

**OGDEN DUNES TOWN COUNCIL  
REGULAR MONTHLY MEETING  
COMMUNITY ROOM  
JANUARY 8, 2018 - 7:00 P.M.**

**PRESENT:** Tim Nelson  
Michael Webber  
Scott Lehmann  
Nate Ball

**CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS**

Tim Nelson announced that Kathy Kniola, Town Council member, has resigned her position effective January 1, 2018. Tim read Kathy's resignation letter and thanked her for her service on the Council. In accordance with the Indiana Code, the Town Council of Ogden Dunes appoints the replacement for Kathy Kniola. Because Kathy Kniola was elected as an Independent, the process for filling the vacancy created by her resignation does not involve a political party caucus. Mike Webber moved to fill this vacancy with Carolyn Saxton whose term will expire on January 1, 2021. Nate Ball seconded the motion. All present were in favor and the motion passed.

Mike Webber moved to appoint Scott Lehmann as the Town Council President for the year 2018. Nate Ball seconded the motion. All present were in favor and the motion passed.

Tim Nelson moved to appoint Mike Webber as the Town Council Vice President for the year 2018. Nate Ball seconded the motion. All present were in favor and the motion passed.

Tim Nelson stated a generous anonymous donation was received from Ogden Dunes residents to be used by the Town for Town business.

**MINUTES**

Tim Nelson moved to approve the December 4, 2017 regular monthly meeting minutes and the December 28, 2017 year end wrap up minutes. Mike Webber seconded the motion. The vote of the Council was Tim Nelson, yes; Michael Webber, yes; Scott Lehmann, yes; Nate Ball, abstain. The motion passed.

**COMMITTEE AND DEPARTMENT REPORTS**

Street Department - Chuck Litzkow stated that the Council was presented with the crack sealing invoice in conjunction with the INDOT road grant. He stated that even though the invoice is marked "Estimate", the \$12,000.00 will be the final cost of this project of which 75% is covered by the INDOT grant. He also stated that the current project for replacing the carpeting at Town Hall will increase by \$1,062 due to excessive moving of furniture and the purchase of "tile" rug as opposed to continuous carpeting. Tim Nelson moved to approve the increase in cost of \$1,062.00. Mike Webber seconded the motion. All present were in favor and the motion passed.

Water Department - Chuck Litzkow stated that the water bills have been mailed. He stated that all residents should leave their water trickle due to the extreme cold weather. He stated that a water main break occurred at Shore and East Hill but is now fixed.

Police Department - Marshal Reeder reminded snowbirds to fill out a vacation form for the Police Department. He also stated that Porter County Commissioner Biggs advised him that Porter County will fund 55% of the cost for upgrading radios for the Ogden Dunes Police and Fire Departments.

Plan Commission - Mike Falk stated that the retaining wall built at 2 Valerie has no stone behind it and was not built following manufacturer's guidelines. Because of these inconsistencies, he recommended that this matter be remanded to the Plan Commission to further investigate the findings set forth in the engineer's report and whether manufacturer's guidelines were followed. Tim Nelson moved to accept Mike Falk's recommendation. Mike Webber seconded the motion. All present were in favor and the motion passed.

Beach Nourishment - Rodger Howell gave an update on this Committee. He stated that Senator Karen Tallian is pursuing having sand deposited directly on our beach by sponsoring new legislation that would require sand dredged from the area to be deposited on the Portage and Ogden Dunes beaches. Rodger also reported on the status of the Arcelor Mittal dredging permit appeal before the Indiana Department of Natural Resources. Scott Lehmann and Tim Nelson stated that the City of Portage is funding the legal fees associated with the Town's and Portage's appeal of the permit.

General Code - Dick Meister discussed the three items on the Council's agenda for this evening (sign ordinance, watercraft identification stickers and parking of recreation vehicles).

Environmental Advisory - Tim Nelson gave a brief update of the chromium discharge which occurred this past fall. Tim Nelson discussed the information shared by Beth Admire, staff attorney at IDEM. Ms. Admire advised that the EPA, Department of Justice and IDEM were working on a consent decree with U.S. Steel. After the consent decree is prepared, a lawsuit would be initiated and the consent decree would be presented to the Court, at which time there would be a public comment period when the Town could make comments and suggestions on the terms of the consent decree. Ms. Admire stated that she would contact the Town when the consent decree is ready to be filed which she expected to be early in 2018.

