

TOWN OF LONG BEACH
TOWN COUNCIL MEETING
via In Person / Zoom
April 11, 2022
7:00 p.m.

All council members Bob Lemay, John Wall, Mary Lou McFadden, Mike Johnstone, and John Kocher, Clerk-Treasurer Perry, Police Chief Mark Swistek, Attorney Chris Willoughby of Braje, Nelson & Janes, and Marilyn Jones & Associates, and LBVFD Chief Tom Yemc participated in person this evening in Long Beach Town Hall. ALCO was present to record this meeting for television viewing. Approximately 10 audience members along with zoom viewers/participants attended the meeting.

Lemay took a roll call attendance, followed by the **Pledge of Allegiance**, with meeting convening at 7:00 p.m.

Executive Town Council/MC Sanitary Districting Meeting April 5, 2022 minutes for were approved 5 – 0 with motion and second by Lemay and Wall. February and March minutes are pending.

All department/ committee reports were read or given by department heads. These council meetings are recorded and are on the town's website for viewing.

Police Department/Police Commission – Swistek gave the reports for the month after he announced the unfortunate passing of part-time clerk/dispatcher Steve Sass. He expressed his condolences to Steve's family on behalf of the Town and Long Beach Police Dept. He then asked consent from council to post a job opening for a part time clerk/dispatcher; Lemay motioned that consent; second by Kocher; approved 5 – 0.

Administrative Duties: Registration of golf carts has begun at the police dept Monday through Friday 9 am to 4 pm. He explained residents' 4 per homeowner parking passes for town lots.

Updated everyone on the elevated presby septic field installed and approved by the LB Country Club for Town Hall across the street.

In continuing the Town's HR search for employee health insurance benefits, Swistek recommended to council that General Insurance Services be the Town's Plan Administrator. We will be continuing with Anthem Blue Cross/Blue Shield at present. Lemay made a motion and McFadden seconded; 5 – 0.

He also recommends the Town add Tim Perry, full time employee, to the Life Insurance -\$50,000 and Short/Long Term disability policies. This would add a slight increase to the \$917/qtr. we already pay. Motion by Lemay; second by Kocher; approved 5 – 0.

Fire Department/Fire Commission – Tom Yemc gave the report for March. There is training tonight at the MC Fire Dept. training facility on Hitchcock St. The annual Fire Dept. Ice Cream Social will be held on July 3rd. Wall stated the department is moving ahead with the design build concept. April 28th and 29th - going to trade show in Indianapolis.

Public Works - McFadden stated they met March 28th. Water sample are being done once again. Gave update on the Lake Shore Drive water project; Greg Parrish had met with Haas & Associates on this scope of the project. Property owners will be informed of any obstructions that might have been place in the right of way and hinders work during the project. Flushing of hydrants will be in mid-May. McFadden made a motion to purchase a town phone for Lynne in the water department which would add another \$50/month to the phone bill; Lemay seconded the motion and approved 5 – 0. Street striping will be done on Oriole Trail and Chastleton Drive and the community center parking lot-\$8912. Arndt Asphalt for Town Hall parking lot sealing-\$1920. Motion to approve these 2 expenses by Lemay; second by Kocher, approved 5-0.

Park Board – Zachary Neff announced summer camp will be June 20 through August 4. Art in the Park will be on July 30, 2022 from 9 – 2 PM. Drafts for town signs are ready for review. Discussed Bus Stops the Park Board is focusing their attention on – Stops 16, 19, 21, 23, 24, 28, and 29. Capital budget is \$75,000 and Stop 23 requires \$10,000; Stop 21-\$27,000; Stop 19-\$10,000; Stop 28-\$40,000, and Stop 29-\$40,000. Johnstone suggests the excess expenses be added to the Capital Plan.

Long Beach Community Center Committee – Kocher gave the report and stated the second boiler has been installed. A new tenant is now in Ste 9 – Brenda McKnight. Melanie Davis would like a directory to be made or the building. Joy Schmitt has been working on brick sales.

Budget and Finance – Perry gave the report. The committee met on April 6th. There was discussion on the \$248,000 ARP Funds, the Christianson CPA firm helping with grant writing, and he mentioned a possible new waste removal plan for the town.

Human Resources Advisory Committee meeting for April had been cancelled. The handbook ordinance is on tonight's agenda.

