

**ODGEN DUNES TOWN COUNCIL  
REGULAR MONTHLY MEETING  
SEPTEMBER 8, 2020 – 7:00 P.M.  
ZOOM MEETING**

**PRESENT:** Mike Webber  
Scott Lehmann  
Carolyn Saxton  
Doug Cannon  
Nate Ball

**MINUTES**

Carolyn Saxton moved to approve the minutes of the August 3, 2020 regular monthly meeting and the August 5, 2020 budget workshop meeting. Doug Cannon seconded the motion. Roll call vote was as follows: Mike Webber, yes; Carolyn Saxton, yes; Doug Cannon, yes; Nate Ball, yes; Scott Lehmann – not present for this motion. Four members were in favor and the motion passed.

**CORRESPONDENCE, ANNOUNCEMENTS & CONGRATULATIONS**

Mike Webber made the following announcements: Beach Nourishment Town Fundraiser – checks payable to Town of Ogden Dunes and in memo of check please write “Restore the Shore”. Beach area closed during construction. Mike Webber read a letter signed by Roger Rhodes, Mike Teeling and Patrick Smith requesting that a committee be formed to explore the possibility of creating a full-time Town Manager position and demonstrating how it could be funded. Carolyn Saxton moved that a committee be formed with the following members: Roger Rhodes, Carolyn Saxton and Ken Thompson. The motion also included a timeline of one month for the committee to meet and report back to the Council at the October 5, 2020 regular monthly meeting. Scott Lehmann seconded the motion. Roll call vote was as follows: Mike Webber, yes; Scott Lehmann, yes; Nate Ball, yes; Carolyn Saxton, yes; Doug Cannon, no. The motion passed four to one. Doug Cannon stated that he felt this would be a very expensive endeavor.

**COMMITTEE AND DEPARTMENT REPORTS**

Street Department – Mark Juszczak announced that Town Clean-Up will be held September 18 to 20, 2020. E-waste will be accepted plus latex paint (no oil based paint). No construction debris, no tires and no hazardous waste. Info will be posted on Town website.

Environmental Advisory – Susan Mihalo gave an update on the cyanide and pneumonia spills by Arcelor Mittal.

Community Fund – Bethany Jensen has resigned from this committee and the committee wishes to place Nancy Johnson in her position and term length. Carolyn Saxton will email the details of this change to the Clerk-Treasurer who will in turn contact the Town Attorney for advice on how to proceed with these changes to the committee.

Historical Society – Ken Thompson announced that a presentation entitled “Battle to Save the Beach” will be held at the Community Room on September 20, 2020. Attendees must have a reservation and wear masks to attend.

**CLAIMS**

Nate Ball moved to accept the August 2020 claims as presented by the Clerk-Treasurer. Scott Lehmann seconded the motion. Roll call vote was as follows: Mike Webber, yes; Scott Lehmann, yes; Carolyn Saxton, yes; Doug Cannon, yes; Nate Ball, yes. The motion passed.

## **OLD BUSINESS**

Carolyn Saxton reported on the “Regional Development Authority – TDD Steering Committee – Quarterly Update – August 19, 2020. This information will be available at Town Hall and will be placed on the Town website.

A discussion was held on an email from Rodger Howell dated August 2, 2020 requesting that a “formal declaration of intention to reimburse past expenditures for beach preservation and Town property protection with the proceeds of bonds or other borrowing that may occur in the future”. Scott Lehmann will follow-up on this request with the attorney for the beach and report to the Council at the October meeting. This email also requested that “the Town authorize the retention of Carl Cender (or another expert of the Town Council’s choice) to do a preliminary analysis of sources of funding for a Town project to protect Town lakefront property and preserve the beach”. Nate Ball moved that \$5,000 be allocated for professional services to determine which bonds would meet the Town’s needs. Carolyn Saxton seconded the motion. Roll call vote was as follows: Mike Webber, yes; Carolyn Saxton, yes; Scott Lehmann, yes; Nate Ball, yes; Doug Cannon, no. The motion passed four to one.

Mike Webber read Ordinance 860 by title only for the second reading. Scott Lehmann moved to approve Ordinance 860 and Doug Cannon seconded the motion. Roll call vote was as follows: Mike Webber, yes; Scott Lehmann, yes; Carolyn Saxton, yes; Nate Ball, yes; Doug Cannon, yes. The motion passed.

