

Town of Long Beach
Special Council Meeting
Minutes-October 19, 2023
7 PM

Attending the meeting in-house this evening were council members Lemay, McFadden, Wall, Kocher, Atty. Chris Willoughby, Police Chief Mark Swistek, and Deputy Clerk Deanna Carlson. Councilman Johnstone was absent. Clerk-Treasurer Perry attended by Zoom along with Marilyn and Becky of Marilyn Jones & Assoc. and approximately 18 viewers/attendees. Street Superintendent, Tom Dolph, Sam Ozeh of Haas & Assoc. and ALCO TV were present in-house and about 6 in the audience.

This evening's meeting was called to order at 7 PM by Lemay after which, the Pledge was recited.

A public safety building "construction cost change request for down spouts" was added to this evening's agenda by Lemay

Unfinished Business:

Stop 17 & 18 Stormwater Improvement project: Presentation given by Sam Ozeh of Haas & Associates of the full scope of work on the proposed plan. Because the bids were only good for 60 days, council will award at the November meeting. Kocher asked about IDEM requirements with permitting; Ozeh said there weren't any. Project costs and the bids were discussed with council and Ozeh.

Public comment from Gary Balling, Ridgemoor Dr., about the timeline of the project, completion, etc. Steve Hale, Attorney, on behalf and representing Zafar Rizvi, 1636 Lake Shore Dr., spoke of the Rizvi property and how it will be affected with the project but how grateful the homeowner is for the project moving forward and how much the homeowner loves the plan. Wall states that with the base bid and whichever alternate price is chosen, the project could be near the projected \$445,000.00, using stormwater funds.

McFadden suggests waiting until the November meeting so more of the public can see the zoom video of the meeting of the Haas presentation. Council can vote then.

Anita Remijas suggests the council move forward without waiting.

Wall motions to award the bid for the cost \$445,000.00; second from Kocher. Approved 4 – 0

Lemay gave the building commission report from the Sept. 8th meeting. He said there were many incomplete permits submitted and he'll be happy when the new software is up and running. The October meeting included discussion on lakefront homeowners' beach stairs; a permit for 1612 Indianapolis, a permit approved for 2520 Shorewood Dr.; and a plan review for 1514 Lake Shore Drive.

The MS4 Ordinance will be on the November 14th council meeting agenda.

Lemay made a motion to approve, on first read, **Ordinance #2023-03: Amending and Restating Title IX, Chapter 96, Section 96.01 of the Town Code-Charges for Garbage and Refuse Removal and Leaf Pick Up**. Second by Wall; passed 3 ayes, 1 abstention.

Lemay made a motion to approve, on first read, **Ordinance #2023-_____ : Authorizing the Execution and Delivery of Master Equipment Lease/Purchase Agreements, and Related Instruments, and Determining Other Matters in Connection Therewith.** Second by Wall; approved 4-0.

Building Commissioner Job classification and all information will be presented at the November council meeting.

2nd Reading of **Salary Ordinance #2023-05: 2024 Salary and Wages for Town of Long Beach, LP Co, IN** was passed on 2nd reading with a motion from Lemay and second from McFadden with 2 changes to position titles only – Meg Collins as BZA Secretary; not BZA/APC secretary and Honor Adam as Building Commission Secretary; not Deputy Clerk. Approved 4 - 0.

Lemay makes a motion to approve only \$5000 worth of legal fees Perry is paying to Barnes & Thornburg; anything in excess of that \$5000 is Perry's responsibility. Second by John Wall. Passes 4 – 0. The remaining legal fee invoices currently in the Clerk's office to be paid will be addressed later if and when council decides to make appropriations for those invoices outstanding.

New Business:

Swistek presented some proposed work to be done at the town's water tower site on Foxdale Trail. Olde Pathes Industries \$6,240.00 for dune grass plugs will be paid for out of the 2023 operating budget. \$1200 for weed removal and care for 1 year out of the 2024 budget. Lemay motions to approve those expenses; second by Kocher; passed 4 – 0.

Swistek presented the "PTO: Donate/transfer to another employee" to council, a suggested idea that came through 31-year employee Tom Dolph of the Street Dept. This would be a change to the employee handbook by amendment. This would assist all town employees when experiencing a family emergency or other specific emergency need. It allows employees to donate and transfer a determined amount of their PTO hours to another employee when the other employee's PTO bank is getting low. At present, employees are working to assist a dedicated water department employee unable to work for an uncertain period of time. Motion to approve this change to the handbook; second by McFadden. Passes 4-0.

Wall presented a change order request from Holladay Construction Group for down spouts on the Public Safety Building at a cost of \$12,221.80. This work would be for the south side of the building. This amount is on top of the \$3,100,000.00 for the project. Street Supt. Dolph supports the underground drainage of downspouts. Wall motions to approve the change order; second by Lemay. Passed 4 – 0.

Public Comments –

Anita Remijas, 2300 Florimond, commended council on a good meeting this evening. Said also that Tom Dolph deserves recognition.

Council Comments-

Mary Lou McFadden read, for the record: "First, I want all of you to know that the Town Attorney has advised not to respond when residents are talking during public comment. On Monday, October 9, 2023, our president used his position and council comments for comments that were

not completely true. He left out some important facts. The person that he and John Wall wanted as Clerk-Treasurer was not chosen by the Republican Party but remained in the Clerk's Office to do accounting. They were both advised by the Chief, myself, and a member of the budget committee that she did not have the necessary skills to perform the job. We now have a total mess that we needed Cender and Co. to repair. The next fact when he pointed at Kocher, McFadden, and Johnstone, present at the meeting, and failed to vote to remove the Clerk-Treasurer was untrue. We have no right to remove an elected official from their position. We are not Superpowers! Only the Republican Party can do that and it would have to be a felony or a serious violation. I am offended that you do not want the future candidates to work together. Please quit trying to pit us against each other. We need to work together to lead this Town."

Motion to adjourn the meeting by Lemay; second by Kocher; and adjourning at 8:30 PM. 4-0 Vote.

Respectively submitted,

Deanna Carlson
Deputy Clerk