

**OGDEN DUNES TOWN COUNCIL MEETING
MONDAY, AUGUST 5, 2013 – 7:00 P.M.
OGDEN DUNES FIREHALL**

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

MINUTES

Bill Gregory moved to approve the minutes of the July 1, 2013 meeting with one correction. Ed Hewitt made an ordinance reference which should have been Ordinance 780 and minutes were submitted in "Draft" form with Ordinance 784 referenced. Correction will be made by Clerk-Treasurer for the final copy. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved.

CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS

The following information was announced by Allen Johnson:

Thank you to:

Town office staff for handling all the requests for parking passes for the July 4th holiday weekend.

Our Police force for their hard work dealing with traffic and other issues during the July 4th holiday weekend.

The SODD group for donating eight dozen tick tubes to the Home Association and to the Home Association for purchasing additional tick tubes for the Town.

Women's Club for holding the sand castle contest and refreshments.

Home Association and all the individuals who worked so hard organizing the Cardboard Boat regatta/races and to the builders and crews of the various boats.

Environmental Advisory Board along with Susan Mihalo and Gerry Lehmann and all the volunteers for creating the garden around the pond on Diana Road by the water company.

Street Department employees and our waste disposal company for clearing our Town of refuse on Monday mornings including carpeting and other large items

Congratulations:

Jordan Bailey, formerly of Ogden Dunes, for being the overall winner of the recent Valparaiso Triathlon. This was the 11th annual race and Jordan has now won four of the eleven.

Duane Hibbs, Ogden Dunes resident, participated in the Ragbrai a bicycle tour in Iowa for the 17th time. The race is 423 miles and takes 5 days. The race starts at the Missouri River and goes east to the Mississippi River.

Correspondence:

National Park Service letter dated July 16, 2013 reminding all Ogden Dunes committees that the NPS requires that events such as the cardboard boat race needs to get a permit from the NPS.

IDEM letter dated July 22, 2013 regarding storm water runoff. This is being addressed by Tom Clouser and Susan Mihalo.

Tom Clouser stated that Paul Panther and himself attended a septic seminar and found that the Town is following a majority of the requirements relating to septic systems unlike some Towns that are doing very little. Paul Panther stated that Susan Mihalo has done an excellent job in this area of educating the Town residents. He also stated that recordkeeping of property owners' septic tank clean-outs would be very useful information and the Council is pursuing ways to accomplish these voluntary reporting records.

COMMITTEE/DEPARTMENT REPORTS

Street Department

Tom Clouser stated that the Street Department has taken down all the trees by the Fire Department to make room for the installation of the septic tank. Tom stated that the stumps must still be removed and that there are various stumps in Town that also require removal.

Police Department

Paul Panther indicated that the new Police car will be a 2014 model and should be arriving soon. Charlie Costanza asked if the old vehicle would be a trade-in and Paul stated that it would be.

Park Department

Emily Seerup stated that a new swing set has been ordered for the Long Lake Park playground and funds from a 2012 carry-over have been used. The new set will include an infant seat and a special needs seat for children under 25 pounds. The new set should be installed by the end of this week.

Fire Department

Bill Gregory and Paul Panther are working on a new operating agreement for the Firehall space. Since the Town owns this building, both members feel that the Town should take more responsibility for the maintenance, insurance and utilities of the building. Bill Gregory also stated that the usage fees for the Firehall may increase as a result of the new agreement. He also stated that the reservation agreement for the use of the Firehall will be revised and fees may be increased in this area.

Paul Panther gave an update on the Firehall sink drain and stated that he and Ed Hewitt, Building Commissioner, spent a considerable amount of time with an outside contractor trying to determine the drainage problem. All information they received from the outside contractor was the same information they had already received from Luke Brennan. The contractor went out 60 feet and was unable to determine the problem.

Beautification

Dorothy Kurtz stated that the Committee works on Thursdays at 8:30 a.m. and all volunteers are welcomed. Dorothy stated that if you place 5 layers of paper down and then mulch on top, you will not have to weed your gardens per Gerry Lehmann.

General Code Review

Lynn Toomey stated that the Committee is working on several items including changing the effective date of restrictive parking to October 1 effective 2014, fines for speeding tickets, unlicensed cars and garbage cans left out too long.

ADA Committee

Joan Machuca spoke for the ADA Committee and stated that she and Sara Anderson attended a very informative workshop in Indianapolis sponsored by the US Department of Justice for State of Indiana ADA coordinators. She stated that many of the compliances would not cost the Town any money. She also stated that in order for our Town to be in compliance, we would only have to have a plan in effect with timelines as to when actual changes would be made depending on funding. She supplied the Clerk-Treasurer with a "required" ADA statement that will appear on all future Town Council and Committee agendas.

