

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – January 17, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:01 p.m. and began with the Pledge of Allegiance.
(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn, Matriona Malik, and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Attorney Connor Nolan.

CT Hundt asked if there was a motion to elect a Council President. Councilor Loeb motioned to elect Geof Benson as President. Councilor Malik seconded. Unanimously approved.

President Benson asked if there was a motion to elect a Council Vice President. Councilor Malik motioned to elect Councilor Loeb as Vice President. Councilor Blackburn seconded. Unanimously approved.

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

John Cannon, NWI Outreach Representative, Office of Attorney General Todd Rokita
Cannon introduced himself and discussed some of the things his office is involved in: Legislative interpretation, unclaimed property, consumer protection, Medicaid fraud, recalls, etc.

Requests to use Town Hall

CT Hundt presented 2 requests for the use of Town Hall. Councilor Malik requested the applications be uploaded to the shared drive prior to meeting. Vice President Loeb motioned to approve the use of Town Hall for the ABSR monthly board meeting and for February 19 and March 5 for ABSR's Speaker Series. Councilor Malik seconded. Councilor Norkus offered an amendment to remove the approval of the ABSR's monthly board meetings as it is already covered in the Rules for the use of Town Hall. Vice President Loeb motioned to accept removal. Councilor Malik seconded. Unanimously approved.

Approval of Minutes

Approval of December 20, 2022, Council Meeting minutes
Councilor Malik motioned to approve the minutes as presented. Councilor Blackburn seconded. Unanimously approved.

Elections and Appointments for 2023

Park Board: Councilor Malik motioned to reappoint Paula Tillman to the Park Board for a 4-year term. Councilor Norkus seconded. Unanimously approved.

Green Space Committee: Vice President Loeb motioned to reappoint Joan Solbeck for a 3-year term. Councilor Malik seconded. Unanimously approved. Councilor Blackburn motioned to reappoint Larry Stanton for a 3-year term. Councilor Malik seconded. Unanimously approved. Councilor Malik motioned to appoint Thomas Dodd to a 3-year term. Councilor Norkus seconded. Unanimously approved.

BZA: President Benson reappointed Mary Fulghum for a 4-year term.

Plan Commission: President Benson reappointed David Phelps for a 4-year term as the Citizen member.

Attorney: Councilor Malik motioned to reappointment Harris Welsh & Lukmann as legal counsel. Councilor Blackburn seconded. Unanimously approved.

Street Superintendent and Marshal: Councilor Malik motioned to reappointment Edward Clapp. Councilor Blackburn seconded. Unanimously approved.

Fire Chief: Councilor Malik motioned to reappointment Andy Himan Sr. Councilor Blackburn seconded. Unanimously approved.

Monthly meeting days and times: Third Tuesdays at 7pm.

Newspaper for Legal Notices: Vice President Loeb motioned to use NWI Times. Councilor Blackburn seconded. Unanimously approved.

Bank of Record: Councilor Malik motioned to continue using Porter Bank. Councilor Norkus seconded. Unanimously approved.

Building Commissioner: Councilor Malik motioned to reappointment David Wagner. Vice President Loeb seconded. Unanimously approved.

Building and Site Committee- 5: Councilor Malik motioned to reappointment Mark Lies, David Wagner, Scott Vlieg, Margaret Williford, and Brian O'Neil for 1 year terms. Vice President Loeb seconded. Unanimously approved.

Plan Commission 3: Vice President Loeb motioned to reappoint John Blackburn, Donna Norkus, and Larry Stanton for one year. Councilor Malik seconded. Unanimously approved.

NIRPC Commissioner: President Benson appointed CT Hundt.

Capital Planning Committee: Councilor Norkus motioned to reappoint Steve Coughlin, as resident member, and John Blackburn, as Council member (term limit?). Councilor Malik seconded. Unanimously approved.

RDA Transit Development District: Councilor Malik motioned to appoint John Blackburn as representative. Councilor Norkus seconded. Unanimously approved.

Council liaisons:

ADA: Malik

Building & Building Site Committee: Loeb

BZA: Norkus

Capital Planning Committee: Blackburn

~~*Depot Museum and Gallery:*~~

Fire & Emergency Management: Loeb

Greenspace Committee: Loeb

Indiana Dunes National Park: Blackburn and Loeb

Park Board: Norkus

Plan Commission: Norkus and Blackburn

Police Dept: Malik

~~*Volunteer Fire Dept*~~

Report of Police & Street Departments

Violation Report: Nothing to report

Police Report: Marshal Clapp gave report. Kevin Murphy is new full-time midnights officer.

Street Report: Attorney Nolan and Clapp to prepare and advertise for bids for the 2023-01 Community Crossings Grant. A Council meeting will be held on Friday, January 27 at 2pm to open bids. (This meeting was later rescheduled for Wednesday, January 25, 2023 at 3:30 due to the CCG deadline being the 27th.)

Ordinances & Resolutions

None.

Clerk-Treasurer's Report

CT Hundt presented the 2023 Republic Contract that included a monthly increase of \$425. Councilor Norkus motioned to have a public hearing for a rate increase. Councilor Blackburn seconded. There was discussion. Attorney Nolan advised that a public hearing was only required if the Town Council were to raise garbage & recycling fees to the residents. Councilor Norkus motioned to vacate the public hearing. Councilor Blackburn seconded. Unanimously approved. Councilor Norkus motioned to approve the contract as presented. Councilor Blackburn seconded. Unanimously approved.

Consideration of Claims –CT Hundt presented 2 APV register, noting items that were not monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Blackburn seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue,

Appropriation reports, 4 bank reconciliations, payroll reports, and Automatic Transfers. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: No meeting.

Park Board: No meeting.

Building & Building Site Committee: Vice President Loeb gave report.

Board of Zoning Appeals: No Meeting

Capital Planning Committee: Councilor Blackburn gave report.

Fire & Emergency Management: President Benson gave report. Matt Smith has taken a leave of absence from the department.

Indiana Dunes National Park: No meeting

Plan Commission: Councilor Norkus gave report.

NIRPC: Nothing to report.

Depot Museum & Gallery:

Unfinished Business:

Carolina Ave Campsite MOA with NPS progress: Nothing new to report.

Smith Group progress and tasks: Nothing new to report.

Resolution from Town Council Re: Town Right of Way: Attorney Nolan to have prepared resolution at next meeting.

New Business

CT Hundt announced that Sally Bagnall has been sworn in as Deputy Clerk-Treasurer.

Public Comment

Mike McCurdy, 41 S. Oval: Stated that the Building Commissioner and the entire Building & Building Site Committee are not qualified, and their authority is illegal.

John Mackin, 204 S. Quigley. Stated he is still waiting for information about ADA compliance on the Reborra stairs. Stated he is waiting for information he requested about new stairs at Shore Ave.

Nick Davey, Township Trustee: Introduced himself and Mark Schneider as new members of Pines Township Board.

Glenn Clarke, 712 E. Wilson.: Stated the entire Building & Building Site Committee should resign.

Written Communications

None.

Town Council Comment

Councilor Malik thanked all the volunteers who serve on the Town's committees and boards. Malik further stated we are all neighbors and should treat each other as such.

Adjourn:

Councilor Malik motioned to adjourn.

Councilor Blackburn seconded.

Adjourned at 8:16 p.m.

Town Council President:

Attest:

Clerk-Treasurer

Ellen Hundt

[Handwritten signature of Town Council President]
[Handwritten signature of Clerk-Treasurer Ellen Hundt]

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – January 25, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 3:30 p.m. and began with the Pledge of Allegiance. *(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)*

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn (attended remotely), Matrona Malik, and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt and Marshal Ed Clapp. Attorney Connor Nolan was absent.

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.

Use of Town Hall

President Benson requested Council ratify his decision to allow Senator Braun's staff to use Town Hall on January 30, 2023 from 2pm to 4pm. Councilor Norkus motioned to ratify. Vice President Loeb seconded. Unanimously approved.

Opening of Bids

There were no bids available at this time. Councilor Norkus motioned to recess the meeting until 5pm. Vice President Loeb seconded. Unanimously approved.

The meeting was resumed at 5pm. Two bids were received from Rieth-Riley Construction for two separate road projects. The first bid for 2023-01 totaled \$65,865. The second bid for 2023-02 was \$55,255. Councilor Malik motioned to take bids under advisement. Councilor Norkus seconded. Unanimously approved.

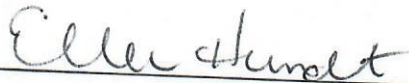
Adjourn:

Councilor Norkus motioned to adjourn.
Councilor Malik seconded.
Adjourned at 5:02 p.m.



Town Council President:

Attest:



Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – February 21, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn (attended virtually), Matrona Malik, and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and 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

Requests to use Town Hall

CT Hundt presented 2 requests for the use of Town Hall.

Councilor Norkus motioned to approve the use of Town Hall for the ABSR Necktie Run on Friday, June 16, 2023 from 4:30 p.m. – 7:30 p.m. Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Councilor Malik motioned to approve the use of Town Hall for the ABSR Garden and Art Walk on Saturday, June 24, 2023 from 8:30 a.m. - 3:30 p.m. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Approval of Minutes

Approval of January 17, 2022 Council Meeting minutes

Approval of January 25, 2022 Council Meeting minutes

Councilor Malik motioned to approve both sets of minutes as presented. Vice President Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: CT Hundt reported the 2022 unpaid violations have been sent to Attorney Nolan for collections.

Police Report: Marshal Clapp gave report. A new directional exterior police department sign was presented.

Street Report: Marshal Clapp gave report. The CCG2023-01 application was submitted. Clapp reported the Michigan City Water Department flushed the new hydrants on Lake Front and flooded the road near Kemil as well as washed out the sand at the end of the road. Water Department was contacted. Clapp to work with them to figure a better alternative. Councilor Malik asked about the speed limit on Lake Front and if was going to change. The speed limit used to be 25 mph but was changed during the erosion emergency. Councilor Norkus asked if there were guidance for speed limits. There was discussion about speed limits throughout town.

Adjourn:

Councilor Norkus motioned to adjourn.

Councilor Malik seconded.

Adjourned at 8:24 p.m.

