

TOWN OF OGDEN DUNES  
REGULAR COUNCIL MEETING  
MAY 2, 2011

**Pledge of Alliance**

**Roll Call:** Connie Collins, Brad Wood, Bill Gregory, Eric Haussman, Eric Kurtz

President Gregory states that Tom Tittle has affirmed that sound is getting out. President Gregory stated that the microphones are working and all council members and everyone to please speak clearly that the residents at home will be able to hear all information.

**Minutes:** President Gregory stated that there were two sets of minutes to be approved.

Minutes from March 7, 2011:

Councilman Haussman made a motion to approve the minutes and Councilwomen Collins seconded. All were in favor motion passed.

Minutes from April 4, 2011:

President Gregory had questions regarding the minutes and would like to defer approval of the April minutes until next month. Minutes were submitted to the Clerk Treasurer for corrections.

**Claims:**

Claims #42792-43423 excluding 43392,43393,43494,43408,43415 & payroll checks #3075-3108 excluding 3106. Councilman Kurtz made a motion to approve claims as presented and Councilman Haussman seconded the motion. All were in favor motion passed.

**Old Business:**

**Deer Management:**

President Gregory said that Bob Porch agreed to come out with an additional person from his office on May 5, 2011. Along with Chief Reeder, we will do some looking at possible sites as we consider moving forward with the deer management plan. President Gregory asked if there were any questions regarding this. No questions were presented.

**Prescribed Fire Management Plan:**

Councilman Kurtz said weather has not been dry but may come to fruition tomorrow, by doing what is called the ditch burn. Basically starting at Hillcrest to the south of the fire station, wrapping around the street department to Boat Club, around Bittersweet Rd. and behind Aspen and Skyline. Meeting will be at the fire station for briefing at 9 am. If all goes well then they will move over the area west of Hillcrest along the railroad tracks. President Gregory commented that he felt it would be handled well, and asked if the Park Service would be involved. Councilman Kurtz replied that the bulk of the work force would be done by by the Park Service.

**Paving Project:**

Councilman Haussman said the council took a tour of the town and looked at the roads that they felt needed paving. The project has been advertised and bids should be coming in. As far as the Hillcrest Retaining Wall project, we have had a hard time finding an engineer. Street Commissioner Matthys is trying to arrange for an engineer. President Gregory asked if the work will be done in the Spring or Fall. He is concerned that the longer we delay more of a hazard it will become.

**Nixle System:**

Councilman Kurtz stated that there isn't anything new, we still have access for paging, sending text messages to cell phones. They stated that in order to send emails they would require a payment of something over \$2000.00 per year. When chief Reeder inquired as to how many residents were subscribed it was around 120. It did not make sense to pay that amount of money when they still get the messages. The only part that is not a part of the package is the emails. Chief Reeder said he would send out a message to the residents.

**New Business**

**Ordinance # 751**, last month we considered the first reading of what last month was considered to be a resolution. It was requested that it be reinstated in the form of an ordinance. So the language has been changed to an ordinance of Ogden Dunes Town Council establishing a fee to be charged for garbage refuse trash pickup & disposal in excess of the amount of required to be picked up & pursuant to contract with waste hauler. Trash has been put out beside the totes and it costs the town to pick it up. This ordinance establishes a \$25.00 fee per backhoe or tractor bucket that is necessary to pick up the additional waste. Councilman Kurtz moved to pass Ordinance #751 and Councilman Wood second. Councilwomen Collins asked of the wording has been changed that included a 8% penalty fee and if you don't pay the \$25.00 within 30 days and pay attorney

fee's. She felt that we were getting a little out of hand. She feels the \$25.00 is a fair fee, not the rest of it. Councilman Kurtz asked the clerk treasurer who added that on, and she replied the Attorney did. Discussion continued with the question of withdrawing the motion to approve. The decision was made to approve the motion deleting the last sentence of section 1.

Councilman Kurtz motioned to approve and Councilman Wood seconded. Again discussion concerning notification of the penalty and all were in favor motion passed.

