

**TOWN OF DUNE ACRES
COUNCIL MINUTES
December 17, 2019**

The Town of Dune Acres Town Council met for its regular monthly meeting on Tuesday, December 17, 2019, at the Town Hall. Council President Richard Hawksworth called the meeting to order at 7:05 p.m., with Council Members Peter Bomberger and Alexander Stemer, Clerk-Treasurer Jeannette Bapst, and Attorney Adam Mindel representing Dan Whitten in attendance.

OATHS OF OFFICE: Attorney Mindel administered the Oath of Office to elected officials Richard Hawksworth, Peter Bomberger, Alexander Stemer, and Jeannette Bapst for new terms commencing January 1, 2020 and ending December 31, 2023.

ELECTION OF PRESIDENT: It was moved and seconded that Richard Hawksworth assume the office of Town Council President. Motion passed unanimously.

APPOINTMENTS: Commissioners: It was moved and seconded to approve the slate of commissioners presented by President Hawksworth. Motion passed unanimously. Commissioners are as follows: Beach: Rob Carstens; Environment: Robin Tennant; Fire: Mark Bapst; Maintenance: Dick Taylor; Parks: Kellie Klein; Police: Bill Griffin; Roads: Bruce Riffle; Building: Tom Roberts.

Plan Commission: President Hawksworth announced his executive appointment of Tom Cornwell to the Plan Commission, term January 1, 2020 to December 31, 2023. It was then moved and seconded to fill the remaining vacancies as required with elected officials Stemer and Bomberger. Motion passed unanimously.

Town Engineer: It was moved and seconded to approve Irv Call as Town Engineer. Motion passed unanimously.

Public Records Officer: It was moved and seconded to appoint Clerk-Treasurer Bapst as Public Records Officer. Motion passed unanimously.

Other: Other appointments that are not governed by statute or ordinances, but which are long-standing positions in Dune Acres town government are as follows: Clubhouse Coordinator: Ivan Chermel; Historical Commission: Heidi Studebaker; Wellness Coordinator: Sharon Tutlewski, Phone Directory Coordinator: Lou Roberts; Town Communications: Clerk-Treasurer.

APPROVAL OF MINUTES:

It was moved and seconded that minutes for the November 19, 2019, Town Council Meeting be approved as presented. Motion passed unanimously.

FINANCIAL REPORT:

BANK BALANCES 11/30/2019

Porter State Bank	\$ 61,436.61
Trust Indiana	\$ 355,513.86
Record Balance	\$ 416,950.47

*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 November 30, 2019**

FUNDS	CASH BALANCE 11-30-19
GENERAL	85,732.49
MOTOR VEHICLE HIGHWAY	41,870.43
LOCAL ROAD & STREET	14,922.52
MOTOR VEHICLE HWY RESTRICT	3,241.01
PARK & RECREATION	46,677.61
RAINY DAY FUND	90,000.00

APP BAL.	% Left
\$67,043	17
\$43,174	71
\$1,702	28
\$46,840	80
\$30,000	60

CCI	353.07	\$1,000	100
CCD	24,039.33	\$24,005	68
CEDIT	21,927.50	\$17,000	85
RIVERBOAT REVENUE SHARING	1,332.29	\$2,500	100
Donations*	23,843.32		
Clubhouse Dune Grant*	.00		
Construction Security Dep*	25,000.00		
SalesTaxClubHouseRental*	456.42		
ClubHouseRentalDeposit*	2,603.50		
Local Road & Bridge Grant*	30,272.26		
TOTAL FUNDS	\$ 412,271.75		

Clerk-Treasurer Bapst presented the November month-end financial report. She said the fall property tax distribution had been issued with receipts at 97.17%. The 2020 Budget 1782 statement was also received with tax rates and appropriations in order. 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 December 2019, #6666 - #6691, in the amount of \$159,814.63 be approved. Motion passed unanimously.

CORRESPONDENCE RECEIVED:

Arcelor Mittal Sued for Chemical Spill – Two environmental groups – Environmental Law & Policy Center and Hoosier Environmental Council – have sued Arcelor Mittal, accusing the company of dumping pollutants such as cyanide and ammonia into local waterways dozens of times over the past five years. Council member Stemer had discussed the lawsuit in detail with resident John Gates. An educational program at the clubhouse was suggested, featuring environmental attorney Henry Lerner, which would provide information to residents about ongoing legal efforts underway to protect northwest Indiana residents from industrial pollution.

COMMISSIONERS REPORTS:

BUILDING: As had been recommended by Building Commissioner Tom Roberts, it was moved and seconded to approve Occupancy Permit #2019-03 for 3 Redwood Lane, with the construction deposit retained until landscape and driveway installations are complete. Motion passed unanimously.

It was reported that in 2019, 37 building permits had been issued, 3 occupancy permits issued, and 85 contractors registered with the town.

ROADS: Bid specifications were presented for the 2020 Community Crossings Road Grant paving projects, estimated at \$200,000. It was moved and seconded to approve the specifications as presented. Motion passed unanimously.

Authorization to bid was then requested. It was moved and seconded to authorize bidding. Motion passed unanimously.

SECURITY: Security Commissioner Bill Griffin requested signage be installed at the gatehouse that would prohibit drivers from passing vehicles stopped to consult with security staff. Following extensive discussion, it was suggested other options to maintain staff safety be considered, including but not limited to, installing a barrier between north and southbound lanes, widening the road, and adding yellow lane paint.