Town Council President:

Attest:

Clerk-Treasurer

Ellen Hundt

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It was determined that Clapp should take a look at speed limits throughout the town and get back to Council with information.

Ordinances & Resolutions

Ordinance 2023-01: Additional Appropriations for Multiple Funds

CT Hundt read the ordinance. There was no public comment. Attorney Nolan presented the ordinance on first reading.

Councilor Malik motioned to approve on first reading. Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea.

Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Councilor Norkus seconded. There was a roll call vote.

Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Attorney Nolan presented the ordinance for second reading. Councilor Malik motioned to adopt ordinance. Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Resolution 2023-01: Jurisdiction for Town Rights-of-Way

The resolution clarifies that the Street Superintendent is responsible for mowing the Town's rights-of-ways. Vice President Loeb motioned to approve the resolution as presented. Councilor Malik seconded. There was discussion. Norkus asked about Park Board properties. Clapp explained that a former employee had been responsible for all mowing, the street and park department paid him for the work, and he had his own equipment. Blackburn asked if it was appropriate for two departments to go out for bids for the same service. Benson gave history of how the responsibilities have changed over the years. Loeb suggested the Park Board have their own resolution. It was determined that the Park Board should be responsible for Park Board property. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the January APV register, noting items that were not monthly expenses. Vice President Loeb motioned to approve the APVs as presented.

Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Approval of the 2022 Annual Financial Report (AFR): Councilor Norkus asked CT Hundt to explain the Capital Assets report included in the AFR. CT Hundt explained the depreciation and the reductions/additions. Councilor Blackburn explained he had reviewed the report and discussed the changes that were made from the 12/31/22 Fund Report. Vice President Loeb motioned to approve the 2022 AFR as presented. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Consideration of Claims for Bonds, 2020 Series: No claims.

CT Hundt informed the Town Council she would be at the ILMCT Institute & Academy at the same time as the March Town Council meeting. Hundt asked if the Council wanted to move the meeting so it could be a hybrid or just not have a hybrid meeting. There was discussion. Hundt to research prices for Deputy Bagnall to have laptop and Microsoft permissions. March's meeting will not be a hybrid.

Reports from Committees/Liaisons:

ADA progress: Councilor Malik gave report.

Greenspace Committee: No meeting.

Park Board: Councilor Norkus gave report.

Building & Building Site Committee: Councilor Malik gave report.

Board of Zoning Appeals: Councilor Norkus gave report.

Capital Planning Committee: No meeting.

Fire & Emergency Management: Vice President gave report.

Indiana Dunes National Park: No meeting

Plan Commission: Councilor Norkus gave report.

NIRPC: CT Hundt gave report.

Unfinished Business:

Carolina Ave Campsite MOA with NPS progress: Nothing new to report.

Smith Group progress and tasks: The report has been submitted. The Town Council will review.

New Business

None.

Public Comment

None.

Written Communications

President Benson continues to receive communication regarding the stairs at Rebora. Benson also received email from NICTD reporting the Depot is contacting them directly regarding window replacement. NICTD requests communications come from the Town and not the Depot. Benson also received communication about the Marquette Trail.

Town Council Comment

Councilor Norkus suggested that communications from organizations outside of Town government send their correspondence through the CT's office. Norkus congratulated Benson on his retirement at the Dunes Learning Center.

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – March 21, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was not hybrid)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn, Matrona Malik, and Donna Norkus were present. Also, present: Deputy Clerk-Treasurer Sally Bagnall representing Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and 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

None

Approval of Minutes

Approval of February 21, 2023 minutes.

Councilor Norkus motioned to approval of minutes as presented. Vice President Malik seconded. No discussion. There were 5 yeas. Unanimously approved.

Report of Police & Street Departments

Violation Report: None to report.

Police Report: Deputy Marshal Crandall gave a report and states they are now locking Central Beach entry at night at 11pm after criminal mischief was found in the parking lot. Someone was on the premises shooting up signs and trees during the night. The NPS has removed all cameras. Upon his return from vacation, Marshal Clapp is scheduled to meet with the NPS Superintendent.

Street Report: Deputy Marshal Crandall provided the report. Councilor Malik asked about the repair of Alyce. DM Crandall stated there have been payloaders breakdowns delaying the project. The work on the street is to be completed when equipment is in working order.

Ordinances & Resolutions

None presented.

Clerk-Treasurer's Report

Consideration of Claims – D-CT Bagnall presented the February APV register, noting items that were not monthly expenses including CT's current absence for training at the ILMCT Institute & Academy. Vice President Loeb motioned to approve the APVs as presented. Councilor Blackburn seconded after asking if the payment to Smith Group is a "final" payment. Susan Loeb stated it was not designated as the final payment and reviewed the Lake Michigan Postal Grant Fund. There were 5 yeas to approve the APV register. Unanimously approved.

Consideration of Claims for Bonds, 2020 Series: Councilor Loeb motioned for approval and Councilor Blackburn seconded. After brief discussion, a vote was taken and it was unanimously approved for expense as written.

Reports from Committees/Liaisons:

ADA progress: Councilor Malik stated no new information.

Greenspace Committee: No meeting.

Park Board: Councilor Norkus gave report.

Building & Building Site Committee: Councilor Loeb gave report including numerous calls from Realtors asking about buildable lots and the Committee recommends prospective buyers/owners obtain a soil report before purchase.

Board of Zoning Appeals: Councilor Norkus gave report.

Capital Planning Committee: No meeting.

Fire & Emergency Management: Councilor Loeb gave report. The Fire Department has scheduled this year's Fireman's Ball for July 1, 2023. Councilor Loeb also stated a report of the new area leaking on the North side of the building. Some discussion with Dave Wagner, Building Commissioner during this report and BC Wagner stated that the repair will be done by the roofers at no cost.

Indiana Dunes National Park: No meeting. John Blackburn reported receipt of a draft letter from the NPS yesterday for discussion purposes and will enter into the shared drive. Further details will be provided after he and Councilor Loeb meet with the Superintendent. No update for the MOA for Central.

Plan Commission: Councilor Norkus gave report that no meeting was held due to lack of a quorum.

NIRPC: CT Hundt to update next council meeting.

Unfinished Business:

Carolina Ave Campsite MOA with NPS progress: Nothing new to report.

Smith Group progress and tasks: The report has been shared with residents.

New Business

Approval requested by the Clerk Treasurer Hundt to purchase up to \$800.00 for laptop and \$200.00 for microsoft permissions for Deputy Bagnall. Councilor Blackburn motioned to approve of purchases out of the CCD Fund and was seconded by Donna Norkus. After a brief discussion, the motion passed unanimously by the council.

Approval of changes in insurance for Deputy Marshal Crandall reviewed by Attorney Nolan asking how the Council would like to handle this for the calendar year. Current changes would begin April 1, 2023.

Donna Norkus moved that the council revisit the salary ordinance at the next meeting and to amend the salary ordinance to reflect that the health insurance for the Deputy Marshal be paid as reimbursement directly to him other than be paid directly to an insurance company. Motion seconded by Councilor Malik. DM Crandall is to make payment to the insurance company for medical and health coverage and provide all receipts to the Clerk Treasurer for reimbursement up to the dollar amount (\$10,000.00) included now. Next month and going forward, Attorney

Nolan recommended some flexibility in the draft to make the wording of the Salary Ordinance to pay directly to insurance or reimburse the employee.

Public Comment

Bobbie Peru, President of the ABSR announced the annual Easter Egg Hunt will be at the Beverly Shores Lituanica Park on April 8, 2023 starting at 1:00pm and invited all the young children and grandchildren to participate.

John Mackin asked for the address and name of people fined for clear cutting. He asked if the fine was generated by the Building Commissioner or Committee and how the amount was computed. Councilor Loeb provided the address and the Building Commissioner set the fine and that the homeowner paid in full immediately and she did not know how the amount was determined.

Written Communications

President Benson reported a receipt of a letter from "Karla" requesting a deer cull. After discussion, President Benson encourages attending an ERG meeting or contacting them regarding the deer.

Town Council Comment

Council member Blackburn thanked the ABSR for the speaker series and the presentation by the Superintendent was well attended and he answered everyone's questions. John Blackburn also stated the Depot's Grand Opening is April 14 from 5:00 pm to 7:00 pm.

Adjourn:

Councilor Matrona Malik motioned to adjourn.

Councilor Norkus seconded.

Adjourned at 7:58 p.m.

Town Council President: _____

Attest: _____

Clerk-Treasurer

Ellen Hundt

~~Deputy Clerk-Treasurer~~

~~Sally Bagnall~~

Ellen Hundt

Clerk-Treasurer

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – April 18, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(*This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.*)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, and Matrona Malik were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Attorney Connor Nolan. Councilors John Blackburn and Donna Norkus were absent.

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

None.

Approval of Minutes

Approval of April 18, 2023 Council Meeting minutes

Councilor Malik motioned to approve the minutes as presented. Vice President Loeb seconded. Unanimously approved.

Report of Police & Street Departments

Violation Report: Nothing to report.

Police Report: Marshal Clapp gave report. Clapp requested Council to allow him to buy a 2015 Ford Explorer Police Vehicle from the Town of Porter. The cost of the vehicle is \$7,000 and PAL has agreed to pay half. There was discussion about need and use. Councilor Malik motioned to support the purchase of the vehicle from the Town of Porter subject to approval of Porter's Town Council. Vice President Loeb seconded. Unanimously approved. The Policeman's Ball will be held August 12th.

Street Report: Marshal Clapp gave report. Vice President Loeb motioned to allow Clapp to seek bids for mowing and brush hogging. Councilor Malik seconded. Unanimously approved. The Town was awarded the CCG 2023-01 (Community Crossings Grant) for \$47,580. President Benson signed the contract. Vice President Loeb motioned to ratify the signing of the contract. Councilor Malik seconded. Unanimously approved. Councilor Malik motioned to accept and award the Rieth-Riley bid for crack sealing. Vice President Loeb seconded. Unanimously approved. Clapp reported Oxford/Quigley paving is scheduled and Alyce Ave has been repaired. Clapp thanked Ed Bracken for his help with the roadwork.

Ordinances & Resolutions

Revised Salary Ordinance : Ordinance will be presented at May meeting.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the March APV register, noting items that were not monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Malik seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Malik will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: No meeting.

