

**Town of Beverly Shores** February 20  
TOWN COUNCIL MEETING MINUTES – ~~January 09,~~ 2024  
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, Matrona Malik, Donna Norkus, David Phelps, and Candice Peterson-Smith were present. Also, present: Clerk-Treasurer Ellen Hundt, Marshal Ed Clapp, and Attorney Connor Nolan.

**Title VI Survey Availability**

President Phelps announced the availability of the Title VI public involvement survey. This survey is available online via the Town’s website.

**Public Presentations**

*Jim Metros of Republic to speak on recycling:* Metros gave update on the United States’ recycling responsibilities and the changes in the past decade. Republic is striving to be the most environmentally minded garbage company in the US. Republic is considering adding electric trucks (as opposed to diesel) to their fleet. Recycling information was left with the Clerk-Treasurer and will be shared with the residents.

*Beverly Shores Fire Department Jay Hennesey:* Hennesey presented a power point on the BSVFD’s “Pre-Planning” project. It is a shared responsibility project between the homeowner, the Town, and Shores Fire. The power point is attached to these minutes and will be sent in email to be shared with residents.

*Michael Ganz, opening of road on Palmer:* There was much discussion about the approved building plans and opening of the road. The Building & Building Site Committee had informed Ganz he needed approval from Town Council to open and construct Palmer Ave. Ganz brought up a shared driveway. Councilor Norkus asked Ganz what the necessity was for improving a road for access by two properties, both of which have frontage on an already improved road. Dave Wagner reported there should be no shared driveways and a road provided safety for homes in area. Councilor Benson motioned to table the petition until the March meeting. Councilor Norkus seconded. Unanimously approved.

**Approval of Minutes**

*Approval of January 9, 2024 Council Meeting minutes:* Councilor Malik motioned to approve minutes as presented. Councilor Benson seconded. Unanimously approved.

*Approval of January 19, 2024 Council Meeting minutes:* Councilor Malik motioned to approve minutes as presented. VP Peterson-Smith seconded. Unanimously approved.

## **Report of Police & Street Departments**

### *Violation Report:*

13207 – *Haines*: Councilor Malik motioned to deny appeal. VP Peterson-Smith seconded. Unanimously approved.

*2023 Violation Report*: CT Hundt gave report.

*Police Report*: Marshal Clapp gave a report.

*Street Report*: Marshal Clapp gave a report. Clapp gave update on light pole incident. He is waiting for a callback from KB Electric. Town Council requested he get additional quotes for mowing/brush hogging.

## **Ordinances & Resolutions**

The Public Hearing for Ordinance 2024-01 Additional Appropriations was opened. At 8:37 p.m. Attorney Nolan and CT Hundt presented the ordinance. There was no public comment. President Phelps stated these were not new funds but existing fund balances. Councilor Norkus stated that appropriating these funds is not the same as authorizing spending them. Councilor Benson motioned to close the public hearing at 8:40 p.m. Councilor Malik seconded. Unanimously approved.

Councilor Benson motioned to approve on first reading. Councilor Malik seconded.

Unanimously approved. Councilor Benson motioned to consider on second reading during the same meeting as it was introduced. Councilor Malik seconded. Unanimously approved. Attorney Nolan presented the ordinance on second reading. Councilor Benson motioned to adopt ordinance. Councilor Malik seconded. Unanimously approved.

## **Clerk-Treasurer's Report**

*Consideration of Claims* –CT Hundt presented the January APV register, noting items that were not monthly expenses. Councilor Benson 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 Norkus will sign off on reports.

*Ray's Excavating Statement/ Where to pay from*: Councilor Benson motioned to pay Ray's Excavating from the RDA's Bonds, Series 2020 Fund. Councilor Norkus seconded. Unanimously approved.

*Approval of the 2023 AFR (Annual Financial Report)*: Councilor Benson motioned to approve the 2023 AFR as presented. Councilor Malik seconded. Unanimously approved.

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

CT Hundt informed Council that the balance of the MVH-Restricted Fund will be depleted after paying for the CCG2024-01 project.

## **Reports from Committees/Liaisons:**

**ADA progress**: Malik gave report.



**Building & Building Site Committee:** Malik gave report.

**Board of Zoning Appeals:** Norkus gave a report.

**Capital Planning Committee:** Nothing to report.

**Fire & Emergency Management:** Benson gave report.

**Greenspace Committee:** Nothing to report.

**Indiana Dunes National Park:** Phelps gave report. Phelps has been unable to connect with NPS director. The NPS reported work being done on West Beverly, near Kemil.