Mike Webber read Ordinance 861 by title only for the second reading. Nate Ball moved to approve Ordinance 861 and Doug Cannon seconded the motion. Roll call vote was as follows: Mike Webber, yes; Scott Lehmann, yes; Carolyn Saxton, yes; Nate Ball, yes; Doug Cannon, yes. The motion passed.

A discussion was held regarding the General Code’s recommendations for “standing committees”. The Clerk-Treasurer indicated that some committees are governed by State law as to number of members and terms of members. Clerk-Treasurer is to confirm this with the Town Attorney and report back at the October 2020 meeting.

A discussion was held regarding the final version of the Personnel Manual. Doug Cannon stated that all changes the Town Attorney recommended were made plus the Street Department Manager was added as an “on-call” employee which would allow him a take home vehicle. Mike Webber read Ordinance 863 for the second reading by title only. Carolyn Saxton moved that the Street Department Manager not be included as an “on call” employee therefore not allowed a take home vehicle. Scott Lehmann seconded the motion. The roll call vote was as follows: Carolyn Saxton, yes; Scott Lehmann, yes; Nate Ball, yes; Mike Webber, no; Doug Cannon, no. The motion passed three to two. Carolyn Saxton moved to pass Ordinance 863 based on her previous motion to exclude the Street Department Manager as an on-call employee. Nate Ball seconded the motion. The roll call vote was as follows: Carolyn Saxton, yes; Scott Lehmann, yes; Nate Ball, yes; Doug Cannon, no; Mike Webber, no. The motion passed three to two.

## **NEW BUSINESS**

Mike Webber appointed Judith Stiles and Susan Clouser to the newly formed “Christmas Tree Fund”, a subcommittee of the Town Beautification committee. This subcommittee was formed to collect donations for a bigger Town Christmas tree and any other Christmas articles that may be purchased for Town use. The subcommittee will have only two members and terms will be at the discretion of the Town Council. The Town Council President will appoint any replacements to the subcommittee if needed. Carolyn Saxton moved to accept the members as appointed by the Town Council President. Nate Ball seconded the motion. Roll call vote was as follows: Carolyn Saxton, yes; Scott Lehmann, yes; Doug Cannon, yes; Nate Ball, yes; Mike Webber, yes. The motion passed.

A discussion was held regarding the current invoice due to the Porter County Animal Control at a cost of \$2,000 per year. Carolyn Saxton moved to pay the invoice and Nate Ball seconded the motion. Roll call vote was as follows: Carolyn Saxton, yes; Mike Webber, yes; Nate Ball, yes; Doug Cannon, no; Scott Lehmann, no. The motion passed three to two.

Mike Webber appointed Lois Braatz to the ADA committee to replace Joan Machuca who resigned. No Council vote was necessary as this was a Town Council President appointment. Lois Braatz will finish Joan Machuca's term.

The BZA will hold a meeting on September 10, 2020 and two members have recused themselves from this meeting. Mike Webber appointed Arman Sarkisian and Scott Stolarz to participate in the upcoming BZA meeting. Mike Webber stated that should Scott Stolarz be unable to fulfill this position, Anthony Bytner would replace Scott Stolarz.

Greg Casimer for the Waterworks discussed opting out of the IURC. Due to the fact that Greg Casimer's internet was not working properly, it was decided by the Council that all Council members should direct their questions by email to Greg Casimer and this topic will be discussed at the October meeting.

Carolyn Saxton stated that Indiana Water would like to speak at the October Town Council meeting.

#### **RESIDENT REMARKS**

Susan Rhodes, 49 Aspen, feels that Moe's Food Truck should not be allowed on Town property since it is a "for profit" business and should not be allowed to utilize our Town website. She feels this goes against our Zoning Codes.

#### **COUNCIL REMARKS**

Doug Cannon stated that he is requesting a non-reverting account for Beautification Committee since they do not use all their funds each year. He stated that he will prepare a resolution for the October meeting. He also stated that he spoke with Todd Caldwell of the State Board of Accounts who approved this non-reverting fund.

No further business coming before the Council, Nate Ball moved to adjourn the meeting and Carolyn Saxton seconded the motion. The meeting was adjourned at 8:49 p.m.

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Mike Webber, President

#### **ATTEST:**

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Jean Manna, Clerk-Treasurer