Park Board: President Benson gave report.

Building & Building Site Committee: Councilor Malik gave report.

Board of Zoning Appeals: Nothing to report.

Capital Planning Committee: CT Hundt gave report.

Fire & Emergency Management: Nothing to report.

Indiana Dunes National Park: Vice President Loeb reported on a meeting with Councilor Blackburn and the NPS regarding safety within the Town and the NP. Town Council is working with Attorney Nolan on coming to an agreement that will work for both entities. NPS will begin enforcement of having passes on NPS property.

Plan Commission: President Benson gave report.

NIRPC: Nothing to report.

Unfinished Business:

Carolina Ave Campsite MOA with NPS progress: Vice President Loeb stated she did not think this was going to be signed. CT Hundt stated NPS is actively using the camp sites.

New Business

Approval of Beach monitoring grant with IDEM: to be presented at the May meeting.

Removal of broken clock in front of Admin Building: There was a consensus to remove clock.

Curb fix in front of the Admin Building: Street employee to work on grinding curb.

Windows/windowsill fix in Town Hall: CT Hundt met with Meyer Glass about window frames. The window frames need to be replaced due to moisture and movement of building. CT Hundt to reach out to Adam Peterson with assistance regarding landmark status and grant opportunities. Vice President Loeb motioned to authorize going out for bids for window frame replacement. Councilor Malik seconded. Unanimously approved.

Door frame fix in Town Hall: Street employee to fix.

Loose duct work in crawl space: President Benson to reach out again to LaCorte to fix.

Public Comment

Sam Olins, 431 E. Roberts, asked if Richard Ireland can remove clock. There was Council consensus to allow him to remove clock.

Written Communications

None.

Town Council Comment

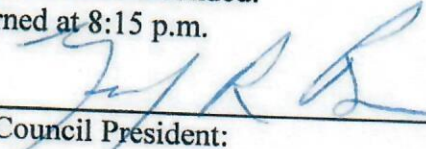
Loeb reported she is giving presentation to Lake Michigan Coastal Advisory Board summarizing the Smith Group's Master Plan. On 4/28, she along with Donna Norkus and Andre Daugavietis are meeting with the Cities Initiative Coastal Protection Program regarding some possible funding for some of the Smith's Groups protect strategies. She also encouraged people to pull Garlic Mustard. She also reported that the water safety bill died. Malik reminded residents to leash their dogs.

Adjourn:

Vice President motioned to adjourn.

Councilor Malik seconded.

Adjourned at 8:15 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – May 16, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn, Matrona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt and Attorney Connor Nolan. Marshal Ed Clapp attended virtually.

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

John Nekus - American-Lithuanian Club of Beverly Shores re: Warming Hut
Nekus presented the Club's proposal for a Community Center that modifies the existing Warming Hut at Lituanica Park. The Club proposes to raise the funds and build the structure, estimated to be approximately \$450,000. Inquiries from the Town Council included questions regarding septic, maintenance and utility costs, parking, size of building, greenspace vs hardscapes, management, resident opinions, and zoning. The question of authority over the Park was raised. Vice President Loeb motioned to take under advisement the consideration of allowing the American-Lithuanian Club to pursue the repair and enhancements of the Warming Hut that they presented tonight so Council can look into it more carefully in terms of jurisdictional issues and digest some of the things they heard tonight. Councilor Norkus seconded. The motioned passed 4-1.

Approval of Minutes

Approval of May 16, 2023 Council Meeting minutes
Councilor Malik motioned to approve the minutes as presented. Councilor Blackburn seconded. Unanimously approved.

Report of Police & Street Departments

Violation Report: Nothing to report.

Police Report: Marshal Clapp gave report. Vice President Loeb motioned to authorize the purchase of the vehicle for \$6,700 from the dealer and add it to the Town's insurance program with \$3,200 for the purchase being from the CCD Fund and \$3,500 as a donation from PAL. Councilor Norkus seconded. Unanimously approved.

Street Report: Marshal Clapp gave report. Town's employee will be mowing the rights-of-way this week.

Ordinances & Resolutions

Ordinance No. 2023-02 An Ordinance Amending the 2023 Salary Ordinance for the Town of Beverly Shores, Indiana: Attorney Nolan presented the ordinance. Councilor Malik motioned to

approve on first reading. Vice President Loeb seconded. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Councilor Norkus seconded. Unanimously approved. Councilor Malik motioned to adopt ordinance. Councilor Blackburn seconded. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the April APV register, noting items that were not monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Malik seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Greenspace Committee: Vice President Loeb gave report.

Park Board: Councilor Norkus gave report.

Building & Building Site Committee: Councilor Malik gave report.

Board of Zoning Appeals: Vice President Loeb gave report.

Capital Planning Committee: Councilor Blackburn gave report.

Fire & Emergency Management: Vice President Loeb gave report.

Indiana Dunes National Park: Councilor Blackburn gave report. Paul Labovitz is retiring from the National Park Service in July. There is a tentative plan for the Marquette Trail to utilize Service Avenue near the Community House.

Plan Commission: Councilor's Blackburn and Norkus gave report.

NIRPC: CT Hundt gave report.

Unfinished Business:

Carolina Ave Campsite MOA with NPS progress: Vice President Loeb motioned that the Council approve the terms of the MOA authorizing the application of the National Park Service regulations on Town owned lands within the jurisdictional boundaries of the Indiana Dunes National Park and the agreement of the use management of Carolina, Valley, and Ridgeland Avenues and authorize President Benson to executive the memorandum on the Council's behalf if they pass it. Councilor Blackburn seconded. Unanimously approved.

Windows/windowsill fix in Town Hall: Marshal Clapp will talk to Adam Peterson regarding scope of work and contractors to contact.

New Business

Ratify signature approval of Beach monitoring grant with IDEM: Councilor Norkus motioned to ratify signature approval of the beach monitoring grant with IDEM. Councilor Malik seconded. Unanimously approved.

Public Comment

Mary Fulghum, 116 S. Wells, stated that although the Park is for everyone it would be insensitive not to talk to the surrounding residents about new building.

Written Communications

None.

Town Council Comment

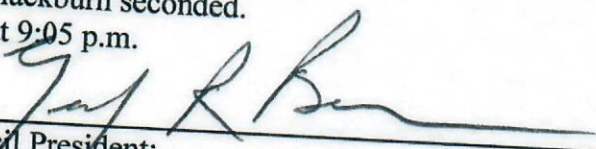
Councilor Norkus asked Attorney Nolan to help in determining who has authority over capital assets in the Park.

Adjourn:

Councilor Malik motioned to adjourn.

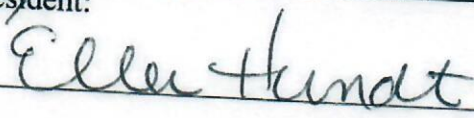
Councilor Blackburn seconded.

Adjourned at 9:05 p.m.



Town Council President:

Attest:



Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores

TOWN COUNCIL MEETING MINUTES – June 20, 2023

Administration Building - 500 S Broadway, Beverly Shores, IN

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

(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded)

Roll Call – Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn, Matrona Malik, And Donna Norkus were present. Also, present: Attorney Connor Nolan, Deputy Clerk-Treasurer Sally Bagnall (attending for Clerk Treasurer Ellen Hundt), and Marshal Ed Clapp.

Title VI Survey Availability -President Benson announced the availability of the Title VI public involvement survey is available online via the Town's website.

Approval of Minutes- *Approval of the May 16, 2023, minutes.* Councilor Loeb motioned to approve the minutes as presented. Councilor Malik seconded. Unanimously approved.

Public Presentations- None

Report of Police and Street Departments

Appeals: Harsh- 12755- Reviewed by council. Councilor Blackburn motioned to deny the appeal, and the motion was seconded by Councilor Malik. Unanimously agreed.

Police Report: Marshal Clapp gave a report. Marshal Clapp expressed that residents need to do thorough checking on their cleaning people prior to allowing them to work in their homes as there have been recent thefts. The Marshal also stated that golf carts have been entering the Derby path past the chain on Lake Front Drive far east end and Central Beach and will be ticketed for these violations. Also, underaged and unlicensed children who have been driving golf carts in town are not following the rules of the road and entering places they should not, which are violations of the Town Code. Recently, a John Deere UTV was found parked at Reborra Plaza with a Golf Cart sticker. The Marshal's deputy will be talking with the owner reviewing the Town Ordinances and advising that it is not a golf cart nor is the vehicle permitted on the roads in the Town of Beverly Shores. Marshal also reported there have been "ultra mini - bikes" on town streets and these are not permissible in town because of their low sight level for other vehicles.

Street Department- Quigley and Oxford- county may be merging projects and coordinating paving with crack and seal projects. The street superintendent stated that a contract was made with Natures' Barber to do the mowing in town every other week for the season.

Ratification: Geof Benson stated he signed a contract with Nature's Barber and made a request for ratification. The motion was made by Councilor Loeb and seconded by Councilor Blackburn. After further discussion and a question of clarification from Councilor Norkus on the length of the contract and whether it states for the season and every other week was written in the contract. The council then agreed unanimously to ratify the contract with Nature's Barbers.

Councilor Norkus asked the Street superintendent to look at the Lake Shore County Rd grates as they seem loose and asked what could be done about it. Marshal Clapp advised he would be in contact with D and M /Reith Riley to resurface and look at the grates and road for resurfacing but has not received responses.

Marshal Clapp requested Council approval to go out for bids for the Lake Front Drive East end from Drexwood Avenue to Drake Avenue for resurfacing after receiving the Community Crossings Grant. Council members added to also include repair of the grate(s) and striping Lake Front Drive. Council members requested bids by the July Town Council meeting through the street superintendent. Motion to go out for bids made by Donna Norkus and seconded by Councilor Blackburn with his agreed upon friendly amendment to add the bid for crack and sealing. Councilor Norkus accepted the friendly amendment. The council then agreed unanimously to the motion.

