

TOWN OF LONG BEACH
TOWN COUNCIL MEETING at Town Hall
via In Person / Zoom
November 14, 2022
7:00 p.m.

Present at Town Hall were Council members Bob Lemay, Mary Lou McFadden, Mike Johnstone, John Wall and John Kocher, Clerk-Treasurer Perry, Police Chief Mark Swistek, and Attorney Chris Willoughby of Braje, Nelson & Janes. ALCO TV was present to record this meeting for television access. Becky Lempa of Marilyn Jones & Assoc. attended through Zoom with approximately 18 other people this evening. This meeting is being recorded for the record.

Lemay called the meeting to order with roll call at 7:00 PM followed by the Pledge of Allegiance

Additions to the agenda were announced by Lemay: Set an Executive Session for the purpose of discussing the Perry/Bartlett lawsuit and employee issues.

Town Council meeting minutes of October 10, 2022 were approved 5 – 0 with motion and second by Johnstone and Lemay. Special Council meeting minutes of October 25, 2022 were approved 5 – 0 with a motion and second by Johnstone and Lemay. Minutes of the Executive Council meeting on October 25, 2022 were approved 5 – 0 with a motion and second by Lemay and Johnstone.

All department/ committee reports were read. These council meetings are recorded and are on the town's website for viewing. In brief:

Police Department/Police Commission/Town Administrator – Chief Swistek read the police report for October (copy on file) In Public Works, the plows are ready for the snow days. Leaf removal is moving slowly but attention to the hilly roads and narrow roads for plow truck passage. There was a mishap with a plow and a resident's basketball post and frame and that has been sent to the insurance company. Swistek announced his recommendation to hire the applicant for full time police duty, Matthew Farthing, previously with the Kingsford Heights, Indiana police department. The recommendation to hire with starting salary of \$63,000.00/year plus 192 hrs. PTO (16 days) beginning January 1, 2023 with probationary status of 1 year. Motion to hire and second by Kocher and approved 5 – 0. Swistek introduced Deputy Farthing to the council and Clerk-Treasurer Perry conducted Farthing's swearing in after which Farthing thanked the council and briefly introduced himself to them.

Fire Department-Yemc: The Fire report was given by T. Yemc for October and year-to-date. November had 14 calls in 14 days. The department gave mutual aid to a call out on Wilhelm Road for a factory fire. Over 2,000 hours donated in the month of October. Trunk or Treat was a great success for the 1st year having it. Thanked the council for the new rescue truck. With Police Chief Swistek's help the Fire Dept. will sell the old suburban.

Fire Commission-Wall: The fire commission met on November 1st. Discussion was on capital purchases and the Fire Station phase I and II design build. Engine 1 will need to be replaced, its 31 years old and that impacts ISO ratings with that age of a truck. They continue to gather information for a new truck if

council decides to purchase. The question presented to council was how to dispose of some old equipment. The department suggested donating it to Michigan City. Lemay made the motion to try to sell it. McFadden seconded that motion. Passed 3 – 2. Councilman Johnstone would like to donate it and asked what the dollar value was? Kurt Earnst was present and addressed the council when the subject of the approximately \$750,000.00 cost of a new fire truck was discussed.

Public Works met October 24th. McFadden reported working on vacant lot charges, Stop 17 drainage, and a retaining wall at the water tower.

Reports for the **park board and community center** were given by Joy Schmitt. The park board did not meet in October but will meet November 22nd. The community center committee had proposed new rental rates to begin in January 2023 and those were presented to council this evening. Lemay motions to approved the new rates; McFadden seconds the motion. Passed 5 – 0. Willoughby has agreements available for Joy to take to the park board meeting to discuss at their next meeting. The park board will pay \$15,000/year for use of the rooms used for all park functions.

Perry gave the **Budget and Finance** report for the meeting held on November 9th. He mentioned discussion of the 2022 budget. Said the Town is in good shape overall this year. Mentioned the Lake Shore Drive sewer liability and the 2023 budget. He said he spoke with a representative from Horizon Bank regarding the town accounts. Annual interest on our accounts could possibly increase.

The **Human Resources** committee did not meet in November and there was not report from the Tree Board.

Lemay gave the **Building Commission** report for the meeting held on October 14th. Briefly: 2211 Oakenwald - Larry Wall spoke with the homeowners about going to the BZA. 2217 Chastleton Drive-part of the deck is in the setbacks. 2516 Lake Shore Drive-MS4 to be involved because of the proximity to the lake.

The **Board of Zoning Appeals** denied a petition from Yellow Bear farms regarding a requested variance in Hidden Shores on Captain's Walk.

The **Advisory Plan Commission** did not meet in October.

Clerk-Treasurer Perry gave the **Building Permit Revenue Report** for October 2022: There were 25 permits issued totaling \$2,090,178.00 w/ Town revenue of \$17,031.00. 4 electric permits totaling \$626.00; and 3 street cut permits with \$300.00 revenue. **October legal expenses** were paid to Braje, Nelson & Janes totaling \$10,750.00.

