

TOWN OF MICHIANA SHORES
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Michiana Shores, Indiana 46360
Office (219) 874-3193 Fax (219) 874-3770
October 23, 2020

Minutes from Meeting

The meeting was called to order at 7:09 pm CST by President Matt Bowen.

The following statement was made by President Matt Bowen in relation to Indiana Order 20-09: Indiana Governor Eric Holcomb issued a series of Executive Orders which, among other things, declared a public health emergency and suspended various state statutes. On March 18, 2020, Town Officials were notified that Michiana Shores Fire Station and Public Meeting Room were closed to the Public by order of the Chief of Michiana Shores Fire Department. On March 23, 2020, the Governor issued Executive Order 20-09 which specifically addressed public meetings and the Indiana Open Door Law. The Executive Order along with the opinion and guidance issued by the Indiana Public Access Counselor allowed for meetings to be held by videoconference or teleconference. This allowance remains in effect for the duration of the public health emergency that was declared in Executive Order 20-02. Thus, this allowance was in effect on the night of October 23, 2020. The meeting herein was attended in person and in accordance with these laws.

The room was equipped with hand sanitizer, disposable masks, sign in sheet and wipes. Everyone in attendance was masked and socially distanced.

Roll was taken by President Matt Bowen: Ralph Box: Member present in person, Mario Jobbe: Vice president, present in person, Bob Hall: Member, absent, Jeanne Paxton: Secretary, present in person, Matt Bowen: President, present, in person, Joan Lewis: Clerk Treasurer, present in person. (No attorney was present)

A quorum was announced.

The September 10, 2020 meeting minutes were reviewed. President Bowen made a motion to approve: A motion was made by Vice President Mario Jobbe; second by Member Ralph Box, all were in favor: minutes were approved.

Old Business: None

New Business

President Bowen stated that the lag of time between when a Petitioner starts a file at the Town Office to obtain Special Use to the time when the Petitioner files all paperwork in order for a hearing to commence is becoming a problem. To date, we have four Petitions that are in limbo, awaiting paperwork from Petitioners. These are:

Petition 002-2020 Shanahan, 325 Oakland: Petition originating on 5/8/2020: voted to continue by BZA: Petitioner obtaining clear title.

Petition 004-2020 Abrahamson, 212 Pokagon: Petition originating on May 13, 2020: insufficient paperwork requirements. Possibility the property is sold.

Petition 007-2020, Marshall, 3811 Manawa. Petition originating on June 24, 2020: insufficient paperwork requirements: Owner said property might be for sale in November but continues to rent.

Petition 008-2020, Ducey Family Trust LLC, 10 Powhatan, originating on July 13, 2020. Insufficient paperwork.

Petition 009-2020 Ian Steele, 3908 Birchwood. Owner withdrew request because he sold the property.

President Matt Bowen asked for a motion to offer the following request to the Town Council of Michiana Shores:

On April 29, 2020, STR 2020-02 became law in Michiana Shores, Indiana. The law was published in the News Dispatch on April 14, 2020. Since June 11, 2020, The Michiana Shore BZA in conjunction with Attorney Jeffrey Gunning have spent many hours working out a system for hearing STR Petitions. Our first Petitions were heard on August 6, 2020. Since the inception of the law, 9 Short Term Rental owners have come forward to follow the law. Only four have met all requirements and have been approved. With this in mind, we are requesting two items:

- 1- That a time limit of 90 days be implemented from the time of registering for a Special Use Grant to the time all paperwork is complete. After the 90 days, the petition is closed. In order to restart the process, another fee of \$150 is required.**
- 2- That the Town Council implement enforcement to motivate short term rentals owners to start Special Use process NOW so that the petitions can be heard in a timely manner before rental season of 2021. The BZA has voted to hear no more than three Petitions per meeting due to Covid safety regulations. It is not fair to our members to have a rush right before summer of 2021.**

Vice President Mario Jobbe made a motion, Ralph Box second, all were in favor. President Matt Bowen then stated that the Town Council Members would be each given a copy of the BZA Minutes as notification of the above requests.

Ralph Box then mentioned that a subcommittee of the Planning Commission made up of Ralph Box, Howard Jablon, Ray Dumbrys and Michael Martinez were rewriting the rules of procedure and mentioned that the BZA might consider doing this in 2021.

Town Attorney Laura Nirenberg asked us to discuss the issue of virtual verses in person meetings. Ralph Box and President Matt Bowen said they prefer to have in person meetings because they found that issues were easier to discuss and they were shorter and more effective. Vice President Mario Jobbe said he had no problem with in person meetings. Secretary mentioned the rising cases of Covid in LaPorte county. President Matt Bowen reassured us that at any time, if any member is not comfortable meeting in person, we will postpone meetings.

President Matt Bowen asked for a motion to adjourn: Vice President Mario Jobbe made the motion, Ralph Box second, all were in favor: meeting was adjourned at 8:00 pm. CST.

The next meeting is January 21, 2021 at 7 pm CST.

Respectfully Submitted by:

Jeanne Paxton, Secretary

Approved by:

Matt Bowen, President