willoughby contacted the attorney for Duneland Beach and was informed that the Police Protection Agreement had been approved at their (Duneland Beach) last meeting. Neulieb made a motion to approve the agreement, seconded by Byvoets, passed by a vote of 5-0.

Meyer and de Funiak explained that the 1929 pipe within a pipe was not expected by the water department or Woodruff when the pipe capping project was begun at Stop 24, which resulted in an additional \$5,666.00 expense. Motion by Meyer, second by Schmitt to approve this cost, was passed 5-0.

De Funiak has requested a formal quotation from Horizon Bank for the new police car purchase. It will be for a loan of \$30,000 with a 3- year term.

Schmitt reported that a public meeting will be held on July 14, 2018 at 9:00 a.m. at the gym in the Community Center to discuss the potential of a Long Beach sewer system.

New Business –

A representative for resident Britt Whitfield requested a street closure at her Belle Plaine Trail home for a party to be held the evening of July 7, 2018. Motion was made by Byvoets, seconded by Schmitt to approve this street closure with the purchase (by the homeowner) of a certificate of insurance indemnifying the town for any damages or injuries as a result of this function. Motion was passed 5-0.

Greg Alberding of the Long Beach Civic Association spoke in regards to the annual Independence Day celebration sponsored by the Civic group. Town Council approved the function unanimously.

Motion by Byvoets and second by Schmitt to approve the Higdon family 5K run for July 4, 2018. It was noted this is the family's 20 anniversary for sponsoring this run. It was passed by a vote of 5-0.

Attorney Willoughby suggested that the changes suggested to the Toter Ordinance be posted on the web-site and that a vote on the ordinance be deferred to a future meeting. Byvoets made a motion, seconded by Schmitt to defer the Toter Ordinance; motion carried by a vote of 4-1.

Attorney Willoughby explained that the Height Ordinance scheduled for Public Hearing had been certified by the Advisory Plan Commission (APC) and that certification had been delivered to the Town Clerk.

President Lemay opened the Public Hearing on the Height Ordinance. No comments for or against were presented, so the public hearing was closed. Council comments by Meyer and Neulieb suggested that the wording in some parts of the ordinance could be re-worked. Councilman Byvoets made a motion to accept the ordinance as presented, but no second was achieved. Motion made by Meyer and second by Neulieb to return the ordinance to the APC was approved 5-0.

Proposed modifications are on file in the Town Clerk's office.

A motion was made by Byvoets to amend portions of the Town's **Ordinance Amending Portions of the Text of the Zoning Code**, pertaining to "sections that are duplicative and conflicting with certain provisions of Chapters 150 and 151"; seconded by Lemay was passed 5-0.

Motion by Byvoets and second by Schmitt to amend the agenda to consider Haas & Associates proposal for consulting with the Street Department and Doug Wickstrom to work with Attorney Willoughby in the development of the LBCC roof RFP. Motion carried unanimously.

Motion by Byvoets and second by Schmitt to approve the Haas/Street agreement was approved 5-0.

Motion by Neulieb and second by Schmitt to approve Wickstrom/Willoughby collaboration was approved unanimously.

Public Comments –

Jane responded to resident Deb Schenk's questions about water testing.

Resident Mark Oldis asked if consultant Shabica was attending the June 28th APC meeting.

Resident Bob Boyce asked how much of the pump house is still buried at Stop 24 after the demolition of the building.

Resident Mary Lou McFadden questioned if there is a security gate at the maintenance garage.

Resident Jim Neulieb addressed the council about their new "beach rules".

Council Comments – Nick Meyer announced that only the wingwalls were left after demolition of the Stop 24 pump house; he will research to see if there was a performance bond for the project. He said he will get back to the public regarding Boyce's requests. Jane Neulieb reported from the health department's website on Schenk's comments regarding the dirty lake water at Stop 30. Jane also commented on the public's concerns about property left on the beach.

Byvoets agreed with having all beach stops routinely cleaned.

Jane stated that the Stop 24 project was 100% covered by a performance bond.

Claims Approval: Motion by Schmitt and second by Byvoets to approve check numbers #15465 through #15531, totaling \$101,507.04 and salaries for May of 61,551.03; approved by a vote of 5-0.

Meeting adjourned at 9:15 PM. with motion and second from Byvoets and Schmitt.

Respectfully submitted,

Bill de Funiak Clerk-Treasurer