

Town of Ogden Dunes
Regular Council Meeting
April 5, 2010

Pledge of Allegiance

Roll Call:

Bob Hicks, Bill Gregory, Brad Wood, Eric Haussman, Eric Kurtz, also present was Town Attorney Charles Lukmann.

Minutes:

Regular Council Meeting March 1, 2010 motion to approve was made by Councilman Kurtz and seconded by Councilman Haussman. All were in favor motion passed.

Special Meeting of March 17, 2010, motion to approve was made by Councilman Kurtz with the change of title from Executive to Special and seconded by Councilman Haussman. All were in favor motion passed.

Executive Meeting of March 22, 2010, motion to approve was made by Councilman Kurtz and seconded by Councilman Haussman. All were in favor motion passed.

Claims:

Motion to approve town Claims #42655-42716 excluding 42709, and checks #2476-2514 was made by Councilman Wood and seconded by Councilman Haussman. All were in favor motion passed.

Motion to approve Sanitation Claims #386-388 was made by Councilman Wood and seconded by Councilman Haussman. All were in favor motion passed.

Old Business:

Court of Appeals decision & Town's response. Attorney Lukmann said he spoke with the Indianapolis firm of Barnes and Thornberg and they are going to assist with the short term rental litigation. Donated funds made by undisclosed person(s) will help to pay legal fee with no charge to the Town. Attorney Lukmann suggested that no discussions are to be made concerning the appeal we have 30 days for a rehearing. Discussion to be made on ordinance for short term rentals. Councilman Kurtz motioned to accept the firm of Barnes and Thornberg and to discuss the ordinance for short term rentals. This is to be brought before the Plan Commission at their April 15th meeting and a public hearing in May, and brought before the Town Council in June, Motion was seconded by Councilman Wood, and all were in favor motion passed.

Status on the Beach was made by Jim Kopp. More sand is needed on the east end of the beach, we have permits out for stone toe protection. Letters have been sent to Corps of Engineers, National Park Service, and as of the above date a letter has been sent to Indiana Department of National Resources, hoping the letter will bear some weight. Councilman Gregory read a letter from the IDNR.

County Line Road project was updated by John Hannon in March. National Park Service Superintendent Dillion stated no permit was needed. Letter was to be submitted on April 6th to IDEM stating what we are looking for. President Gregory stated that we do not want any surprises, and wants John Hannon to still continue going forward on the project. Councilman Hicks asked how do we know this is working, and Councilman Kurtz asked what Mr. Hannon's budget is. Councilman Hicks felt that we should hire an outside Engineering firm for information, and where do we stop. President Gregory said we need to get permit. Councilman Kurtz motioned to proceed to get the permit and Councilman Haussman seconded. All were in favor except Councilman Hicks, motion passed. The additional work for a permit by Great Lakes Engineering is estimated to be approximately \$2500.

Clean Community and the Ogden Dunes Environmental Advisory Boards recommendation. Susan Mihalo stated that the board recommended that we would like to continue but feel it is not appropriate at this time to continue. President Gregory suggested that we still continue to keep the town clean and appreciate all the efforts put in.

Various dates:

Susan Mihalo gave an update on Long Lake that they are moving forward and the water level is down and in May-June seeding will be done and is being paid for by the Grant from Indiana American Water

Councilman Hicks asked why has Ski Hill Road not been fixed and Councilman Kurtz replied and explained that the road was checked to see if it was stable, or if it should be moved to the west, or repaved and decision was to go back to the original plan.

Councilman Hicks stated that it has been found that the land that the fire station is on is owned by the Town of Ogden Dunes and further study is being done on who the ownership belongs to.

New Business:

Ogden Dunes Home Association has suggested that the town raise the fee to \$100 for anyone not wanted to join the Home Association and just purchasing a beach decal from the town. Councilman Kurtz replied that an amendment would have to be made and we should have an amendment for the next meeting in May.

Marshall Reeder suggested to waive the probation pay period for the new officer Curt Hawkins who is a 30 year police veteran. Councilman Kurtz moved to pay officer Hawkins 1st Class patrolman wages. The motion was seconded by Councilman Haussman. All were in favor motion passed.

Paving plans are to be brought up to date and Commissioner Matthys will be acquiring quotes in three different types. Information is requested for the May meeting, especially on the worst roads.

Policy on renting or sharing equipment with other towns, Councilman Haussman is not in favor and neither is the Street Commissioner. Councilman Wood asked if we ever borrow equipment and the answer was no. Councilman Kurtz replied that Beverly Shores is the one wanting to share. Councilman Hicks replied he is not in favor. President Gregory said that he is hearing no. Clerk Treasurer Smith said that would be liability issues. Attorney Lukmann does not agree that the town should do this only in emergency.

Contract on beach testing will remain the same as usual with the grant agreement. Councilman Kurtz motioned to accept and was seconded by Councilman Haussman. All were in favor motion passed.

County wide drainage study/impermeable surface study. President Gregory and Councilman Kurtz went to a meeting on this subject and commented that it was a good meeting and we should proceed. Councilman Kurtz motioned to proceed and that the project should not exceed \$2300 dollars. Motion was seconded by Councilman Haussman, all were in favor motion passed.

Community announcements:

The Spring cleanup will be April 24th & 25th, with pickup on the 26th and 1 day leaf pickup on the 27th. There will be dumpsters down at the street department and there will be one marked for electronics only. Please no railroad ties or lumber with nails in it.

Marshall Reeder said that should only be firewood on the beach. He also recommended residents sign up to Nixle for the latest town information.

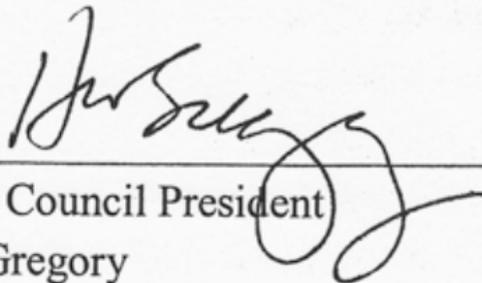
Luke Brennan said that the firemen's super raffle was a success and the first prize winner for \$5000 was Bill and Debbie Bailey.

Council comment was made by Councilman Hicks on dog tags and the animal committee will be placing signs about getting your dog tags and there is a \$50 dollar fine.

The Indiana National Lakeshore letter from the state will be available for viewing at the town hall.

Next meeting is May 3, 2010, 7pm at the fire station

Motion to adjourn was made by Councilman Wood and seconded by Councilman Haussman.
All in favor motion passed.



Town Council President
Bill Gregory

ATTEST:



Donna Smith Clerk Treasurer