

**TOWN OF DUNE ACRES  
COUNCIL MINUTES  
August 20, 2019**

The Town of Dune Acres Town Council met for its regular monthly meeting on Tuesday, August 20, 2019, at the Town Hall. Council President Richard Hawksworth called the meeting to order at 7:15 p.m., following the Budget Hearing, with Council Members Peter Bomberger and Alexander Stemer, Clerk-Treasurer Jeannette Bapst, and Attorney Adam Mindel representing Dan Whitten in attendance.

**APPROVAL OF MINUTES:**

It was moved and seconded that the minutes for the July 16, 2019, Town Council Meeting be approved as presented. Motion passed unanimously.

**FINANCIAL REPORT:**

**BANK BALANCES 07/31/2019**

Porter State Bank	\$ 148,045.42
Trust Indiana	\$ 602,917.81
Record Balance	\$ 750,963.23

\*Those funds marked with an asterisk are designated monies and can only be spent for the designated purpose.

**BREAK DOWN OF FINANCES AMONG FUNDS  
As of July 31, 2019**

FUNDS	CASH BALANCE 07-31-19	APP BAL.	% Left
GENERAL	181,578.66	\$181,715	46
MOTOR VEHICLE HIGHWAY	45,480.52	\$48,614	81
LOCAL ROAD & STREET	13,550.74	\$1,702	28
MOTOR VEHICLE HWY RESTRICT	2,383.31		
PARK & RECREATION	48,980.00	\$49,143	84
RAINY DAY FUND	110,000.00	\$50,000	100
CCI	353.07	\$1,000	100
CCD	28,008.63	\$27,974	79
CEDIT	17,072.50	\$17,000	85
RIVERBOAT REVENUE SHARING	254.14	\$2,500	100
Donations*	33,285.00		
Clubhouse Dune Grant*	-2,202.00		
Construction Security Dep*	40,000.00		
SalesTaxClubHouseRental*	316.42		
ClubHouseRentalDeposit*	1,900.00		
Local Road & Bridge Grant*	223,193.71		
<b>TOTAL FUNDS</b>	<b>\$ 744,155.10</b>		

Clerk-Treasurer Bapst presented the July month-end financial report. It was moved and seconded to approve the financial report. Motion passed unanimously.

**PAYMENT OF CLAIMS:**

It was moved and seconded that claims for the month of August 2019, #6546 - #6585, in the amount of \$277,015.88 be approved. Motion passed unanimously.

**CORRESPONDENCE RECEIVED:**

Federal Emergency Management Administration (FEMA), August 29, 2019 Flooplain Open House Workshop – FEMA had provided information, which the town previously distributed to residents via email, about the August 29, 2019 Open House that will address the proposed new velocity floodplain along the Lake Michigan shoreline. Residents with lakefront property were highly encouraged to attend.

Shore Drive Utility Pole – The Council recognized correspondence received from the Sywgerts, 4 Shore Drive. It was requested the abandoned utility pole located on town parkland near their home be removed.

South Shore Double Track Schedule – A South Shore Railroad ‘double track project’ update had been received. The Northern Indiana Commuter Transit District currently expects construction to begin in 2021 and end in 2023.

Chemical Spill – Discussion was held regarding the August 14, 2019 Arcelor Mittal chemical release into the east branch of the Little Calumet River that effected both the river and Lake Michigan shoreline. As of this date, the National Park beach at the Portage Lakefront remained closed, along with portion of the Little Calumet River (between Highway 149 and Highway 249). Swimming restriction on Dune Acres beaches were lifted on August 17th.

Beach Waste Pickup – Discussion was held regarding a suggestion to provide pedestrian ‘trash baskets’ at Dune Acres beaches that would encourage residents to collect litter while walking the shoreline. Collected waste would then be deposited into town receptacles and trash baskets returned for use by others. It was agreed by consensus to conduct a trial at East Beach and Ridge Beach.

#### COMMISSIONERS REPORTS:

**BUILDING:** As recommended by Building Commissioner Tom Roberts, it was moved and seconded to approve Building Permit #2019-19, 9 Pine Lane, \$51,000 roof replacement; Permit #2019-21, 30 Crest Drive, \$10,590 log refurbish; Permit #2019-22, 14 East Road, \$18,000 kitchen cabinets; and Permit #2019-24, 10 Shore Drive, \$60,000, interior improvements. Motion passed unanimously.

**ROADS:** It was moved and seconded to approve the 2019-2020 Snow Removal contract with David’s Lawn Care. Motion passed unanimously.

**SECURITY:** Security Commissioner Bill Griffin said the interviewing of potential new staff members would be taking place in the coming weeks, with hiring recommendations expected at September’s Council Meeting.

Griffin also reported that discussion with the National Park Service has been ongoing about new signage aimed at directing park visitors to public areas.

