

Town of Long Beach
Council Meeting
Minutes-Sept 11, 2023
7 PM

Attending the meeting in-house this evening were council members McFadden, Johnstone and Kocher and Wall; Atty. Chris Willoughby, Police Chief Mark Swistek; and ALCO TV. Attending through Zoom were Clerk-Treasurer Perry and Marilyn and Becky of Marilyn Jones & Assoc. and approximately 23 viewers/attendees. Dr. Lemay was absent.

This evening's meeting was called to order at 7 PM by John Kocher.

The meeting will begin with the 1st reading of the budget, added to the agenda at beginning of the meeting; Code of conduct, mentioned by McFadden; and the "Welcome Signs".

The Pledge was recited; Minutes for meetings of May 8 with revisions, June 23rd with revisions and July 10 were approved, in mass, with a motion by Johnstone and second by McFadden; 4-0. August 14th meeting minutes are pending.

As the budget was just presented this evening and council not given ample time to review for 2 readings, there will be first read only this evening with 2nd reading in October.

McFadden wants a code of conduct in place for all meetings to include no badgering, bullying, or attacks of any kind at meetings.

McFadden stated she received a letter from the Long Beach Civic Association mentioning the group is not interested in managing the process of welcome signs for Long Beach but would make a monetary contribution.

Committee reports were read by each department head.

On file with this meeting are the reports by the Fire Department and the Police department.

Committee minutes are available to read on the town's website www.longbeachin.org.

A few mentions:

Chief Swistek mentioned 2 incidents in Michiana Shores and Long Beach on August 2nd and 6th of domestic disputes that involved an attempt of strangulation and/or battery. An August 24th arrest for possession of 2 handguns and drug possession; a handgun arrest in the 1400 block of Lake Shore Drive. Radio programming began today. No meeting of the police commission.

Yemc stated the LBVFS was called out 19 times in August. Training was taking place this evening at the town's maintenance garage on Karwick Rd. Department members flew to Florida to see the new fire engine. Final specs will be noted at next month's meeting and the engine will be ready for pick up February, 2025.

Wall gave an update on the progress of the public safety building; demolition of the 2 buildings started today. McFadden asked if minutes were being taken of Fire Commission meetings; there are none since they are recorded, Wall said.

There were no meetings to report on for the Park Board or Community Center Committees.

Wall stated the working committee for budget and finance met on Sept. 29th. The Town's and Water Dept's funds are accruing interest.

Kocher opened the public comment for the budget 1st reading; there were no comments from the public or council; it was then closed. It passed 4-0.

The Salary ordinance for 2024 is being discussed in Human Resources. There is a possibility of a rate increase by Anthem Insurance; an "Employee Assistance Program" is being considered; possible improvements to PTO (Paid Time Off). The committee will meet again on Oct. 5th.

The tree ordinance has been tabled.

There was nothing to report for Building Commission, BZA, or APC since Lemay was absent this evening.

Permit reports and Legal expenses were announced by Perry for August: 23 building permits issued totaling \$4,048,812.00 with revenue of \$341,337.00; 4 electric permits issued totaling \$487.00; 4 street cut permits with revenue of \$400.00.

Legal expenses paid in August to Braje Nelson & Janes totaled \$ 5,375.00 and \$2,059.50 was paid to Barnes & Thornburg.

Motion to approve all reports and legal expenses was made by McFadden; second by Johnstone and passes 4 - 0.

Unfinished Business:

Clerk-Treasurer Perry noted that the cloud updates were finished and overall, it is a positive change.

Kocher mentioned the homeowners are in negotiations with Michigan City Sanitary District and Long Beach will have updates as they come in regarding Lake Shore Sewer, LLC

Wall and Swistek gave updates on the Public Safety Building. They met with Louie Beck, Amanda of LaPorte County Health Dept, and John with Soil Solutions on August 31st. A proposal was presented to council for approx. \$10,000.00 from Soil Solutions, which, he stated, was also recommended by Amanda of the County.