Tree Board -The homeowner in the 1300 block of Lake Shore Drive had wanted to remove cottonwood trees and had been denied. They appealed to the council. Kocher spoke of possible root damage to the trees if the sewer goes in. Johnstone mentioned the Tree Board denied it after the 1st estimate report. Thought the Tree Board should reconsider their decision. This matter was tabled until May's council meeting and sent back to the Tree Board. Lemay made that motion to table it and send back; McFadden second; 5 – 0.

Building Department – Lemay gave the building department report with focus on four different addresses with issues being handled by the commission.

There were no meetings for **Board of Zoning Appeals** or **Advisory Plan Commission**.

Building Permit Revenue Report for March 2022: There were 31 permits issued with value of work totaling \$1,207,306.00 w/ Town Revenue of \$13,714.00. 2 electric permits totaling \$504.00; 2 Street Cut permit-revenue of \$200.00

March Legal expenses paid totaling \$11,787.50 to Braje, Nelson & Janes

A motion made and second by Lemay and McFadden to approve all committee and revenue reports + legal expenses; approved 5-0.

Old Business – Lemay stated and made the motion that he recommends continuing mask requirements in Town Hall at meetings and social distancing and encouraged attendees to town meetings to attend by zoom when possible. No change at the community. Kocher seconded; approved 5 – 0.

Wall gave updates to the sewer project. He meets with the MC Sanitary on April 13 and 27th. Further updates would be available on the town's website.

Attorney Willoughby is in communication with Chief Swistek and all department heads with regards to Public Works.

Ordinance #2022-03: Staggered Elections passed on 2nd reading 5 – 0 with a motion and second by Kocher and Lemay.

Term Limits subject matter is tabled to May's council meeting. Johnstone briefly recapped the recommendations previously in discussion by the council.

2nd Reading of the **Ordinance #2022-04:** Amendment to Salary Ordinance #2021-017 was approved 5 – 0 with motion and second from Lemay and Johnstone.

2nd Reading of the **Ordinance #2022-05:** Re: Policy for Cross Connection Control was approved 5 – 0 with a motion and second from Lemay and McFadden.

It was recommended by the B & F committee that an American Rescue Plan committee be formed of B & F members. Perry suggests Laurel K., Pete B., Joe Jogmen, John Wall, Tim Perry, plus add Mark Swistek and Melanie Davis, but after discussion by council the committee was reduced to Tim Perry, John Wall, and Mark Swistek with a motion and second by Johnstone and Kocher; approved 5 – 0.

Perry presented the **Resolution #2022-002:** To approve Fiscal Recovery Plan of Long Beach and **Resolution #2022-003:** To Appropriate Monies within the American Rescue Plan Fund. These two resolutions were added to the agenda with a motion by Kocher and second by Lemay. First reading of Resolution #2022-002 was approved 5 – 0 by same motion and second from Kocher and Lemay. Public hearing for the second resolution #2022-003 will be scheduled when the 2nd reading of the same will also be announced.

New Business –

Paul Fithian, 3013 Loma Portal Way presented and shared the screen to show the Comprehensive Deer Management Plan for Long Beach discussed at the March council meeting. He voiced his concerns about the report. Kocher suggests the committee go with a proactive approach. Lemay suggests Fithian's presentation be put on the town's website.

C-T Perry stated Honor Adam's new position as secretary for the building commission, part time for the water department and other miscellaneous administrative duties in clerk's office. Approval to move forward with her employment was met 5 – 0 with a motion and second by Lemay and McFadden. Kocher questioned the 20 hrs. a week part-time position she was hired for but Perry mentioned Honor would like to eventually work up to 40 hrs. a week.

