

**OGDEN DUNES TOWN COUNCIL MEETING
AUGUST 4, 2014 – 7:00 P.M.
OGDEN DUNES COMMUNITY ROOM**

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

MINUTES

Allen Johnson moved that the minutes of the July 7, 2014 meeting be approved as submitted. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved. Allen Johnson moved that the minutes of the July 16, 2014 Budget Workshop meeting be approved as submitted. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.

CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS

Paul Panther asked resident Sue Squire to join him at the podium in order to present her with a plaque to memorialize the Squire's generous donation to the Town of Ogden Dunes consisting of two land parcels (hereafter called Squire Park) located on Bittersweet behind the Squire home. Paul Panther gave an overview of the last six months of paperwork involved with this donation. He stated that the Squires were very apologetic because of the length of this transaction but Paul assured them that the Town was more than willing to wait for their generosity. The Squires incurred all expenses including legal fees associated with this transaction which was finalized on June 25, 2014. Allen Johnson stated that the Town Council passed Resolution 2014-02 which included wording thanking the Squires for their generous donation and naming the parcel of land "Squire Park".

Bill Gregory announced that a new phone system has been installed at Town Hall which allows residents to leave voice mails for all employees and elected officials. Bill encouraged residents to utilize this service to leave comments and concerns.

COMMITTEE AND DEPARTMENT REPORTS

Police Department

Marshal Reeder discussed the temporary closing of the railroad tracks at the Town entrance and stated that the railroad workers estimated a completion time of Wednesday, August 13, 2014.

Street Department

Jim Matthys stated that the road sealing is being delayed because of the rain. He also stated that they are behind on chipping because of the road repairs. He reminded residents that when they hire a tree service to cut all or a portion of a tree, the tree service is responsible for hauling away the cut branches. The Street Department will not pick up cuttings made by a tree service.

Park Board

Emilee Seerup stated that they are in the process of clearing out weeds and burrs at Long Lake Park and adding new sand to the area.

Fire Department

Paul Panther stated that the bid for the septic system has been let to Jack and Vernon's Septic Tank.

General Code

Jim Slawinski stated that Senator Karen Tallian helped the Committee with the legal language for the staggered terms ordinance. Jim also stated that the Committee has finalized the language for the realtor signs. Pending items for consideration include watercraft on the beach that has been left and is not sea worthy, advertising on mailbox racks and street parking during snow storms which is hindering the Street Department snow plowing efforts.

ADA

Sara Anderson reviewed the revised July 24, 2014 ADA Transition Plan. She stated that the ADA Committee would like to work closely with the other Town committees to assure ADA compliance in all areas. Sara has requested that the Clerk-Treasurer post the Transition Plan at Town Hall and several bulletin boards within Town. Paul Panther stated that Luke Brennan has ordered the new ADA compliant toilet for the Community Room and new handles for the sink.

Building Code

Allen Johnson stated that the reorganization of the Building and Zoning Codes is near completion. After the Building Codes are completed and receive Town Council approval, the codes must be approved by a State agency per Indiana law. Charlie Costanza said that the Committee was discussing residents who do their own residential wiring, plumbing and HVAC work. The Committee is considering restrictions concerning residents performing their own installations or repairs due to safety issues.

Environmental Advisory Board

Jim Biancotti spoke that Federal controls are being considered for trains carrying hazardous materials. The Environmental Board will submit comments to officials regarding this situation as our Town is exposed to heavy train traffic. Jim also stated that the Board is working on the MS4 waiver for storm water control. He stated that IDEM will be visiting the Town to review the Town's current waiver.

Paul Panther stated that Jim Biancotti has become the first "Master Recycler" in the State of Indiana which included ten weeks of training and 30 hours of community service. Paul thanked Jim for his efforts.

Historical Society

Bill Gregory stated that the Ogden Dunes Historical Society books are available for sale at Town Hall.

Bridge and Railroad

Jim Slawinski stated that the Committee would be meeting in August. Charlie Costanza stated that the Committee has been discussing Boat Club Road as an emergency exit and feels the Town Council should work with the NPS to make this happen. Allen Johnson stated that a recent on-site meeting was held with A.J. Monroe, City of Portage, and Superintendent Paul Labovitz, National Park Service, at which time Boat Club Road was discussed. Allen stated that Superintendent Labovitz agreed to allow residents

to use Boat Club Road as an exit only during the railroad track repairs should our normal alternative exit become unusable for any reason. However, Superintendent Labovitz would not agree to allow Town residents to use Boat Club Road as an alternative exit on a regular daily basis. Allen Johnson stated that more meetings with Portage and the Park Service were planned for the future.

NEW BUSINESS

Paul Panther moved that Dr. Kenneth Thompson be appointed to the position of ADA Coordinator for the Town of Ogden Dunes ADA Committee effective May 17, 2014. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.

Paul Panther moved that the July 24, 2014 revised ADA Transition Plan submitted by the Ogden Dunes ADA Committee be accepted as written with the understanding that this plan will be revised or updated as time and circumstances permit. Allen Johnson seconded the motion. All were in favor and the motion was unanimously approved.

