

**TOWN COUNCIL MEETING
TUESDAY, SEPTEMBER 3, 2013 – 7:00 P.M.
OGDEN DUNES FIREHALL**

PRESENT: Charlie Costanza, Bill Gregory, Allen Johnson, Paul Panther, Tom Clouser

MINUTES:

Paul Panther moved to approve the minutes of the August 5, 2013 regular monthly meeting as submitted. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.

Tom Clouser moved to approve the minutes of the August 7, 2013 Budget Workshop minutes as submitted. Bill Gregory seconded the motion. All were in favor and the motion was unanimously approved.

CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS

Allen Johnson announced that the Environmental Board and the Beautification Committee will hold a free presentation entitled "Gardening in Deer Country" by Master Gardener Maureen. The Environmental Board will do a short 15 minute opening presentation on invasive species that residents should avoid planting. This will be at the Firehall on October 15, 2013 at 7:00 p.m.

Ken Martin, President of the Historical Society, gave a presentation on the upcoming book being written by the Historical Society. Deadlines include October 1 at which time all stories and pictures must be in place so they can be reviewed before November 1 which is the deadline to send all information to the publisher. The book will be published in May, 2014. The Historical Society is still seeking old pictures for use in the book. Ken Martin also stated that the Historical Society has been awarded a grant by United Way and Americorp which will allow us to have a full-time one year volunteer dedicated to Ogden Dunes who will set up office at the Hour Glass and collect stories related to the history of Ogden Dunes. These stories will then get packaged and used in presentations and exhibits at the Porter County Museum and here in Ogden Dunes. There will also be a presentation by Kenneth J Schoon, author of the book "Dreams of Duneland: A Pictorial History of the Indiana Dunes Region" and professor at Indiana University on Sunday, September 15, 2013. Lee Botts who is working on a documentary about Indiana Dunes will be here on October 20. A play entitled "Voices of Ogden Dunes" will be repeated in the near future.

Allen Johnson stated that volunteers are needed for the Garden Club. Please leave your name and phone contact at Town Hall.

COMMITTEE /DEPARTMENT REPORTS

Street Department – Jim Matthys stated that September 23 is the last day for twig pick-up. Town Clean-Up will be on September 28 and 29. No tires or railroad ties will be picked up. The Street Department will pick-up large items if residents need help. Dumpsters will be available at the Street Department. E-waste will be collected in a separate dumpster as well as hazardous materials in a separate dumpster. There will be a separate pile for steel items. October 2 and 3 will be the first leaf pick-up. Do not put twigs on top of your leaves.

Police Department – Marshal Reeder warned residents that door-to-door solicitors are illegal in Ogden Dunes unless they have a permit. He stated that if anyone knocks on your door soliciting please call the Ogden Dunes Police Department and request that an officer be dispatched to handle the situation. He stated that in Burns Harbor a man was going from house to house on the pretense of selling books and asking if there were children in the house.

Plan Commission – Mike Falk stated that one resident came before the Plan Commission for a “tear down” and a “rebuild”. The Plan Commission voted unanimously to approve the plans and forward it to the BZA to two items. The BZA unanimously approved the two items.

Beautification Committee – Dorothy Kurtz stated that a meeting will be held on September 10, 2013 at 9:30 a.m. in Town Hall at which time they will plan for the fall and Christmas decorations.

Home Association – Rob Schlyler announced a “Chili Cook-Off” to be held on September 28 at Kratz Field. Judging will be held at 4:00 p.m. Winning chili will be featured at a local restaurant. The tasting is scheduled for 4:30 p.m. and members of the Home Association will pay \$5.00 and non-members \$10.00 for unlimited chili tasting. Sign-up sheets are available at Town Hall. He also stated that on September 12 at 6:00 p.m. there will be a special yoga session at the Firehall.

Water Board– Greg Casimer, Secretary of the Water Board, stated that the Water Board has voted to file a petition with the Indiana Utility Rate Commission (IURC) to increase the water rates beginning in 2014. He stated that notices were placed around Town plus individual letters to residents were mailed. The entire petition to the IURC is available on the Water website. The reason for the increase is the negative income during the last two years for the Water Department. The water system was built in 1950 and many things need repaired or replaced. Twenty-four fire hydrants need replaced. He stated that the increase is geared toward essential repairs and capital improvements. Allen Johnson stated that there were comments on the internet as to “why residents did not know about the possible rate increase”. He stated that he attended a public Water Board meeting in December 2012 and at that time water rate increases were discussed.