### **Authorization for expenditure of funds for preliminary drawings for Fire House/Community Room Renovation.**

Councilman Haussman said they met with the architect Gerometta and they came and walked around the fire house. Mr. Gerometta listened to what the wishes the task force had, and drew some rough sketches to show some ideas that he had. Councilman Haussman said he felt the sketches have shown the wishes of the task force and the community. In order to move forward we need to pay the architect to provide more specific drawings and provide a cost analysis of what it will take to put into action. I would like a motion to allow expenditures of up to \$5000 to Gerometta & Kinel Architects to make preliminary drawings and provide a cost analysis of said drawings. President Gregory asked for a second and Councilman Haussman seconded. More discussion of the cost. The drawings are necessary so a contractor can give us a price. Mr. Stimson mentioned that one of the primary objections in what is being said is if money is being spent then the meeting room would have to be enlarged. President Gregory asked if there was anymore discussion, if not he called for a favor of motion to authorize up to \$5000 expenditure for additional preliminary drawing. No one opposed and he asked Councilman Haussman to pursue. Comment was he will.

### **Beach Preservation & Nourishment:**

Councilman Kurtz addressed this subject. The biggest development is NIPSCO is seeking an emergency permit to do dredging around the water intake at their Bailey generating station located east of the break walls that form the Port of Indiana. They have come out and looked at the disposal area. They call it spoils but we call it sand. It is perfect sand for Ogden Dunes. He asked the council to concur with issuing a letter of support for that permit and 77000 cubic yards letter be sent of support for the permit. Motion was seconded by Councilman Haussman. Motion passed.

Councilman Kurtz also mentioned that the Beach Nourishment committee did meet prior to this meeting on other beach issues like the drop offs at #3 and #5 and recommend that the

council council as a whole ask the street department to see if they could facilitate getting some sand in these access ways. Councilwomen Collins asked where the sand would come from. Councilman Kurtz replied that he thought they could get it from back where they have taken it before. Councilwomen Collins replied “back here, since we are going to be taking out this wall anyway? Maybe? There was more discussion on the locations between 3 through 6.

### **Ogden Dunes Community Fund**

Carolyn Saxton said she was at the last council meeting and presented the decisions that were made by the committee. They had a second meeting and asked the Home Association to take their request back and revise it. They originally asked for landscaping around the basketball court on Ogden Court next to the tennis court. The committee felt that it needed a little more than landscaping. The basketball courts were in terrible shape. The Animal Control Committee asked for funds to expand the number of waste stations. The committee agreed to give the Home Association \$5000 and the Animal Control Committee \$450. President Gregory asked for a motion to accept the report. Councilman Kurtz motioned to adopt their recommendations and to fund those 2 projects. Councilman Haussman seconded. All were in favor motion passed.

### **New Business:**

Discussion on the sign at Pollywog pond that was put up by the eagle scout so he could earn his badge. Suggestion was made that it be taken down since nothing has been put on it and it is too close to the road.

Councilman Wood has received correspondence from 150 Shore that has put a new retaining wall in and the beach parkers are backing into the wall. She said that they would pay for the concrete parking bumpers. They have received the blessings of the council to do so.

Street Commissioner Matthys said it was a good idea but she should think twice about it because when people see the bumpers it is an invitation to park there.

Councilman Kurtz received a call from a resident on Sunset Trail that was concerned about a neighbor's property that they were not bringing in their recycle tote and trash containers. The house has no driveway and no garage. He thought that the council agreed to allow the totes to stay down as long as they were in a wood hatch. President Gregory asked for

addresses of the other homes that have that same situation.

Chief Reeder reminded everyone that beach season went into effect yesterday. We have had the decals for some time but the Home Association hasn't gotten down a list. Clerk treasurer Smith said she just received the list and it only had 2 names on it. She got one today and it had 8. Councilman Kurtz replied that is because they haven't sent out their invoices yet.

