

OGDEN DUNES TOWN COUNCIL
REGULAR MONTHLY MEETING
AUGUST 3, 2020 – 7:00 P.M.
ZOOM MEETING

PRESENT: Nate Ball
Scott Lehmann
Carolyn Saxton
Doug Cannon

ABSENT: Mike Webber

MINUTES

Doug Cannon moved to approve the minutes of the July 6, 2020 regular monthly meeting and the July 27, 2020 special meeting. Carolyn Saxton seconded the motion and the roll call vote was as follows: Doug Cannon, yes; Nate Ball, yes; Scott Lehmann, yes; Carolyn Saxton, yes. The motion passed.

CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS

Nate Ball made the following announcements: Beach Nourishment Fundraiser – checks payable to Town of Ogden Dunes and in memo of check please write “Restore the Shore”; beach area closed during construction.

COMMITTEE AND DEPARTMENT REPORTS

Street Department – Mark Juszcak reported that the Street Department is still picking up brush; will continue to deliver wood chips; still cleaning dry wells and trimming trees.

Fire Department – Chief Eric Kurtz reported that the firefighter fundraiser ball has been cancelled. He stated that the Fire Department needs monetary support from residents.

Beach Nourishment – Rodger Howell gave an update on the Shore Drive construction and the current litigation involving the National Lakeshore and the Army Corp of Engineers.

Waterworks – Luke Brenan stated that the Waterworks continues to upgrade the meters in Town.

General Code – Dick Meister discussed the General Code items currently on the August 2020 agenda.

Access Ogden Dunes – Sara Anderson stated that they are making progress on the new swing.

Environmental Advisory – Susan Mihalo stated that the water quality has been good and that water testing will continue until September 20, 2020 due to the fact that the IDEM grant started later than normal.

Women’s Club – Karen Morris thanked everyone who donated to the food pantry drive recently held.

Ogden Dunes Community Fund – Carolyn Saxton stated that the next meeting will be held on August 18, 2020 at 8:00 a.m. at Town Hall. Those wishing to attend should wear a mask.

Historical Society – Dick Meister thanked the 22 residents who participated in the beach art program. He also stated that the Historical Society is planning two programs to be held this fall.

OLD BUSINESS

Carolyn Saxton gave an update on the NITCD Double Track project stating that extending the parking lot to the east rather than across Route 12 is definitely not feasible.

Dick Meister discussed the proposed personnel manual and stated that the General Code is recommending that this manual be adopted by a resolution rather than an ordinance which would be included in the Town Codes. He stated that all employees should receive a copy of this manual and sign off that they have received it. Scott Lehmann moved to approve the manual, with any additions made by the Town Attorney, and Carolyn Saxton seconded the motion. Roll call vote was as follows: Nate Ball, yes; Carolyn Saxton, yes; Doug Cannon, yes; Scott Lehmann, yes. The motion passed. Doug Cannon and Carolyn Saxton will discuss the makings of the final copy of this manual with Chuck Parkinson, Town Attorney and present the final copy to the Council at the September 2020 meeting.

Dick Meister discussed the General Code recommendations for standing committees. Scott Lehmann moved to allow committee members three consecutive terms of three years each term before they must resign for one year and then be reappointed for three more consecutive terms. Doug Cannon seconded the motion. Roll call vote was as follows: Scott Lehmann, yes; Nate Ball, yes; Carolyn Saxton, yes; Doug Cannon, yes. The motion passed.

NEW BUSINESS

Scott Lehmann moved to appoint Roger Rhodes for a six-month term as Assistant Building Commissioner effective August 6, 2020. Doug Cannon seconded the motion and the roll call vote was as follows: Nate Ball, yes; Doug Cannon, yes; Scott Lehmann, yes; Carolyn Saxton, yes. The motion passed.

Doug Cannon moved to accept the bid from Site Services for road striping at a cost of \$3,247.00. Town donation money will be used for this expense. Scott Lehmann seconded the motion. Roll call vote was as follows: Scott Lehmann, yes; Nate Ball, yes; Carolyn Saxton, yes; Doug Cannon, yes. The motion passed.

