

**Ogden Dunes Town Council Meeting
Monday, May 5, 2014 – 7:00 p.m.
Ogden Dunes Community Room**

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

MINUTES

Tom Clouser moved to approve the minutes of the April 7, 2014 meeting as submitted by the Clerk-Treasurer. Allen Johnson seconded the motion. All were in favor and the motion was unanimously approved.

CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS

Bill Gregory thanked all the resident volunteers who helped with the Town Clean-Up.

Bill Gregory stated that Norfolk and Southern will be doing repairs on the Hillcrest railroad crossing. No date has been set yet. The Town is working with US Steel to have access to the road by Precoat. Marshal Reeder stated that the preferred route for residents is to use the Precoat road rather than going through the US Steel parking lot.

Paul Panther congratulated the Women's Club for holding a successful blood drive in our Town. He stated that there were approximately 45 donors. Paul also stated that the new Ogden Dunes phone books are available at Town Hall for a cost of \$15. Paul reminded residents that voting will take place tomorrow from 6:00 a.m. to 6:00 p.m. at the Ogden Dunes Firehall. (Clerk-Treasurer Note: It was later determined that the new phone books would not be available at Town Hall until after Memorial Day).

Bill Gregory stated that the Army Corp of Engineers will begin dredging this spring or summer in the Burns Waterway Harbor. The date is still unknown.

Bill Gregory announced that restricted parking is effective May 1 through September 30. No dogs allowed on the beach during this period. Town Hall will be opened on Saturdays from 8:00 a.m. to 12:00 noon. Temporary passes will be available to residents – 3 passes per resident per day and 5 passes per resident per day if you live in the restricted area.

Bill Gregory stated but did not read correspondence from Karel Kearnl regarding Ordinance 797 and correspondence from Dan Ialeggio regarding placement of mailboxes on Indiana Camp Trail.

Mark Gross from Frontier Communications gave a detailed presentation on a new phone system for Town Hall which would replace nine handsets and two analogs. The system can be bought outright or purchased on a lease basis with a \$1.00 buy-out at the end of the lease. Bill Gregory requested that Frontier provide an additional quote to include the Street Department in this phone system.

COMMITTEE AND DEPARTMENT REPORTS

Street Department – Jim Matthys announced that leaf pick up will be tomorrow and through this week only. He said to have your leaves out tomorrow morning since he will only be coming by each house one time during the week. The Street Department purchased a new chipper and Jim Matthys reminded residents – no railroad ties and no wood with nails. Also, please keep sticks out of your leaves. You need two separate piles – one for leaves and one for sticks.

Beautification – Dorothy Kurtz thanked all the volunteers who helped with trimming and raking leaves. Dorothy stated that the Historical Society book signing will be on May 25 at the Ogden Dunes Church. For Memorial Day, the Historical Society will have free root beer floats after the free hot dogs from the Lions Club. Dorothy advised the Town Council that a Sandpiper grant request for \$307.33 has been submitted to the ODCF for environmental related items for the benefit of the children. **Charlie Costanza moved to approve the Sandpiper grant request in the amount of \$307.33. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.** Dorothy Kurtz stated that grant request forms are available from the Clerk Treasurer at Town Hall.

General Code Review Committee – Charlie Costanza spoke for this committee and stated that they discussed the possibility of combining the General Code and Building Code committees. No decisions have been made. They have finished the staggered term proposal which has been submitted to the Town Council.

Home Association – Bill Gregory stated that at the last Home Association meeting, the new soccer season was finalized and ongoing. They have also hired a new Summer Program Director who is a new resident in Ogden Dunes.

ADA – Sara Anderson thanked Jean Manna, Clerk Treasurer, for completing the ADA Assessment form.