**NIRPC:** Nothing to report.

**Parks & Recreation Committee:** Peterson-Smith gave report. VP Peterson-Smith motioned to allow Theresa O'Neil to use the Warming Hut on March 2<sup>nd</sup> from 3-10 p.m. Councilor Malik seconded. Unanimously approved. VP Peterson-Smith motioned to have the Parks & Recreation Committee establish their rules and regulations for Lituanica Park and the Town's beaches. Councilor Norkus seconded. There was discussion. Unanimously approved.

**Plan Commission:** Norkus gave report.

### **Unfinished Business:**

*Windows/windowsill fix in Town Hall:* The updated contract was approved by the contractor. Attorney Nolan to present a clean copy for signatures.

*Grants updates:* Councilor Norkus gave report. The Lake Michigan Coastal Grant's full proposal was submitted. The level of funding has decreased. However, LMCG may have funds set aside to help fund the Town's project and it has no match requirement. The BRIC grant was submitted. Indiana Homeland Security responded with questions and answers were submitted. Norkus expects to hear the decision in fall of 2024. The Great Lakes Initiative has funding from the National Fish and Wildlife Foundation that the Town may be able to access. More information to follow.

ARPA Funds. No update.

### **New Business**

*Porter County Elections request to use Town Hall May 7th and November 5th:* Councilor Benson motioned to allow Porter County to use Town Hall on May 7<sup>th</sup> and November 5<sup>th</sup>. VP Peterson-Smith seconded. Councilor Norkus made a friendly amendment to allow Porter County to come in the evening before the elections to set up. Benson accepted the amendment. Peterson-Smith seconded. Unanimously approved.

*ABSR request for the use of town facilities:*

The ABSR requested the use:

Lituanica Park on:

March 30<sup>th</sup> for Easter Egg Hunt

October 26<sup>th</sup> for Halloween

Rebora Plaza on:

May 27<sup>th</sup> for Memorial Day Coffee

June 14-15<sup>th</sup> for the Necktie Race

July 26-28<sup>th</sup> for Summerfest

Town Hall on:

July 13<sup>th</sup> for the Garden & Art Walk

Broadway, from Beverly to Lake Front on:

July 27<sup>th</sup> Summerfest Parade

Councilor Malik motioned to approve. VP Peterson-Smith seconded. Unanimously approved.

Councilor Norkus requested VP Peterson-Smith to present these dates to the Parks & Recreation Committee.

*Affirmation of actions taken by Town Council President:* President Phelps stated he wrote a letter of support for Journeymen for their grant application, a letter of financial commitment for the BRIC grant, and a letter of financial commitment for the CCG2024-01. Councilor Norkus motioned to affirm these actions. Councilor Benson seconded. Unanimously approved. Attorney Nolan to have Resolution for approval at next meeting. Phelps reported receiving a request for letter of support for the Depot in their application for a grant from the ABSR Community Foundation, to replace their computer and printer for their historical preservation work. Councilor Norkus motioned to give Phelps authority to write letter. Councilor Malik seconded. Unanimously approved.

*CT request to change date for March TC Meeting due to CT & DCT being at conference:* The Town Council meeting was moved to Thursday, March 21<sup>st</sup> at 7 p.m.

*Annual Nepotism Certification:* This is an annual requirement by the SBOA. Each Council member will complete this certification.

### **Public Comment**

John Mackin, 204 S. Quigley, gave his ADA appeal to Town Council. Phelps told Mackin the appeal should go to the Council President. Council instructed Mackin on how to find the Council's emails.

Linda Wagner, DWC President, reported that the DWC has a speaker from Porter County Recycling at their March meeting. The public is welcome and there will be a Q & A.

### **Written Communications**

Phelps reported he received an email from a resident suggesting the Building Code be rewritten. Phelps received a petition for super voluntary annexation from B & C Featherbone (Journeyman. Bill Welter, owner, and his attorney Todd Leeth were there to present. Councilor Benson motioned to authority Attorney Nolan to begin the process of pre-annexation agreement with B and C Featherbone, LLC.. Councilor Norkus seconded. Unanimously approved. There was discussion. Councilor Benson motioned to set a Public Hearing for March 21<sup>st</sup> at 7 p.m.. Councilor Malik seconded. Unanimously approved. Councilor Benson motioned to set a special meeting for April 4<sup>th</sup> at 7 p.m. for the annexation process. Councilor Malik seconded. Unanimously approved.

### **Town Council Comment**

Benson reported the OWL camera is working well.

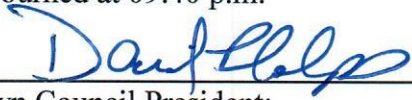


**Adjourn:**

Council Benson motioned to adjourn.

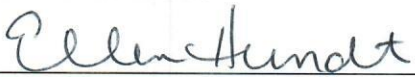
Councilor Malik seconded.

Adjourned at 09:40 p.m.



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Town Council President:

Attest: 

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Clerk-Treasurer

Ellen Hundt