

TOWN OF MICHIANA SHORES
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January 14th, 2020 Council Meeting Minutes

7:00pm Call meeting to order:

Roll Call: Council members: Pam Dubie, Rich Young, Daina Dumbrys, Michael Lancioni, and Michael Martinez., Police Chief Robert Sulkowski, Park Board President Dolly Millick, Bldg. Commissioner Steve Thomas, Web Manager Daina Dumbrys, Atty. Jeffrey Gunning and Clerk Treasurer Joan M Lewis were present.

Fire Chief Garry Bendix, & BZA President Matt Bowen were Absent.

Presentation to Jean Poulard: On behalf of the Town of Michiana Shores Joan M. Lewis presented Jean V. Poulard with desk plaque for his many years of service to the Town of Michiana Shores as Councilmember, Plan Commission Member, Park Board and volunteer work cleaning path on the aide of White Ditch. After Councilmember Joan Lewis read the inscription , she said “Your dedication is remarkable”.

Annual Election of Officers: President: Clerk Treasurer opened nominations for president. Councilmember Mike Lancioni nominated Daina Dumbrys. Clerk Treasurer Joan M Lewis asked if there were any more nominations – three times no response. Vote : 5 ayes.

Vice President: Councilmember Daina Dumbrys nominated Michael Martinez. No other nominations. Vote: 5 Ayes

Annual Appointments: Building Commissioner; Road Commissioner; Town Attorney, Council Liaisons for Police Protection, Roads, and Park Department, NIRPC representative, LaPorte County Drainage Board Liaison, CCG Grant Administrator.

Councilmember Mike Lancioni made a motion to hold over present members in the above positions until next meeting. Seconded by Councilmember Michael Martinez. Vote: 5 Ayes.

Plan Commission vacancy & re-appointments.: Pres. Dumbrys asked for three volunteers from the council for the Plan Commission. Councilmembers Pam Dubie, Michael Lancioni, and Michael Martinez. Citizen Plan Commission member appointed is Ralph Box who had expressed interest to be on the Plan Commission.

Secretary – No one interested.

BZA Re-appointment: Pres. Dumbrys tabled the appointments until next month.

Park Board Appointment: Jean Poulard appointed to fill the vacancy. Jennifer Johnson, 420 Oakland is interested in being a Park Board member. A suggestion was made that she or anyone interested in being a board member to attend the meetings and be considered when a vacancy occurs.

Pres. Dumbrys passed around a sign in sheet for everyone present to sing name, address, e-mail address and phone number.

Ratification of Annual Election/Designation of Board of Finance Officers (President and Secretary): Atty J. Gunning explained the normal process that the Council President to be the Chair/President of the Board of Finance and the Clerk Treasurer the Secretary. Councilmember Michael Lancioni made a motion to elect the Council President Daina Dumbrys Chair/President and Clerk Treasurer Joan M Lewis Secretary; seconded by Michael Martinez. Vote: 5 Ayes.

Meeting Minutes: December 10, 2019: Councilmember Mike Lancioni made a motion to accept the meeting December 10, 2019 Council meeting minutes as presented; seconded by Councilmember Michael Martinez. Vote: 5 Ayes.

December 27, 2019 Year End Council meeting minutes will be presented at the February meeting.

Clerk Treasurer's report. January 2020 claims: After a discussion as to whether the Clerk Treasurer should read the claims every month, Councilmember Mike Lancioni read the major expenses. Councilmember Mike Lancioni made a motion to approve the January 2020 claims; seconded by Councilmember Rich Young: Vote: 5 Ayes.

Dec. 2019 Payroll: After Clerk Treasurer Joan M Lewis explained the payroll system and the amounts listed on the claim voucher, Councilmember Michael Martinez made a motion to approve the December 31st 2019 Payroll; seconded Councilmember Mike Lancioni. Vote: 5 Ayes.

Designation of Council member(s) to sign time sheets for Road crew, Grant Administrator and Building Commissioner or any new employees hired. A suggestion was made by the Clerk Treasurer, Joan M. Lewis, that the oversight for time sheets would be the responsibility of the applicable Liaison.

Schedule of 2020 meeting dates: Clerk Treasurer Joan M. Lewis presented the Councilmembers a list of meeting dates for 2020. Councilmember Mike Lancioni made a motion to change the Plan Commission meeting to November 2nd; seconded by Councilmember Michael Martinez. Vote: 5 Ayes.

Reports:

Police: Chief Bob Sulkowski gave the report. Report will be on file.

Fire: Chief Garry Bendix absent. Robert Sulkowski gave the report. Report will be on file.