Environmental Board – Susan Mihalo stated that testing of the water will begin the Saturday before Memorial Day through Labor Day. The IDEM contract allows for five tests per week as opposed to four tests per week last year. Susan stated the Town Council needs to approve contracts for Karen Berrier, Polly Costanza (who does water testing) and Gary Sanitary District (who performs the water lab tests). **Paul Panther moved to approve the three contracts (Karen Berrier, Polly Costanza and Gary Sanitary District). Allen Johnson seconded the motion. Charlie Costanza stated that he would recuse himself from voting. The motion was passed by a vote of four members.** Bill Gregory thanked Susan Mihalo for all her efforts in writing the beach grant requests which provide approximately \$18,000 in funds to the Town for water testing.

Bridge and Railroad Committee – Charlie Costanza stated that this committee has not met since 2012 and he would like to call a meeting for Monday, May 12 at 5:00 p.m. at Town Hall.

CLAIMS

Allen Johnson moved to approve the April claims as submitted by the Clerk-Treasurer. Paul Panther seconded the motion. The vote of the Council was as follows: Allen Johnson, yes; Bill Gregory, yes; Paul Panther, yes; Tom Clouser, yes; Charlie Costanza; no (he did not agree with attorney claims). The motion was passed four to one.

OLD BUSINESS

Bill Gregory presented the Joint Operating/Teaming Agreement between the Town of Ogden Dunes and the Ogden Dunes Volunteer Fire Department, Inc. for a term of January 1, 2014 through December 31, 2040. **Paul Panther moved to accept the Joint Operating/Teaming Agreement as presented. Allen Johnson seconded the motion. Tom Clouser questioned some of the additional expenses to the Town involved in this agreement. All were in favor of this motion and it was unanimously passed.**

Bill Gregory read Ordinance 797 by title only for the second reading. A lengthy discussed ensued involving resident Karel Kearl who opposed this ordinance and Greg Casimer, Water Board, who favored the ordinance. Karel Kearl stated that water bills were due as late as 45 days from the billing date which she felt was excessive and curtailed the Water Works cash flow. Bill Gregory agreed with this statement. Greg Casimer stated that the ordinance is needed to avoid problems with contracting directly with tenants. He stated that the Water Works is operating on a very lean budget and it is necessary to collect all monies due. He stated that since the water billing is quarterly, there are only four times per year that the homeowner will have to convey to their tenant

the amount of the water bill that is due and payable. Greg Casimer also stated that it is important for the Water Works to have current information on all property owners. During the winter, when resident water lines burst, it was necessary to contact the property owner when a home was vacant and in some cases, it took quite some time to accomplish this due to the fact that homeowner information was not up to date. A discussion was held on the prior purchase of new fire hydrants and the unanswered question of the unavailable invoices for each new hydrant. Chuck Litzkow, Water Works Manager, stated that the reason there are not individual invoices is due to the fact that one company handled the entire transaction and billed for the total amount of the hydrants which they secured for use within the Town. Therefore, that company has the invoice(s) for the individual hydrants which they in turn billed the Town in their contract with the Town. **Allen Johnson moved that Ordinance 797 be approved. Paul Panther seconded the motion. The vote of the Council was as follows: Charlie Costanza, no; Allen Johnson, yes; Bill Gregory, yes; Paul Panther, yes; Tom Clouser, yes. The motion was passed four to one.**

Bill Gregory discussed the Shared Ethics Advisory Commission. Charlie Costanza stated that the Commission would cost the Town \$250.00 per year for membership for the first and second year and \$125.00 per year thereafter. Paul Panther listed the requirements that must be done by the Town Council prior to joining this Commission some of which are adopting an interlocal resolution, seeking a private citizen who will serve on the Commission to represent our community, and appoint a public official to serve on the Joint Board of Delegates. **Paul Panther moved to join the Shared Ethics Advisory Commission and follow through with all the membership requirements. Allen Johnson seconded the motion. All were in favor and the motion was unanimously approved. Charlie Costanza moved to adopt Resolution 2014-07, Interlocal Cooperation Agreement for the Shared Ethics Advisory Commission, As Amended which resolution was supplied to the Town from the Shared Ethics Advisory Commission. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.**

Charlie Costanza discussed the relocation of mailboxes on Indian Camp Trail per the email from Dan Ialeggio. After a lengthy discussion on this topic, Bill Gregory stated that the Council will readdress this situation and possibly pick two different locations for the mailboxes. Bill Gregory stated that he will work with Jim Matthys to hopefully resolve this issue.

