

**OGDEN DUNES TOWN COUNCIL SPECIAL MEETING
MONDAY, OCTOBER 6, 2014 – 6:00 P.M.
OGDEN DUNES COMMUNITY ROOM**

PRESENT: Bill Gregory
Charlie Costanza
Allen Johnson
Paul Panther
Tom Clouser
Attorney Chuck Parkinson, Harris, Welsh & Lukmann

The purpose of this meeting was to address three unsafe nuisance properties within the Town of Ogden Dunes.

Attorney Chuck Parkinson, Town Attorney, was present to advise the Council when necessary.

Ed Hewitt, Building Commissioner, presented two letters dated September 18, 2014 which were mailed by certified return receipt to the owners of the following properties: 25 Hillcrest Road and 7 Beach Lane. Ed Hewitt also presented one letter dated September 18, 2014 which was hand delivered and subsequently mailed to 9 Aspen Road. Pictures of the current condition of each property were presented to the Town Council by Ed Hewitt.

Discussion was held on the property at 7 Beach Lane (owners Kenneth W. and Edna L. Graske). Mr. Graske was present at this meeting accompanied by his attorney, Mark Chargualof, who requested a modification of the order to include a thirty-day extension to allow Mr. Graske to obtain a structural engineer to evaluate the foundation and also a reasonable timeframe for determining a course of action after the evaluation. The Council stated that the property has been in its current condition for approximately seven years; therefore denying the extension. Allen Johnson questioned Attorney Parkinson if a signed contract was obtained by Mr. Graske from a company to demolish the existing structures would this suffice to comply with the order. Attorney Parkinson stated that this would be a modification; however, at the next Town Council meeting on November 3, 2014 if Mr. Graske has not complied with the order, the Council can then consider the monetary fines. Allen Johnson moved to affirm the "Order to Vacate and Remove Unsafe Building Notice of Hearing Pursuant to Indiana Code 36-7-9-7" as outlined in the September 18, 2014 letter to Kenneth W and Edna L. Graske from Mike Falk, Chairman of the Ogden Dunes Plan Commission, with the understanding that if the homeowner brings a signed contract for demolition within 10 days from October 7, 2014 and the demolition is completed by November 3, 2014, the Council will consider this a fulfillment of the order. Should there be owner noncompliance with this order by November 3, 2014, the Town Council will discuss monetary fines at its regular monthly meeting on November 3, 2014. Tom Clouser seconded the motion. The vote of the Council was as follows: Charlie Costanza, abstain; Allen Johnson, yes, Bill Gregory, yes; Paul Panther, yes; Tom Clouser, yes. The motion was approved four to one.

Discussion was held on the property at 9 Aspen Road. A letter dated September 18, 2014 was hand delivered to Mr. James Kirk, 9 Aspen Road, Ogden Dunes, IN and also mailed by Ed Hewitt, Building Commissioner. Mr. Kirk was not present at this meeting nor was there a representative for Mr. Kirk present. Paul Panther moved to affirm the "Order to Repair or Rehabilitate Unsafe Building Notice of

Hearing Pursuant to Indiana Code 36-7-9-7” as outlined in the September 18, 2014 letter to Mr. James Kirk from Mike Falk, Chairman of the Ogden Dunes Plan Commission and should there be owner non-compliance with this order by November 3, 2014, the Town Council will discuss monetary fines at the Town Council regular monthly meeting on November 3, 2014. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.

A discussion was held on the property at 25 Hillcrest Road. A letter dated September 18, 2014 was sent to property owners Hugh L. and Ruth Y. Moore, 722 Sheridan Road, Evanston, Illinois. Neither Hugh or Ruth Moore were present at this meeting nor was there a representative present for them. Tom Clouser moved to affirm the “Order to Repair or Rehabilitate Unsafe Building Notice of Hearing Pursuant to Indiana Code 36-7-9-7” as outlined in the September 18, 2014 letter to Hugh L. and Ruth Y. Moore from Mike Falk, Chairman of the Ogden Dunes Plan Commission and should there be owner noncompliance with this order by November 3, 2014, the Town Council will discuss monetary fines at the Town Council regular monthly meeting on November 3, 2014. Paul Panther seconded the motion. The vote of the Council was as follows: Charlie Costanza, abstain; Allen Johnson, yes; Bill Gregory, yes; Paul Panther, yes; Tom Clouser, yes. The motion was passed four to one.

Attorney Parkinson recommended to the Council that a change in the Town Codes would be advisable to eliminate unnecessary property nuisance hearings before the Council and to conform to current State laws.

No further business coming before the Council, Tom Clouser moved to adjourn the meeting at 6:55 p.m. Paul Panther seconded the motion. All were in favor and the meeting was adjourned.

Bill Gregory, President

ATTEST:

Jean Manna, Clerk-Treasurer