Marshal Reeder discussed the warranty renewal price submitted by Watch Guard in the amount of \$3,935.00 for eleven body cameras. Scott Lehmann moved to approve only the software maintenance at a cost of \$995.00 and the VISTA 4th Year body cameras at a cost of \$1,140.00 for a total cost of \$2,135.00. Doug Cannon seconded the motion and the roll call vote was as follows: Scott Lehmann, yes; Doug Cannon, yes; Nate Ball, yes; Carolyn Saxton, yes. The motion passed.

Nate Ball read Ordinance 860, Amending Section 93.09 Noise Regulations, by title only for the first reading.

Nate Ball read Ordinance 861, Amending Section 72.04 Parking Restrictions on Recreational Vehicles, by title only for the first reading.

Scott Lehmann moved to allocate \$50,000 to the Restore the Shore fund for litigation costs for Woodward Law Firm involving the lawsuit with the National Lakeshore and the Army Corp of Engineers. Doug Cannon seconded the motion and the roll call vote was as follows: Doug Cannon, yes; Scott Lehmann, yes; Carolyn Saxton, yes; Nate Ball, yes. The motion passed.

Doug Cannon moved to accept Resolution 2020-03, Transfer of funds from CEDIT to Restore the Shore in the amount of \$50,000 for litigation purposes. Scott Lehmann seconded the motion and the roll call vote was as follows: Carolyn Saxton, yes; Doug Cannon, yes; Scott Lehmann, yes; Nate Ball, yes. The motion passed.

Per the email dated August 2, 2020 from Rodger Howell of the Beach Nourishment Committee, the Council tabled Request #3 which stated "The Town authorizes the retention of Carol Center (or another expert of the Town Council's choice) to do a preliminary analysis of sources of funding for a Town project to protect Town

lakefront property and preserve the beach. The amount of the expenditure for this project is not to exceed \$8,000". The Council questioned whether \$8,000 was enough for this expenditure.

Per the email dated August 2, 2020 from Rodger Howell of the Beach Nourishment Committee, the Council tabled Request #2 which stated "That this is a formal declaration of intention to reimburse past expenditures for beach preservation and Town property protection with the proceeds of bonds or other borrowing that may occur in the future". Scott Lehmann is to discuss this with the Town Attorney.

Carolyn Saxton moved to accept the estimate for Town Code codification from American Legal for an amount not to exceed \$8,000. Doug Cannon seconded the motion. The roll call vote was as follows: Doug Cannon, yes; Carolyn Saxton, yes; Nate Ball, yes; Scott Lehmann, yes. The motion passed.

Mark Juszcak, Street Department, stated that he will have a date for Town Clean-Up at the September Town Council meeting.

RESIDENT REMARKS

Barbara Schultz – 57 Ogden – Questioning why the beach was closed and when it will reopen.

Alex Mackenzie, 5869 Dunes Highway, discussed NITCD taking over his property.

Jim Slawinski, 33 Aspen, discussed that the General Code was working on fines.

COUNCIL REMARKS

Doug Cannon – Stated that the Kona Ice Truck would be in Ogden Dunes for a private five-year old birthday party on August 15, 2020. He also stated that Moe's Food Truck has been posting menu signs on the mailbox racks to inform residents (not to advertise) and he stated that there are no ordinances preventing this.

Scott Lehmann thanked the Beach Nourishment Committee for their work and thanked Nate Ball for conducting tonight's meeting.

Carolyn Saxton also thanked Nate Ball for conducting tonight's meeting.

Nate Ball discussed the reasoning behind the Council closing the beach area.

No further business coming before the Council, Scott Lehmann moved to adjourn the meeting and Carolyn Saxton seconded the motion. The meeting was adjourned at 9:48 p.m.

Nate Ball, Vice President

ATTEST:

Jean Manna, Clerk-Treasurer