

**TOWN OF DUNE ACRES  
COUNCIL MINUTES  
January 21, 2020**

The Town of Dune Acres Town Council met for its regular monthly meeting on Tuesday, January 21, 2020, at the Town Hall. Council President Richard Hawksworth called the meeting to order at 7:10 p.m., with Council Member 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 December 17, 2019, Town Council Meeting be approved as presented. Motion passed unanimously.

**FINANCIAL REPORT:**

**BANK BALANCES 12/31/2019**

Porter State Bank	\$ 138,246.80
Trust Indiana	\$ 356,018.35
Record Balance	\$ 494,265.15

\*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 December 31, 2019**

FUNDS	CASH BALANCE 12-31-19	APP BAL.	% Left
GENERAL	185,399.26	\$18,745	4
MOTOR VEHICLE HIGHWAY	26,727.45	\$4,351	7
LOCAL ROAD & STREET	15,793.01	\$702	11
MOTOR VEHICLE HWY RESTRICT	3,916.72		
PARK & RECREATION	50,121.02	\$46,840	80
RAINY DAY FUND	110,000.00	\$50,000	100
CCI	567.99	\$1,000	100
CCD	31,378.21	\$19,005	54
CEDIT	16,141.25	\$10,000	50
RIVERBOAT REVENUE SHARING	1,332.29	\$2,500	100
Donations*	27,468.40		
Clubhouse Dune Grant*	-6,406.00		
Construction Security Dep*	25,000.00		
SalesTaxClubHouseRental*	498.42		
ClubHouseRentalDeposit*	3,203.50		
Local Road & Bridge Grant*	.26		
<b>TOTAL FUNDS</b>	<b>\$ 491,141.78</b>		

Clerk-Treasurer Bapst presented the December 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 January, 2020, #6692 - #6721, in the amount of \$49,190.13 be approved. Motion passed unanimously.

**CORRESPONDENCE RECEIVED:**

Beach Erosion – An email from the Tutlewski’s, 23 Crest Drive, addressing beach erosion, private property damage, and ongoing threats to private property from rising Lake Michigan water levels was read aloud.

COMMISSIONERS REPORTS:

BEACH: Beach Commissioner Rob Carstens reported on beach conditions following the January 11, 2020 storm event. He said the new Beach Drive seawall prevented additional dune erosion as expected. Erosion did occur just west of the new seawall (at the metal stairs) which created a threat to the public roadway if not immediately addressed. Two loads of limestone were deposited on the south side of the seawall, with another two loads planned for next week. Carstens said forecasts predict Lake Michigan waters will remain at historic high levels throughout this year.

BUILDING: As had been recommended by Building Commissioner Tom Roberts, it was moved and seconded to approve Building Permit #2020-01, 2 Fern Drive, \$68,000 interior remodel, and Building Permit #2020-02, 4 Shore Drive, \$30,000 retaining wall replacement. Motion passed unanimously.

ENVIRONMENTAL: Environmental Commissioner Robin Tennant reported all 2020 Ecological Cost Share Grants had been allocated. She then said a proposed date for the Spring Fall Cleanup will be presented to the Council next meeting.

Council Member Stemer reported on a meeting held with Dune Acres Pollution Committee members and Environmental Law Policy Center (ELPC) founder and attorney Howard Learner. As discussed at last month’s Council meeting, the ELPC is suing Arcelor-Mittal for reportedly releasing excessive pollutants into local waterways. An educational program to be held this March or April was discussed.

PARKS: Parks Commissioner Kellie Klein reported the ice rink would open as soon as below-freezing temperatures move in. She said the Dune Acres Civic Improvement Foundation (DACIF) shared their plan to purchase curling stones for use at the rink.

In response to Council request, Klein confirmed she would convene a committee comprised of several Dune Acres families with small children to review playground and other town park facilities, and to develop upgrade recommendations for calendar year 2021. Support from town capital projects funds, DACIF, along with a special fundraising drive may be considered depending on committee recommendations.

ROADS: The Bid Opening Report for 2020 paving projects was presented. Bids were received from Walsh & Kelly, Inc., Town & Country Construction and Reith-Riley Construction. The award is recommended as follows:

	<u>TOWN</u>	<u>GRANT</u>	<u>CONTRACT</u>
<u>Walsh &amp; Kelly</u>	\$49,580.25	\$148,740.75	\$198,321.00

It was moved and seconded to approve the bid award recommendation. Motion passed unanimously. Paving will be completed early summer on Ridge Drive, Fern Drive, Pine Lane, Linden Lane, Hill Drive, and Mineral Springs Road.

It was then moved and seconded to contract with Great Lakes Engineering in the amount of \$2,750 for Summit Drive guardrail design, engineering and specifications. Motion passed unanimously. The guardrail project will be included in the Community Crossings Grant application this summer, with installation planned for 2021. The Great Lakes contract will provide an Indiana Department of Transportation approved system, along with renderings for the Town Council to select the design.

