

DRAFT

OGDEN DUNES TOWN COUNCIL MEETING MONDAY, JUNE 4, 2012 – 7:00 P.M. OGDEN DUNES FIREHOUSE

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

Bill Gregory moved that the minutes from the May 7, 2010 meeting be approved as submitted. Tom Clouser seconded the motion. All were in favor and motion approved. Bill Gregory moved that the minutes dated May 30, 2012 (Ogden Dunes Town Council and Deer Management Task Force Committee) be approved as submitted. Tom Clouser seconded the motion. All were in favor and motion approved.

Resident Remarks:

Allen Johnson stated that a letter was received from Jim Slawinski regarding moving the resident remarks back to the end of the meeting instead of the beginning. Allen stated that for this meeting he would still hold the resident remarks at the beginning and consider moving them to the end at a later date.

Residents (Mary Ann Schaefer and Joan Michael) spoke regarding the permits the Town Council is seeking regarding deer management. Allen Johnson stated that the Council was seeking the permits but may or may not use them. Mary Ann Schaefer stated that the four-poster method (which was said to be unavailable at the recent lyme/tick seminar) was indeed still in production and could be used as an alternative. Jon Machuca thanked the Council and Deer Task Force for the lyme/tick presentation. Jim Slawinski stated that the state of Maine which is the 5th highest lyme disease state is now trying to increase their deer population. He feels that by culling the deer it will give people a false sense of security.

Correspondence:

Several pieces of correspondence were introduced but not read. Two were solicitations and two were resident letters (Jim Slawinski regarding resident remarks and Jon Machuca regarding the lyme/tick seminar).

Announcement:

The Indiana Regional Planning Commission has prepared the 2012 Regional Hiking, Biking and Water Trail Maps. They are available to residents free at Town Hall.

The Indiana Dunes National Lakeshore has received approval of their deer management plan. Please note that the 30-day public comment period has expired.

Committee Reports:

Paul Panther reported on the Hillcrest Wall project which is now complete. Mr. Sterns, Engineer, will write a report which will be available to the residents stating the wall has been completed correctly. Jim Matthys has done some gardening work near the wall which will add beautification to the wall area. Jim Matthys has also done some paving near the wall. A white

line is being considered near the wall so residents when driving will know exactly where the side of the road ends. Paul Panther asked that the residents give their input so the Town Council may consider this white striping. Smalls Landscaping, who was awarded the Hillcrest Wall project, has been exceptionally cooperative during this project.

The Park Department stated that weed killer chemicals have been applied around the playground by the new tennis courts (on Diana Road) and signs have been posted there. Although the chemicals are not harmful, the Park Department is suggesting that residents avoid this area for a few days.

Duane Hibbs spoke for the Water Board and stated that policies and procedures are being written and six have been approved and adopted. He believes they are about 40% done with the policies and procedures and it will be another six months before total completion.

Susan Mihalo reported for the Environmental Board. She stated that Sharon Guy has applied for membership on the Environmental Board and would like the Town Council to approve this appointment. Paul Panther made the motion to appoint Sharon Guy to the Environmental Board as a replacement for Gerry Lehmann who resigned. Tom Clouser seconded the motion. All were in favor and motion approved. Susan also stated that 11 people showed up for beach cleanup this past Saturday and requested that all residents please clean up their own debris during the Fourth of July beach activities.

Claims:

Clerk Treasurer presented May claims 44409-44469 and payroll claims 3992-4052 for approval. Bill Gregory moved that the claims as presented be approved. Paul Panther seconded the motion. All were in favor and motion passed.

Old Business:

Allen Johnson spoke regarding the May 14 Deer Management Task Force meeting. At that time, the guest speaker Bob Beglin from Beverly Shores who spoke about the deer issues and how they were handled in Beverly Shores. Very sadly for all, Mr. Beglin passed away shortly after leaving the meeting. One of the Task Force members, Julie Doran, attended the services for Mr. Beglin.

Charlie Costanza discussed the emergency exits. He indicated that the National Lakeshore Park is willing to give us Boat Club Road in exchange for allowing the bike trail to come through Ogden Dunes from Gary to the Portage beachfront. Bill Gregory stated that he believes this is two separate issues--one being the "bike trails" and second being the "emergency exits". Bill also stated that he has no desire to exchange land with the National Park Service. He feels that if there is a true emergency in Ogden Dunes (a train derails with toxic materials and we cannot use the access road near the tracks) that we could use Boat Club Road regardless of any gates there. Paul Panther stated that as long as the emergency does not involve toxic materials combined with a strong wind, we could use Boat Club Road. He said that if we cannot use Boat Club Road then we would have no access road to evacuate. Bill Gregory feels that the Town should have an emergency exit plan in effect and he is willing to sit on a committee to form an evacuation plan. It was decided by the Council that Charlie Costanza and Allen Johnson would continue to meeting with the National Park Service regarding emergency exits and Paul Panther and Bill Gregory would form a committee to

establish an emergency evacuation exit plan for the Town.

Allen Johnson announced that there will be a special meeting of the Town Council on Sunday, June 10, 2012 at 1:00 p.m. to 2:30 p.m. to discuss the mandatory redistricting law. All residents are encouraged to attend and give input.

Allen Johnson stated that the Council will seek permits to allow various birth control techniques for the deer, application of insecticides directly on the deer and trapping and relocating the deer. He stated that the Town is only applying for these because of the time involved in receiving these permits; however, they may or may not be used by the Town. The cost of the permits is not known at this time.

Allen Johnson asked for community volunteers to review the Town Codes (except for the building codes). Bill Gregory stated that he would be willing to serve on this committee.