Ordinances and Resolutions

Ordinance 2023-03: Additional Appropriation for the Police Donation (\$2300)

Public Hearing was open to discuss whether for or against the ordinance. No comments were offered by the public and the public hearing was closed. Councilor Blackburn moved to accept the first reading of the ordinance and it was unanimously approved. Councilor Malik motioned to consider a second reading during the same meeting as it was introduced. Councilor Norkus seconded. Unanimously approved. Councilor Malik motioned to adopt the ordinance. Councilor Norkus seconded. Unanimously approved.

Resolution 2023-02: A Resolution of the Town Council of the Town of Beverly Shores Adopting A Comprehensive Plan

The Town Council voted to accept the Comprehensive Plan at the last meeting, May 16, 2023. Councilor Loeb motioned to accept and adopt the Comprehensive Plan and Councilor Malik seconded. The council unanimously approved. Council Members Norkus, Blackburn shared accolades for all who participated in the hours spent developing the plan. Special thanks to Donna Norkus, John Blackburn, Joe Kapacinkas, Bob Young, previous resident member Tom Weber, David Phelps, and Larry Stanton. Greg Lyman is credited with countless hours of research and review for the Comprehensive Plan as well as the members of the Plan Commission and Town Council Members expressed gratitude for all the demanding time and work he put into the plan over the past four years.

Clerk - Treasurer's Report

Consideration of Claims- DCT Bagnall reported on behalf of CT Hundt's presenting of the May APV register noting items that were not monthly expenses. Vice President Loeb moved to approve the APVs as presented. Councilor Blackburn seconded. The Town Council then unanimously approved.

Consideration of Claims for Bonds, 2020 Series. No claims

DCT Bagnall informed the Town Council that CT Hundt and she will be attending a conference in Ft Wayne for ILMCT presenting the updates and educational sessions to continue to be current for the residents of the Town of Beverly Shores. The Clerk's office is closed on Monday, June 26, 2023, and Wednesday, June 28, 2023.

Reports from Committees/Liaisons:

ADA Progress: Councilor Malik gave report.

Board of Zoning and Appeals: Councilor Norkus gave a report.

Building and Site Committee: No meeting

Capital Planning Committee: No Meeting

Fire and Emergency Management: Vice President Loeb gave a report. Planning for Firemen's Ball and a resident with a roofing company (Russell Peterson) is repairing the roof.

Green Space Committee: Vice President Loeb gave a report.

Indiana Dunes National Park: Councilor Blackburn gave a report that Superintendent will change from Paul Labovitz to Chris Pergiel as Acting Superintendent until a new superintendent is appointed. No new plans with the Task Force with the Town.

NIRPC: No report given.

Park Board: Councilor Norkus gave a report.

Plan Commission: No meeting.

Unfinished Business:

Window/windowsill fix in Town Hall. Marshal has been in contact with Adam Peterson and the contractor has failed to follow through. Marshal was asked to contact Contractors again, and if no response, to go out for bids.

Clarification of ownership of Lituanica Park (Town or Park Board) Opinion provided by Attorney Nolan and request made by Susan Loeb to obtain more definite information.

New Business

Comprehensive Plan- Adopted on May 16, 2023

Rescind the Town Covid Policy as no longer required by the CDC. Councilor Loeb made the motion and seconded by Councilor Norkus to rescind the Covid Policy-Unanimously approved by council.

Ratification. Town Council President advised he approved an upgrade to central air which has now been installed for the Community House instead of the prior approved window unit. President Benson and councilors expressed appreciation of combined efforts of FOBS and ABSR to cover cost and installation.

Councilor Loeb made a motion and Councilor Blackburn seconded. Discussion from Councilor Norkus if the utility cost will increase. Councilor Benson stated the CT will monitor and the Women's Club and other users will keep the setting at 84 degrees when the building is not in use.

Public Comment

Glenn Clarke – 712 Wilson- shared concern about the potholes at Lake Shore County Road and Beverly Drive need repair. Mr. Clarke also stated he wanted the minutes corrected for January 17, 2023, in that he denies saying “they should all resign” when referring to the Building and Site Committee. Mr. Clarke stated that he did not understand the selection process for the Committee. President Benson referred him to the Town Ordinance. Mr. Clarke also suggested that all the house plans be entered digitally so all have access to the information.

Letters received from Chris Yergler and Father Plavcan Administrator at St. Anne’s Church.

Town Council Comment

Town Council members expressed apologies for incorrect information regarding St. Ann’s Church.

Adjourn:

Councilor Norkus motioned to adjourn.

Councilor Blackburn seconded.

Adjourned at 8:10 pm



Town Council President:

Attest:



Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – July 18, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn, Matriona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and 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

Approval of Minutes

Approval of June 20, 2023, Council Meeting minutes

Councilor Malik motioned to approve the minutes as edited. Councilor Norkus seconded. Unanimously approved.

Report of Police & Street Departments

Violation Report: Violation Report – Clerk-Treasurer Hundt

#12728 / Zaander: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. Unanimously approved.

#12794 / Sasin: Mr. Sasin appeared in person. There was a discussion. VP Loeb questioned whether a ticket should be issued when a person is sitting in their car and waiting for another car to move. VP Loeb motioned to approve the appeal. Councilor Blackburn seconded. There was roll call vote: Benson = yay. Loeb = yay. Blackburn = yay. Malik = nay. Norkus = yay. The motion passed 4-1.

#13004 # 13005 # 13006 NPS/Dunbar parking lot 3 tickets - request dismissing. There was a discussion regarding the lack of a plan from the NPS regarding parking for their campers and now it is the Town's issue. Marshal Clapp reported other cars were allowed to park other than campers and some blocked the Carrol Ave access road. VP Loeb motioned to continue discussion until the next meeting allowing NPS to present a plan to the Town. Councilor Norkus seconded. Unanimously approved. The Violations Clerk is to hold off sending a 30-day notice until issue is resolved.

Police Report: Marshal Clapp gave report. The Policeman's Ball is August 12 from 7pm – 12am. There was discussion regarding approval for the use of the Firehouse. It was determined that permission is granted in the agreement with the BSVFD. There was discussion about raising the parking violation fines and parking issues on the 4th of July.

Street Report: Marshal Clapp gave report. Clapp thanked Greg Brown and Dave Wagner for their assistance in removing downed trees. Residents wanting firewood should contact Marshal Clapp. The paving project and first round of crack sealing are being scheduled with Rieth-Riley but have not started yet. CT Hundt is working on the CCG2023-02 grant application. Clapp to look into what it will take to repair grates on Lake Shore County Rd. The new contractor, Nature's Barber, has been mowing and will be removing overgrowth in various places in town. Councilor Malik thanked volunteers and encouraged more residents to volunteer and contact Marshal Clapp.

Ordinances & Resolutions

Resolution NO. 2023-03 - Resolution of the Town Council of Beverly Shores Transferring Funds: Councilor Norkus motioned to approve resolution. Councilor Malik seconded. Unanimously approved.

Resolution NO. 2023-04 - Resolution of the Town Council of Beverly Shores in favor of Congressional Letter to EPA on 2023 Revised Coal Ash Rule: VP Loeb motioned to approve the resolution. Councilor Blackburn seconded. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the June APV register, noting items that were not monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Blackburn seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Building & Building Site Committee: VP Loeb gave report.

Board of Zoning Appeals: No meeting.

Capital Planning Committee: No meeting.

Fire & Emergency Management: Vice President Loeb gave report. There are 3 new recruits attending fire academy to join the department. The BSVFD has requested making the western most parking spot at Reborra Plaza an emergency only parking for guaranteed access to beach. It was reported there are gaps in the exterior walls of the bay of the firehouse. VP Loeb motioned to allow Dave Wagner to get 3 quotes and spend up to \$3,000 to repair. Councilor Blackburn seconded. Unanimously approved.

Greenspace Committee: Vice President Loeb gave report.

Indiana Dunes National Park: Councilor Blackburn gave report. Chris Pergiel is acting superintendent. Blackburn to request task force meeting.

NIRPC: Nothing to report.

Park Board: Councilor Norkus gave report.

Plan Commission: No meeting.

Unfinished Business:

Windows/windowsill fix in Town Hall: Marshal Clapp reported that Adam Peterson is waiting for quote.

Clarification of ownership of Lituania Park (Town or Park Board): It is the opinion of the Town Attorney that capital projects are to be joint decision between the Town Council and the Park Board.

New Business

Consider support of Congressional Letter to EPA re: Coal Ash: See Resolution NO. 2023-04
Consider comment letter to EPA re: Coal Ash: See Resolution NO. 2023-04

Public Comment

Bobbi Petru, ABSR, reminded everyone that Summerfest is Saturday, July 22th.

Written Communications

None.

Town Council Comment

Councilor Norkus encouraged residents to visit the Depot's latest exhibit on the architecture of Beverly Shores.

Marshal Clapp announced that Officer Reshkin is receiving the Service Person of the Year award from the Duneland Chamber of Commerce.

Marshal Clapp reported that he had been asked about Heritage Sign placements and wants the Council to clarify procedure. There was discussion about how many signs, and their size, had originally been approved. Councilor Blackburn reported that the Council had approved 16 originally and stated that the size is larger than first presented. The Council requested that the Depot come to Council for approval for any additional signs.

Adjourn:

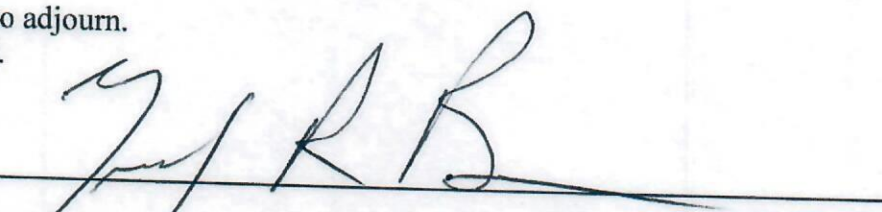
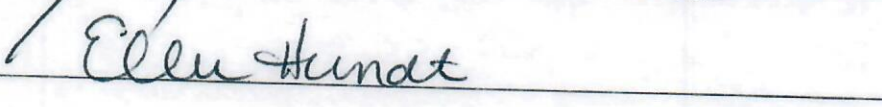
Councilor Malik motioned to adjourn.

Councilor Norkus seconded.

Adjourned at 8:39 p.m.

Town Council President:

Attest:

Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – August 8, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn, Matriona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and 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.