Chief Reeder said his guys are in a tough spot. They have been told to start ticketing . Usually we give warning for the first week. New area reminders that if you need a hardship pass come in and see me. Donna also wanted me to remind the residents that only the homeowner is permitted to get guest passes. They can not send someone else in. The Police department in conjunction with the Lions Club will be having a bike rodeo on May 23<sup>rd</sup> in the firehouse parking lot, from 10 to 12. We will have a limited number of helmets to give away and we will be offering free fingerprinting kits for parents. Kits stay with the parents not the Police department. Golf cart and boat stickers are also in.

Councilman Kurtz since we are on the beach subject we have some serious burn injuries to little kids with people that are not putting their fires completely out. If you are going to have a fire on the beach bring a pail with you so you can get water from the beach and put the fire completely out.

Resident Dan Manos wants to share four things with you. It includes improvements on to Long Lake, several events on Memorial day and a new program they are going to pilot this year. Two new pieces of playground equipment have been installed at Long Lake. A teeter totter and merri go round. Memorial Day before the parade there will be a judging of decorated bikes that will be in the parade. This summer we are going to have tennis lessons for kids 6 years old to 10. Dan explained this program. There will be a fee.

Susan Mihalo announced that beach testing will start May 23<sup>rd</sup>.till September 10<sup>th</sup>.

Greg DePorter from the Plan Commision spoke on what is currently happening with the committee. Properties that have not been maintain as well as in the past. Issues on clarity on the new requirements on subcontractors and contractors that they have to be registered in town. This is in compliance with the new statute. Their next task is to sort out and rewrite sections and reorganize the town code, to make it more user friendly. We have had on the cable station about anyone starting a building project to contact the Building

Commissioner with any questions. We have developed a hanger that will let the homeowner that may not be home that the building commissioner has been there and if they have passed or failed. Also there are properties that considered problem properties, and we will have a list after our next meeting. Councilman Kurtz asked if he could articulate what the problem property was to the town council.

#### Resident remarks

Ed Rooks – I have been out of town and missed the opportunity to attend the open house regarding the remodeling of the firehouse. I saw a letter that there was an estimate of \$450,000 for this type of remodel. I don't have objections in spending \$500,000 if it has positive results. We went through this 5 years ago and the town council spent \$25,000 that the residents rejected. We don't want a repeat a situation like that. Also there has been some concern that the fire department may have it's time limited if we go with the community fire protection. I ask that the council keep the town informed.

#### Council Remarks:

President Gregory explained that the fire house task force has been meeting for several months.

And is unaware of how long he has been out of town. We are well aware of some of the concerns.

Councilman Kurtz there will be a session for planning commission members and town council members and BZA on May 17 & 18. It is \$80 registration. I would like to allocate finds to allow any of our elected officials to go. Let the clerk treasurer know the council would fund that session.

President Gregory was that a motion? Councilman Kurtz yes. President Gregory, I will second.

Resident Stimson I have gone in the past and there is valuable information but I have found them to be geared to larger towns. All were in favor.

Councilwomen Collins in regards to the resident that wants to put up the bumper and possible staircase at one of the easements, we don't want to get into a situation that they volunteer to pay for these expenses and don't. I would like to see something in writing. If something comes up at the last minute that they can not back out. I would like to get their money up front before we go ahead and do any work. This has happened in the past.

Councilman Kurtz agrees that it makes sense to have them prepay. Same as when Jim puts up new mailboxes.

President Gregory He encourages everyone to attend the Memorial Day event. It is going to be bigger . Councilman Kurtz added that the Park Board needs to know that the Lions Club has moved the start of the parade to Diana court & Deer Trail.

Next council meeting will be June 6<sup>th</sup>, 2011 at 7 pm at the firehouse.

Councilman Wood motioned to adjourn the meeting and was seconded by Councilman Kurtz.

All were in favor meeting was adjourned.

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President Gregory

Attest:

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Donna Smith  
Clerk Treasurer

