

TOWN OF LONG BEACH
TOWN COUNCIL MEETING at Town Hall
via In Person / Zoom
April 10, 2023
7:00 p.m.

Present at Town Hall were all five council members Bob Lemay, Mary Lou McFadden, John Wall, Mike Johnstone, John Kocher; Police Chief Mark Swistek, Attorney Chris Willoughby of Braje, Nelson & Janes, and Clerk-Treasurer Tim Perry. Becky Lempa and Marilyn of Marilyn Jones & Associates, Karl Cender of Cender & Co. and approximately 15 other people attended through Zoom this evening. ALCO TV was present to record this meeting for television access. This meeting is being recorded for the record.

Pledge of Allegiance.

The meeting agenda was rearranged so the “New Business” subjects of opening bids for the Ford Taurus and the Chevy Suburban could be first up.

Council meeting minutes of March 13, 2023 were approved with a motion and second by Johnstone and Wall; approved 5-0. Special Council meeting minutes of March 20, 2023 were approved 5 – 0 with a motion and second by Johnstone and Kocher.

Opening of bids for the 2013 Black Ford Taurus-Clerk Perry announced the 12 bids in the following order: \$3,777.00; \$2,867.00; \$2,755.00; \$2,551.00; \$5,000.00; \$2,501.00; \$3,200.00; \$2,288.00; \$4,625.00; \$4,101.99; \$4,551.00; \$1,878.18. The high bid was announced at \$5,000.00.

The 22 bids for the 1996 Chevy Suburban were opened and announced in the following order: \$5,187.50; \$7,625.00; \$3,555.00; \$5,100.00; \$4,035.75; \$8,001.00; \$3,875.00; \$5,000.00; \$7,001.33; \$7,251.00; \$2,176.00; \$23,000.00; \$3,700.00; \$2,500.00; \$4,070.00; \$10,100.00; \$2,785.00; \$5,177.00; \$15,500.00; \$4,025.00; \$12,663.00; \$10,000.00. The high bid was announced at \$23,000.00.

Chief Swistek will reach out to the high bidders and start the process to complete the sales of these vehicles.

The “Unfinished Business” agenda item to discuss is Baker-Tilly and the financing decisions for the public safety building. Lemay made the motion for the Town to work with 1st Merchants Bank (Karl Cender of Cender & Co. agrees). Johnstone seconds the motion and it passes 4-1.

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

Police Department- Chief Swistek gave the report for the month of March 2023 (one file); He stated March was a very active month. The Chief announces Brandon Hugley, Long Beach’s newest Reserve Deputy Marshal; he is sworn in by Clerk-Treasurer Tim Perry this evening.

Town Administrator report by Chief Swistek – Leaf pick-up begins on the 24th and will run one week until the leaves are all cleaned up from the town. The gentlemen in public works worked at the community center removing vegetation and adding mulch. The water tower site has a new retaining wall and parking area.

Fire Department report for February by Yemc: Thanked the staff of Long Beach Country Club and Alex Pollock for holding a CPR class for them at the club. The department held training at the Michigan City Training facility. Residents were warned about possible downed power lines with the recent storms.

Fire Commission met last week. Design criteria issues were discussed along with financing for the public safety building and for the new fire truck. Another payment for the building is needing approval – an invoice for \$96,255.00. Reminded all of the meeting dates and times – 1st Thursday of each month at 5 PM at Town Hall.

The **Public Works** committee met March 27th. McFadden announced that a new office manager for the water department was hired and has begun training already. The next meeting takes place on April 24th at 9 AM in Town Hall.

Park Board met March 28th. The full Park Board report is on file but was read by Joy Schmitt this evening. Briefly, she mentioned Stops 16, 19, 21, 23, and 29 where work is being done. Lemay makes a motion for the town to pay for a staked survey for Stop 29 where there seems to be an encroachment on the west side of the stop. Wall seconds the motion and it passes 5 – 0. Stop 15 is in preliminary stages of being ADA accessible. Beach clean up is scheduled for April 22, 2023 in conjunction with Michigan City, beginning at 8 AM.

