

TOWN OF LONG BEACH  
TOWN COUNCIL MEETING at Town Hall  
via In Person / Zoom  
July 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 participated in person this evening in Long Beach Town Hall. ALCO was present to record this meeting for television viewing. Approximately 15 audience members along with approximately 20 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.

Bob Lemay added to tonight's agenda in new business: APC & BZA open board positions, the Solar Ordinance, Electrical Inspector, and Water Rate Reduction ordinance.

Town Council Meeting June 13, 2022 minutes and Special Council Meeting June 22, 2022 minutes were approved 5 – 0 with motion and second by Johnstone and Wall.

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 a recap of the July 4<sup>th</sup> weekend and the report for the month. There was no police commission meeting until September. He mentioned a \$10,000 donation to the police department from Britt Whitfield towards the purchase of a medical ATV 4-wheeler.

**Fire Department/Fire Commission** – Yemc gave the Y-T-D report for June. Thanked all those involved and those who supported the 17<sup>th</sup> year Ice Cream Social. They served over 132 gallons of ice cream and popped 50 lbs. of popcorn. This also commemorated 90 years for the LB Volunteer Fire Dept. Wall stated the site survey for the fire station is in progress. There is the annual fire truck rodeo driving tests today at Notre Dame Grade School. Mentioned one vehicle fire; put out with no injuries.

**Public Works** – The committee met on June 27<sup>th</sup>. There will be no sewer project on Lake Shore Drive. Michigan City Sanitary District rejected the project. Reminder letters were sent to all residents regarding the Back Flow Preventer. A reminder that there is an ordinance about this requirement. Next meeting is July 25<sup>th</sup> at 9 AM in Town Hall.

**Park Board** – Kendra Bartlett spoke on the upcoming Arts in the Park event July 30<sup>th</sup>. The summer camp program is in full swing. She gave Beach Access Stop updates for Stop 19, 21, and 23. \$10,000 will be spent for fencing that was not in the park budget. The council asks the park board to spend that money this one time.

Stop 29 will be finished mid to late July. The Board discussed their 2023 budget at their monthly meeting. Woodruff and Sons, Inc. is donating a water fountain for Stop 21.

**Long Beach Community Center Committee** – Kocher stated the committee did not meet in July because of the holiday. There is work being done with the cooling tower.

**Budget and Finance** – Perry gave the report. The committee discussed water department funds. Funds from the county and the State received will be distributed to proper fund accounts. A few unplanned expenses were paid i.e., the cooling tower at the community center. The \$96,000 payment was made on the GO Bond. Working in progress for the 2023 budget.

**Human Resources Advisory Committee** – There was a cost analysis requested of Perry in order to discuss wages for the new year. There was discussion of wage increases for the Police Dispatcher position to \$19/Hr.; Part time police administrative dispatcher position to \$15/Hr.; Police deputy part-time positions to \$28-30/Hr. to be competitive with other similarly sized communities. Beverly Shores currently has 14 shift positions open that cannot be filled at their hourly rate of \$22.00. These increases would not increase the police budget line of \$17,000. The current salary of the Clerk-Treasurer, \$34,000, is being analyzed since there hasn't been any increases in over 10 years. That desired range would be \$45,000 - \$52,000/yr. The budget and finance committee would require information on the pay status of Perry's two deputy clerks; are they part-time, full time? This information needed for budgeting purposes for possible Insurance, PERF, etc. Longevity pay was also discussed at the committee levels. Increases were discussed for employees having over 20 years of service with the Town. August 4<sup>th</sup> is the next meeting.

**Tree Board** met July 6<sup>th</sup>. Charlie Dobey joined the committee but there is still one opening to fill on the board. Work in progress on the permit application for tree removals from town property. A quote for approx. \$1,000 came from a Chesterton company for a tulip tree planted at the community center. The tree board wanted to know what their roll is? They mentioned they did not know that a tree had been removed at Stop 24 on town property. They are working on modifications to the tree board ordinance. Next meeting August 1, 2022.

**Building Department** – 2216 LSD, beach stairs. Homeowners requesting information about permits through the DNR. Atty. Willoughby contacting the DNR.

Seawalls in general – A resident was concerned about a letter they received regarding the stairs they were told to remove and would like to put them back in place. The council is to review all stairs on seawalls on Lake Shore Dr. Lemay and the building inspector will walk the lake shore and make a list of all those in violation of the ordinance and the town will start enforcement action.

2522 Oriole Trail – permit denied

Electrical inspections were discussed-LaPorte County Building Department does not conduct "Final" inspections. The building department is seeking other alternatives.

2208 Chastleton- variance from the BZA for a shed but put the shed in place without a permit. They were fined.

2021 Silvertip – variance from the BZA for a garage but the garage is too tall so the permit was denied when presented again to the building department.

**Board of Zoning Appeals-** 2211 Oakenwald – Petition continued by homeowner request  
2216 Oriole Trail – scheduled for public hearing; Yellow Bear Farms out in Hidden Shores-scheduled for public hearing; 2021 Silvertip– approved BZA petition went to the building department for review but denied. 2311 Hazeltine – approved petition for increased volume.

**Advisory Plan Commission** met June 22, 2022. Two Public Hearings set for 2 ordinances. Solar ordinance public hearing resulted in the ordinance being sent to council with a favorable recommendation.

**Building Permit Revenue Report** for June 2022: There were 15 permits issued with value of work totaling \$243,095.00 w/ Town Revenue of \$2,364.00. 8 electric permits totaling \$1,115.00

**June Legal expenses** paid totaling \$14,751.00 with \$14,625.00 to Braje, Nelson & Janes  
\$126.00 to Knight, Hoppe, Kurnik & Knight.