Budget Workshop

CT Hundt explained the Council had to review requests for wage and salary increases for the Police Department. Council discussed the proposed 2024 budget. There was discussion about excess levy appeals and the upcoming webinar by the Department of Local Government Finance (DLGF). Council will decide at August 15th meeting if there will be any changes to proposed budget.

Town Council Comment

None.

Adjourn:

Councilor Blackburn motioned to adjourn.

Councilor Norkus seconded.

Adjourned at 7:39 p.m.

Town Council President: _____

Attest: _____

Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – August 15, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, Susan Loeb, John Blackburn, Matrona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt and Attorney Connor Nolan. Marshal Ed Clapp attended virtually.

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

Depot Museum re: Heritage Trail Signs -Suzy Vance: The history of and the remaining schedule of sign installation was discussed. It was determined that the size of the signs are larger than originally presented. Councilor Norkus reminded her that when there are changes to what was originally presented, they need to come back to the Council for permission.

Approval of Minutes

Approval of July 18, 2023, Council Meeting minutes

Councilor Malik motioned to approve the minutes as edited. Councilor Blackburn seconded. Unanimously approved.

Approval of August 8, 2023, Council Meeting minutes

Councilor Malik motioned to approve the minutes as edited. Councilor Blackburn seconded. Unanimously approved.

Report of Police & Street Departments

Violation Report: Violation Report – Clerk-Treasurer Hundt

#12582 – *Hooser:* Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. Unanimously approved.

#12926 – *Atwood:* Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was discussion. There was a roll call vote. Benson = nay. Loeb = nay. Blackburn = nay. Malik = yes. Norkus = nay. The motion to deny the appeal failed. Councilor Norkus motioned to approve the appeal. Councilor Blackburn seconded. The motion to grant the appeal passed 4:1.

#13004 # 13005 # 13006 *NPS/Dunbar parking lot 3 tickets - request dismissing.* The violators were contacted and told they needed to appeal their tickets directly to the Town. CT Hundt to check appeal log. VP Loeb motioned to continue until next month. Councilor Blackburn seconded. Unanimously approved.

Police Report: Deputy Marshal Crandall gave report.

Street Report: Marshal Clapp gave report.

Ordinances & Resolutions

None.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the July APV register, noting items that were not monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Malik seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Building & Building Site Committee: VP Loeb gave report.

Board of Zoning Appeals: Norkus gave report.

Capital Planning Committee: No meeting.

Fire & Emergency Management: Vice President Loeb gave report. BSVFD requested a safety ring be installed at Lituanica Park.

Greenspace Committee: Loeb gave report.

Indiana Dunes National Park: Councilor Blackburn gave report.

NIRPC: Hundt reported the NWI 2050+.Metropolitan Transportation Plan for Northwest Indiana was approved. It is available online.

Park Board: Councilor Norkus gave report.

Plan Commission: Blackburn gave report.

Unfinished Business:

Windows/windowsill fix in Town Hall: Adam Peterson has received quote from Meyer Glass to remove windows. He is waiting for quotes for the frames.

New Business

Accept proposed budget for submission to DLGF: There were no changes made since the budget workshop. Councilor Blackburn motioned to approve CT Hundt to publish the proposed 2024 budget on Gateway. Councilor Malik seconded. Unanimously approved.

Ratify Rebora erosion decision: President Benson reported he had Ed Bracken use an excavator to move the sand around on the west side of Rebora parking lot after a storm and 5+ inches of rain took out a large amount of sand. There are no specific numbers for the repair and replenishment of the dune as of yet. Sand is estimated at \$90 a load and \$130 per load for transport. It is estimated the Town needs 12 loads. No price for cost of excavator yet. Councilor Norkus motioned to ratify the emergency response. Councilor Blackburn seconded. There was discussion. Councilor Malik asked about cost. Benson estimates roughly \$5000. Malik asked who is paying for sand replenishment. Benson suggested it should come from the erosion fund. Malik brought up why the Park Board was putting mats on the dune. Norkus questioned who has

the authority and responsibility of the area. Loeb questioned the purpose of mats. Park Board President Frank Hardwick reported the intent of the mats at Rebora were to support the dune to let first responders have quicker access to the beach in an emergency. The curb at the west end of the parking lot is missing. Which is why there was a hump on sand put in at the top of the dune. The drain at the west end runs into a drywell. More discussion and a better solution needs to be talked about. Unanimously approved.

Request to use Town Hall , October 13, 7-9pm (5-9:30pm), for Candidate Forum: Councilor Malik motioned to approve the use of Town Hall on 10/13/2023. VP Loeb seconded. Unanimously approved.

Public Comment

Joseph Grcich, 101 W. Fairwater: Inquired about the short-term rental he reported to Marshal Clapp and why it has not been stopped. He further stated that the drains at Rebora have always been an issue, reported a lack of maintenance at Rebora, and thought the mats were supposed to be for beach access.

Written Communications

Council reported a letter was received opposing the Green Space donations and a letter with recommendations about parking issues at Rebora during the holidays.

Town Council Comment

VP Loeb reported she and Councilor Norkus attended a Great Lake and St. Lawrence Cities Initiative meeting. The takeaway regarding the East Shoreline Restoration was 1) The Town needs to engage with the NPS with potential projects as soon as possible, 2) the Town should know we are not the only municipality the organization is working with, and 3) they encouraged the Town to explore funding opportunities through the Lake Michigan Coastal Program. VP Loeb motioned to approve authorization for Councilor Norkus and herself to develop and submit a pre-proposal, consistent with the initiative and continue the conversation and move forward on it. Councilor Blackburn seconded. Unanimously approved.

Adjourn:

VP Loeb motioned to adjourn.

Councilor Norkus seconded.

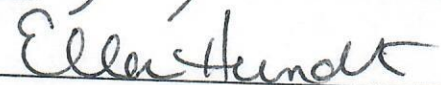
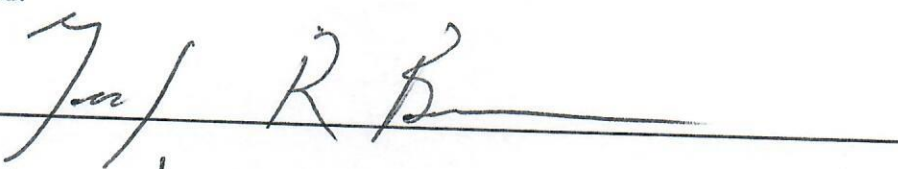
Adjourned at 8:13 p.m.

Town Council President:

Attest:

Clerk-Treasurer

Ellen Hundt



Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – September 19, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance. *(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)*

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Matriona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Attorney Connor Nolan. Susan Loeb attended virtually.

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

Greenspace committee donation presentation: Margaret Williford, President of the Green Space Committee, gave presentation regarding the 20 lots being donated to the Town from the Shirley Heinze Land Trust (SHLT). Williford thanked Linda Wagner, of Friends of Beverly Shores (FOBS), for paying for the title searches. Vice President Loeb motioned to accept the donations. Councilor Blackburn seconded. Councilor Norkus stated the Municipal Code reads that the Committee give Town Council an annual report in January of each year. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Public Hearing and First Reading of the 2023 Budget Ordinance and Salary Ordinances

Ordinance No. 2023-04 Ordinance for Appropriations and Tax Rate (2024 Budget): Attorney Nolan introduced Ordinance No. 2023-04 on first reading. The Public Hearing was opened at 7:38 p.m.

CT Hundt explained the funds that are advertised at zero are because they are home-ruled funds and additional appropriations are done in the beginning of the year because year end balances are unknown during the budget process.

Dave Phelps, 115 W. Stillwater, asked about the Environmental tax on tax bill. It was explained this was a County tax.

Paul Kleinaitis, 37 E. Stillwater, asked how the line items get generated. CT Hundt showed Form 1 which is equivalent to the Appropriation Report which she creates each year for each line item.

Radmila Bogdanich, 106 S. Montana, asked whether the Town receives a flat percentage of the taxes. CT Hundt explained we get a levy from Porter County. President Benson explained how the County uses Net Assessed Values to get the levy, which is a percentage. The State determines the tax rate and its increases. This is usually an average of the 6 preceding years, however, there will be only a 4% increase in 2024 and 2025. Councilor Norkus explained there are other entities that get our property taxes and how tax caps limit tax revenue.

Glenn Clarke, 712 E. Wilson, asked about implications on commercial businesses. Benson explained the benefit of businesses in the commercial district is they pay a higher tax rate of 3%.

Adam Peterson, 19 S. Greatwater, asked about the spending of the MVH Fund. It was explained that road spending was supplemented by the Community Crossing Grants.

Dave Phelps, 115 W. Stillwater, asked about the Debt and Lease payments. CT Hundt explained the Debt payments include the Water Bond and the GO Bond. The Lease payments are the 2020 Bonds, Series. Phelps pointed out that the Town's debt is about equal to the general fund.

Marcia Metzcus, W. Stillwater, for clarification expanded information regarding the Town's three (3) debts: Water Bond, GO Bond, and Erosion Bond. The Town now pays principal and interest on these debts.

Councilor Norkus motioned to close the Public Hearing. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea.

Unanimously approved. The Public Hearing was closed at 7:58 p.m.

Ordinance No. 2023-05 The 2024 Salary Ordinance for the Town of Beverly Shores, Indiana: Attorney Nolan introduced Ordinance No. 2023-05 on first reading.

Approval of Minutes

Approval of August 15, 2023, Council Meeting minutes

Councilor Malik motioned to approve the minutes as edited. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: Violation Report – Clerk-Treasurer Hundt

12623/Vargas: Councilor Blackburn motioned to deny appeal. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

12807/Meyer: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. Councilor Norkus recommended new signage be explored that would be less confusing to tourists. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = nay. Motion passed 4:1.