Community Center Committee met on April 1st. There is interest from an outside party to rent the courtyard for a rehearsal dinner. The committee will follow up on that. Two Penguins will be utilizing room 12 June 3 through 6 to shoot a short movie.

Clerk Treasurer Perry read his notes for **Budget and Finance**—He mentioned he would be contacting Horizon Bank later this month putting the town's money into some C.D.'s in order to get some higher rate interest. He says the software upgrades are causing problems with Positive Pay at the bank and suggested halting that until things get figured out.

The **Human Resources** committee didn't meet in April; however, McFadden mentioned the ongoing training of the new girl with Lynne in the water department. McFadden noted that a part-time employee with the town for one year now, who is the building department secretary, is asking for a 5% pay increase. After researching past Town procedures, McFadden recommends waiting until the fall when the salary ordinance is addressed for all employees and makes that motion to wait until the Fall; second by Johnstone. Passes with a 5 – 0 vote.

Ellen Lynch of the **Tree Board** announced the newly drafted ordinance will be ready to present to the council at their May 8th meeting. The committee meets again on May 3rd.

(The meeting was interrupted due to computer issues and committee reports for the building commission, the BZA and the APC were not heard; along with approval of the permit revenue report and legal expenses paid. Could not record who made a motion to accept reports and legal expenses nor who made the second to the motion.)

Building Permit Revenue Report for March 2023: There were 23 permits issued totaling \$557,939.00 w/ Town revenue of \$6,957.00; 6 electric permits totaling \$1,009.00; and 1 street cut permit to NIPSCO with \$100.00 revenue.

Legal expenses paid in March to Braje, Nelson & Janes totaling \$8,187.50 and \$6,250.00 paid to the **Lobbyist**, The Corydon Group.

Unfinished Business:

The draft of an ordinance pertaining to the vacant lots has been tabled.

Stop 17 & 18 Stormwater Infrastructure Project – To correct the drainage issue in the areas noted by Wall. Wall makes a motion to allow Haas Engineering to proceed, not exceed \$40,000, for work on this project, to be funded through Stormwater Funds. Second by Johnstone and approved 5 – 0.

John Wall stated he met with Bruce Woodruff today, April 10th about the Stop 29 project invoice and says that hopefully the invoice will be ready within the next 30 days. There is currently a written agreement with Woodruff & Sons already. Wall states all but about \$100,000.00 has been spent of the current GO Bond. McFadden says Helen Sheridan says the GO (Government Obligation) Bond funds borrowed for the lake erosion remediation are gone, paid out to Woodruff & Sons, but John Wall stated the previous Clerk-Treasurer spent some of the funds on other things, such as Park expenditures, that should not have been. He said he told Tim that fund should be reconciled again. Tim will take the information to the budget and finance meeting. Wall says there should be “six figures left” In the fund.

Lemay gave a brief update to the council on the IWORQ software the building department would like to utilize. Four other municipalities were notified for their input on the software, which were very positive. Lemay makes a motion to sign on with IWORQ and it was seconded and approved 5 – 0.

New Business:

Public Hearing was opened for the Resolution #2023-004 for the Additional Appropriations of \$77,000.00 for the Park Board

- In support of:
Anita Remijas, 2300 Florimond Ave., is in favor of the appropriation.
- Those to speak against: No one spoke against it.

David Littell, 2520 Oriole Trail, addressed the council and just requested information on how this matter came about with the park board shortage and it was explained to him by council.

Public hearing was then closed. Lemay makes a motion approve the Resolution #2023-004: To Make an Additional Appropriation to Address a Budget Error Resulting in Underfunding the Park Board. Second by McFadden and approved 5-0.

A motion by Lemay and a second by Johnstone to allow Lemay to sign the Notice to Proceed for Milestone Contractors, Inc. for the CCMG. Approved 5 – 0.

It was agreed by council to pay Healy Landscape the \$5,000 for the one-week leaf spring pick up, no vote needed.

