

## DRAFT

### OGDEN DUNES TOWN COUNCIL MEETING JUNE 3, 2013 – 7:00 P.M. OGDEN DUNES FIREHALL

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

#### **MINUTES:**

Charlie Costanza moved to approve the minutes of the May 28, 2013 Town Council meeting as submitted by the Clerk-Treasurer. Bill Gregory seconded the motion. All were in favor and the motion was unanimously passed.

#### **CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS**

Allen Johnson announced the passing of Jim Kopp on May 31, 2013, Waterworks Manager, former Fire Chief, Town Council member, Town Council President and various other positions within the Town of Ogden Dunes. Information regarding services can be found at Town Hall. Our condolences to the family. Allen stated that the Water Board is having an emergency meeting this evening due to Jim Kopp's passing.

Allen Johnson thanked the Police Department for watching the homes of those residents who left for warmer climates during the winter months. He also stated that all watercraft that is to be stored on the beach must have a decal at a cost of \$10.00 per decal. The Police Department has already issued several warnings to those who do not have decals.

The Women's Club will be holding the Sandcastle Building Contest on July 4<sup>th</sup>. Registration is at 9:00 a.m. This event is eligible for community service hours. Food and drinks will be available at 11:00 a.m.

Tom Clouser stated that John "Ted" Ialeggio, 21 Indian Camp Trail, passed away on May 29, 2013. He was a past Town Council and Water Board member. Our condolences to his family.

#### **COMMITTEE/DEPARTMENT REPORTS**

##### Fire Department

Paul Panther stated that the Fire Department is having a free CPR course on June 15, 2013 at 9 a.m. to 1 p.m. He encouraged all residents to attend and learn this valuable skill. Residents need to pre-register by emailing [odfire@comcast.net](mailto:odfire@comcast.net) or [www.facebook.com/odfire](http://www.facebook.com/odfire).

Bill Gregory stated that the Fire Department Facebook page has an interesting article written by the Fire Department explaining how to get out of a riptide.

##### ADA

Sara Anderson spoke for the ADA and stated that they held their first meeting on May 29 and thanked Tom Clouser for attending. She indicated that this committee would like to speak with surrounding towns to discuss what actions they have taken and how they have funded those projects. The Committee's next step is to have a walk-thru with Allen Hammond to discuss public buildings and beach accesses in the Town. They also plan to speak with the Park Department and the Homeowner's Association to prepare a compliant ADA plan for the Town Council's consideration. Sara suggested that

the Council consider alternative methods for those who are unable to listen or attend the Town Council meetings. These alternatives might include a sign language interpreter, closed captioned recording, etc. Tom Clouser stated that he investigated a "lift" for beach access and it would cost approximately \$15,000 to \$20,000.

#### Environmental Advisory Board

Susan Mihalo stated that pending Ogden Dunes Community Fund approval, the Board will be sponsoring a Recycling Olympics for children from first grade to 12 years of age. There will be games, prizes and educational information on recycling, reduce and reuse. This will be held on June 27, 2013 from 1 p.m. to 3 p.m. at the Firehall.

#### Ogden Dunes Community Fund

Carolyn Saxton spoke for this committee and stated that the following grants have been approved the ODCF pending approval by the Town Council: Ogden Dunes Environmental Board (\$300.00); Town of Ogden Dunes website grant (\$1,150); Ogden Dunes Home Association (\$2,500); Sandpiper Cooperative Preschool Grant (\$750); Park Department grant (\$1,750); Public Art Additional Project 2013 Grant (\$500). **Paul Panther moved that the aforementioned grants be approved by the Town Council. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.**

#### **CLAIMS**

Tom Clouser moved to approve regular claims 045045 through 045100 and payroll claims 04562 through 04621 as submitted by the Clerk-Treasurer. Paul Panther seconded the motion. All were in favor and the motion was unanimously passed.

#### **OLD BUSINESS**

Bill Gregory moved to accept the reading of Ordinance 783 by title only. Paul Panther seconded the motion. Allen Johnson read the title of Ordinance 783 which is "An Ordinance of the Town Council of the Town of Ogden Dunes, Indiana, Amending Sections of Chapter 34 of the Ogden Dunes Town Code". All were in favor and the motion was unanimously approved. **Bill Gregory moved to approve Ordinance 783. Tom Clouser and Charlie Costanza oppose closing Town Hall for 4 hours each day. Bill Gregory stated that this ordinance does not address that subject. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved.**

Bill Gregory moved to accept the reading of Ordinance 776 by title only. Paul Panther seconded the motion. Allen Johnson read the title of the ordinance which is "An Ordinance of the Town of Ogden Dunes, Porter County, Indiana, Amending Ordinance 772, Fixing Salaries and Compensation Rates of Officials and Employees of the Town of Ogden Dunes, Effective June 23, 2013". Allen Johnson explained the limited hours at Town Hall which would be in effect with this ordinance and stated that the hours could be changed to accommodate the Town. Summer hours could be longer. He indicated that they would set hours for the Town Hall and if necessary they could be changed later. Charlie Costanza suggested cutting costs in the legal area rather than cutting hours at Town Hall. Bill Gregory stated that the legal fees were necessary and part of the operations of the Town. Without them, he felt the Town could put itself in an unlawful situation. Bill Gregory stated that the new Town Hall hours would be posted on the door of Town Hall and also the website. Bill Gregory moved to accept Ordinance 776 and Paul Panther seconded the motion. All were in favor and the motion was unanimously passed.