NEW BUSINESS

Bill Gregory read Ordinance 796 for the first reading. Greg Casimer, Water Board, discussed the necessity of this rate increase. He stated that Umbaugh performed an audit of the Water Works which resulted in a negative net income which means there is no money saved for essential repairs and improvements. Bill Gregory instructed the Clerk-Treasurer to post this ordinance in Town Hall and the Town website to inform residents of this pending ordinance. (Note from Clerk-Treasurer: Ordinance 796 was posted in Town Hall and the website in a timely manner).

Bill Gregory stated that the Building Code Committee has an opening for a member. **Charlie Costanza moved that Tim Wozniak who submitted an application for appointment be appointed to this Committee. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.**

Bill Gregory discussed the recommended change to the Town codes from the General Code Review Committee proposing staggered terms for all elected officials. He indicated that comments from residents were positive. Bill Gregory instructed the Clerk Treasurer to work with the Council in the preparation of an ordinance to be available for the June Town Council meeting. Allen Johnson proposed that the Council revisit the number of wards in Ogden Dunes and consider three wards and two at-large council members. He asked the Clerk-Treasurer to contact the proper department in Porter County to determine if we can change the wards and initiate staggered terms simultaneously.

The Clerk-Treasurer passed out the ADA Assessment for Public Rights-of-Way. Paul Panther stated that we are required to appoint an ADA Coordinator. Paul stated that the potential person was out of town and he would like him to review the assessment form before committing himself to this position. Paul will follow through with this resident. He also stated that some ADA compliant fixtures and modifications will be done to the Community Room restrooms. Therefore, he is requesting that the Town Council approve an allocation of \$1,000 in funds to be used for this project. **Allen Johnson moved that \$1,000 be allocated to the ADA Community Room restroom project. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.**

Jim Matthys, Street Department, discussed the purchase a service truck thus eliminating the need for him to use his personal vehicle for Town business. **Paul Panther moved to purchase a 2014 Ford F-150 in the amount of \$22,782.00 per the invoice from Lakeshore Ford, Burns Harbor, Indiana. Charlie Costanza seconded the motion. All were in favor and the motion was unanimously approved.** Jim Matthys is to contact Lakeshore Ford and verify that the February 17, 2014 quotation of \$22,782.00 will still be honored. Tom Clouser indicated that payment for this truck would be split evenly between CCD and Sanitation.

Bill Gregory stated that a motion for approval of the Street Department chipper lease agreement was needed. **Paul Panther moved to approve Resolution 2014-06 Lease-Purchase No. 001-0656076-300 dated May 5, 2014 for the new Street Department Terex Woodsman Brush Chipper Model 730 in the amount of \$32,959.50 with payment in installments as outline in this lease-purchase agreement. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.** Tom Clouser stated that several people are interested in purchasing the old chipper. Tom Clouser would like to start the bidding process for the chipper. Allen Johnson stated that he felt no Town employees should be allowed to bid on this equipment. The Council agreed to have Tom Clouser and Jim Matthys begin the bid process in order to sell the old chipper.

RESIDENT COMMENTS

Walter Sampson discussed the staggered terms issue combined with the redistricting of the wards. He felt that this would be cumbersome as Bill Gregory stated. He feels the Council should limit themselves to only the consideration of staggered terms.

COUNCI REMARKS

Charlie Costanza stated that Sandpiper Preschool is having their Wine Tasting Fundraiser on May 10, 2014.

Tom Clouser stated that the Street Department worked very hard for the Town Clean-Up weekend and thanked them for their efforts.

No further business coming before the Council, Paul Panther moved to adjourn the meeting. Tom Clouser seconded the motion. All were in favor and the meeting was adjourned at 9:40 p.m.

Bill Gregory, President

ATTEST:

Jean Manna, Clerk-Treasurer