The St. Lawrence Ave. drain needs to be cleaned.; the area from Oriole Trail/Foxdale Trail, down St. Lawrence to the lake. A quote from National Powering Rodding with a minimum of \$4,000 with an hourly rate of \$950. Maybe a half day's work could clear that. Swistek recommends not to exceed \$9,000.00. Wall makes the motion to hire National Powering Rodding, not to exceed \$9,000; second by Kocher and approved 5 – 0.

Holladay Construction Group's second invoice of \$96,255.00 is requiring approval for payment. McFadden spoke saying she thought the bill would be near \$40,000.00. Wall explains the situation which includes HVAC materials purchased ahead. Kocher comments there is no building permit yet, there is no septic permit yet, no final plans for the project yet, and yet we've spent over \$150,000.00 already and we don't even know if we can build it. Confrontation between Wall and Kocher. Wall states he'll have final building plans shortly, but he didn't want to take 30% design plans to the building commission and then have to change them without plans that reflect the actual project. Wall states the La Porte County Health Dept. was contacted back at the start, in the spring, and spoke with Amanda. Now, the plan is to use the existing lift station. In the last 2 weeks, the Indiana Dept. of Health has been contacted in Indianapolis. They are reviewing it and will notify Amanda at the LP Co. Health Dept. office, who stated that if Indiana is ok with utilizing the existing station, she'll be ok with it also. Wall stated the building has also already been ordered, to keep the process moving forward. Lemay motions to pay the invoice; second by Wall; approved 3 – 2.

Resolution #2023-005: Adopting Indiana Law Enforcement Statewide Policy on Minimum Standards for Vehicle Pursuits - Motion to adopt by Lemay; second by McFadden. Approved 5-0.

Resolution #2023-006: Adopting Indiana Law Enforcement Training Board's Uniform Statewide Policy on Deadly Force - Motion to adopt by Lemay; second by McFadden. Approved 5-0.

Lemay made a motion to pay, at a pro-rated amount of \$2,625.00, the Health Savings Account (HSA) money, due the water department manager newly hired, as she has already been enrolled in the Town's Health Insurance plan on the family rate as of March 26th. Second by McFadden. Passes with a 5 – 0 vote.

McFadden announced that all employee evaluations have been completed and submitted. They will be conducted on an annual basis each year in February beginning January 2024.

Clerk-Treasurer Perry stated that although Honor is working for the building department, she's in his work space, but also, because at the present time there isn't anywhere for her to go, she works from his office area. Perry mentions Deanna should have left this item off the agenda.

Lemay summarizes the current process on how APRA requests are handled in office. He states timely requirements will follow when new procedures are discussed.

Public Comments:

Donna Kavanagh, 2104 Avondale Dr, thanked first responders when handling a situation at her residence.

John Burke, 1703 Lake Shore Drive, commented on the Stop 17 drainage project and mentioned a homeowners' easement that residents at Nichols Court and Lake Shore Dr. use, to the west of the 1700 Lake Shore Drive house, to walk through to get to the beach. Asked the council to look into it.

Bob Boyce, 2926 Lake Shore Dr., questions the \$96,255.00 invoice by Holladay Construction Group.

Anita Remijas, 2300 Florimond Dr., commends Chief Swistek on his performance. Mentioned Officer Jason Yagelski's professional help with a neighbor man that needed assistance not long ago. She questions Clerk Treasurer Perry on and about bank fees on returned checks.

Perry read the claims for approval: Town Checks #19666 – 19751 totaling \$264,874.73; Water Dept. checks #54679 – 54692 totaling \$75,093.39; March 2023 payroll - \$117,600.95

A motion to approve by McFadden; second by Kocher; vote was 4 ayes and 1 abstention. Lemay asks to see the invoice from Barnes & Thornburg for \$121.00 paid for Tim Perry's legal. Perry says he will forward that to Lemay for his review.

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

Meeting adjourned at 8:45m PM.

Respectfully submitted,

Deanna Carlson,

Deputy Clerk