Lemay announced Brad Adamsky, Attorney for the Lecoques, 1900 Lake Shore Drive, and who wanted to address the Park Board and the council regarding the Stop 19 Access and repairs required by contractors to fix the access damaged by landscapers. He is asking approval to access the stop to fix damage and also for access in September for constructing their swimming pool. Willoughby suggests a license agreement with the homeowners; Adamsky mentions a memorandum of understanding. There was lengthy discussion amongst council members and attorneys. Council approved access now for the Beach Access repair with a motion and second by Johnstone and McFadden; 4 – 1. Lemay wants the access to be fixed and usable by Long Beach citizens; not fix it to access it again in September for more construction work. Kocher asked how Long Beach homeowners on the lake side get access to the north sides of their homes for repair or maintenance or construction to their homes? All of them? Lemay says this instance is for someone who wants to build a swimming pool, a poor example of someone the council should make exception for. Wall wants a “long-term look at access points for homeowners on northside of Lake Shore Drive for this same kind of request down the road”. Chris Walsh of Topiarius, Inc., the landscaper, addressed the council how the repair and when the repair could take place at the access at Stop 19. Bill Kantor, of Benchmark Pools, spoke about how the contractor would need access for construction of the pool in September and what equipment and materials would be carried to the 1900 Lake Shore residence. Zach Neff stated it is not the Park Board’s responsibility to provide access to homeowners for work in their backyards. Willoughby to work on an agreement. It was agreed by council not to discuss accessing of the Stop in September this evening with a motion and second by McFadden and Johnstone; 5 – 0. It was mentioned that at this point in time there isn’t any access points for Lake Shore Drive homeowners.

Tim Perry will select a day for all council members to sign all ordinances and resolutions that had not been signed since 2019 when the pandemic kept council from attending meetings in person. To announce a date later for a signing party at Town Hall.

Dave Levy was appointed to the Tree Board where there is a vacancy. Lemay motions and Kocher seconds giving Levy the position. Approved 5 – 0.

Johnstone motions and Lemay seconds the Dump Trailer quote for the Street Department of \$11,195.00; 5 – 0. This is part of the capital plan according to John Wall.

Swistek addressed the council about the outdated exterior lighting at the Town center, over 21 years old. Recommends upgrading the parking lot lights, and the exterior lawn lights and building lights with LED. He received two quotes- Ellis Electric for \$7,397.11 and KB Electric for \$6,896.37. He recommends council allow him to move forward with KB Electric to do the work before Memorial Day. This money to come from CEDIT or ARP Funds; council approved with motion and second by Lemay and McFadden; 5-0.

The 2006 Ford Expedition police vehicle with 90,000 + miles is for sale, to be sold “as is” with no warranty. Asking for permission to solicit sealed bids with 2 advertisements for bids to be received by the Clerk-Treasurer and opened at the next council meeting May 9th at 7 PM. Lemay motions and McFadden seconds; approved 5-0.

SAM Companies proposal for an updated survey on the Fire Station Addition was presented by Wall for \$6,985.00. Kocher suggests looking for a couple more bids. Wall motions to accept this SAM proposal; Lemay seconds; did not pass by 1 – 4 votes. Wall will get more quotes.

The employee handbook ordinance was presented for 1st reading this evening with 2nd reading at May council meeting where final changes would be presented before the 2nd reading vote. A motion and second by Lemay and McFadden to pass on 1st reading was approved 5 – 0. Swistek to meet with Pam Krueger with those changes in the final draft.

Public Comments –

Melanie Davis, Lothair Way, spoke on her appointment to the community center and suggests allocation of some of the ARP funds be used at the center.

Abby Neary, Lake Shore Drive, asks why there are no special minutes made public with regards to a meeting with the MC Sanitary District. Lemay noted it was an executive session and those are not made public.

Brian Kanyer, Oakenwald, thanked Paul Fithian for his deer presentation. Feels no progress is being made on the deer overpopulation and supports a short-term plan for deer control.

Donna Kavanagh, Avondale, also spoke on the deer survey and disagrees with the information through the DNR.

Anita Remijas, Florimond, expressed her concerns of the clerk-treasurer's position that at one time was part-time and has apparently now become full-time that includes life insurance, disability insurance, health insurance. The advertised position for a 15/hr. a week building department secretary is now an opened ended, up to 40 hr./week position with the water department and clerk's office, after a council vote this evening. Mentioned the cottonwood trees at stop 13 and the responsibilities the council allowed the members of the tree board to act on. Also mentioned other concerns -2023 salary increases, a lobbyist, the full-time clerk-treasurer, committee openings and resident participation, traffic disruption at Stop 13 with construction, among other topics.

Claims Approval: Checks #18789 through #18841 totaling \$539,262.24; March payroll was \$67,628.78
A motion to approve by Lemay, second by Johnstone; approved 5-0

Motion and second to adjourn by Lemay and second by Johnstone, approved 5-0.

Meeting adjourned at 9:15 PM.

Respectfully submitted,

Tim Perry,
Clerk-Treasurer