FIRE: Fire Commissioner Mark Bapst reported clubhouse fire system repairs and testing were finalized. Repairs to the fire hydrant located just south of the clubhouse would be completed soon.

OLD BUSINESS:

none

NEW BUSINESS:

Insurance Renewal: Jim Anton of Anton Insurance presented the town's 2020 proposed renewal package, with premiums changed from \$12,700 to \$13,097. Following discussion, it was moved and seconded to accept the package. Motion passed unanimously.

Clubhouse Rental: It was moved and seconded to approve clubhouse rentals for April 25, 2020 and May 30, 2020. Motion passed unanimously.

Beach Community Deck Design: Proposals were received from two firms for designing a replacement community deck at East Beach, above the seawall, at the same location as the former deck which was lost to erosion. It was moved and seconded to accept the proposal from Great Lakes Engineer at \$2,000, to set the maximum project scope at 400 square feet with up to \$25,000 in construction costs, and to name Tom Cornwell as project liaison. Motion passed unanimously. Public comments were received regarding the proposed deck. The Council then discussed the possibility of small deck installations at other town beaches.

Ordinance #2020-01, 1<sup>st</sup> Reading; 2021 Cumulative Capital Development Fund Re-Establishment: It was moved and seconded to approve first reading of Ordinance #2020-01, Cumulative Capital Development (CCD) Fund Re-Establishment. Motion passed unanimously. The resolution changes the town's CCD rate from .0258 to .035 starting with taxes payable 2021.

Resolution 2020-01; Shoreline Erosion State of Emergency: President Hawksworth announced his declaration of a *state of emergency* relative to shoreline erosion, then presented Resolution 2020-01 for Council adoption. It was moved and seconded to adopt Resolution 2020-01. Motion passed unanimously. Attorney Mindel said the *state of emergency* will remain in effect until the Council acts to terminate. Mindel said Indiana State Senator Karen Tallian is leading local efforts aimed at securing state and/or federal assistance for both public entities and private homeowners. He will contact Tallian about the Town of Dune Acres intent to collaborate in these efforts.

Discussion was held regarding resources available to individual homeowners planning repairs or improvement to their property that are associated with Lake Michigan erosion. There was no determination regarding Federal Emergency Management Agency support, or about any other government assistance. DACIF being used as a pass-through for funding private seawalls was discussed, with numerous questions raised about this mechanism used to some extent in the 1980's, and about how the pass-through process could potentially compromise the foundation's 501(c)(3) status.

OTHER BUSINESS:

The Council recognized resident Paul Woidke, DACIF's newly elected president.

With no other matters brought before the Council, the meeting was adjourned at 8:10 PM.

The next regular meeting of the Town Council is at 7:00 PM, February 18, 2020.

---

RICH HAWKSWORTH, Town Council President

---

PETER BOMBERGER, Town Council Member

---

ALEXANDER STEMER, Town Council Member

---

JEANNETTE E. BAPST, Clerk-Treasurer

CLAIMS FOR JAN 2020

<u>CLAIMANT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
Payroll, Gross	January payroll, gross	\$ 13,805.53
Payroll, Net	January payroll, net	\$ 11,212.22
Indiana Dept of Revenue	Clubhouse Sales Tax 2019	\$ 294.67
Indiana Dept of Revenue	January payroll, state w/h	\$ 643.29
EFTPS	January payroll, fed w/h, fica/medicare	\$ 3,006.13
Comcast	Phone and Internet	\$ 148.04
Frontier	Phone and Internet	\$ 94.55
Indiana American Water	Gatehouse and Clubhouse	\$ 134.40
Martin Security	Clubhouse and Town Hall	\$ 225.00
NIPSCO	Rt 12 and Mineral Springs Road	\$ 15.95
Frontier	Phone and Internet	\$ 101.02
NIPSCO	Gas and Electric	\$ 919.00
Capital One VISA	Supplies	\$ 175.69
Republic Services	Waste Service	\$ 96.80
Anton Insurance	Surety Bond	\$ 150.00
Chesterton Tribune	Legal Notice, Road Bid	\$ 24.31
David's Lawn Care	Snow and Ice Service	\$ 3,112.50
Ellis Electric	Security Office Repairs	\$ 302.01
Hopkins Ace Hardware	Supplies	\$ 100.92
Menards, Portage	Supplies	\$ 14.87
Pinkerton Oil	Vehicle Fuel	\$ 119.86
Professional Pest Mgmt	Pest Control	\$ 50.00
Quill Office Products	Office Supplies	\$ 128.64
Riggs Outdoor Mower	Electric Chain Saw, Supplies	\$ 525.76
Tilden Enterprises	Supplies	\$ 60.10
The Times Media	Legal Notice, Road Bid, Hearing	\$ 59.10
Postmaster	Stamps	\$ 110.00
Anton Insurance	Annual Premium	\$ 13,097.00
Comcast	Phone and Internet	\$ 351.28
Indiana American Water	Water	\$ 111.49
<b>TOTAL January, 2020</b>		<b>\$ 49,190.13</b>