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

#### **Old Business –**

C-T Perry stated he got a call from the LaPorte County Health Dept. regarding septic systems on Lake Shore Drive and when he receives that report in an email, he will share with the town council.

2<sup>nd</sup> Reading of the **Term Limits Ordinance #2022-07**. Johnstone read the ordinance aloud with some clarifications made. Lemay and Wall oppose the ordinance. Johnstone made the motion to approve said ordinance; McFadden seconded. Approved 3 – 2.

#### 1<sup>st</sup> Reading of the **Ordinance #2022-08: Amending, Restating, and Retitling Title III, Chapter 33, Sections 33.45, ET SEQ. of the Code (Known as Department of Waterworks) of the Town of Long Beach, Indiana**

RE: Public Works & Safety – Lemay questions the composition of the board and suggests 2 council members. McFadden suggests 1 council member plus the town administrator. Willoughby states the flexibility of the wording in the ordinance. Wall suggests 5 members on the board, 4 appointments + the Chief. Lemay makes the motion to accept the ordinance on 1<sup>st</sup> reading by suspending the rules; Johnstone seconds the motion and the ordinance passes with a 5 – 0 vote.

#### **New Business –**

Perry mentioned that the Higdon 5K Run on the 4<sup>th</sup> of July resulted with a donation from the Higdon family to the Town of \$1,000. This contribution could help with striping of the old basketball courts at the community center into pickleball courts. The Town also received a contribution from Britt Whitfield for \$1,500 that she recommends help with pickleball courts. Perry said he had an estimate of \$2,500 to stripe those courts but it is Long Beach Country Club property. Kocher says LB Country Club owns the courts at the school. Annette at the country club will present the idea at their July 21<sup>st</sup> meeting and get back to Perry. The donated funds are on hold for now.

The public Hearing was opened for **Ordinance #2022-09: Amending Water Rates and Charges for Use of Services Rendered by the Town of Long Beach Water Department**. After no comments received in

support of or against the ordinance, Lemay closed the public hearing portion and Lemay makes the motion to pass on 1st reading with second by McFadden; it passes 5 – 0. Lemay motions to accept on 2nd reading with second by McFadden. Approved 5 – 0.

The **Resolution #2022-004 Concerning Town Organization Chart** was presented to council. This chart becomes part of the Handbook ordinance #2022-06. Lemay made a motion to approve; McFadden seconded. This resolution passed with a 5 – 0 vote.

The contract was presented and summarized by Chief Swistek for the hydro water treatment for the cooling tower at the community center. \$350/mo. @ \$4,200/yr. \$4,000 for chemical feeder pumps and controls expenditure. He recommends a 1-year contract trial. Lemay motions and Kocher seconds to approve. It passed with a 5 – 0 vote.

After discussion by council of the Lake Shore Drive water tap upgrades by the Water Dept., Wall spoke of the Haas Engineering specs and the bid package cap of \$45,000 recommended. Perry says the Water Dept. has the funds to pay for the project without financing. Wall motions to go ahead, not to exceed \$45,000; second by McFadden, approved 5 – 0.

Chief Swistek met with Attorney Chris Willoughby about email accounts for committee members conducting town business and adding an additional 45 addresses with \$6/mo. each with misc. \$2.00 to total \$8.00 each a month. That makes \$360/mo. at \$4,320/yr. additional to our current agreements. K-Plus agrees to the purchase. Willoughby stated that although these town email addresses are not required, it does make all business easier when it pertains to retention requirements. Lemay motions to approve the expenditure; second by Johnstone; 5 – 0 approval.

The street superintendent's 2014 truck will remain in the town's fleet even after the purchase of the truck replacement. The 2022 F250 Super Duty truck in stock at Bosak Ford in Burns Harbor will cost the town approx. \$72,200 with the lighting and plow package. This was part of the capital plan for the department. Lemay made the motion to pay cash outright for the truck; second by McFadden. The purchase was approved 5 – 0.

**Solar Ordinance #2022-10 1<sup>st</sup> reading: An Ordinance of the Town Council of the Town of Long Beach, Amending Title XV, Chapter 154, Section 154.085(E)(5) as Adopted Under Ordinance #2021-15 (Solar Energy Generating Systems)** was discussed this evening. Lemay made a motion to accept the amendments made on the ordinance; second by Kocher; 5 – 0 vote. Willoughby to have final ready for August council meeting.

Council approved the expenditure, not to exceed \$1,000, for the purchase of the tulip tree to be planted at the Community Center with a motion and second by McFadden and Lemay. Passed 5 – 0.

Swistek mentioned that Tom Dolph has a list of trees around town he'd like to review with the Tree Board.

Pres. Lemay announced he would call for another meeting and advise all council as to when it was for the APC and BZA committee vacancy appointments.

### **Public Comments –**

Nicola Chalik, Lake Shore Drive, asked the council what the current facts are about the sewers on Lake Shore Drive.

Mary O'Neill, Lake Shore Drive, asked who was paying for the water tap project on Lake Shore Drive; John Wall answered that it would be paid for with Water Dept. funds.

Bob Boyce, Lake Shore Drive, asked who was paying the bills already charged to the town for the Lake Shore Drive sewer that is no longer a project?

Joe Linnen, 2800 block of Lake Shore Drive, spoke about the gravel path to the beach across the street from his home and the 30% grade path.

Zafar Rizvi, Lake Shore Drive, complimented the Long Beach Police Dept for all their efforts over the 4<sup>th</sup> of July weekend.

Claims Approval: Checks #18971 through #19054 totaling \$372,687.38; June payroll was \$74,402.72  
A motion to approve by Lemay, second by Johnstone; approved 5-0

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

Meeting adjourned at 8:45 PM.

Respectfully submitted,

Tim Perry,  
Clerk-Treasurer