

**OGDEN DUNES TOWN COUNCIL  
YEAR-END WRAP UP MEETING  
THURSDAY, DECEMBER 27, 2012  
7:00 P.M. – OGDEN DUNES TOWN HALL**

**PRESENT:** ALLEN JOHNSON, BILL GREGORY, PAUL PANTHER, TOM CLOUSER, CHARLIE COSTANZA

**MINUTES**

Bill Gregory moved to approve the minutes of the December 3, 2012 Town Council meeting. Charlie Costanza seconded. All were in favor and the motion was passed.

**Charlie Costanza moved to approve the minutes of the December 10, 2012 Town Council meeting. Bill Gregory seconded the motion. All were in favor and the motion was passed.**

**CORRESPONDENCE**

Allen Johnson noted on the agenda that several pieces of correspondence were received. The majority of these letters dealt with the recent deer cull. A reply letter was also included to Ric Edwards, Indiana Institute on Disability from the Town of Ogden Dunes in response to an ADA request. No correspondence was read.

**CONGRATULATIONS**

Allen Johnson thanked the Street Department, Police Department, Fire Department and the various boards and commissions in the Town for all their work during 2012. Bill Gregory also added his congratulations to the Police Department for solving all the recent break-ins within the Town. Paul Panther stated that Marshal Reeder has a close association with local police departments which contributed to solving these break-ins. Paul stated that much of the stolen items were recovered.

**OLD BUSINESS**

Regarding the deer cull, Allen Johnson stated that the next hearing is a telephone conference on January 14, 2013 with the lawyers, DNR, Ogden Dunes and the administrative law judge. He stated that the Food Pantry will be receiving over 500 pounds of venison in one pound packages as a result of the cull. Paul Panther stated that 500 pounds of venison will translate into approximately 1,500 meals.

**RESOLUTIONS AND ORDINANCES**

Julia Klingensmith, Deputy Clerk-Treasurer explained Resolution 2012-07, Transfer of Appropriations, to the Council. She indicated that this is a normal year-end procedure to remove any negative balances in appropriation line items. Bill Gregory stated that the \$38,000 which was used from Rainy Day to pay Walsh and Kelly makes him angry. He stated that Julia is handling the situation correctly but he is upset with Walsh and Kelly. He stated that the next time the Town needs to do paving which may be in seven years and if he is still involved in the bidding process, he is going to take a really hard look at Walsh and Kelly. He does not feel that Walsh and Kelly did the Town justice. He feels their work was fine but their billing was not. Paul Panther stated that the negotiations with Walsh and Kelly decreased approximately \$20,000 from what they originally asked for as an overage. Paul stated that Walsh and Kelly did not do what they said they were going to do and that is unacceptable. **Paul Panther moved to pass Resolution 2012-07, A Resolution providing for the transfer of appropriations for the Town of Ogden Dunes. Tom Clouser seconded the motion. All were in favor and the motion was passed.**

A discussion was held on Resolution 2012-08, A Resolution of the Town of Ogden Dunes transferring funds from the Rainy Day Fund to General and CEDIT Funds. Julia explained that this transfer was necessary to cover the Walsh and Kelly contract. She also stated that the money was needed to cover a shortage in the health care line item (approximately \$15,000 short), police wages, and contractual council. Charlie questioned if this included any legal fees and Julia stated that it did not. Charlie questioned Julia as to whether this included any deer cull activities and she stated that it could have included the flyover. He asked if the majority of this money was spent on the deer cull; however, Julia stated that she would have to print a report in order to verify exactly how the money was spent in each category. Julia offered to supply this report to the Council if they so desire. **Bill Gregory moved to pass Resolution 2012-08, Resolution of the Town of Ogden Dunes transferring funds from the Rainy Day Fund to the General and CEDIT Funds. Paul Panther seconded the motion. All were in favor and the motion was passed.**

A discussion was held on Ordinance 774. Julia explained that several years ago, there was a single line item left out of the year-end salary ordinance. The year-end salary ordinance at that time should have included a line stating that the Building Commissioner would receive service pay in the amount of \$400 annually regardless of the number of his employment years. By passing Ordinance 774, this will include the Building Commissioner's service pay of \$400.00 for 2012 and all future years. Paul Panther moved to waive the rules and pass this ordinance on the first reading by title only. Tom Clouser seconded the motion and all were in favor. **Bill Gregory moved to pass Ordinance 774, An Ordinance of the Town of Ogden Dunes Amending Ordinance 772 Salary Ordinance for the Employees of the Town of Ogden Dunes for the Year 2013 by title only. Tom Clouser seconded the motion. All were in favor and the motion was passed.**

#### **OLD BUSINESS (CONTINUED)**

A discussion was held on the 2013 Fire Department contract. The Council opted to continue with the 2012 current contract which has a clause stating that it is still valid 90 days after its ending date of December 31, 2012. During this 90-day period, the Council will meet with the Fire Department to resolve various items in the contract. Paul Panther indicated that possible changes could include combining insurance payments and using the Firehall to generate revenue. Charlie Costanza questioned the amount of fuel the Fire Department uses per year which is paid for by the Town. Tom Clouser indicated that it is approximately \$600.00 every six months. Bill Gregory suggested that a meeting should be held between the Council and the Fire Department before approving the 2013 Fire Department contract. This meeting would give the Council an opportunity to negotiate changes in the contract. Bill indicated that this meeting should occur before the February Town Council meeting.

The 2013 Waterworks contract came before the Council. The contract stated that the Waterworks will pay the Town two payments of \$6,600.00 each in May and November, 2013. This will reimburse costs paid for by the Town which include meter reading by Street Department employees, data entry by clerks, water testing and data logging by the office and police staff and use of Town equipment as necessary. **Tom Clouser moved to accept the 2013 Waterworks contract as submitted. Paul Panther seconded the motion. All were in favor and the motion was passed.**

Paul Panther informed the Council that a meeting was held this morning with Anton Insurance, the Clerk-Treasurer and himself to discuss the renewal of the Town's insurance (excluding health insurance). The annual premium will increase approximately 10% over 2012. The Town has also taken a terrorism policy for \$265 per year.

A discussion was held on the Ogden Dunes website. Allen Johnson stated that changes need to be made to the website. Charlie Costanza stated that the Town of Porter has an excellent website. Bill Gregory stated that he feels the website needs updated. **Paul Panther moved that the agreement with webmaster Mark Coleman be terminated as of December 31, 2012.** Charlie Costanza questioned the "grounds" for this termination and that it could be a possible wrongful termination. Charlie does not feel that Mark Coleman has done anything wrong

and should be given a chance to change the website to meet the Council's needs. Allen Johnson stated that he has discussed this matter with the Town Attorney and basically the webmaster is "at will" who performs duties on a day-to-day basis with no contract. **Tom Clouser seconded the motion. The vote 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.**

Charlie Costanza discussed the upcoming January 9, 2013 meeting with the NPS, Curt Winkle and his students, A. J. Monroe, City of Portage, and a member of the Town Council. Since some members will be out of town on January 9, it was decided that Paul Panther would try to attend if he returns to Town. If not, Charlie or Tom will attend.

Charlie Costanza made the motion to appoint Roger Rhodes and Scott Cherry to the Plan Commission. Allen Johnson stated that the appointments to boards and commissions would be made at a regular monthly meeting. There was no second to the motion.

No further business coming before the Council, Allen Johnson moved to adjourn the meeting. Bill Gregory seconded the motion. All were in favor and the meeting was adjourned.

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Allen Johnson, President

ATTEST:

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Jean Manna, Clerk Treasurer