

TOWN OF LONG BEACH
TOWN COUNCIL MEETING at Town Hall
via In Person / Zoom
December 12, 2022
(***with corrections)
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 26 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: Council/Clerk issues; HSA; authorization for INDOT agreement

Town Council meeting minutes of November 14, 2022 were approved 5 – 0 with motion and second by Johnstone and McFadden. Executive Council meeting minutes of November 17, 2022 were read aloud by Lemay as were prepared by C-T Perry and stated “They do not reflect what happened at that meeting”. They were not approved but Perry was asked to rewrite them to be approved at the December year end meeting on the 27th. Minutes of the Special Council meeting on November 17, 2022 were approved 5 – 0 with a motion and second by Wall and Lemay.

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 November (copy on file) Leaf pickup ended December 2nd. Healy came back for 11 extra piles of leaves at no cost.

Fire Department-Yemc: The Fire report was given by T. Yemc for November and year-to-date. Gave response time on fire and medical calls. Stated there were 2 fires in November to contend with. The ice rink was assembled by the volunteers for the season at the park across from Town Hall. The new rescue vehicle in the back lot is waiting for lights, sirens and radio.

Fire Commission-Wall: The fire commission met on December 6th. Wall received council’s approval to advance forward to discussing the unfinished business on agenda, the fire truck purchase, since Karl Cender was in attendance by Zoom. Wall stated the capital plan group had met multiple times within the year to discuss the vehicles, the need for a new fire truck, and now, the public safety building. (The fire station that is being referenced for all future discussion as the Public Safety Building) Karl Cender spoke of the different options possibly available to assist with this truck purchase. Independent fund raising could help contribute approximately \$50,000 toward the truck. Borrow \$325,000 over a 10 year period with options on that route, with payments being used out of existing revenues for capital plan

purchases. The budget and finance committee has available an amortization schedule on this shared earlier. Lemay makes a motion to purchase the fire truck. There was discussion-Kocher asked how it will be paid; nearly \$100,000.00/yr. Wall spoke of the "Town's obligations" to the Fire Dept. and mentioned that CEDIT, CAGIT, CCD funds could be used. Attorney Willoughby announced Wall's position on the fire department and Wall's option to recuse himself from voting. Wall chooses to vote and he seconds Lemay's motion to purchase the truck. It passes with a 4 -1 ***vote. Wall says the current fire station building has roof leaks, trucks are too large, doors don't work properly, and a safety inspection would not pass. Police equipment garage is inadequate and small. The solution would be this new building and combine it with the old police garage for multi-use. The new building will include classroom functionality and 4 new wash bays. The Design Build Phase II choice was to hire Holladay Construction. Karl Cender reviewed the finance options with council and discussion continued. LIT money and GO Bonds were discussed along with the possible formation of a Building Holding Company, or forming a non-profit lease with the Town. Kocher has concerns on maxing out a GO Bond in case other Town emergencies arise within the town. Lemay asked Cender for more detail about the Building Corp. lease. Johnstone asked for Swistek's take on how the police garage is currently used. Swistek stated the roof has a couple of years left on it. He says the new building would have larger areas for vehicles and accessory and laundry and training and fitness rooms; it would be a nice benefit. Lemay motions for 16 years bond financing; Wall seconds the motion. McFadden wants a town meeting to inform residents of the large expense. The motion for financing did not pass with a 2 – 3 vote. McFadden motions for a public forum workshop to be held within 14-15 days; Kocher seconds it. Passes with a 3 -2 vote for a public meeting. It is agreed that no decision on financing a new building will happen until the public is informed and this meeting is set along with the year-end December 27th council meeting at 6:30 PM in the community center gymnasium.

The **Public Works** committee did not meet in December but will meet on January 24, 2023.

Report for the **Park Board** which met on November 22nd was given by Joy Schmitt. A Stockwell Woods update was given; see Saves the Dunes chart (on file) The Stop 19 property was discussed. The **community center committee** met December 5th. The recently high building utility bills were mentioned. The YMCA now has cameras and key fobs have been installed for its members access to the facility. The Civic Association has offered to pay for painting the hallways. A 5% increase has been added to those tenants' leases that have been leasing more than 1 year. All leases have been written as 1 year leases, not 3, as some previously were. The Park Board has been given a 25% increase for 2023 on their leased rooms space at the community center. McFadden motions to approve the 5% increase, 1-year leases. Johnstone seconds the motion; approved 5 -0.

Perry gave the **Budget and Finance** report for the meeting held on December 7th. He mentioned discussion of the 2023 budget, possible grants, the proposed public safety building and the new fire truck purchase. The Form 1782 was signed and returned to the DLGF.

The **Human Resources** committee did not meet in December. They meet again January 5, 2023 in Town Hall at 2:30 PM.

Ellen Lynch gave the **Tree Board** report-The committee is updating the tree ordinance with changes to be presented at a council meeting in 2023. The Board denied a request, 3 to 1, by resident Jane Krol for removal of a tree. She gave a copy council.

