

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

**March 18, 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	
Present	Greg Parker Council Member	Ward 7	Present	David Austgen Town Attorney	

**PRESENTATION BY MARK LOPEZ, CHIEF OF STAFF CONGRESSMAN VISCLOSKY**

Mark Lopez, Chief of Staff for Congressman Visclosky presented the topic of the South Shore Rail Extension Project. In 2007, a financial study was completed on the feasibility of extending the South Shore Rail line; however, this was also during a time when local finances were challenged with the collapse of the national economy. In 2011, the study was reinitiated and concluded that the Hammond and Dyer area was the most appropriate to receiving matching federal funds. The property tax cap in place did not allow local units of government to participate in infrastructure investments at that time. County option income tax allowed the 1.5% tax to unfreeze the levies and encourage growth allowing for the rail extension topic to come back up. The income tax in the Region allows all taxpayers to benefit throughout Lake County through other cities and town's improvements. The Congressman has secured in writing the commitment of five counties at this point in the rail extension project. The Congressman Visclosky is essentially asking for \$.05 of every \$1 that was raised in the County Economic Development Income Tax (CEDIT) as a pledge to this project. At this time, the Federal Government is matching these dollars and to not take advantage of these funds would be a waste of Federal money and potential return on investment. Lopez indicated that the Rail Extension could not come to Cedar Lake if it could not come to Dyer. The proposed date of completion is 2023. John Foreman suggested the idea of referendums and that impact on this project. Greg Parker stated his enthusiasm for using CEDIT funds to help the current infrastructure needs in Cedar Lake first before giving funds to help a project in Dyer that already has that infrastructure in place. Greg Wornhoff stated his concern for the need for this rail extension over other infrastructure projects with no guarantee that the extension will ever come to Cedar Lake. Lopez stated that if they do not receive enough funds and match to complete this project, all funds with interest will be returned to the communities who pledged. The current communities who have signed on to pledge funds are Munster, Whiting, Hobart, Highland, and Lake County.

**PUBLIC COMMENT:**

Vlado Kozlina, 8026 126<sup>TH</sup> Avenue, stated his concerns about Congressman Visclosky's views on Obamacare and the railroad expansion.

Becky Davis, 8504 W. 139<sup>th</sup> Avenue, stated her concern for property tax increases, county tax and payroll tax increases and no guarantee of a rail extension in Cedar Lake.

**PUBLIC HEARING:**

**1. Ordinance No. 1193 – Vacating a Public Way in the Town of Cedar Lake**

- a. Attorney's Comments: David Austgen stated that all legals and advertisements are in order for tonight's Public Hearing. This Ordinance presented tonight is for the Lane vacation of a three foot walkway that divides their parcel in such a way that prohibits them from making the necessary renovations and pulling a permit.
- b. First Reading of Ordinance No. 1193: Patsy Casassa read Ordinance No. 1193 by title only into the record.
- c. Town Manager's Comments: Ian Nicolini stated that this house is on the unsafe demolition list; however, the owner is eager to make the necessary renovations and improve the current condition of this home. Nicolini stated that Jeff Lane has renovated other properties with great success and has confidence that this property will as well.
- d. Remonstrators: There were no remonstrators.
- e. Council Discussion: Council agreed that this is a needed vacation in order to approve the property.
- f. Council Decision: Motion made by Greg Parker and seconded by Greg Wornhoff to approve the first reading of Ordinance No. 1193.

**Roll Call Vote: 7 to 0**

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

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA**  
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Motion made by Ralph Miller and seconded by Greg Parker to suspend the rules and allow for a second reading of Ordinance No. 1193.

**Roll Call Vote: 7 to 0**

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

Motion made by Greg Wornhoff and seconded by Greg Parker to approve the second reading of Ordinance No. 1193 and include all town costs and expenses to be covered.