12894/Danilevsky: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

12973/Lopez: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13004/Bray: Councilor Blackburn motioned to approve appeal. VP Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13005/Taylor: Councilor Blackburn motioned to approve appeal. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13010/Birmingham: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13044/Wyler: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13076/Warrick: Councilor Blackburn motioned to approve appeal. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13081/Martin: Councilor Norkus motioned to deny appeal. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13083/Parkhouse: Councilor Malik motioned to deny appeal. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13100/Jacobus: Councilor Blackburn motioned to approve appeal. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13188/Koester: Councilor Blackburn motioned to deny appeal. Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Police Report: Marshal Clapp gave report. Councilor Blackburn motioned to approve Marshal Clapp to get 3 quotes for replacing the garage doors and replace with one door. Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Street Report: Marshal Clapp gave report. Councilor Malik asked tree cutting volunteers to contact Marshal Clapp.

Ordinances & Resolutions

None.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the August APV register, noting items that were not monthly expenses. Vice President Loeb motioned to approve the APVs as presented. Councilor Malik seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Building & Building Site Committee: Malik gave report.

Board of Zoning Appeals: Norkus gave report.

Capital Planning Committee: Blackburn gave report.

Fire & Emergency Management: Vice President Loeb gave report.

Greenspace Committee: Loeb gave report.

Indiana Dunes National Park: Blackburn gave report.

NIRPC: Nothing to report.

Park Board: Norkus gave report. Benson reported, since the Park Board meeting, Frank Hardwick found free sand from Michigan City. Hardwick to meet with the BSVFD and Brian O'Neil to create plan before the Town gets the sand. The Town has to determine how much sand, how to get it here, and how to move it.

Plan Commission: No meeting.

Unfinished Business:

Windows/windowsill fix in Town Hall: Adam Peterson received quotes for the repair of the frames and the moving of the windows during the project. Councilor Blackburn motioned to approve up to \$40,000 for the repair of the windows in the Administration Building to be paid from the ARP Fund. Councilor Malik seconded. Loeb voiced concern about a warranty on the project. Additionally, she wants another quote. Peterson said it is difficult to find someone to do the work but will see if the contractor from the original project wants to bid. Norkus stated window contractors for landmark buildings are difficult. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Re- approve Lake Michigan Coastal Program proposal grant request

Approve- moving prior LMCP grant to IDHS BRIC preproposal (re: timing of approved efforts)
Benson explained that last month the Council was requested to approve a preproposal grant to be submitted to the Lake Michigan Coastal Program. The preproposal was to spend up to \$50,000 towards a planning grant with option to back out of commitment. However, in the process, there was another opportunity for a preproposal for another grant, for the same amount of money, for an engineering study but with a different entity. Benson gave Norkus approval to do the new preproposal instead because of the deadline. Norkus explained this is part of a larger project and the Smith Group is assisting. Councilor Blackburn motioned to ratify Benson's decision to submit the preproposal grant application on September 15, 2023. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved. Councilor Blackburn motioned to approve the submission of the preproposal for the LARE grant. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

New Business

Benson asked Marshal Clapp to review wording for new signage for parking.

Public Comment

Paul Kleinaitis, 37 E. Stillwater, asked about the purpose of grants. It was explained that getting grants for projects require extensive planning because of the multi-agency involvement.

Dave Phelps, 115 W. Stillwater, reported that the NPS mentioned budget cuts from Washington and didn't have faith they would contribute much.

Paul Kleinaitis, 37 W. Stillwater, inquired about security at Kemil.

Glenn Clarke, 712 E. Wilson, stated that residents were concerned about sewers removing the 20,000 sq ft lot requirement. Norkus stated sewers are not currently being discussed and there are other reasons to defend the requirement.

Written Communications

Council reported receiving communications regarding the Green Space donations and the 20,000 sq. ft. lot requirement.

Town Council Comment

Norkus wished Carol Ruzic a happy 95th birthday.

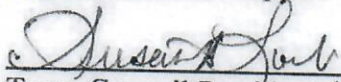
Blackburn reminded residents of the public comment for the Marquette Trail on September 27th.

Adjourn:

Council Malik motioned to adjourn.

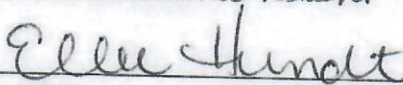
Councilor Norkus seconded.

Adjourned at 09:44 p.m.



Town Council ~~President~~ *vice President*

Attest:



Clerk-Treasurer
Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – October 17, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance. *(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.) (There were technical difficulties, and this was an audio only Teams meeting.)*

Roll Call - Council Members: Councilors John Blackburn, Susan Loeb, Matrona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Attorney Connor Nolan. Geof Benson was absent.

Title VI Survey Availability

Vice President Loeb announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

Jeff Balon, Porter County Sheriff introduced himself to community.

Approval of Minutes

Approval of September 17, 2023, Council Meeting minutes: Councilor Malik motioned to approve minutes as presented. Councilor Blackburn seconded. Unanimously approved.

Report of Police & Street Departments

Violation Report: Violation Report – Clerk-Treasurer Hundt

12605 – Cahill: Councilor Blackburn motioned to deny the appeal. Councilor Malik seconded. Unanimously approved.

12610 – Bylsma: Councilor Malik motioned to deny the appeal. Councilor Norkus seconded. There was discussion about the lines being faded. Motioned failed 2:0. Councilor Blackburn motioned to approve the appeal. Councilor Norkus seconded. The motion tied 2:2. CT Hundt broke the tie and motioned to deny the appeal. Marshal Clapp to repaint lines.

12847 – Goodman: Councilor Malik motioned to approve the appeal. Councilor Blackburn seconded. Unanimously approved.

13101 – Khabbaz: Councilor Malik motioned to deny the appeal. Councilor Norkus seconded. Unanimously approved.

13045 – Crespo: Councilor Malik motioned to deny the appeal. Councilor Blackburn seconded. Unanimously approved.

13155 – Lyubashevsky: Councilor Blackburn motioned to deny the appeal. Councilor Malik seconded. Unanimously approved.

13156 – Lyubashevsky: Councilor Blackburn motioned to deny the appeal. Councilor Malik seconded. Unanimously approved.

13178 – Pocica: Councilor Malik motioned to deny the appeal but remove half of the fine resulting in an \$80 (eighty) violation instead of \$160 (one hundred and sixty). Councilor Blackburn seconded. Unanimously approved.

13189 – *Konieczny*: Councilor Malik motioned to deny the appeal. Councilor Blackburn seconded. Unanimously approved.

Police Report: Marshal Clapp gave a report.

Street Report: Marshal Clapp gave a report. The first crack & seal project has been completed. The CCG2024-01 grant process opens on January 1, 2024.

Ordinances & Resolutions

Second Reading of the 2023 Budget Ordinance and Salary Ordinances

Ordinance No. 2023-04 Ordinance for Appropriations and Tax Rate (2024 Budget): This Ordinance was introduced on first reading on September 17, 2023. Councilor Blackburn motioned to approve the Ordinance on first reading. Councilor Norkus seconded. Unanimously approved. Attorney Nolan presented the Ordinance for second reading. Councilor Blackburn motioned to adopt the Ordinance on second reading. Councilor Malik seconded. Unanimously approved.

Ordinance No. 2023-05 The 2024 Salary Ordinance for the Town of Beverly Shores, Indiana: This Ordinance was introduced on first reading on September 17, 2023. Councilor Malik motioned to approve the Ordinance on first reading. Councilor Norkus seconded. Unanimously approved. Attorney Nolan presented the Ordinance for second reading. Councilor Malik motioned to adopt the Ordinance on second reading. Councilor Norkus seconded. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the September APV register, noting items that were not monthly expenses. Councilor Blackburn motioned to approve the APVs as presented. Councilor Malik seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Building & Building Site Committee: No meeting.

Board of Zoning Appeals: Norkus gave a report.

Capital Planning Committee: Blackburn gave a report.

Fire & Emergency Management: Vice President Loeb gave a report.

Greenspace Committee: Loeb gave a report.

Indiana Dunes National Park: Nothing to report.

NIRPC: CT Hundt gave report.

Park Board: No meeting.

Plan Commission: Blackburn gave report.

Unfinished Business:

Grant Proposals: Councilor Norkus reported there are three possible grant opportunities.

Windows/windowsill fix in Town Hall: No update.

New Business

Approve IDEM grant application for 2024 beach monitoring: Councilor Norkus motioned to approve. Councilor Blackburn seconded. Unanimously approved. CT Hundt reported there were no beach closures due to E.coli in 2023.

Public Comment

Joe Kapacinskas, 111 S. Merrivale: Requested the Town Council look at adding permit parking at East Lake Park and Beverly in order to provide access to the Town's beach.

Written Communications

Council received an email from David Sandrzyk, 16 W. Leewater.

Town Council Comment

None.

Adjourn:

Council Malik motioned to adjourn.

Councilor Blackburn seconded.

Adjourned at 07:48 p.m.

Town Council President: _____

Attest: _____

Clerk-Treasurer

Ellen Hundt

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – November 21, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance.
(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)

Roll Call - Council Members: Councilors Geof Benson, John Blackburn (attended virtually), Susan Loeb, Matrona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Attorney Connor Nolan.

Title VI Survey Availability

Vice President Loeb announced the availability of the Title VI public involvement survey. This survey is available online via the Town's website.

Public Presentations

None.

Approval of Minutes

Approval of October 17, 2023, Council Meeting minutes: Councilor Malik motioned to approve minutes as presented. Councilor Blackburn seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Report of Police & Street Departments

Violation Report: Violation Report – Clerk-Treasurer Hundt

13171-Nash: Councilor Blackburn motioned to accept the appeal. VP Loeb seconded. Councilor Norkus offered a friendly amendment to require Nash to purchase 2023 parking permit immediately. Councilor Blackburn accepted the amendment. VP Loeb seconded the amendment. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

13256-Ahearn: Councilor Malik motioned to deny appeal. VP Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Police Report: Marshal Clapp gave a report.

Street Report: Marshal Clapp gave a report. NPS performed brush hogging on Broadway and Beverly roads.

Councilor Norkus motioned to allow Clapp to get bids for concrete pad in front of the Fire House. VP Loeb seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

The CCG2024-01 will be open in January. Councilor Malik motioned to allow Clapp to get bids for resurfacing Lake Front from Drexwood to Drake. Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Ordinances & Resolutions

None.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the October APV register, noting items that were not monthly expenses. VP Loeb motioned to approve the APVs as presented. Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Reports from Committees/Liaisons:

ADA progress: Malik gave report. The Nurse's Closet now has a hospital bed available.