A discussion was held on the Town's legal bills. Allen Johnson stated that the average monthly bill is approximately just under \$3,000 per month for the years 2010, 2011 and 2012 as opposed to the figure which Charlie Costanza stated at a previous meeting which was \$6,000 per month as an average

monthly attorney bill. Charlie stated that he has seen invoices for \$5,000 to \$6,000 per month. Allen Johnson then stated the exact monthly averages for each year: 2010 was \$2886.67; 2011 was \$2969.06 and 2012 was \$2,810.63. He also stated that the average bill for 2013 thus far was \$3,700 and this higher average was a result of open door law complaints and deer cull litigation. Charlie feels that all members of the Council should be contacted before the attorney is involved in order to keep the monthly bills lower.

A discussion was held on Ordinance 784. Bill Gregory stated that he has not had an opportunity to thoroughly review this ordinance. Allen Johnson stated that this ordinance will be tabled till the July meeting. The Clerk-Treasurer has been instructed to post this draft ordinance at Town Hall and the Town website. (Note from Clerk-Treasurer: This ordinance was posted in Town Hall and a copy given to the web administrator on June 4, 2013).

Luke Brennan discussed the plumbing problem at the Fire Department. He stated that the kitchen sink drains are not draining. Luke stated that he has routed the drain several times and he is now pretty confident that the underground drain is the problem since it is 50-60 years old.

## **NEW BUSINESS**

Allen Johnson opened the three sealed bids for the 2004 GMC Street Department truck, Monroe V Box spreader and the Boss 10' plow. Charlie Costanza, Ogden Dunes, Indiana, submitted a bid for the truck in the amount of \$1,000. A second bid was received from Forney's Supply Inc., Portage, Indiana, in the amount of \$7,900 for the 2004 GMC Truck. A third bid was received from Windy Ridge Farms LLC, Valparaiso, Indiana in the amount of \$14,180.00 for the 2004 GMC Truck. Charlie Costanza moved that the bid for the 2004 GMC Truck, Monroe V Box spreader and the Boss 10' plow be awarded to Windy Ridge Farms LLC in the amount of \$14,180.00. Tom Clouser seconded the motion. All were in favor and the motion was unanimously passed. (Note from Clerk-Treasurer: On June 3, 2013, a check in the amount of \$14,180.00 was received from Windy Ridge Farms which check was verified with Centier Bank by the Clerk-Treasurer. On June 4, 2013, the title for the 2004 GMC truck was signed by the Clerk-Treasurer and the truck was delivered to Windy Ridge Farms by Jim Matthys of the Street Department deeming the sale final).

Allen Johnson opened the sealed bids for the used rowboat and trailer. Charlie Costanza bid \$10 and a second bid from Nathan Gagliardi was in the amount of \$51.00. Charlie Costanza moved that the rowboat and trailer bid be awarded to Nathan Gagliardi in the amount of \$51.00. Tom Clouser seconded the motion. All were in favor and the motion was unanimously passed.

The Town of Ogden Dunes has been requested by Beverly Shores to do pothole patching for their town. Paul Panther made the motion to accept the agreement between the Town of Ogden Dunes and Beverly Shores for pothole patching. Charlie Costanza seconded the motion. All were in favor and the motion was unanimously passed.

## **RESIDENT REMARKS**

Jon Machuca - He stated that the myth in Town was that SODD was raising money to sue the Town. The fact is that SODD has never sued the Town. He stated that SODD merely followed the procedure set up by the DNR to question the validity of the deer cull permit.

Larry Fierst – He is against the cutting of salaries and benefits to Town employees. He also stated that approximately fifty (50) SODD signs including his own were stolen from resident property. He questioned what the Town Council would do regarding the stolen signs.

Mike Frankovich – Thanked the Lions Club for the Memorial Day festivities. Also stated that he is for the cull because he feels there is an overpopulation of deer in our Town.

## COUNCIL REMARKS

Charlie Costanza stated that he has had signs stolen from his property. He said he made complaints but nothing was done about it.

Bill Gregory thanked the Beautification Committee especially Gerry Lehmann who worked tirelessly. Bill stated that Gerry is a master gardener and has freely used his skills in the Town.

Tom Clouser stated that the Memorial Day festivities sponsored by the Lions Club was definitely one of the best ones the Town has had. He also stated that the Historical Society's ice cream social was a big success.

Paul Panther told the residents that "turkey dogs" were served on Memorial Day by the Lions Club and they were excellent.

Allen Johnson suggested that the Historical Society repeat their Memorial Day program for those who missed it.

No further business coming before the Council, Paul Panther moved to adjourn the meeting. Charlie Costanza seconded the motion. All were in favor and the meeting was adjourned.

---

Allen Johnson, President

ATTEST:

---

Jean Manna, Clerk-Treasurer