Environmental Advisory

Susan Mihalo is requesting volunteers on a Saturday or Sunday in the next few weeks to help control invasive plants. Please contact her or John Olson if you can volunteer. Susan also stated that she is aware of the IDEM storm water letter and is working on this with Tom Clouser.

Ogden Dunes Community Fund

Bill Gregory stated that a banner has been placed by Nelson Reck Park to indicate that the Community Fund has contributed to projects in this Park. This banner will be moved from area to area as the Community Fund continues to donate to projects around Town. Bill also indicated that the Firehall door will be repainted in conjunction with the tile project planned for the side of the building.

Home Association

Rob Schlyer, President, spoke for the Home Association and thanked the Community Fund for their Town projects. He also thanked the people involved with the cardboard boat race and stated that the proceeds received from the race paid for tick tubes for Nelson Park. There will be a family night on the beach on August 17, 2013. Children under 17 years of age must be accompanied by an adult.

Ogden Dunes Community Fund

Amy Parry stated that the Women's Club and the Ogden Dunes Community Fund are joining efforts for the Firehall tile project. Residents are encouraged to participate in the free workshops to make the community tiles which will be held on August 17 and August 31, 2013 from 10 a.m. to 2 p.m. and will be divided into four one-hour sessions. Sign-up sheets are available at Town Hall in the lobby. Tiles are 5" by 6" and approximately 370 tiles are needed. Imprinting items will be available for your use at the workshop or you may use your own design. Tiles will be glazed after residents complete them.

Historical Society

Ken Martin gave a slide presentation on the upcoming book "History of Ogden Dunes" being written by the Historical Society. He is requesting old pictures that residents may possess which will be scanned by the Historical Society and returned to owners. The focus of the book is between 1920 and 1980. Publication of this book is scheduled for May, 2014 by Arcadia Press.

CLAIMS

Tom Clouser moved that regular claims 045142 through 045196 and payroll claims 04664 through 04717 be approved as submitted by the Clerk-Treasurer. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved.

OLD BUSINESS

Ordinance 784 was discussed. Charlie Costanza is opposed to this ordinance as he feels the powers of the Town Council are being shifted to the Plan Commission if this ordinance is approved. Bill Gregory stated that State statutes specify that the Plan Commission has the authority to enforce the guidelines set by Ordinance 784. **Paul Panther moved to accept Ordinance 784 for the first reading by title only. Tom Clouser seconded the motion. The vote was four in favor (Allen Johnson, Tom Clouser, Bill Gregory and Paul Panther and one no vote which was Charlie Costanza). The motion was passed four to one.** Allen Johnson read the title of Ordinance 784 as "An Ordinance Amending Section 152.099 of the Ogden Dunes Town Code. Whereas, the Town of Ogden Dunes, Indiana, in order to assist in maintaining the standards of health, safety and welfare of the community, has an ordinance requiring the registrations of contractors doing business in the Town of Ogden Dunes; and whereas the Town of Ogden Dunes has established a need to provide (1) guidelines and criteria which may bring about the suspension or revocation of such contractor registrations and (2) procedures by which the Plan Commission may make determinations of such possible suspensions or revocations. Be it and it is hereby resolved by the Town Council of Ogden Dunes that: Section 1. That a new section, Section 152.099(E), as shown below, is hereby added to Section 152.099 of the Town Code".

In regards to the 2014 proposed budget, Allen Johnson said that the Town will be applying for an excess tax levy in order to attempt to recover some of the lost revenues in 2013. There will be a public Budget Workshop meeting in Town Hall on August 7 at 6:00 p.m.