Building & Building Site Committee: Loeb gave report.

Board of Zoning Appeals: Norkus gave a report.

Capital Planning Committee: Blackburn gave a report.

Fire & Emergency Management: Vice President Loeb gave a report. The 3 new firefighters graduate on December 15, 2023.

Greenspace Committee: Loeb gave a report.

Indiana Dunes National Park: Nothing to report.

NIRPC: Nothing to report.

Park Board: Norkus gave a report.

Plan Commission: No meeting.

Unfinished Business:

Windows/windowsill fix in Town Hall: Adam Peterson's contractor could start in a few weeks. Waiting for another bid. No action taken.

Grants updates: Councilor Norkus stated they have received approval to move forward and submit full proposals on two planning grants.

New Business

Approval of the 2024/2025/2026 contract for Republic Services: Councilor Norkus motioned to accept the new 3-year contract with Republic for garbage and recycling services. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Review/accept quote from Free Flow to reroute sump pump on north side of Admin building (CCD-other): Councilor Malik motioned to approve the repairs for rerouting the sump pump.

Councilor Norkus seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

2024 committee/board/commission appointments: Councilor Norkus to draft email for CT Hundt to send to residents asking for volunteers to serve on committees starting in 2024.

Restructuring of Park Board duties: VP Loeb read her presentation (attached). VP Loeb motioned to consider moving forward with dissolving the Park Board and creating a new committee. Councilor Norkus seconded. There was discussion. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Possibly approve Google account for town <http://www.beverlyshoresindiana.org/> to add email etc.: President Benson discussed the need for more control over Town's email for the purpose of record retention. Councilor Norkus motioned to approve setting up a business Gmail account for the Town to be paid out of the LIT-other in 2023 and CCD-other in 2024. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Public Comment

Scott Vlieg, 21 S. Beach. Suggested the Park Board dissolution go to the Plan Commission and a Public hearing.

John Mackin, 204 S. Quigley. Criticized the construction of the Rehora Stairs.

Glenn Clark, 712 E. Wilson. Responded to VP Loeb on her report of the Building & Building Site Committee meeting. Suggested the ordinance be included in the request for committee volunteers.

John Mackin, 204 S. Quigley. Voiced his support of the dissolution of the Park Board. Criticized the Park Board's Shore stairs grant work.

Written Communications

Grace Budrys, 9 E. Stillwater. Inquired about why Town does not have leaf pickup like the Town of Pines has. Benson explained the Town of Pines has a Street Department whereas Beverly Shores does not. Additionally, Pines has made no effort in cooperation with Beverly Shores when contacted.

Town Council Comment

Councilor Norkus motioned for the January Town Council meeting to be held on January 9th, 2024, at 7pm. Councilor Malik seconded. There was a roll call vote. Benson = yea. Loeb = yea. Blackburn = yea. Malik = yea. Norkus = yea. Unanimously approved.

Councilor Norkus reported that Israel has agreed to a temporary ceasefire.

Adjourn:

Council Malik motioned to adjourn.

VP Loeb seconded.

Adjourned at 08:53 p.m.

[Handwritten signature]

Town Council President:

Attest: *Ellen Hundt*

Clerk-Treasurer
Ellen Hundt

Consider shifting PB tasks and decision-making authority to the Town Council. (prepared by SHL for Council discussion)

Town-owned park land mostly consists of Lituania Park and Town-owned beaches, which includes Reborá Plaza.

During my tenure as a Town Council (TC) member, and before only as a resident, I have concluded that a town the size of Beverly Shores with limited developed park land and limited financial resources does not require an independent park board with broad statutory powers.

- I. **Having two independent authorized boards is inefficient and confusing. Residents and even Council members do not always know when decision making authority rests with the Park Board (PB) or when it rests with the TC.**

Just a few examples:

Cell phone tower – the goal was to improve cell phone reception in town, but once the proposed placement fell within the jurisdiction of the PB, it had the authority to make this decision because the proposed location was on park land. It had nothing to do with recreation and regular duties of the PB. It became a heavy lift for our volunteer PB. Not only did the PB endure a lot of abuse, many in town did not understand why the TC was not involved.

Brushhogging, mowing and maintenance of town-owned v. park-owned land. This year we could have avoided spending time discussing whether the TC or the PB has jurisdiction over things like brush hogging, mowing, and other issues such as who engages with NPS and who has oversight over town-owned trails.

Culverts, drains, beach access. The TC had total control of the emergency repairs in 2019-20, much of which was within the jurisdiction of the PB-owned beaches; yet when it came to approving things like new stairs, repairing a drain at Reborá, or deciding whether to build boat storage, it was within the PB jurisdiction. To me it is confusing.

Major changes/improvements at Lituania Park and the beaches. Most recently, the PB listened to a comprehensive proposal to build a community house at Lituania Park, only to conclude that it needed to go to the TC. Lots of jurisdictional confusion. The same holds true of whether the PB or the TC authorizes the building of a pickle ball court or making other capital improvements to Lituania Park. In a town our size with no staff, it slows down the decision-making process and progress toward a desired goal.

- II. **Eliminating our independent PB will also ensure better oversight over spending our limited financial resources.**

Currently the TC approves all expenditures, except the PB decides and authorizes expenditures for repairs and stewardship of park owned land. Why not keep the money historically appropriated to the PB in the general fund. It would give the TC greater control over spending the limited amount of money the Town has. In a small town like ours, it makes sense to have one entity in charge of spending our limited financial resources.

III. Dissolving our statutorily created PB and bringing its powers and duties under the jurisdiction of the TC will help successful Implementation of the Smith report recommendations, best positions us in strengthening and developing our relationship with NPS and ensuring that the Town's Comprehensive Plan is a living document. Also, with the recent Shirley Heinze donation, it makes sense to have all town-owned property under one jurisdiction.

Three additional, relatively recent developments further warrant centralized decision-making authority over Town-owned land. The first development was the emergency work done at our beaches, dunes, and on Lakefront Drive in 2019 and 2020. The TC approved a \$5 million bond issue and spent \$4+ million placing rock and other hardened materials along the shore. The TC then appropriated approximately 3% of the bond money for a comprehensive coastal engineering study and plan – the Smith report. The Town undertook this work because it recognized that access to Lake Michigan and our beaches is the Town's most important and precious asset.

Our response to this crisis has created new opportunities, including qualifying for grant money, having a collaborative dialog with the National Park on use, access, and stewardship, and the potential of working with other Indiana communities along Lake Michigan with the similar coastal challenges. The emergency work also brought home how complicated this work is because of NPS land ownership. With a new NPS superintendent coming on board in early 2024, the TC is best positioned to leverage relationships with NPS, other Town groups and other Indiana coastal stakeholders.

The second development is the updated Town Comprehensive Plan; the first one since 2012. It puts stewardship of the lakefront, including beach access, front and center and prioritizes paying attention to the lakefront in real time.

The third development is the impact of the Shirley Heinze donation to the Town of unimproved properties. Through the efforts of the Green Space Committee, the Town now owns 42 parcels of protected land. Although current PB property is more developed, consolidation of all town-owned property makes it easier and more streamlined to consider stewardship initiatives. Carving out Litanica Park and Town beaches to the Park Board from TC control does not make a lot of sense going forward.

Again, with limited capabilities, the TC needs to be as nimble as possible to give every chance for success in responding to these new initiatives and serving our residents. Bringing oversight of the beaches, LFD, and the dunes under one jurisdictional authority increases our chances of making successful progress.

IV. How do we accomplish this change?

If we approve this organizational shift, the TC has the authority to dissolve the current PB structure. I confirmed with Connor that this action would not result in any unintended liability to the Town or decrease funding opportunities because our we do not have much developed park land and do no park programming. If the TC were to dissolve the PB, the land now owned by the PB automatically reverts to the Town pursuant to the quit claim deed.

- 1. Contents of Ordinance Amendment.** We would amend our ordinance eliminating our independent PB and create a new committee to assume the current duties of the Park Board, which should be listed in the ordinance. I have attached a list of what I know to be current duties, but please add to it if some are missing.

The updated ordinance should also state that the committee would seek approval of expenditures, like the way the Marshal does now as street superintendent. The ordinance could give a threshold dollar amount for which approval is not necessary.

The updated ordinance should also allow for the TC to empower the committee to act in an advisory capacity and carry out other initiatives deemed necessary or appropriate from time to time.

The ordinance should increase the number of committee members from four to five to decrease the chance for tie votes and increase the likelihood of having a quorum at meetings.

Appointments to this committee should be less than four years, but the ordinance should allow current PB members to serve out their terms under the new structure. By doing this, we would end up with staggered terms and retain some continuity.

Other required actions. Per Connor, to legally effectuate this change, the ordinance can be recorded, and a new quit claim deed can be drafted to return current PB-owned land to the Town. In addition, I assume that Ellen may need to redesignate funds so that current funds appropriated to the PB are put back in the general fund. In addition, current and future donations specifically for park initiatives should be held in a discrete fund.

Town of Beverly Shores
TOWN COUNCIL MEETING MINUTES – December 19, 2023
Administration Building – 500 S. Broadway, Beverly Shores, IN

The meeting was called to order at 7:00 p.m. and began with the Pledge of Allegiance. *(This meeting was a hybrid meeting and broadcasted live via Microsoft Teams and was recorded.)*

Roll Call - Council Members: Councilors Geof Benson, John Blackburn, Susan Loeb, Matrona Malik and Donna Norkus were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and 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

Park Board request for approval to spend donation funds for new deck and fountains in Litanica Park: There was discussion about the deck and lights. Councilor Norkus gave report on the Park Board that included Park Board's discussion about deck and fountain(s). Consensus with Council was that more information was needed to make a decision. Councilor Blackburn motioned to deny the request for a new deck. VP Loeb seconded. Unanimously approved. Councilor Blackburn motioned to table discussion on the fountain(s). VP Loeb seconded. Unanimously approved.

Approval of Minutes

Approval of November 21, 2023, Council Meeting minutes: Councilor Malik motioned to approve minutes as presented. Councilor Blackburn seconded. Unanimously approved.

Report of Police & Street Departments

Violation Report: Violation Report – Nothing to report.