OLD BUSINESS:

U.S. Environmental Protection Agency (EPA) Ambient Air Monitor: An email had been received from the Environmental Protection Agency advising town officials that the ambient air monitoring device discussed at previous meetings would be placed at an alternate

location, outside Dune Acres. Council members asked for the EPA representative to be contacted about Dune Acres obtaining data collected from the monitoring device.

Seawall Project: A seawall project update and closeout report was reviewed and discussed. It was noted the finished wall height is approximately 4 feet above grade, with 21 feet below grade. The new wall height is 2 feet higher than the existing wall to the west. The helical anchor tiebacks could not be installed because of boulders present. The contractor and engineer stated the wall would stay firmly in place unless 8 feet or more became exposed, recommending exposure be monitored and alternate tiebacks considered if exposure exceeds 8 feet. The final project cost was \$105,094.58. President Hawksworth recognized Beach Commissioner Rob Carstens for his involvement in the project.

Two residents opined the new seawall height was not sufficient should Lake Michigan levels continue to rise.

Ordinance #2019-04, 2020 Salaries, 2nd Reading and Adoption: President Hawksworth presented second reading of the 2020 Salary Ordinance. It was moved and seconded to approve the second reading and adoption. Motion passed unanimously. The Ordinance provides a 2% increase in maintenance and custodial employee rates, along an increase in the Clerk Treasurer annual salary from \$15,000 to \$16,500.

Telescope Viewing Platform: Three quotes for the Carstens Memorial Telescope platform were reviewed. It was moved and seconded to accept the quote from Woodland Restoration at \$9,130, to authorize the Building Commissioner to work with Woodland on finalizing specifications and present to the Plan Commission for review, to request DACIF fully fund the project and to proceed with installation. Motion passed unanimously. The platform and telescope will be located on a hidden dune, just northeast of the maintenance building.

NEW BUSINESS:

Annual Conflict of Interest Certifications: As required by statute, Council President Hawksworth accepted the annual Anti-Nepotism Certifications from all elected town officials.

2020 Town Council Meeting Calendar: It was moved and seconded to approve the 2020 Town Council Meeting calendar. All meetings will be held at 7:00 PM, the third Tuesday each month. Media notifications will be made as required by statute.

2021 Cumulative Capital Development (CCD) Fund Rate: It was agreed by consensus to conduct re-establishment of the 2021 CCD rate, with the initial public hearing on January 21, 2020.

2020 Contract for Legal Services: It was moved and seconded to approve the contract for legal services with attorney Dan Whitten. Motion passed unanimously.

Clubhouse: It was moved and seconded to approve a clubhouse rental for May 16, 2020. Motion passed unanimously.

It was then moved and seconded to continue the “Clubhouse as Workspace” offering into 2020. Motion passed unanimously. The Clubhouse as Workspace offering allows residents to use the clubhouse for work or school projects during business hours for a small fee. An email will be distributed reminding residents of availability.

A motion was then made and seconded to approve Saturday morning Pilates classes at the clubhouse. Motion passed unanimously. Town Wellness Coordinator Sharon Tutlewski and resident Pilates instructor Sarah McGinn will oversee and conduct the classes on selected Saturdays. Attorney Mindel had reviewed McGinn’s insurance certificates and found all in order. Residents will be email the proposed schedule.

Town Stairs Boundary Survey: Authorization to move forward with property boundary surveys at the two town stair replacement locations was provided. This includes a full

boundary survey for stairs connecting Crest Drive to Ridge Road, and a partial survey at the approach of stairs at Circle Drive.

OTHER BUSINESS:

With no other matters brought before the Council, the meeting was adjourned at 8:20 PM.

The next regular meeting of the Town Council is at 7:00 PM, January 21, 2020.

RICH HAWKSWORTH, Town Council President

PETER BOMBERGER, Town Council Member

ALEXANDER STEMER, Town Council Member

JEANNETTE E. BAPST, Clerk-Treasurer

CLAIMS FOR DEC, 2019

<u>CLAIMANT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Payroll, Gross	December payroll, gross	\$ 14,640.65
Payroll, Net	December payroll, net	\$ 11,547.16
Indiana Dept of Revenue	December payroll, state w/h	\$ 679.14
EFTPS	December payroll, fed w/h, fica/medicare	\$ 3,534.37
Frontier	Phone and Internet	\$ 195.57
Comcast	Phone and Internet	\$ 148.04
NIPSCO	Gas and Electric	\$ 850.53
Capital One VISA	BMV docs, new truck	\$ 54.90
Adele Simmons	Ecological Costshare Grant	\$ 500.00
Applied Ecological Services	Clubhouse Dune Restoration LMCP Grant	\$ 7,812.00
Chest Feed and Garden	Straw	\$ 40.46
Kittredge & Zehner	Quarterly Bank Audit	\$ 150.00
Menards, Portage	Supplies	\$ 87.46
J.P. Cooke	Dog Tags	\$ 53.25
Pinkerton Oil	Vehicle Fuel	\$ 155.99
Quill Office Products	Supplies	\$ 327.99
Republic Services	Waste Service	\$ 96.80
Tilden Enterprise	Supplies	\$ 86.50
Town of Porter	Fire Contract, 2019, 2nd installmt	\$ 9,862.00
WA Recycling	Dumpster	\$ 375.00
Duneland Chamber of Com	2020 Membership	\$ 275.00
Pulse Technology	Minutes Book	\$ 297.98
Whitten & Whitten	Legal Retainer, 4th Q	\$ 2,750.00
Comcast	Phone and Internet	\$ 199.26
Town of Dune Acres	Voucher Adjustments	\$ -
JCI Bridge Group	Seawall	\$ 105,094.58

TOTAL December 2019 \$ 159,814.63