Swistek shared with council, received input from the council, the preparing of the pre-application he will submit tomorrow. Swistek stated the Town owns the property across the street where the current presby system is. Johnstone asks if this cost is above the \$3,100,000.00? He wants to put a "scaled back" cap on spending until the septic final numbers come in. Kocher motions to employ Soil Solutions, not to exceed \$10,000; second by Wall and passes 3 -1. Johnstone states he will vote "No" to anything beyond the \$3100,000.00 from here on out. Johnstone motions and Wall seconds the authorizing of Swistek as signor on the pre-application document; passes 4-0.

Wall asked and Clerk Perry confirmed that Perry would get the INDOT certification paperwork completed for the CCMG.

The tree ordinance and the ordinance pertaining to garbage and refuse removal and leaf pick up were both tabled.

Larry Wall and town attorney Chris Willoughby are in process of working through a draft of the MS4 ordinance

New Business:

LSD Water Tap improvement project: Bid Awarded to Woodruff & Sons, Inc with a motion from McFadden to accept their contract for \$699,000.00; second by Wall; passes 4 – 0.

McFadden asks Wall to explain why the town is doing the LSD Stop 17 & 18 improvement project; Wall directs everyone to the plans in the Clerk's office from Haas Engineering for public review. Council sets a special meeting date for September 25th at 7 PM CST to open bids, postponed due to an addendum #2 on the project.

McFadden makes a motion to approve invoice #21837 for payment to Knight, Hoppe, Kurnik & Knight-\$527.00. Second by Johnstone; approved 4-0.

Johnstone makes a motion to approve invoice #5 for payment to Holladay Construction Group-\$128,572.31. Second by Wall; passes 4-0.

Johnstone makes a motion to approve invoices for: \$5,091.74 to Haas Engineering for the Stops 17 & 18 project and for \$7,213.30 to Haas Engineering for the LSD Water Service project. Wall seconds the motion and it passes 4-0.

Kocher notes it seems a contract is required for Larry Wall before Wall's August invoice can be paid. Larry Wall and attorney Willoughby will discuss putting a contract together. This topic will be continued.

McFadden makes a motion to approve the services of New Avenues/Midwest Behavioral Health Network out of South Bend, Inc. for no greater than \$2,000.00 and authorizes Swistek to sign the documents for services; this program was recommended by Mark Swistek. Johnstone seconds the motion and it passes 4-0.

Public Comments –

Zafar Rizvi-1636 Lake Shore Drive, commented he has discussed this issue about drainage at his residence for the last 9 years; has spent almost \$60,000 for repairs to his basement, and has been very patient up until now. If something isn't done by the town, he will have to take action the town will not be pleased with.

Mike Coffey, 2204 Oakenwald, asked if there is an update on the deer survey or a plan going forward.

Tim Guillen, 2305 Oakenwald, commented that Gateway is hard to navigate. Is there any way to make that access easier?

Anita Remijas, 2300 Florimond, gave thanks for Mark Swistek in his town capacity. Reminded the council of civility and transparency. Liked the idea of transcripts of meetings for transparency reasons.

Sam Duthoy, 2305 Oakenwald, asked if the town had a street sweeper, does it work, and how often its used.

Jane Krol, Lake Shore Dr, asked if there is a master plan for repaving any of the streets near her and or a schedule.

Bob Boyce, 2926 Lake Shore Dr, stated he has concerns with the Stop 18 project with the run-offs, i.e. oil, gasoline, pesticides, antifreeze and other road run-offs.

Carol Tormey, 1706 Lake Shore Dr, commented on the Stop 18 project.

Tim Perry, C-T, and 1802 Lake Shore Dr resident, commented in 1993 his backyard was washed into the lake and it cost him \$15,000 to fix the problem.

Zafar Rizvi, 1636 Lake Shore Dr., commented the town is using his property for drainage, although he does have property rights.

Perry reads claims approval for town checks 20069 (void) - 20146 totaling \$435,434.79 and water department checks 54770 - 54799 totaling \$177,099.65. August payroll-\$90,557.51 that includes summer camp. McFadden motions to approve; Johnstone seconds; approved 4- 0.

Motion to adjourn the meeting by McFadden; second by Johnstone; 5 - 0, adjourning at 8:45 PM.

Respectively submitted,

Deanna Carlson
Deputy Clerk