**ENVIRONMENT:** An environmental workshop was planned for September 28, 2019 at the clubhouse. Invitations will be extended to area lakefront communities.

#### OLD BUSINESS:

Seawall Project Permit Update: The Army Corps of Engineers advised the Beach Drive seawall project does not require a Department of Army permit. The Indiana Department Natural Resources confirmed on July 22<sup>nd</sup> that the town permit application was received and is being processed.

#### NEW BUSINESS

Ordinance #2019-02, 2020 Appropriations and Tax Rate, first reading: A motion was made and seconded to approve first reading of Ordinance #2019-02, 2020 Appropriations and Tax Rates. Motion passed unanimously. The ordinance sets appropriations, tax levy and tax rates for 2020.

Ordinance #2019-03, Amending Chapter 10, Article II, Section 10-26, first reading: A motion was made and seconded to approve first reading of Ordinance #2019-03, Amending Chapter 10, Article II, Section 10-26. Motion passed unanimously. The ordinance amendment grants the Building Commissioner authority to approve building permits up to \$20,000 without additional Town Council action.

A suggestion was made to review Section 10-25 that requires plans/specifications to be submitted for any projects over \$10,000.

Resolution #2019-03, Americans with Disability Act Transition Plan: It was moved and seconded to approve Resolution #2019-03, Americans with Disability Act (ADA) Transition Plan. Motion passed unanimously. The resolution names the Clerk Treasurer as town ADA Coordinator and adopts the town's ADA Transition Plan in order to meet minimum compliance requirements established under Section 504 of the Rehabilitation Act of 1973 (29 USC 794(a)) Americans with Disability Act (ADA) of 1990 (42 USC 12111), and to ensure the town remains eligible to receive grants from the Indiana Department of Transportation (Community Crossings) and other agencies.

Discussion was held regarding accessibility improvements needed in Dune Acres including ADA access to the town hall and restroom facilities at the clubhouse.

Clubhouse Rentals: It was moved and seconded to approve clubhouse rentals for 8-17-19, 9-7-19, 9-14-19, 6-13-20 and 8-8-20. Motion passed unanimously.

Animal Control: The Council reviewed a report that summarized information received at a Town/Indiana Dunes National Park (IDNP) deer cull activities meeting held August 13<sup>th</sup>.

The IDNP has been culling deer in the dunes surrounding Dune Acres since 2013. During the January-March 2019 culling season, 27 deer were removed from the Chelberg Farm area (650 acres), 10 from the Cowles Bog area (2120 acres) - mostly along the bike trail, and zero from Howes Prairie. IDNP utilize highly trained, in-house sharpshooting staff. They only take shots that are considered sure hits. Baiting and night shooting is utilized. Field dressing takes place off-site. IDNP determines areas in need of cull by plant observations, primarily using trillium size and density as the indicator. All culled animals are donated to "Hoosiers Feeding the Hungry." The IDNP said little culling had been done in the areas immediately adjacent to Dune Acres because of accessibility challenges.

Following discussion, the Town Council agreed by consensus to provide parking permits for IDNP deer cull staff in designated town spaces, including but not limited to, Heenan Trail, Pine Lane, Lupine Lane, West Road, and Cypress Lane, in order for IDNP staff to better access national park property for culling. In addition, a town deer cull during the 2020 winter season will not be conducted.

The Town Council then discussed concerns about an over-population of coyotes that may present a hazard to small children and pets. Bapst was asked to contact the Department of Natural Resources and the IDNP to obtain recommended methods for keeping coyotes away from private property.

National Park Service General Agreement: It was moved and seconded to approve renewal of the 5-year General Agreement between the National Park Service, Indiana Dunes National Park and the Town of Dune Acres that allows IDNP environmental stewardship staff to access town parkland for invasive species work. Motion passed unanimously.

Dune Acres Civic Improvement Foundation (DACIF) Project Funding Request: It was moved and seconded for the Town Council to request DACIF funding of the following projects: 1.) Lake Michigan Coast Program Grant Match, \$1,000, 2.) Clubhouse Parking Lot and Auxiliary Lighting, full project *estimated* \$4,000. Motion passed unanimously. The request for project support will be submitted to DACIF for consideration at their September Board Meeting.

In addition, correspondence had been received from DACIF President Laura Truax about possible foundation support of a deck on Beach Drive, at or near the location of the former deck that was lost to shoreline erosion this year. DACIF Board member Paul Woidke felt the Council should consider a deck in coordination with the seawall project. He suggested a steel cantilever design, with pillars installed while contractors are mobilized on-site. The Council agreed to review options with John Hannon of Great Lakes Engineering, the engineer overseeing the seawall project.