Sanitation – Charlie Costanza asked if the Water Board and Sanitation would be separated. Allen Johnson stated that plans are being made but have not been finalized.

ADA Committee – Sara Anderson thanked the Town Council for including the ADA information at the bottom of all posted meeting signs. She stated that the next ADA meeting will be held on September 26 at 7:00 p.m. in Town Hall.

Environmental Board – Susan Mihalo stated that the August meeting was cancelled due to lack of quorum. She stated that the Board is in the process of gathering information in order to get a waiver for

storm water requirements. John Morris has been assigned as coordinator to attend the Lake Michigan Coastal programs which are involved in septic system education. Tom Clouser also attended the meeting. The annual International Coastal Clean-up will be held on September 21 at 9:00 a.m. to 11:00 a.m. Volunteers are needed to help clean the beach.

PRESENTATION OF CLAIMS

Paul Panther moved to approve regular claims 045193 through 045258 and payroll claims 04718 through 04757 as presented by the Clerk-Treasurer. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.

OLD BUSINESS

Allen Johnson read by title only Ordinance 784 for the second reading. Paul Panther made the motion to approve the title only second reading of Ordinance 784. Bill Gregory seconded the motion. The votes were as follows: Charlie Costanza, no; Bill Gregory, yes; Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes. The motion was passed four to one. Charlie Costanza was opposed to this ordinance because a contractor whose license is revoked by the Plan Commission must now go before the BZA and pay a fee to have the BZA review his revocation. He also feels that this ordinance gives power to the Plan Commission and takes away the power from the Town Council. **Bill Gregory moved to approve Ordinance 784 and Paul Panther seconded the motion. The votes were as follows: Charlie Costanza, no; Bill Gregory, yes; Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes. The motion was passed four to one.** Allen Johnson read a letter dated August 23, 2013 signed by eight residents of Ogden Dunes stating their support for Ordinance 784. Note from Clerk-Treasurer - Letter will be filed with Ordinance 784 as a public document.

Fire Department Plumbing Update – Bill Gregory stated that they are working on the new septic system along with repairs to the kitchen sink. He stated that the Fire Department will pay for the septic system and the Town will pay for the kitchen sink repairs. He requested that the Council approve a future appropriation from the Rainy Day Fund in the amount of \$10,000 to be used for the repair of the sink and underground kitchen pipes. **Bill Gregory moved that the Clerk-Treasurer be authorized to request approval from the DLGF to use an amount up to \$10,000 from the Town Rainy Day Fund to be used for repairs to pipes in the Firehall community room kitchen. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved. Tom Clouser made a motion to formally authorize Councilmen Gregory and Panther to continue negotiations with the Ogden Dunes Fire Department in developing an operational and financial contract agreement for calendar year 2014 for the Firehall. Any such contract/agreement will be legally approved by our Town Attorney and presented to the Town Council for acceptance. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved.** Charlie Costanza and Tom Clouser asked that the new contract/agreement be submitted to the Town Council for review prior to sending it to the attorney for his legal opinion. Allen Johnson agreed to Charlie's request. Bill Gregory stated that he understood the motion made by Tom Clouser would authorize Paul and himself to negotiate not only the agreement for the Firehall but also the fire protection agreement. The Council (Allen, Paul and Tom) stated that Bill was correct in his assumption.

Charlie Costanza asked the Council for an update on the deer management situation. Allen Johnson stated that no new developments have taken place.

NEW BUSINESS

Employee Healthcare – The Town will renew the current employee healthcare plan with Anthem through Anton Insurance effective December 1, 2013 in order to avoid any substantial increases that may occur with the new healthcare law. Quotes were received from IACT Medical in the hopes of lowering our health costs; however, IACT quotes were 29% higher than our current rates with Anthem.

Announcement to Town employees – Information regarding the Affordable Healthcare exchanges is posted in the Town Hall lobby. This is for any employees who wish to purchase health insurance on the exchange market effective October 1, 2013.