Paul Panther moved that the ADA be included in the proposed 2015 budget in the amount of \$1,000. Charlie Costanza seconded the motion. All were in favor and the motion was unanimously approved.

Bill Gregory appointed Dr. Kenneth Thompson to the Bridge and Railroad Committee to fill a vacancy.

A discussion was held on a request from resident Tim Cleland at 68 Shore Drive. The request entails removing gravel down to the existing sand, fill with gravel and install Paveloc Turfstone. Since this exists on Town property, it is necessary that the Council approve this. Charlie Costanza stated that this would be an improvement to the property and Allen Johnson stated that it would improve drainage. **Allen Johnson moved that the request from 68 Shore Drive be approved as submitted by Ed Hewitt, Building Commissioner. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved.**

Charlie Costanza moved that the Ogden Dunes Building Commissioner and interim Building Commissioner be reimbursed at the current Federal mileage rate for all personal vehicle mileage within and outside the Town of Ogden Dunes when specifically related to the duties of the Building Commissioner. Tom Clouser seconded the motion. All were in favor and the motion was unanimously approved.

Resolution 2014-08 (Staggered Terms) was finalized by a random drawing of numbered cards (numbers one through five representing each of the five wards within the Town). Cards were supplied by resident Jim Slawinski. Bill Gregory showed the audience and Town Council members each numbered card. He requested that Marshal Reeder pick three cards which would represent three wards that will have a one-year term as per Resolution 2014-08. Marshal Reeder chose cards with the numbers 2, 3 and 4. Therefore, the two remaining cards (number 1 and 5) will represent the two wards that will have a three-year term per the Resolution 2014-08. **Allen Johnson moved that Resolution 2014-08 with the chosen staggered ward terms inserted be approved. Charlie Costanza seconded the motion. All were in favor and the motion was unanimously approved.** The Clerk-Treasurer has been instructed to insert the designated wards into Ordinance 800 to be presented at the September Town Council meeting.

Paul Panther discussed the Ethics Committee and stated a poster will be displayed at Town Hall for resident review.

Charlie Costanza moved to accept the General Code Review Committee's recommended changes to Town Code 152.047 regarding realtor signs within the Town. Paul Panther seconded the motion. All were in favor and the motion was unanimously approved. The Clerk-Treasurer was instructed to put this recommendation into ordinance form for the September Town Council meeting.

A discussion was held on the deer management program. Bill Gregory stated that before the Council could make a decision as to whether or not a deer cull would be held for 2014-2015, the Council needs to apply for and be accepted for a deer cull permit through the DNR. Charlie Costanza stated that the deer culls promote litigation expenses. He suggested that the Council survey the residents as to whether or not they want a deer cull within the Town limits. Charlie stated that if the majority of the residents do want a deer cull within Town limits, the opposing residents would not consider any litigation against the Town thus eliminating all litigation fees regarding the deer cull. He feels a survey is in order as there are many new residents in Town plus the NPS is now conducting culls on the west side of Town. Allen Johnson stated the NPS indicated that the surrounding lakefront communities and the National Park have culled 795 deer in the last 3 years of which 90 were culled by Ogden Dunes. One thousand pounds of venison has been donated to the Portage Food Pantry as a result of the three deer culls held in Ogden Dunes. Charlie Costanza stated that if the deer cull must go forward he would like the cull to be over in 6 days rather than 6 months as was the case during the last deer cull. **Tom Clouser moved to approve that the Town Council President and Vice President and/or his designees be permitted on behalf of the Town of Ogden Dunes to prepare and submit to the Indiana Department of National Resources a request for a permit to conduct a deer cull during the fall/winter of 2014-15. Paul Panther seconded the motion. The vote of the Council was as follows: Allen Johnson, yes; Bill Gregory, yes; Paul Panther, yes; Tom Clouser, yes; Charlie Costanza, no. The motion was passed four to one.**

Paul Panther moved to approve the Town Council President at his discretion be permitted to enlist the services of an ecologist or botanist to prepare an assessment of the affects of deer foraging on vegetation in the Town of Ogden Dunes. Allen Johnson seconded the motion. The vote of the Council was as follows: Allen Johnson, yes; Bill Gregory, yes; Paul Panther, yes; Tom Clouser, yes; Charlie Costanza, no. The motion was passed four to one.

RESIDENT REMARKS

Jim Slawinski – Discussed his opposition to the deer cull.

Walter Sampson – Feels that residents should respect the members of the Council as they are trying to do what they feel is best for the Town.

COUNCIL REMARKS

Allen Johnson stated that the deer cull was not on the agenda when he ran for office but he does feel that the cull is the right thing to do.

Charlie Costanza reiterated that no litigation would be brought against the Town if the Council consents to having a Town survey as to whether or not a deer cull is acceptable.

No further business coming before the Council, Paul Panther moved to adjourn the meeting. Allen Johnson seconded the motion. All were in favor and the meeting was adjourned at 9:15 p.m.

Bill Gregory, President

ATTEST:

Jean Manna, Clerk-Treasurer

