

TOWN OF MICHIANA SHORES
601 El Portal South
MICHIANA SHORES, INDIANA 46360-1175
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December 8th, 2020 Council Remote Zoom Meeting Minutes
Meeting entry procedures & Agenda posted on townofmichianashores.org Website.

Call to Order: Pres. Dumbrys called the meeting to order at 7:08pm

Pres. Daina Dumbrys read the Indiana Governor's Executive Order regarding virtual meetings being held by government entities. She also included the LaPorte County Board of Health Emergency orders.

Roll Call: Pres. Daina Dumbrys, V-P Michael Martinez, Pam Dubie, Mike Lancioni, Rich Young, Clerk/Treasurer Joan Lewis, Atty. Laura Nirenberg, Police Chief Bob Sulkowski, Park Board President Dolly Millick, Flood Plain Administrator Ray Dumbrys, and Code Enforcement Officer Deb Chubb were present.

Fire Chief Garry Bendix, BZA President Matt Bowen, Plan Commission President Howard Jablon, Bldg. Commissioner Steve Thomas and Website Samantha Arnold were absent.

Adopting Meeting Agenda: Michael Martinez made a motion to accept agenda as adjusted, Change Ordinance 2020-09 to a Resolution and add Atty. Gunning with Attorney Nirenberg; seconded by Mike Lancioni. Motion passed with 5 Ayes.

Minutes:

Meeting minutes of the November 10, 2020. Rich Young stated the Passing of the October minutes should be 4 Ayes and I Nay (Rich Young). And on page 5 – Clarify that Atty. Gunning notified the Council that the Uryga Case is moving forward with a Mutual Dismissal. Rich Young made a motion to accept the November meeting minutes as corrected; seconded by Michal Martinez. Motion carried with 5 Ayes.

Reports from Committees, Officers and Clerk/Treasurer

Clerk/Treasurer – After November Add'l. vouchers were read by Joan M. Lewis, Rich Young made a motion to accept the vouchers as read; seconded by Pam Dubie; Motion carried with 5 Ayes. After December 2020 vouchers were read by Joan M. Lewis, Rich Young made a motion to accept the December 2020 Vouchers; seconded by Pam Dubie. Motion carried with 5 Ayes.

Roll Call Vote: Michael Martinez Aye
Michael Lancioni Aye
Pam Dubie Aye
Rich Young Aye
Daina Dumbrys Aye

Police contract – Michael Martinez stated he & Laura and may have other council members look at and reviewed the current Long Beach contract .With that they started engaging with Bob Sulkowski to get the ball rolling for a meeting.

Also, Daina and she met with the Police Chief of Michigan City on November 17th to have an overall discussion about what the Town of Michiana Shores is looking for in terms of Police Services from Michigan City. They spoke with Police Chief Campbell and Assistant. Chief Cooney

(He believes). After that meeting, a follow up e-mail was sent with very specific requirements that we look for; specific bullet items. Michael Martinez sent a follow-up e-mail last Tuesday, with no response. We may be hearing from Michigan City in early January.

Daina met with Bob Sulkowski and several members of the Long Beach Council.

Some of the discussion points came up. If and when we do sign a contract with Long Beach it would still follow the same premise with a 3per cent increase for a 3-year term. Also, it appears there would be access to an advisory board where issues, comments or concerns could be heard. Possibly a seat at this board as well. The next step was to get an actual contract. The present contract expires January 31st, 2021. The Long Beach council meets on Dec. 14th. We should know something after that.

Pres. Dumbrys mentioned that Bob Sulkowski will be retiring in January and Mark Swistek who retired from Michigan City Police Dept will be the new chief in Long Beach.

Resolutions and Ordinances:

Ordinance 2020-05A A CONTINUING ORDINANCE TO AUTHORIZE COMPENSATION RATES AND SALARIES FOR THE TOWN OF MICHIANA SHORES, INDIANA FOR CALENDAR YEAR 2021.

A discussion ensued concerning a cell phone for Deb Chubb, Code Enforcement Officer. SBOA was contacted and one suggestion was to just pay a monthly stipend, which would be an employee benefit added to payroll. Mike Lancioni stated he'd buy her a Tracfone, Martinez made a motion to pay a \$45.00 Monthly stipend; seconded Rich Young. Before a vote was taken, Deb Chubb mentioned she would not be interested in purchasing her own phone and the Town pay a stipend of \$45.00. Mike Lancioni stated he would buy Deb the Tracfone. Action on stipend was tabled to Dec. 29th.

Ordinance 2020-05A A Continuing Ordinance to Authorize Compensation Rates and Salaries for the Town of Michiana Shores, Indiana for Calendar Year 2021 was read by Atty Laura Nirenberg. A motion was made by Rich Young to approve Ordinance 2020-05A on first reading with stipend for Code Officer to be added on 2nd reading; Seconded by Michael Martinez. Motion passed on 5 Ayes.

Roll Call Vote: Michael Martinez Aye
Mike Martinez Aye
Rich Young Aye
Pam Dubie Aye
Daina Dumbrys Aye

Ordinance 2020-08 THE ADDITION OF THE OFFICE OF BZA SECRETARY TO THE CONTINUING ORDINANCE TO AUTHORIZE THE CONTINUING COMPENSATION RATES AND SALARIES FOR THE TOWN OF MICHIANA SHORES, INDIANA FOR THE CALENDAR YEAR OF 2020.

Atty. Laura Nirenberg read Ordinance 2020-08 The Addition of the Office of BZA Secretary to the Continuing Ordinance to Authorize the Continuing Compensation Rates and Salaries for the Town of Michiana Shores, Indiana for the calendar year 2020. A motion to approve Ordinance 2020-08 BZA Secretary on first reading was made by Rich Young; seconded by Mike Lancioni. Motion passed with 5 Ayes.