Allen Johnson discussed a recent Hammond Times newspaper article which stated that 61 cases of verified lyme disease have been reported in Indiana in 2012 and 15 of those cases were in Porter County. In 2009, Porter County had 11 verified cases and in 2010 Porter County had 9 verified cases and 2011 Porter County had 13 verified cases. Allen Johnson stated that the first cull in Ogden Dunes resulted in approximately 17 to 18 deer taken and the second cull took approximately 40 deer in six days. Allen Johnson and Paul Panther met with the National Park Service; however, the NPS would not commit to doing a cull in the west area; therefore, Allen feels that Ogden Dunes should take care of Ogden Dunes. Charlie stated that he felt that the NPS would hold a cull on the west end if it was necessary and he feels the reason they have not held a cull is because they feel there is no need and he also requested another Town survey indicating whether residents are for or against the cull. Paul Panther stated that the NPS did not say that a cull on the west side was unnecessary but instead only stated that at this time they are not making a commitment one way or another. Charlie also stated that the cull would be an unnecessary expense at a time of budget problems; however, Paul Panther stated that the last cull was financed mainly with donated funds. **Paul Panther made the motion that the Town Council President and/or his designees be permitted on behalf of the Town of Ogden Dunes to prepare and submit to the Indiana Department of Natural Resources a request for a permit to conduct a deer cull during the fall/winter of 2013-2014. Bill Gregory seconded the motion. The vote of the Council was as follows: Bill Gregory, yes; Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes; and Charlie Costanza, no. The motion was passed four to one. A motion was made by Tom Clouser authorizing various reasonable expenditures, if necessary, in conjunction with the preparation and submission of a cull permit request for the season 2013-2014 including reasonable costs for the services of the Town's legal firm. Paul Panther seconded the motion. The vote of the Council was as follows: Bill Gregory, yes; Allen Johnson, yes, Paul Panther, yes; Tom Clouser, yes; and Charlie Costanza, no. The motion was passed four to one.** Allen Johnson stated that the Council will be requesting donations from the residents of the Town for the deer culls.

NEW BUSINESS

A discussion was held regarding the Anthem renewal date for employee health insurance. Current renewal date is in February, 2014 and Anthem has given the Town the option to renew effective December 1, 2013 in order to possibly avoid any major cost increases occurring from the new Affordable Healthcare Law. A decision of this new renewal date must be acknowledged with Anthem by August 31, 2013. Allen Johnson stated that the Town is in the process of obtaining employee health insurance quotes from IACT. **Therefore, Bill Gregory made the motion that the Town accept early renewal with Anthem effective December 1, 2013 pending the outcome of the IACT medical quotes prior to August 31 which could be a lower cost to the Town than current Anthem costs with similar benefits to the employees. Allen Johnson seconded the motion. All were in favor and the motion was unanimously passed.**

A recommendation was made by the General Code Review Committee to extend the beach parking restrictions to October 1st. **Charlie Costanza made the motion to approve the recommended General Code Review Committee change and extend the beach parking restrictions to October 1st beginning in 2014. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.** An amended ordinance will follow.

Paul Panther moved that Resolution 2013-04 "A Resolution providing for the transfer of appropriations for the Town of Ogden Dunes, Porter County, Indiana be approved as submitted to allow for part-time salaries to be appropriated to MVH/Part-Time Wages". Bill Gregory seconded the motion. All were in favor and the motion was unanimously passed.

Tom Clouser moved that approval be given to Ed Hewitt, Building Commissioner, to purchase the needed up-to-date building code books. Ed Hewitt stated that he joined the International Code Committee which allowed him to receive the code books for free with his membership cost which was lower than the cost of the books alone. Charlie Costanza seconded the motion. All were in favor and the motion was unanimously approved.

Allen Johnson appointed Ed Rooks to fill the current vacancy with the General Code Review Committee.

The Council agreed that Tom Clouser will be the liaison to the ADA Committee.

RESIDENT REMARKS

Jon Machuca – Does not feel that ticks are related to the deer and is against the deer cull. He is in favor of a simple survey being held for the Town residents stating whether or not they are in favor of a deer cull.

Dorothy Kurtz – Spoke in favor of the deer cull because of the lyme disease factor. She is also in favor of Ordinance 784.

Bernadette Slawinski – She stated that she feels another flyover should be done before a determination is made on future culls.

Mark Coleman – He is against Ordinance 784 and does not feel that the Plan Commission should be given the authority of Ordinance 784 because of the conflicts it will cause to Charlie Costanza.

Walter Sampson – Discussed the 2014 excess tax levy appeal and he also stated that some portions of this Town Council meeting were too long.

Ed Hewitt – Discussed the Plan Commission meetings and stated that the group works as a whole and is not controlled by any one member. He encouraged all residents to attend the Plan Commission meetings.

COUNCIL REMARKS

Charlie Costanza – Discussed the legal paper left in Town mailboxes and also discussed his feelings about the Plan Commission. He stated the mission of the Plan Commission and stated that he does not feel they are abiding by this mission.

No further business coming before the Council, Tom Clouser made the motion to adjourn the meeting. Bill Gregory seconded the motion. All were in favor and the meeting was adjourned.

Allen Johnson, President

ATTEST:

Jean Manna, Clerk-Treasurer