Vaccine Clinic, 9-14-19: Town Wellness Coordinator Sharon Tutlewski had provided information regarding this year's Immunization Vaccine Clinic scheduled for 9-14-19 at the Town Hall. The Council approved the activity by consensus and commended Tutlewski for her ongoing efforts. Information provided by Tutlewski will be emailed to residents.

November, 2019 Election: Porter County election officials had advised the town that candidate filing for elected town positions (Town Council (3) and Clerk-Treasurer (1)) with terms starting January 1, 2020 had closed, with current candidates unopposed. The Town Council agreed by consensus to request no town election, thereby saving fees associated with a vote.

OTHER MATTERS:

East Beach Erosion: The Council opened discussion regarding residents' concerns that East Beach erosion is being aggravated by using the foredune as recreation area. The foredune top has been utilized throughout the 2019 summer season as a gathering place and event space since high water levels have reduced, and on some days eliminated, the beach. Chairs, picnic tables, grills, boats and a wooden event stage located on the foredune are regularly accessed by residents and their guests. The upcoming August 31<sup>st</sup> *lobsterfest* private party with over 100 attendees and a band performing on the dune stage raised further questions as to whether town-instituted beach protection restrictions should be considered.

Several residents said the August 31<sup>st</sup> event will be held on the beach, with the foredune only used if water levels are high that day. They said marram grass plugs would be planted at the end of the season to help restore the dune. They said social paths had been reduced this season by only using the one (graded) trail up and down. The Town Council said a meeting would be held on-site with Beach Commissioner Carstens to discuss options aimed at avoiding unanticipated consequences.

With no other matters brought before the Council, the meeting was adjourned at 8:40 PM.

The next regular meeting and budget hearing of the Town Council is at 7:00 PM, September 17, 2019.

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RICH HAWKSWORTH, Town Council President

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PETER BOMBERGER, Town Council Member

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ALEXANDER STEMER, Town Council Member

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JEANNETTE E. BAPST, Clerk-Treasurer

CLAIMS FOR AUGUST,  
2019

<u>CLAIMANT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Payroll, Gross	August payroll, gross	\$ 21,320.08
Payroll, Net	August payroll, net	\$ 17,133.44
Indiana Dept of Revenue	August payroll, state w/h	\$ 941.50
EFTPS	August payroll, federal w/h, fica/medicare	\$ 4,876.13
Frontier	Phone and Internet	\$ 63.32
Sprint	Security Mobile	\$ 62.25
Comcast	Phone and Internet	\$ 325.87
NIPSCO	Mineral Springs and Rt 12	\$ 15.09
In Dept of Transportation	Community Crossings (vendor correction)	\$ 5,552.73
NIPSCO	Gas and Electric	\$ 561.62
Frontier	Phone and Internet	\$ 100.67
Capital One VISA	Road Stone	\$ 1,440.00
Anton Insurance	Workers Compensation Prem	\$ 470.00
Applied Ecological	Clubhouse Dune Restoration	\$ 4,404.00
Chesterton Feed & Garden	Herbicide	\$ 445.66
Gerry Snyder	Environmental Cost-Share Grant	\$ 500.00
Hopkins Ace Hardware	Supplies	\$ 47.55
Interstate Rentals	Road Grading Equipment	\$ 922.90
Jeannette Bapst	Mileage	\$ 61.48
Kittredge & Zehner	Quarterly Audit	\$ 150.00
Martin Security	Town Hall Panel Repair	\$ 95.00
Menards, Portage	Supplies	\$ 575.54
Pinkerton Oil	Vehicle Fuel	\$ 352.85
Pride Toilet	Beach Toilet	\$ 120.00
Quill Office Products	Office Supplies	\$ 206.95
Republic Services	Waste Services	\$ 239.30
Rogers Roofing	Clubhouse Roof Repairs	\$ 785.00
Postmaster	Stamps	\$ 110.00
Jackie Dakich	Clubhouse Deposit Refund	\$ 300.00
Town & Ctry Construction	Road Paving	\$ 191,589.80
In Dept of Transportation	Community Crossings	\$ 1,331.65
Beth L. Kronfeld Trust	Construction Deposit Refund	\$ 7,400.00
Town of Dune Acres	Occupancy Permit Fee, 21 Crest	\$ 100.00
Indiana American Water	Water	\$ 90.07
Timothy Kollar	Construction Deposit Refund	\$ 7,400.00
Town of Dune Acres	Occupancy Permit Fee, 14 Oak	\$ 100.00
Xorco Technology	Clubhouse Fire System Controls	\$ 180.00
Crown Construction	Crest Drive Paving	\$ 4,000.00
Comcast	Phone and Internet	\$ 345.43
Boyce, Keystone	Financial Software	\$ 2,300.00
<b>TOTAL August 2019</b>		<b>\$ 277,015.88</b>