Police Report: Marshal Clapp gave a report. There was discussion regarding the light pole that was knocked over by a bus driver. Attorney Nolan stated all expenses related to the incident need to be tracked for insurance purposes, including time spent dealing with the situation. Councilor Malik motioned to allow Marshal Clapp to get estimates for pole replacement, moving of the pole, and electrical work related to incident. Councilor Norkus seconded. Councilor Norkus offered a friendly amendment to allow Marshal Clapp to get the outside lights working. Councilor Malik seconded. Unanimously approved.

Street Report: Marshal Clapp gave a report. Clapp presented a Vegetation Remediation Project for 2024 quotes. Clapp to update and review list of projects and present at January meeting.

Ordinances & Resolutions

Ordinance 2023-06 Garbage Rates: Attorney Nolan introduced ordinance for first reading. Public comment was opened.

Paul Kleinaitis, 37 E. Stillwater, asked about recycling and if the Town knew what was recycled versus what ended up in a landfill.

Larry Stanton,, 515 E. Myrtle, inquired if a representative from Republic could talk about recycling.

Linda Kurtos, 3 E. Stillwater, stated it would be difficult to find out specifics for the Town but maybe not the region.

VP motioned to close public comment. Councilor Blackburn seconded. Unanimously approved. Councilor Malik motioned to approve the ordinance on first reading. Councilor Norkus seconded. Unanimously approved. Councilor Malik motioned to consider on second reading during the same meeting as it was introduced. Councilor Blackburn seconded. Unanimously approved. VP Loeb motioned to adopt the ordinance on second reading. Councilor Blackburn seconded. Unanimously approved.

Ordinance 2023-07 Transfer to Rainy Day: Attorney Nolan introduced ordinance on first reading. VP Loeb motioned to approve the ordinance on first reading. Councilor Malik seconded. Unanimously approved. VP Loeb motioned to consider on second reading during the same meeting as it was introduced. Councilor Norkus seconded. Unanimously approved. Councilor Blackburn motioned to adopt ordinance on second reading. Councilor Malik seconded. Unanimously approved.

Ordinance 2023-08 Reorganizing the duties and responsibilities of the Park Board: Attorney Nolan introduced ordinance on first reading. VP Loeb motioned to approve the ordinance on first reading. Councilor Norkus seconded. Unanimously approved. VP Loeb motioned to consider on second reading during the same meeting as it was introduced. Councilor Norkus seconded. Unanimously approved. VP Loeb motioned to adopt the ordinance on second reading. Councilor Blackburn seconded. Unanimously approved.

Clerk-Treasurer's Report

Consideration of Claims –CT Hundt presented the November APV register, noting items that were not monthly expenses. VP Loeb motioned to approve the APVs as presented. Councilor Blackburn seconded. Unanimously approved. CT Hundt also presented the Fund, Revenue, Appropriation reports, 4 bank reconciliations, and payroll reports. Council Blackburn will sign off on reports.

Consideration of Claims for Bonds, 2020 Series: No claims.

Councilor Norkus read her response to Paul Kleinaitis' letter to the Town Council and his article in the Sand Tracks. It is attached.

Reports from Committees/Liaisons:

ADA progress: Nothing to report.

Building & Building Site Committee: Loeb gave report.

Board of Zoning Appeals: Norkus gave report.

Capital Planning Committee: Blackburn gave a report. Blackburn presented the Capital Planning Committee's 5-year plan.

Fire & Emergency Management: Vice President Loeb gave a report.

Greenspace Committee: No meeting.

Indiana Dunes National Park: Nothing to report.

NIRPC: CT Hundt gave report.
Park Board: Norkus gave report.
Plan Commission: Norkus gave report.

Unfinished Business:

Windows/windowsill fix in Town Hall: Adam Peterson to send quote to Town Council.
Grants updates: Councilor Norkus stated grants were submitted on time.
2024 committee/board/commission appointments- Benson reminded if interested please email CT Hundt.

New Business

Ratify Benson's electronic signature on Community letter to EPA requesting protection from health risks presented by coal ash fills: Councilor Blackburn motioned to ratify approval. VP Loeb seconded. Unanimously approved.
Approve bonding for clerk and others: VP Loeb motioned to approve bonds. Councilor Malik seconded. Unanimously approved.

Public Comment

Nancy Cassidy, 508 E. Myrtle, stated the sign on West Beverly is misleading as it now states road is closed to traffic and she was told by officer that she was not allowed to drive to dead end. She also stated that she was told she couldn't park there but reported that people have been parking there for years.
Larry Stanton, 515 E. Myrtle, thanked the Town Council for all their hard work.

Written Communications

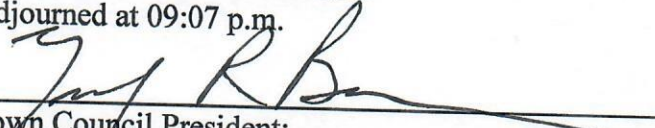
Town Council reported receiving multiple emails from residents.

Town Council Comment

Loeb thanked the Town Council, CT Hundt, Deputy CT Bagnall, Attorney Nolan, and Marshal Clapp.
Blackburn thanked the Town residents for letting him represent them.
Norkus thanked the committee volunteers.
Benson thanked Town Council and wished everyone happy holidays.

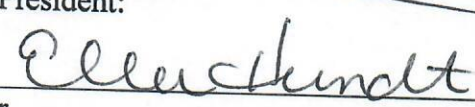
Adjourn:

Council Norkus motioned to adjourn.
Councilor Blackburn seconded.
Adjourned at 09:07 p.m.



Town Council President:

Attest:



Clerk-Treasurer
Ellen Hundt

This is going to be lengthy but I think important. The TC received an email from Paul Kleinatis asking us to address a few financial-related questions. The first request was for projected year end account balances. This question should be addressed to Ellen as Clerk Treasurer as the Council is a receiver of the information, not the producer.

The second request was for a list of projects and amounts of planned capital and maintenance spending for 2024 and contained a specific list of approved or discussed projects. This request is broad but it does fairly represent the specific projects previously discussed by the Council. For information on actual approved spending versus discussion of a needed repair, I would point you to meeting minutes which may be found on the town website or for a more detailed, and sometimes more timely, presentation of a council meeting discussion, SandTracks is always my go to. All discretionary spending is discussed in open meeting so you may be assured there is none approved beyond what has been reported.

Detail of discussed grant proposals was also requested as to amount, timing and likelihood of success. Listed were, pardon the acronyms, LMCP, BRIC, LARE and GLCI. The LMCP full proposal has not yet been submitted as it is due in January. The amount requested will be the max \$100,000 which requires 50% participation by the town. But that 50% is not necessarily met by all cash. The likelihood of success is probably high, the timing will be determined by LMCP. The BRIC full proposal was just submitted on December 15. The likelihood of success is unknown. The total requested is \$312,500 and requires a 25% match from the town. That 25% may be met with a combination of cash and staff time and possibly a LARE grant, the result potentially being no cash required to meet the match. Finally, the GLCI is not a grant.

We were further asked about the anticipated costs to prepare the proposals and whether there are other potential grants. The cost to date in dollars is zero. I, along with Susan Loeb and Andre Daugavietis, worked with outside parties through the GLCI to prepare the proposals and will continue to do so at the pleasure of the Town Council and invitation of GLCI. As to future potential grants, we will continue to watch for any that fit a need and pursue them where appropriate. The town has participated in the Community Crossing grants program since inception.

That sums up, I think, the request for information but I think it is also necessary to address an article by Paul in the December SandTracks issue presenting "a perspective on town finances". While I applaud any attempt to educate the public on complicated issues, especially stewardship of town resources, there were a few references in the article that I think need correction or explanation. Much of the information presented is available directly to the public through Indiana Gateway as mentioned in the article. To access the information, you may go to the website directly (https://gateway.ifionline.org/report_builder/).

As there are some new residents in town who may not be fully aware of the history, I caution that looking at "cash" balances as presented on financial statements from 2016 to 2022 is misleading at best. The financial statements reflect what has been recorded on the accounting software. It should be tied to the bank balances but in the early years it was not. In 2016, the General Fund balance on the town books was negative \$16,385. That does not represent cash in the bank, or a debt to the bank. It represents, in simple terms, multiple recording errors that resulted in the State Board of Accounts opting to issue no opinion on the financial statements. It wasn't a negative opinion, it was throwing up their hands after a long audit process concluding: we know it's wrong due to recording errors, but we can't determine proper adjusting entries to make it right so we present what the town provided.

If you look at all balances reported for 2016 you will see the general fund was not the only one with a negative balance, that accounts payable at year end were over \$1.5M and that accounts receivable were over \$1.7M. You simply cannot begin with 2016 ending balances to conduct any valid examination.

Subsequent to that time, Town Council requested a state audit, conducted in 2018, at its conclusion the SBOA authorized the adjusting entry needed to move forward with correct balances. Until then, the carryforward from 2016 was reflected on the town financials and we had no option to change that. I believe the first "correct" ending balance is for 12/31/17. So, if you want to compare year-to-year you should start there.

The article also presented a few conclusions. It suggests that the 2022 transfer to the Rainy Day fund is a recognition of improved financial condition. In actuality, this was simply a book entry. The town is allowed to transfer unused appropriations (which represent the permission to spend), but only from certain funds, to preserve the right to spend in future years. It does not represent any movement of money. In fact, it does not represent money. It included a statement that "the Council can transfer at least an additional \$66,000" this year. The actual number is half that. It is not determinable until Ellen completes payment of bills through year end which she does by the date of the December TC meeting so the number may be determined and we may transfer the appropriated and unspent balance. Finally, the article included a list of suggestion as to where the Council may spend available funds. Councils have always welcomed input from the community and we welcome this one. But it will be up to the new TC to decide its spending priorities.

As an aside, the incoming TC attended an information meeting last week for all newly elected officials in the state. When the discussion came to that of government finances, the speaker asked for a hand raise of all familiar with normal business financial statements and accounting. The speaker acknowledged the many hands raised and said forget about it, this is nothing like it. As a financial professional for many years, I can attest to that. We will continue as elected officials to attempt to improve reporting to the public so that it may be fully informed and welcome questions from anyone who submits them but it is our duty to ensure the public record is correct.