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

Unfinished Business – The MOU between the Park Board and Town of Long Beach and the town's website proposal were continued to the December council meeting. The building commission's proposal to increase fines was discussed. Willoughby mentioned that it already exists in the current ordinance of fining both the homeowner and the contractor when a contractor works in Long Beach without registration paperwork. Lemay made the motion to approve

the increase of the fine to \$500, up from \$100, and Kocher seconds it, with suspending the rules and passing in 1st reading. Approved 5 – 0.

Tim Haas of Haas Engineering was present to address the council and answer questions since last month's meeting that included specifics on the six Lake Shore Drive homeowners who would like to connect to Michigan City Sanitary District's sewer system. Lemay wants to go on records that he supports the project discussed at October's meeting. Lemay made the motion and Kocher seconded, for the preliminary approval of Haas Engineering to move forward with the project. Passed with a 5 – 0 vote.

Lemay made a motion to approve the changes made in wordage where "shall" will be changed to "may" in the Ordinance Amending and Restating Title XV, Chapter 154, Section 154.112, Concerning Engineering Studies for Improvements made to Contoured and/or Steep Lots (Earth Changes, Alteration of Topography, and Steep Slope Excavation or Construction). McFadden seconds the motion and it passes 5 – 0 to go back to the APC.

New Business –

The Public Works ordinance placing 7 members, up from 5, with term limits on the committee was discussed prior to Lemay making a motion and Johnstone's second to pass this on 1st reading. It passes 4-1. John Wall said he still liked the small group.

The council approved A Tree for Toby and the purchase and placement of it at Town Hall. Lemay motions and McFadden seconds with a 5 – 0 approval.

Lemay makes a motion and Wall seconds, to approve for payment, a Haas Engineering invoice for \$11,575.00 for the project- CCMG and ITAP 2022-2. It passed 5 – 0 to pay the invoice.

Swistek addressed the council regarding the health insurance increase for 2023 nationwide. He shared a handout from GIS (General Insurance Services) of United Health Care. After some council discussion, Lemay made a motion to renew the current provider Anthem Blue Cross/Blue Shield without dental and vision. Second by Kocher; approved 5 – 0. It was mentioned that if 5 or more employees want vision and dental it would be 100% expensed to the employees.

The renewal contract for Christianson CPAs was discussed and after council spoke of the approximate \$8,000.00 already paid to the company and the approximate \$2,000.00 more the company wants to proceed with further grant research, the council voted to discontinue their service with a 5 – 0 approval on a motion from Lemay and a second from McFadden.

The council approved Civic Systems software upgrades with costs associated with that work, not to exceed \$10,000.00. Johnstone, Perry, Sheridan, and Wall met in a small group following last month's Budget and Finance meeting discuss the analysis and updates to improve the software system. Wall made to the motion to spend the \$10K and Kocher seconds. It passes 5 – 0.

There was an executive session set up for November 17th at 1 PM with a special meeting to immediately follow. Motion by Lemay and second by McFadden to call these meetings as announced. 5 – 0 vote

The subject of the Clerk-Treasurer's salary was tabled until the special meeting on the 17th.

The council then discussed the Salary Ordinance for 2023 salaries and wages. McFadden mentioned that the positions held by the BZA Secretary, a part time deputy clerk, the inspector, and the park employee would not be included in the increases for next year but Lemay wants the inspector, the park employee and the BZA secretary, those three, included in the 5% increase as all other employees. Motion to approve **on 1st reading Salary Ordinance 2022-____ : 2023 Salaries and Wages**, to include the amendments of those three employees, was made by Lemay and seconded by McFadden. Passed with 4 ayes, 0 nays, and with John Wall recusing himself from the vote. The amendments will be made to the ordinance and presented at the December's council meeting for the 2nd reading.

The council approved the Barnes & Thornburg invoice for Clerk Perry's legal expenses totaling \$3,256.00. Motion by Kocher and second by Johnstone; 5 – 0 vote.

Public Comments – Anita Remijas, 2300 Florimond Ave, congratulated the newly hired Deputy Farthing. She said the Trunk or Treat made a positive increase to kids to our neighborhood. She had Horizon Bank "positive pay" questions for Clerk Treasurer Perry.

No Council Comments – Johnstone asked about the deer survey subject. Lemay said he is pushing that subject to 2024 to a new council. Johnstone stated he had multiple emails coming in from the community where maybe 50 people were still against the deer hunt and maybe 5 were for it.

Claims Approval: Town checks 19284 – 19350 totaling \$187,068.02. Water Dept. checks #54611 – 54620 totaling \$115,763.37 and October payroll of \$69,881.65. 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 8:36 PM.

Respectfully submitted,

Deanna Carlson,

Deputy Clerk