

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA**  
**Memoranda & Minutes of the Cedar Lake Town Council**

**January 21, 2014**  
**Public Meeting 7:00 PM at the Cedar Lake Town Hall**  
**Pledge of Allegiance & Moment of Silence**

**Roll Call:**

Present	Robert H. Carnahan Council Member	Ward 1	Present	Patsy Casassa Vice President	Ward 6
Present	John Foreman Council Member	Ward 2	Present	Randell Niemeyer President	Ward 5
Present	Gregory L. Wornhoff Council Member	Ward 3	Present	Amy J. Gross Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	Ian Nicolini Town Manager	
Absent	Greg Parker Council Member	Ward 7	Present	David Austgen Town Attorney	

**E911 CONSOLIDATION PRESENTATION**

Director Brian Hitchcock and Attorney Nicole Bennett presented the December 6, 2013 Interlocal E911 Consolidation Agreement and the changes to this agreement from a previously submitted draft. Nicole Bennett stated that the December 6, 2013 draft is the final draft and has been signed by all municipalities except 4, including the Town of Cedar Lake. Randy Niemeyer stated his concern about the lack of representation on the Consolidation Board that will represent the public's best interest, such as a Council Member. Nicole Bennett stated that at this time there is no representation such as a Council member on this Board at this time, but this is a legislative matter than can be changed in the next year. Nicole Bennett asked the Town of Cedar Lake for a decision on this agreement as this project will continue to move forward. Cedar Lake Fire Chief, Todd Wilkening stated his concern about the lack of representation from Fire Departments on the board as well as some technology radio compliance concerns. Chief of Police, Jerry Smith, stated his overall support for E911 Consolidation with some concerns about the services that may be lost in the Consolidation along with the cost of technology upgrades.

**PUBLIC COMMENT:** None

**CONSENT AGENDA:**

1. **Minutes:** January 14, 2014 Public Meeting
2. **Tag Day Approvals:**

<u>Organization</u>	<u>Date</u>	<u>Rain Date</u>
American Legion #261	May 3, 2014	May 10, 2014
CL Summerfest	June 14, 2014	June 21, 2014
Amvets Post 15	June 28, 2014	None
CL Lions Club	October 4, 2014	October 11, 2014

Motion by John Foreman and seconded by Ralph Miller to accept and waive the reading of the Minutes, accept the Consent Agenda as listed.

**Roll Call Vote: 5 to 1**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	ABSENT	YES	YES

**ORDINANCES & RESOLUTIONS:**

1. **Ordinance No. 1187- Establishing County Economic Development Income Tax (CEDIT) Special Revenue Non-reverting Fund**

Patsy Casassa read Ordinance No. 1187 by title only. David Austgen stated that Lake County adopted a new income tax which is now in effect and CEDIT is not being collected. David Austgen recommended that there is a fund as required by statue for the collection of such monies. Clerk-Treasurer Amy Gross stated that there is approximately \$17,000 per month collected. Motion made by Ralph Miller and seconded by John Foreman to approve the first reading of Ordinance No. 1187.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

Motion made by John Foreman and seconded by Patsy Casassa to suspend the rules and allow for a second reading of Ordinance No. 1187.

**Roll Call Vote: 5 to 1**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	ABSENT	YES	YES

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Patsy Casassa read Ordinance No. 1187 by title only. Motion made by Gregory L. Wornhoff and seconded by Ralph Miller to approve Ordinance No. 1187.

**Roll Call Vote: 5 to 1**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	ABSENT	YES	YES

**2. Ordinance No. 1192- Establishing Public Safety Town Adjusted Gross Income Tax Revenue Non-Reverting**

Patsy Casassa read Ordinance No. 1187 by title only. David Austgen stated that this is the County tax being collected and used specifically for Public Safety services. Amy Gross stated that there is approximately \$13,500 a month collected. Motion made by John Foreman and seconded by Gregory L. Wornhoff to approve the first reading of Ordinance No. 1192.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

Motion made by Gregory L. Wornhoff and seconded by Ralph Miller to suspend the rules and allows for a second reading of Ordinance No. 1192.

**Roll Call Vote: 5 to 1**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	ABSENT	YES	YES

Patsy Casassa read Ordinance No. 1187 by title only. Motion made by Ralph Miller and seconded by John Foreman to approve Ordinance No. 1192.

**Roll Call Vote: 5 to 1**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	ABSENT	YES	YES

**3. Ordinance No. 1188- Job Description for Water Operator**

Patsy Casassa read Ordinance No. 1187 by title only. Ian Nicolini stated items number 3, 5, and 6 on the agenda are part of the restructuring between the Public Works and Water Department and recommends that the Council adopt these changes. Such changes include replacing the responsibility of the water distribution system to the Public Works Department while the Water Department will be responsible for compliance and meter reading. Nicolini stated that all employees will be crossed trained and will allow for a larger pool of employees with such knowledge if a problem arises. Motion made by John Foreman and seconded by Ralph Miller to approve the first reading of Ordinance No. 1188.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

Motion made by John Foreman and seconded by Ralph Miller to suspend the rules and allow for a second reading of Ordinance. No. 1188.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

Patsy Casassa read Ordinance No. 1187 by title only. Motion made by Ralph Miller and seconded by Gregory L. Wornhoff to approve Ordinance No. 1188.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