Lemay gave the **Building Commission** report for the meeting held on November 18th. Briefly: The commission will set dates for meeting with those homeowners that have their stairs on seawalls and will announce that date when set. The new fines have been set with regards to contractor registrations. The mention of signs being posted in town of requiring contractors to be registered was discussed. 2502 Glendale Way- The application was not adequate; needs survey. MS-4 requirements were discussed. He stated they did not approve any permits at the meeting on December 9th, but did discuss incomplete permit applications.

The **Board of Zoning Appeals** did not meet in November or December.

The **Advisory Plan Commission** met on November 21st, Lemay said at that meeting the APC chose not to create an ordinance regarding maximum building size. ***

Clerk-Treasurer Perry gave the **Building Permit Revenue Report** for November 2022: There were 15 permits issued totaling \$146,827.00 w/ Town revenue of \$1,852.00. 3 electric permits totaling \$713.00. **Legal expenses** were paid to Barnes & Thornburg totaling \$3,256.00.

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

In **Unfinished Business** Town Attorney Willoughby addressed the agreement between the Town and the Long Beach Holdings. Swistek gave an update on his website renewal recommendation to the council. He is asking the council to approve allowing Civic Plus to continue at a cost less than \$4,000.00 for 2023 with the Police Admin. Assistant, the Chief, and one person from the Clerk's Office having administrative rights. After Swistek negotiates a completed contract, he will take it back to the council for approval. Kocher makes the motion to move forward with Chief's recommendation; McFadden seconds; it is approved 5 – 0.

The final draft of the Public Works Ordinance being prepared by Attorney Willoughby will be presented to council at the December 27th council meeting.

Lemay commented on Perry's position and read a lengthy opinion of his views of Perry's "inadequacies" and his reasons Perry should not receive a salary increase. Then McFadden, as an HR committee member, made a motion to not give Perry an increase. That did not pass a vote; 2 ayes, 3 nays. Lemay made a motion to continue his salary discussion next year; no second on this motion. Perry "disagrees with everything Lemay says, for the record. Perry asks "how the change occurred when the budget was already approved for an increase for his position". The council states they want a report of when money is received in the Clerk's office and when it goes to the bank. Perry answered saying there are allegations being made that are not true. There is also mention from council that they've been made aware of bank reconciliations not completed since April. McFadden makes a motion for monthly review of deposits and bank reconciliations; Lemay seconds the motion. It passes 5 – 0.

McFadden makes a motion to pass the Salary Ordinance #2022-15 on 2nd reading; Johnstone seconds and it passes 5 – 0.

McFadden talked about the HSA money the town pays to employees each year and how she wants the town to go back paying it out in employees' January payroll. She puts this in a motion and it's seconded by Johnstone. Passes on a 5 – 0 vote.

New Business:

Chief Swistek is asking the council to approve spending the \$1,000 Higdon 5K run donation to the town on painting at the community center. There are interior hallways needing paint, at approximately \$3,800. Wall asked if the mural in the men's bathroom be relocated. Johnstone moves to spend under \$4,000 for painting; second by Kocher and approved 5 – 0.

Council approves the \$12,500 expenditure for a 2022 Zero Turn mower for Streets. Second by McFadden. 5 – 0 vote to purchase the local equipment.

Lemay makes a motion to pass **Ordinance #2022-16: "Establish a Police Department Donation Fund"**

McFadden seconds, with a motion and second to suspend the rules by Lemay and McFadden and approve on 2nd reading with motion and second by Lemay and McFadden. Ordinance passes 5 – 0.

Swistek presents to the council his idea of utilizing golf cart revenue for a new ATV. He has researched and found a Honda 2023 model, 6-person vehicle, for \$26,000 excluding extras. More on this subject at a later date while also working with C-T Perry's office in creating a new line-item expense fund in the G/L to accommodate the expense if approved.

Wall mentioned that he has copies of the 5-year Capital Plan sheet for anyone asking. He continues with making changes on it since it is "a working document".

Lemay makes a motion to approve the INDOT agreement, with **Resolution #2022-008: Authorization for Execution of INDOT Agreements**; second by McFadden. This is approved 5 – 0.

Public Comments – Anita Remijas, 2300 Florimond Ave, made a comment regarding Perry's response to Lemay, congratulations to the fire department on putting out the fire that happened next door to her, and her support of the newly proposed Public Safety Building and workshop.

Bob Boyce, 2926 LSD, spoke of the public workshop or forum and asked "exactly how much money will be spent on the new building since there have been different figures given over the last 2 to 3 years on the topic"?

Mary O'Neil, 1532 LSD, mentions that its bad timing to have the forum or workshop on the 27th with short notice and holidays.

Ellen Lynch, 2225 LSD, addressed the council about the forum and saying as the elected council, they should just do their work;

Chris Collins, 2400 Florimond Ave, disagrees with the comment made by Boyce about the fire dept. being a private corporation.

Council Comments – John Wall appreciates the council's approval of expensing out a new fire truck.

Claims Approval: Town checks 19351 – 19416 totaling \$194,888.29. Water Dept. checks #54621 – 54637 totaling \$87,717.79 and November payroll of \$71,864.27. A motion to approve by Lemay; second by Johnstone; approved 5-0.

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

Meeting adjourned at 9:15 PM.

Respectfully submitted,

Deanna Carlson, Deputy Clerk