

Town of Ogden Dunes
Regular Monthly Meeting of the Town Council
January 17, 2012
7:00 p.m.

Roll Call:

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

President Gregory first thanked the Church for allowing us the use of their facilities for our meetings. He stated that the Church asked all members of the Council and the residents to be respectful of their surroundings and act accordingly.

Minutes:

Motion to approve the minutes of the December 28, 2011 meeting was made by Charlie Costanza and seconded by Paul Panther. Motion was unanimously approved.

Correspondence:

President Gregory read correspondence from the National Park Service and the Recycling and Waste Reduction District of Porter County both requesting to be put on upcoming Town Council agendas. The Clerk Treasurer is to inform the National Park Service that they may attend the February meeting and Waste Reduction may attend the March meeting. Charlie Costanza submitted a letter from resident Mark Dvorscak asking for a cease to the deer cull.

Presentation of Claims:

Motion was made by Charlie Costanza to approve Claims 43792 - 043899 and payroll claims 3432 - 3496. Paul Panther seconded the motion. The motion was unanimously approved.

Election of Town Council President and Vice President:

Charlie Costanza stated that he felt a new President and Vice President should be elected each year and suggested Tom Clouser as President. Allen Johnson then nominated Bill Gregory as President and Tom Clouser as Vice President with a new nomination to be held at the April 2012 meeting with possible new appointments beginning in May 2012. Paul Panther seconded the motion. The motion passed with a vote of 4 members; Charlie Costanza opposed.

Old Business:

Tom Clouser stated that the Council needs a plan to bring the Town residents back together and made the motion to suspend the deer cull until January 25, 2012 which would be the day after the Town's hearing. Charlie Costanza wanted the motion amended to cease the deer cull permanently which would eliminate any further legal costs to the Town. Tom Clouser would not amend his motion and Charlie Costanza agreed to second the motion as stated by Tom Clouser. Motion passed unanimously. Paul Panther questioned Attorney Lukmann as to whether or not the Town was prepared for the litigation. Attorney Lukmann stated that basically he was prepared but there would be some additional preparation and attendance at the hearing. He estimated another 10 hours of legal fees. He also suggested that the Town Council could have an Executive Session on the pending litigation and he would be present. Charlie Costanza stated that only 15 deer have been culled; therefore, he feels we do not have an over population of deer. He feels that no further Town money should be spent on litigation.

An Executive Session was set for Friday, January 20, 2012 at 5:00 p.m. at the Town Hall to discuss the pending litigation.

A letter was sent to the paving company indicating that we would only pay the contracted price. They did not respond. The Deputy Clerk Treasurer stated that the paving company was paid the contracted price and the check was cashed. Bill Gregory stated that this matter is closed.

Charlie Costanza asked Ed Hewitt for an update on the mold at the Firehouse. Ed Hewitt stated that Eric Kurtz hired Greentree Environmental Services (Porter County) to complete the mold remediation. He noted that mold remediation companies are not required to be licensed or accredited in Indiana or Illinois. We then contracted with Environmental Consulting Group, Chicago, to complete the air sampling. The air samples indicated a high count of allergen mold which is a plant based mold. We have now contracted with Greentree to furnish and run air scrubbers for at least 48 hours or as required. Once that process is complete, we will then again perform the air samples. Bill Gregory then read an update on the completion progress of the Firehouse. He also stated that we are on target as far as the budgeted amount. Paul Panther stated that at present the Firehouse renovation has not addressed the American Disability Act regulations and this is something that must be addressed in the future.

Jim Matthys, Street Department, submitted a letter to the Town Council requesting permission to fix the wall on Hillcrest Road across the street from 39 Hillcrest and 41 Hillcrest. The wall needs to be moved back 3 feet as right now it is a driving hazard causing the road to be very narrow. Jim Matthys indicated that he is constantly picking up debris falling from the wall. Tom Clouser stated that a meeting is scheduled next week between Jim Matthys, Paul Panther and himself to resolve this problem. Charlie Costanza indicated that this project has already been bid out several times and should go to the lowest bidder. Paul Panther said they would discuss this at the upcoming meeting with the Street Department. He also made the residents aware that this is an emergency project that might have to be funded with "Rainy Day" money.

New Business:

The Council made the following Town Council liaison assignments:

- Security and Fire Department - Paul Panther and Bill Gregory
- Streets and Utilities - Tom Clouser and Paul Panther
- Park and Recreation - Charlie Costanza and Bill Gregory
- Environmental & Public Affairs - Tom Clouser and Paul Panther
- Building and Zoning - Charlie Costanza and Allen Johnson
- Finance and Administration - Allen Johnson and Tom Clouser
- Home Association - Bill Gregory

Charlie Costanza indicated that he filed a "Conflict of Interest Form" in order to be a liaison for the Building and Zoning Committee. Attorney Lukmann stated that he does not feel that Charlie Costanza, as a contractor, does not have a legal conflict of interest at this time.

The Council discussed the appointments to the various Town Boards and Committees. It was suggested that this matter be tabled till the next meeting and in the meantime, readvertised on the Town website for more applicants. Bill Gregory indicated that all present Board and Committee members regardless of their expiration date will continue until replaced by a new member.

In regards to the opening for a Building Commissioner, Charlie Costanza moved to appoint Ed Hewitt as Building Commissioner and 2 Assistant Building Commissioners, Terry Easton and Mikes Simiakos from Lake Station. Paul Panther seconded the motion. The motion passed unanimously.

The Council then discussed possible emergency exits from Ogden Dunes. Charlie Costanza stated that he had discussions with Portage Mayor Snyder the option of having the east exit which runs through USS opened all the time. Another option for an emergency exit would be in the vicinity of the new tennis courts; however, we would need permission from the National Park Service. Paul Panther said he would work with Charlie Costanza to develop a presentation to the National Park Service regarding this emergency exit. Allen Johnson stated that another emergency exit possibility could be Old Boat Road. He indicated that if there was a train accident (derailment), Old Boat Road would be the best emergency exit rather than the east exit through USS.

Committee Remarks:

Susan Milhalo stated that the ODEAB is planning to host a special session to review the draft National Pollution Elimination Discharge Permit for the Gary Sanitary District (GSD). This is important to us because the GSD has at least six combined sewer overflow points on the Little Calumet River West Branch that can potentially affect our beach. Town Council liaisons will be informed as soon as the meeting date is finalized.

Charlie Costanza stated that he has relinquished his position with the Park Board. He also stated that the Park Board would like to begin a program to teach children sailing and want to purchase 6 used sunfish sailboats. Safety measures such as lifejackets would be provided. The Park would have various sailboat activities.

Resident Remarks:

Several Town residents spoke against the deer cull asking that the Council cease the process immediately.

Connie Collins asked that the liaisons appointed the Town Boards and Committees be posted on the website.

Mark Coleman asked that all minutes from Town Boards and Committees be submitted to him for posting on the website. He also asked that the codification of ordinances be placed on the website when they are completed.

Council Remarks:

Charlie Costanza made a motion that the deer cull be suspended indefinitely. There was no second. Motion was not passed.

Tom Clouser indicated that a deer management plan was being worked on that should be agreeable to those for and against the cull.

The next meeting of the Town Council will be an Executive Session schedule for January 20, 2012 at 5:00 p.m. at the Town Hall to discuss pending litigation strategy.

The next monthly meeting of the Town Council will be held on February 6, 2012. Location to be determined due to Firehouse renovation.

Paul Panther made the motion to adjourn the meeting. Charlie Costanza seconded the motion. The motion was unanimously passed.

ATTEST:

President Bill Gregory

Jean Manna, Clerk Treasurer