## **CLAIMS**

Mike Webber moved to accept the December 2017 claims as presented by the Clerk-Treasurer. Tim Nelson seconded the motion. All present were in favor and the motion passed.

## **OLD BUSINESS**

Scott Lehmann read Ordinance 824 by title only for the second reading. Tim Nelson moved to pass Ordinance 824. Mike Webber seconded the motion. All present were in favor and the motion passed.

Scott Lehmann read Ordinance 833 by title only for the second reading. Nate Ball moved to pass Ordinance 833. Mike Webber seconded the motion. All present were in favor and the motion passed.

Tim Nelson moved to accept the Horizon Bank "Rider to Loan Documents" and to authorize Scott Lehmann or Jean Manna to sign on behalf of the Town of Ogden Dunes and that the Clerk-Treasurer together with the Deputy Clerk-Treasurer may determine whether this loan should have a three (3) or five (5) year term. Nate Ball seconded the motion. All present were in favor and the motion passed.

## **NEW BUSINESS**

Dick Meister, General Code Chairman, discussed the two pending ordinance changes suggested by the General Code Committee. He stated that due to the reduced size of our beach, the Committee has recommended a fee of \$200.00 for watercraft stored on the beach during the winter months. In order to protect our beach and the dune grass, this fee is necessary to discourage winter storage. The Committee is also recommending an increase in summer watercraft stickers from \$10 to \$20 per watercraft. Marshal Reeder suggested that an impound company rather than the Street Department be used to remove watercraft left on the beach. The second pending ordinance change deals with the parking of recreation vehicles at the homes of residents.

Tim Nelson moved to instruct the Clerk-Treasurer to prepare an ordinance in accordance with the General Code Committee's recommendation regarding watercraft identification stickers and to include Marshal Reeder's impound suggestion. Tim Nelson also moved to have the Clerk-Treasurer prepare an ordinance in accordance with the General Code Committee's recommendation regarding parking of recreational vehicles. Nate Ball seconded both motions. All present were in favor and the motions passed. These ordinances will be reviewed at the February 5, 2018 Town Council meeting.

The following committee appointments were made by the Council to be effective January 1, 2018:

Tim Nelson moved to reappoint Brad Wood to the Water Board. Nate Ball seconded the motion. All present were in favor and the motion passed.

Tim Nelson moved to appoint Todd Shannon to Park & Recreation to replace. Nate Ball seconded the motion. All present were in favor and the motion passed.

Tim Nelson moved to reappoint Kristine Sandrick and Susan Adams to the Environmental Advisory Board. Mike Webber seconded the motion. All present were in favor and the motion passed.

Scott Lehmann appointed the following to the Beach Nourishment Committee:

Rodger Howell  
Roger Rhodes  
Christian Lattimer  
Michael Kilmer  
Jim Combs  
Steve Coombs

No motion necessary as the above are Town Council President appointments.

Tim Nelson moved to reappoint Christian Lattimer to Cable Advisory. Mike Webber seconded the motion. All present were in favor and the motion passed.

Tim Nelson moved to reappoint David Hollar to General Code. Mike Webber seconded the motion. All present were in favor and the motion passed.

Scott Lehmann read Resolution 2018-01, Alliance for American Manufacturing. Tim Nelson moved to approve this resolution and Nate Ball seconded the motion. All present were in favor and the motion was passed.

Scott Lehmann read the "Town of Ogden Dunes School Choice Week" proclamation recognizing National School Choice Week from January 21 to January 27, 2018.

#### **RESIDENT REMARKS**

Wally Sampson, 9 Ogden Court, stated that the Council should not get involved in resolutions that verge on the political side. He also questioned how Kathy Kniola's replacement was decided.

#### **COUNCIL REMARKS**

Mike Webber thanked Kathy Kniola for serving on the Council. Nate Ball also thanked Kathy Kniola and thanked Tim Nelson for serving two years as Town Council President.

No further business coming before the Council, Tim Nelson moved to adjourn the meeting. Mike Webber seconded the motion and the meeting was adjourned at 8:30 p.m.

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Scott Lehmann, President

#### **ATTEST:**

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Jean Manna, Clerk-Treasurer