Building Commissioner: Steve Thomas – no report. The issue with building at 3631 Michiana Drive has the contractor back working.

Park & Recreation: Dolly Millick stated no meeting until march. She has a bicycle in her garage that was found in the park and would like to find the owner.

Road Commissioner: Robert Sulkowski stated they plowed snow twice in December.

- a. **Community Crossing Grant:** Robert Sulkowski stated the final invoice has been submitted. Waiting for payment.

Plan Commission: Rich Young stated the January meeting has been changed to January 21st. The only issue is the permit application for Dan Coffey. Everyone has been notified.

Job Description Committee: Joan Lewis – Meeting scheduled Jan 20th - 3pm

Job Descriptions need to be completed for present and prospective new employees to know the duties, hours worked, education, equipment knowledge etc. Also, helps with advertising for vacant or new jobs. Yearly evaluations will need to be performed.

BZA: Pres. Matt Bowen absent. Ray Dumbrys stated the next meeting is February 20th at 7pm. No new or pending petitions or matters.

White Ditch – Ray Dumbrys LaPorte Cty. Drainage Board Liaison unable to attend today’s meeting. Council President Daina Dumbrys gave the report. She stated that BSM will be installing fiber optics cable under White Ditch.

Website – Daina Dumbrys, Content Manager, stated the new members will be listed on the website.

Resolutions-Ordinances – Atty. J. Gunning

- a. **Short Term Rentals:** Atty. J. Gunning explained the short-term rental regulations and obligations for the Town. He suggested that an amendment be made to the Comprehensive Plan concerning short-term rentals and have the first reading of Ordinance 2020-01 Short term rentals tonight. Councilmember Mike Lancioni read Ordinance 2020-01 An Ordinance of the Council of the Town Michiana Shores Indiana Adding a New Ordinance Titled Short Term Rentals Permit, Safety and Security Program. Council members had no comments. Several comments came from the public concerning number of dog restrictions, how the ordinance would be implemented, and why the rush to get it passed so quickly.
- b. Atty. J. Gunning explained the ordinance process in great detail including an explanation that the proposed ordinance must be voted by the council majority twice (once on a “first reading” and a second time after “second reading”) before it becomes law. And because this ordinance includes fees and monetary penalties, it will have to be properly legally advertised before it becomes effective. Councilmember Mike Lancioni made a motion to approve Ordinance 2020-01 on first reading; seconded by Councilmember Michael Martinez. Vote: 5 Ayes.
- c. A motion was made by Councilmember Mike Lancioni to have the Plan Commission review and amend the Comprehensive Plan to address short term rentals; seconded by Councilmember Michael Martinez. Vote: 5 Ayes.

Return to Council Plan Commission appointments: Pres. Dumbrys revisited the topic of Plan Commission Commission Appointments.

Government Member Appointments: Councilmember Mike Lancioni made a motion to approve Pam Dubie, Mike Lancioni and Michael Martinez be appointed to the Plan Commission as the local government members; seconded by Councilmember Michael Martinez.

Vote 5 Ayes.

Citizen Members: Councilmember Mike Lancioni made a motion to re-appoint Ray Dumbrys and Ralph Box vacancy of Dorothy Sprovtsoff; seconded by Michael Martinez. Vote: 5 Ayes.

Grants: a. **DNR CZ729 White Ditch Bank Stabilization:** In process of writing request for proposals for engineering.

b. **DNR CZ845 White Ditch Riparian Corridor Restoration:** Final report is in the process to be sent to the DNR tomorrow.

Town Attorney Report: Attorney J. Gunning explained the beach rights controversy, where property owners feel they own to the water. The State of Indiana legislature has several issues to contemplate the public beach access along Lake Michigan Shoreline. **1.** Have a public access walking easement along the shoreline from the Illinois state line to the Michigan state line. **2.** Turn Authority of beach to the DNR.
3. Give beach rights back to the property owners.

Executive Meeting Date: Councilmember Daina Dumbrys to co-ordinate time and date of the meeting, with a Council meeting following.

Communications: No communications received by Clerk Treasurer.

Public Comments: None.

Council Comments: Councilmember Rich Young stated he spoke with the Representative from Republic Services and they would like a 3% increase in Garbage/Refuse contract if it were extended. Bids will need to be requested.

Clerk Treasurer Joan M Lewis gave a copy of the Comprehensive Plan, the Town Code, the published 2020 Budget and the approved 2020 appropriations to all Council members.

Adjourn: Council President Daina Dumbrys adjourned the meeting at 9:20pm.

Approved by Town Council Feb 11th 2019