Roll Call Vote: Michael Martinez Aye
Mike Martinez Aye
Rich Young Aye
Pam Dubie Aye
Daina Dumbrys Aye

Ordinance 2020-09 THE ADDITION OF THE OFFICE OF THE CODE ENFORCEMENT OFFICER/ASSISTANT BUILDING COMMISSIONER TO THE CONTINUING ORDINANCE TO

AUTHORIZE THE CONTINUING COMPENSATION RATES AND SALARIES FOR THE TOWN OF MICHIANA SHORES, INDIANA FOR THE CALENDAR YEAR OF 2020. Atty. Laura Nirenberg read Ordinance 2020-09 The addition of the Office of the Code Enforcement Officer/Assistant Building Commissioner to the Continuing Ordinance to Authorize the Continuing Compensation Rates and Salaries for the Town of Michiana Shores, Indiana for the Calendar Year of 2020. A motion to approve Ordinance 2020-09 The addition of the Office of the Code Enforcement Officer/Assistant Building Commissioner to the Continuing Ordinance to Authorize the Continuing Compensation Rates and Salaries for the Town of Michiana Shores, Indiana for the Calendar Year 2020 was made by Michael Martinez; seconded by Mike Lancioni. Motion passed with 5 Ayes.

Roll Call Vote: Michael Martinez Aye
Mike Martinez Aye
Rich Young Aye
Pam Dubie Aye
Daina Dumbrys Aye

Resolution 2020-09 Resolution to Provide for Reimbursement of Public Health and Public Safety Costs with CARES Act Funding.

Atty. Laura Nirenberg read Resolution 2020-09 Resolution to Provide for Reimbursement of Public Health and Public Safety Costs with CARES Act Funding. Mike Lancioni made a motion to approve Resolution 2020-09 Resolution to Provide for Reimbursement of Public Health and Public Safety Costs with CARES Act Funding; seconded by Rich Young. Motion passed with 5 Ayes.

Roll Call Vote: Michael Martinez Aye
Mike Martinez Aye
Rich Young Aye
Pam Dubie Aye
Daina Dumbrys Aye

Departmental Reports – Request for written reports to be sent, to be posted.

Pes. Dumbrys announced “All reports will be e-mailed to her and she will forward to All Council members and the Clerk Treasurer.

Police Chief – Bob Sulkowski
Fire Chief – Garry Bendix
Building Commissioner – Steve Thomas
Park Board – Dolly Millick
Roads Commissioner – Bob Sulkowski
Advisory Plan Commission– Howard Jablon
BZA – Matt Bowen
Code Enforcement – Deborah Chubb
White Ditch/Drainage Board – Daina Dumbrys
Website – Samantha Arnold
NIRPC – Daina Dumbrys
LaPorte County Covid-19 meetings – Daina Dumbrys

Unfinished Business:

- a. **Removing tree by El Portal**, by the Town garage – Bids have been requested by Bob Sulkowski with no ending date for response. No responses.
- b. **Removal of tree on Town property/corner** of Shadow and Powhatan (on Town property) – Quote was awarded to Mick Wulff, this tree was not removed. Rich Young, his supervisor for this contract. Rich said he agreed with Mick to take care of a tree that came down on ElPortal in place

of the tree on Town property on the Corner of Shadow and Powhatan. The next step would be requesting quotes for this tree with a deadline

New Business: *Both of the Following will be tabled and discussed later.*

a. Setting timeline for resident compliance with STR registration/permitting. Complete process between January 1 and April 1, 2021.

b. Setting timeline for completion of a petition for a special use variance from the BZA.

c. **Notifying Town residents** of their responsibility regarding the maintenance of trees, shrubs and other growth on their property, up to and including the area that is considered public way.

Title 3, Public health, Safety and Welfare, Article 1, Chapter 3 (Care of Premises) 3-1-3-1, Page 39. The residents have a responsibility to maintain the various tree, shrubs, bushes & growth up to and including the area considered the public way.

Section 3-1-3-1. General provisions - *All Persons owning or controlling houses or premises or vacant Lots abutting on any public way shall maintain such premises in a clean and orderly manner, and to a standard conforming generally to other orderly premises in the vicinity. It shall be a violation of this section to abandon, neglect or disregard any such property so as to cause blight or nuisance conditions to exist, or may in the future exist, in the Town, causing menace to the health, safety and welfare of the inhabitants of the Town.*

d. **Ordinance 2010-03** requiring approval for large expenditures.

This ordinance specifies that the Clerk Treasurer is the Town's purchasing agent. Daina stated it doesn't take much time to contact the Clerk Treasurer or one of the Council members before a decision is made. (i.e. Paving & tree removal on Michiana Drive).

Attorney report:

a. Atty. Laura Nirenberg – nothing more to add.

b. Atty. Jeffrey Gunning – Daina Dumbrys read the “Notice to Dismiss” court action in the Uryga case.

Miscellaneous Business: None

Communications: None.

Public Comment: Matas Skeberdis commenting on the tree removal responsibility of property owners.

Council Comment: Mike Lancioni spoke with Jason from Signature Landscaping. They picked up leaves and sticks this week but will be back next week as planned.

Daina Dumbrys announced: End of Year meeting Dec. 29, 7pm Virtual.

Adjournment: Daina Dumbrys adjourned the meeting at 8:53pm

Submitted by,

Joan M. Lewis – Clerk Treasurer

Daina Dumbrys - President