Allen Johnson stated that at the present time funds are not available for the Planning Commission to do digital storage as they had requested.

New Business:

Indiana law requires that all municipalities approve a nepotism policy by July 1, 2012 or the Town's budget will not be approved. Paul Panther moved to waive the rules regarding two readings of Ordinance 763 and to pass this ordinance on the first reading by title only. Tom Clouser seconded the motion. All were in favor and motion approved. Bill Gregory moved to adopt Ordinance 763 (Town of Ogden Dunes, Porter County, Indiana, adopting a policy regarding conflict of interest and nepotism) on the first reading by title only. Paul Panther seconded the motion. All were in favor and motion approved.

Allen Johnson informed the residents of the additional money that Walsh and Kelly is seeking from the Town for the street paving done in 2011 due to additional materials used by Walsh and Kelly. He said a meeting is forthcoming with them to discuss this amount.

Due to the nature of two new ordinances, it was decided by the Council to pass both on the first reading by title only. Tom Clouser made the motion to waive the rules regarding two readings of Ordinance 765 and to pass Ordinance 765 on the first reading by title only. Paul Panther seconded the motion. All were in favor and motion was approved. Paul Panther moved to adopt Ordinance 765 (Chapter 74, Schedule III Handicapped Parking) on the first reading by title only. Tom Clouser seconded the motion. All were in favor and motion was passed. Bill Gregory made the motion to waive the rules regarding two readings of Ordinance 764 and to pass Ordinance 764 on the first reading by title only. Tom Clouser seconded the motion. All were in favor and motion was approved. Bill Gregory moved to adopt Ordinance 764 (Indiana Chapter 73, Schedule IV, Yield Intersections) on the first reading by title only. Paul Panther seconded the motion. All were in favor and motion was passed.

Paul Panther stated that the door code to enter Town Hall offices has been circulated around the Town. He stated that only Council members, committee heads and Town Hall staff are authorized to use the code. All others should avoid using this code. Consideration may be given to changing the code.

Paul Panther stated that Jim Reeder has addressed the timing of the stop light at the entrance of

Ogden Dunes. When you have a blinking red light after the train passes and the gate goes up, we creep over the tracks and all of a sudden the light turns green and we are still creeping and the other traffic is still looking at it as a blinking red light there becomes a possibility for an accident. Paul Panther spoke with Jim Reeder regarding this matter. Jim Reeder's suggestion is a two-second delay on our side before it goes green and that would mean that the Route 12 traffic light would be triggered to turn a solid red and this would give us an extra second or two before we get the green and therefore, we would not be creeping over. This is something the Council will be considering.

Tom Clouser stated that he has been in contact with Mr. Parsons of the South Shore. This past Thursday, Jim Reeder and I had a bad situation with the gates going down and not going back up for one hour. We emailed Mr. Parsons about this and also had a telephone discussion with him. Tom stated that he also wanted them to move the signal that is east of the bridge which puts the gates down faster than they should be. We should have them moved up but Mr. Parsons tells me he cannot do that because of the electrical situation involved. But there is something they can do to remedy this problem but we have not discussed it yet. Tom Clouser will meet with Mr. Parsons again to discuss this.

Tom Clouser stated that the potholes at Beverly Shores have been completed by Ogden Dunes and the Town will receive \$8,701.36 in payment for their services for two days of work. Tom stated that Beverly Shores was extremely pleased with the work done by Ogden Dunes employees. Minus labor costs, the majority of this money will be a profit to the Town.

Charlie Costanza asked Tom Clouser if it would be possible to have the South Shore gate not go down when passengers are entering and exiting the train causing residents to sit at the tracks and wait. Tom indicated that this is being discussed with South Shore representatives.

Carolyn Saxton and Nancy Johnson reported on the Ogden Dunes Community Fund. They supplied the Council with a letter dated June 4, 2012 regarding the balance in their fund. The OD Community Fund requested that the Town Council approve the two grants from the Ogden Dunes Community Fund as follows: \$100.00 for Animal Control to purchase replacement bags for the metal waste dispensers and \$750 for Sand Piper Cooperative Preschool to purchase mulch for the playground equipment. Paul Panther moved that both grants be approved by the Town Council and Bill Gregory seconded the motion. The motion was unanimously passed. Nancy Johnson said a mural is being planned for the exterior side wall of the Firehouse to be done by a local artist to enhance the exterior of the building. This would be a community participation project. In order to move forward, since the Town owns the Firehouse, the next step is to get the Town Council's interest in moving forward with this project. At this time, we do not need the Council's approval of the project just their approval of interest in the project. There will be no cost to the Town for this project. The Fire Department is very interested in this project. Paul Panther moved that the Town Council is interested in the Ogden Dunes Community Fund Committee moving forward with the mural project for the exterior of the Firehouse. Bill Gregory seconded the motion. The motion was unanimously approved.

Council Remarks:

Tom Clouser thanked the Lions Club for the Memorial Day services and the Historical Society for their program which attracted 250 people.

Bill Gregory stated that the outside of the Firehouse will be painted in the next month. The audio and video is still being worked on. There are currently videos of the meetings which will be available to the residents. More information regarding this will be on the Town website (www.ogdendunes.net) .

Allen Johnson stated that he will probably move the resident remarks to the end of the meeting and asked that the residents keep their remarks short.

No further business coming before the Council, Tom Clouser moved that the meeting be adjourned. Charlie Costanza seconded the motion. All were in favor and the meeting was adjourned.

Allen Johnson, Town Council President

ATTEST:

Jean Manna, Clerk-Treasurer