**4. Ordinance No. 1189- Job Description for EMS Billing Clerk**

Patsy Casassa read Ordinance No. 1187 by title only. Ian Nicolini stated that this change in job description is from directive that the EMS Billing Clerk report to the Town Manager as directed by Council. Motion made by Gregory L. Wornhoff and seconded by John Foreman to approve the first reading of Ordinance No. 1189.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

Motion made by John Foreman and seconded by Gregory L. Wornhoff to suspend the rules and allow for a second reading of Ordinance No. 1189.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

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Patsy Casassa read Ordinance No. 1187 by title only. Motion made by John Foreman and seconded by Ralph Miller to approve Ordinance No. 1189

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

**5. Ordinance No. 1190- Job Description for Water Superintendent**

Patsy Casassa read Ordinance No. 1187 by title only. Motion made by Ralph Miller and seconded Gregory L. Wornhoff to approve the first reading of Ordinance No. 1190.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

Motion made by John Forman and seconded by Ralph Miller to suspend the rules and allow for a second reading of Ordinance No. 1190.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

Patsy Casassa read Ordinance No. 1187 by title only. Motion made by John Foreman and seconded by Gregory Wornhoff to approve Ordinance No. 1190.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

**6. Ordinance No. 1191- Job Description for Public Works Superintendent**

Patsy Casassa read Ordinance No. 1187 by title only. Motion made by Ralph Miller and seconded by Patsy Casassa to approve the first reading of Ordinance No. 1191.

**Roll Call Vote: 5 to 1**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	ABSENT	YES	YES

**NEW BUSINESS:**

**1. Appointments to Town Council Committees**

- a. South County Community Development (1): Ralph Miller

Patsy Casassa nominated Ralph Miller to the South County Community Development committee. Motion made by John Foreman and seconded by Gregory L. Wornhoff to approve the appointments to Town Council Committees as listed above.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

- b. Public Works and Safety (3): Patsy Casassa, Gregory L. Wornhoff, Randy Niemeyer  
c. Redevelopment Committee (3): John Foreman, Randy Niemeyer, Gregory L. Wornhoff  
d. Lake County Solid Waste (1): Gregory L. Wornhoff

Motion made by John Foreman and seconded by Gregory L. Wornhoff to approve the appointments to Town Council Committees as listed above.

**Roll Call Vote: 5 to 1**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	ABSENT	YES	YES

**2. EMS Collections Transfer**

Amy Gross stated that every year according to statue, 12% of EMS Collections is supposed to be transferred to an EMS non-reverting fund. Total collections for 2013 was \$237,423.40, less refunds totals \$223,029.99, and 12% to be transferred is \$27,963.60. Motion made by Robert Carnahan and seconded by Gregory L. Wornhoff to approve the EMS Collections Transfer.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

**3. Sewer Utility Billing Elimination- 6629 W. 135<sup>th</sup> Place**

Ian Nicolini stated that this sewer utility billing elimination request is for an unsafe property that was demolished in house by Public Works. Motion made by Robert Carnahan and seconded by John Foreman to approve the sewer utility billing elimination on 6629 W. 135<sup>th</sup> Place.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

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**4. Sewer Utility Billing Elimination- 13511 Lee Street**

Ian Nicolini stated that this sewer utility billing elimination request is for an unsafe property that was demolished in house by Public Works. Motion made by Robert Carnahan and seconded by John Foreman to approve the sewer utility billing elimination on 13511 Lee Street.

**Roll Call Vote: 6 to 0**

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	ABSENT	YES	YES

**TOWN COUNCIL REPORTS:**

1. **Town Council-** None.
2. **Town Attorney-** David Austgen recommended reviewing the E911 Consolidation items for February. Randy Niemeyer suggested a possible separate work session meeting.
3. **Clerk-Treasurer-** None.
4. **Town Manager-** Ian Nicolini asked for Council to direct staff to prepare the annual nepotism reports.

**WRITTEN COMMUNICATION:**

1. Christopher B. Burke Engineering Report

**PUBLIC COMMENT:**

Pamela Davenport, 13035 Schubert St., stated her concern about the lack of parks programs.

**ADJOURNMENT:** The meeting was adjourned at approximately 8:45 pm.

An Executive Session was advertised and conducted pursuant to IC 5-14-1.5-6.1(b) before the meeting and after the meeting with discussion consisting of land acquisition, litigation and personnel issues. Those in attendance were Randell Niemeyer, Bob Carnahan, Patsy Casassa, Ralph Miller, John Foreman, Gregory L. Wornhoff, Town Manager Ian Nicolini, Town Attorney David Austgen, and Clerk-Treasurer Amy Gross.

COUNCIL OF THE CIVIL TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

\_\_\_\_\_  
Randell Niemeyer, President, Ward 5

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Patsy Casassa, Vice President, Ward 6

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Robert H. Carnahan, Ward 1

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John Foreman, Ward 2

\_\_\_\_\_  
Gregory L. Wornhoff, Ward 3

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Ralph Miller, Ward 4

ATTEST:

\_\_\_\_\_  
Greg Parker, Ward 7

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Amy J. Gross, IAMC, MMC Clerk-Treasurer

The minutes of the Cedar Lake Town Council are transcribed pursuant to IC 5-14-1.5-4(b) which states:

- (b) As the meeting progresses, the following *memoranda* shall be kept:
- (1) The date, time and place of the meeting.
  - (2) The members of the governing body recorded as either present or absent.
  - (3) The general substance of all matters proposed, discussed, or decided.
  - (4) A record of all votes taken, by individual members if there is a roll call.
  - (5) Any additional information required under IC 5-1.5-2-2.5.