

**OGDEN DUNES TOWN COUNCIL
REGULAR MONTHLY MEETING
OCTOBER 5, 2015 – 7:00 P.M.
COMMUNITY ROOM**

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

MINUTES

Allen Johnson moved to accept the minutes of the September 8, 2015 regular meeting. Tom Clouser seconded the motion. All were in favor and the motion was approved. Allen Johnson moved to accept the minutes of the September 23, 2015 budget hearing meeting. Paul Panther seconded the motion. All were in favor and the motion was approved.

CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS

Bill Gregory made the following announcements: thanked the Street Department for Town Clean-Up Weekend and for picking up the extra brush in Town; read a list of the recent Chili Cook-Off Winners, reminded residents that the Shoe Drive for Sojourner Truth House is still in progress till October 30, 2015; stated that 2016 budget information is available at Town Hall.

DEPARTMENT REPORTS

Plan Commission – Mike Falk reported that 39 Diana Road currently has three non-compliant violations. Mike Falk then discussed State laws regarding manufacturers' codes in reference to 39 Diana Road. Charlie Costanza questioned what the Plan Commission was recommending for 39 Diana Road. Bill Gregory stated that he had that information and is working with the Town attorney.

Beautification Committee – Dorothy Kurtz thanked the 10 resident volunteers who helped put up the cornstalks at Town Hall. Jerry Davich will be at the Hour Glass on October 18 at 4:00 p.m. In November, there will be a slide presentation at the Church of the "Walk in Diana's Footsteps" program held in September. The Historical Society Holiday Tea will be the first Sunday in December. Along with your water bill, you will be receiving a letter from the Ogden Dunes Community Fund seeking donations. Please indicate on your donation that you are donating to "Town of Ogden Dunes".

ADA – Sara Anderson stated that the wheelchair accessible picnic table is here and thanked the Women's Club and the Community Fund for making this happen. The wheelchair accessible water fountain at Nelson Reck Park has been installed and is in working order. Signs have been ordered through Tradewinds for Town Hall directing people to the back door for a wheelchair accessible entrance.

Environmental Board – Susan Mihalo reported that 16 volunteers helped with beach clean-up and collected 60 pounds of garbage. The Town's yearly average for recycle is 29%. Susan encourages more recycling.

CLAIMS

Tom Clouser moved to accept the September claims as presented by the Clerk-Treasurer. Allen Johnson seconded the motion. The vote of the Council was as follows: Bill Gregory, yes; Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes; Charlie Costanza, no (disagreed with attorney invoices). The motion was passed four to one.

OLD BUSINESS

The Town's successor to the Portage Township Education Foundation is still pending. The Clerk-Treasurer indicated that Eric Kurtz will contact her pertaining to the submission of Town applicants to this committee.

Tom Clouser stated that he spoke with NIPSCO about relocating the pole that is now located at Hillcrest and The Ledge since there have been five to six people this year who have had minor accidents with it. He stated that NIPSCO will also look at the dead trees in Town to prevent possible outages this winter.

NEW BUSINESS

Bill Gregory presented a proposed definition clarification to the General Code's committee responsibilities as follows: The Committee will be responsible for situations, issues and conditions that are generally not addressed in the Town building or zoning codes. The Committee may explore such situations, issues or conditions as brought to the committee's attention by their own observation, by a resident of Town or an employee of the Town. Such conditions could include: outdated codes (literally); codes no longer applicable or necessary; areas potentially requiring code revision; codes not enforced for whatever reason. Based upon the General Code Committee's assessment, the Committee will make recommendations for appropriate action to the Town Council. The General Code will consist of nine members with each having a two-year term. Allen Johnson moved to accept this description of the General Code's responsibilities and Paul Panther seconded the motion. Charlie Costanza objected as he felt the incoming Town Council should address this issue. 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.

A discussion was held on Ordinance 805 which is being replaced with Ordinance 812. Allen Johnson stated that there was no need to void Ordinance 805. He stated that if Ordinance 812 is passed by the Council, Ordinance 805 will automatically be repealed as stated in Ordinance 812. Bill Gregory stated that Ordinance 812 is 37 pages and too lengthy to read at this meeting. He did, however, read by title only and included all chapter and article titles and stated that this would serve as the first reading of Ordinance 812. The Clerk-Treasurer has been instructed to have this ordinance available for residents at Town Hall and the Town website. Charlie Costanza objected stating that the Building Code Review committee did not review this ordinance. Allen Johnson stated that because of the State laws involved in this ordinance he did not feel the Building Code Review committee was in a position to deal with the laws. Paul Panther stated that Ordinance 812 was written to conform to State laws.

A discussion was held on Ordinance 809 which is being replaced with Ordinance 813. Ordinance 813 must be first be approved by the Plan Commission and then returned to the Council for approval. Paul Panther moved that Ordinance 809 be voided and replaced with Ordinance 813 and submitted to the Plan Commission in order to follow the necessary steps to approval. Allen Johnson seconded the motion. The vote of the Council was as follows: Bill Gregory, yes; Allen

Johnson, yes; Paul Panther, yes; and Tom Clouser, yes; Charlie Costanza, no. The vote of the Council was four to one and the motion was approved.

Paul Panther discussed the new police vehicle being requested by the Police Department and asked for Council approval. Tom Clouser moved that a new Ford SUV, 4-wheel drive vehicle be approved for purchase at a cost of \$27,853 (which includes government discounts) and the purchase will also include a trade-in of an older vehicle. Allen Johnson seconded the motion. All were in favor and the motion was unanimously approved.

RESIDENT REMARKS

Carolyn Saxton discussed her personal problems with retaining walls and why she feels our engineering Town codes are necessary.

Dorothy Kurtz suggested that copies of the new ordinances be available at Town Hall as “sign-out” copies. She reminded residents that the Beautification Committee has a donation fund should anyone wish to contribute.

COUNCIL REMARKS

Tom Clouser thanked the Street Department for putting in a new electrical plug which was donated to use for the Town Christmas tree on Hillcrest Road.

No further business coming before the Council, Allen Johnson moved to adjourn the meeting at 8:45 p.m. Paul Panther seconded the motion. The vote of the Council was as follows: Bill Gregory; yes; Allen Johnson, yes; Paul Panther, yes; Tom Clouser, yes; Charlie Costanza, absent (Clerk-Treasurer note: Charlie Costanza left the meeting early; therefore, did not vote on adjournment). The motion was passed four to one.

Bill Gregory, President

ATTEST:

Jean Manna, Clerk-Treasurer