**Roll Call Vote: 7 to 0**

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

**CONSENT AGENDA:**

1. **Minutes:** March 4, 2014 Public Meeting
2. **Claims for March 18th:** All Town Funds \$163,057.76, Wastewater Operating \$125,525.58, Wastewater Sinking \$388,866.25, Water \$12,242.14, Storm Water \$254.76, Payroll #88-\$179,695.95.
3. **Donations:**
  - a. DARE Donations
    - i. \$100- Sterling Machine
    - ii. \$250- Emerald Towing
    - iii. \$100- SVT, LLC
    - iv. \$100- Demotte State Bank
  - b. VIPS Donations
    - i. \$2,500- Crown Point Community Foundation (Grant for shelter equipment)

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

**Roll Call Vote: 6 to 1**

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

**ORDINANCES & RESOLUTIONS:**

**1. Joint Resolution- E911 Consolidation**

Patsy Casassa read the Joint Resolution for E911 Consolidation into the record by title only. David Austgen stated that Indiana law requires adopting a Joint interlocal agreement by Resolution. David Austgen stated that the law will not be broken by approving this Joint Resolution since no two interlocal agreements will be signed, they are different documents. Motion made by Patsy Casassa and seconded by John Foreman to approve the Joint E911 Consolidation Resolution.

**Roll Call Vote: 7 to 0**

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

**NEW BUSINESS:**

**1. Restroom Bid Report**

Ian Nicolini recommended approval of the NIES Engineering Bid Report with Van Ryan Design Build as the lowest bidder on the restroom build at \$114,500.00. Approximately 52% of the cost will be paid through Federal funds and the Town will be responsible for the difference. Casino funds are available for capital improvements such as the proposed project. Greg Wornhoff and Greg Parker stated their concern with the project costs and scope being too high and unjustifiable. Motion made by Patsy Casassa and seconded by Ralph Miller to approve the Restroom Bid report.

**Roll Call Vote: 5 to 2**

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

**2. Kovachevich & Co.- Appraisal Proposal**

Ian Nicolini stated that this proposal came at the recommendation of our insurance company as part of your liability insurance renewal to get an appraisal on thirteen town owner properties to make sure they have adequate coverage in case of an emergency and potentially reduce premiums. Motion made by John Foreman and seconded by Ralph Miller to approve the appraisal proposal from Kovachevich & Company.

**Roll Call Vote: 7 to 0**

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

**3. Regional Streeters 38<sup>th</sup> Annual Car Show**

Ian Nicolini stated that the Eagles have proposed a route for the car show and need assistance that day with traffic control. Motion made by Robert Carnahan and seconded by Ralph Miller to approve

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA**  
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the Regional Streeters 38<sup>th</sup> Annual Car Show and the use of our VIPS service to help with traffic during the event.

**Roll Call Vote: 7 to 0**

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

**4. Girl Scout Meeting Request- Monastery Clubhouse**

Ian Nicolini stated that the Girl Scouts have requested the use of the Monastery Clubhouse on Thursday nights for their meetings and have asked for the rental fees to be waived. Motion made by Robert Carnahan and seconded by Ralph Miller to approve the Girl Scout Meeting Request for the use of the Monastery Clubhouse and waiver of all rental fees.

**Roll Call Vote: 7 to 0**

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

**TOWN COUNCIL REPORTS:**

1. **Town Council-** Randy Niemeyer directed David Austgen to draft revisions to Joint Management Oversight Board membership agreement.
2. **Town Attorney-** None.
3. **Clerk-Treasurer-** None.
4. **Town Manager-** Ian Nicolini stated that the bids for the 133<sup>RD</sup> Phase II project came in at \$3,285,982.00 which is a \$570,000 savings for this project. Nicolini asked for direction to solicit a design engineering right of way proposal for the Westside sanitary sewer project. Motion made by John Foreman and seconded by Patsy Casassa to direct Ian Nicolini to solicit a design engineering proposal for the Westside sanitary sewer project.

**WRITTEN COMMUNICATION:**

1. **Christopher B. Burke Engineering Report**

**PUBLIC COMMENT:** None.

**ADJOURNMENT:** The meeting was adjourned at approximately 9:00 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, Robert Carnahan, Patsy Casassa, Greg Parker, Ralph Miller, John Foreman, Gregory L. Wornhoff, Town Manager Ian Nicolini, 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

\_\_\_\_\_  
 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.