A motion was made to appoint Alec Mackenzie as temporary Building Commissioner in the absence of Ed Hewitt, current Building Commissioner, who is going on vacation. Charlie Costanza does not feel a contractor within the Town should be a Building Commissioner and stated that a temporary Building Commissioner from Lake Station was appointed previously. Ed Hewitt stated that the man from Lake Station now has a full-time position and does not want the temporary position with Ogden Dunes. Bill Gregory does not approve of having a contractor in Town in the position of Building Commissioner and feels that the Council needs to find a person who can be on-call and lives outside of Ogden Dunes. Ed Hewitt stated that he will be leaving on September 11 for two weeks. He will have his cell phone and computer with him. Having a temporary person will prevent residents from waiting till Ed Hewitt returns to have a permit approved. Charlie questioned if Alec Mackenzie would remain the Assistant Building Commissioner when Ed Hewitt returns from vacation and Ed Hewitt stated that Alec would not be in that position. He is only filling in while Ed is on vacation. **Paul Panther moved that Alec Mackenzie be appointed to fill in as temporary Building Commissioner during Ed Hewitt's two week vacation beginning September 11, 2013. Tom Clouser seconded the motion. The vote of the Council was as follows: Charlie Costanza, no (conflict of interest); Bill Gregory, yes; Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes. The motion was passed four to one.**

REQUESTS FOR IMPROVEMENTS ON TOWN PROPERTY

15 Diana Road, Johnson – Replace railroad ties (ties are failing) with Unilock to upgrade off street parking area. The ties nearest the street on east edge of parking area form a water barrier to keep storm runoff from eroding the gravel/dirt along side of the asphalt road. The project is planned to use Unilock block to replace the tie walls at approximately the same height that shape the parking area now. Tom Clouser made the motion to approve the homeowner request as stated above. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved. The vote was as follows: Charlie Costanza, yes; Bill Gregory; yes, Paul Panther; yes; Tom Clouser, yes. Allen Johnson did not vote. The motion was passed by a majority of the Council.

156 Shore Drive, Jensen – Upgrade and replace current asphalt parking area with Unilock turf stone pavers. Most of this area is on Town property. Project will vastly improve drainage. Picture available. Charlie Costanza made the motion to approve the homeowner request as stated above. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.

68 Ski Hill Road, Costanza – Request to improve access way to unimproved area to west of residence. Improvements upgrade street parking and improve drainage in the area. Use of access way was granted at Town Council meeting on November 5, 2012 with motion that specified no improvements of rock or paving would be made. Charlie Costanza stated that he will use stone not wood chips and the size of the

access way will not increase. Bill Gregory moved that the resident request be approved as stated above. Allen Johnson seconded the motion. The vote was as follows: Bill Gregory, yes; Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes. Charlie Costanza did not vote. The motion was passed by a majority of the Council.

RESIDENT REMARKS

Susan Mihalo – Stated that the water quality during the beach season was very good. We only had one closure and had an advisory three times.

Dorothy Kurtz – Stated that a presentation by Master Gardener Maureen will be held on October 15, 2013 at 7:30 p.m. at the Firehall. On September 15, Ken Schoon will give a presentation at 4:00 p.m. at the Ogden Dunes Church on his book “Dreams of Duneland”.

Mark Coleman – Thanked Greg Casimer for explaining the water rate increase. He feels people should be responsible for their own garbage pick-up.

Bernadette Slawinski – She stated that several residents have made inquiries of the Town Council and Marshal Reeder regarding the theft of signs in Town but has had no responses. Allen Johnson stated that theft is unacceptable.

Jim Matthys thanked Tom Clouser and Allen Johnson who helped direct traffic during a Street Department street repair. He also stated that repairs will be done near 121 Diana Road tomorrow.

COUNCIL REMARKS

Charlie Costanza stated that he never received the State Board of Accounts audit for the years 2010 and 2011. He has now found the information on the internet.

Paul Panther stated that he also feels the theft of signs in Town is inappropriate.

No further business coming before the Council, Charlie Costanza moved that the meeting be adjourned. Paul Panther seconded the motion. All were in favor and the meeting was adjourned.

Allen Johnson, President

ATTEST:

Jean Manna, Clerk-Treasurer