

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

April 15, 2014

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

Roll Call:

Absent	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	

PUBLIC COMMENT:

Marian Hummel, 13409 Webster St., stated her concern about selling her property and was offered \$500 by the Town of Cedar Lake for her land.

Bob Gross, 8505 W. 140th Ave., stated that he was a business owner and home owner in Town and is in support of the Rail Extension Project. Mr. Gross also thanked the Council for their support on the Storm water project on 142nd Avenue.

CONSENT AGENDA:

1. **Minutes:** April 1, 2014 Public Meeting
2. **Claims for April 15th:** All Town Funds \$142,171.94, Wastewater Operating \$126,622.97, Water \$9,608.81, Storm Water \$163.30, Payroll #92- \$179,137.29.
3. **Donations:**
 - a. DARE
 - i. Casey's General Store- \$50
 - ii. Cofhen, Inc. - \$100.00
 - iii. Dr. John Misch, D.O.- \$100.00
 - iv. Douglas MacArthur PTO- \$1,000.00
 - b. VIPS
 - i. Fraternal Order of Eagles- \$100.00

4. **Tag Days:**

<u>Organization</u>	<u>Tag Day</u>	<u>Rain Day</u>
CL Girls Softball	August 23, 2014	August 30, 2014

Motion by Patsy Casassa and seconded by John Foreman to accept and waive the reading of the Minutes, accept the Consent Agenda as listed contingent that the requested revisions be made to the minutes.

Roll Call Vote: 6 to 0

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

BZA:

1. **Eugene Goc/Terri Cox- 8600 W. 139th Court - Special Use Variance**

The Board of Zoning Appeals sends a favorable recommendation to allow a property preservation and home remodeling business to utilize this site as office space, store vehicles inside the premises with no overnight parking, store construction tools inside premises, with a total of five employees and to include the findings of fact. Motion by Greg Parker and seconded by Ralph Miller to approve the Special Use Variance for 8600 W. 139th Court.

Roll Call Vote: 6 to 0

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

2. **Bobb Auto Group- 13007 Wicker Ave.- Special Use Variance**

The Board of Zoning Appeals sends a favorable recommendation to allow Petitioner to operate a car dealership in B-2, Community Business Zoning and to include the findings of fact. Motion by Greg Parker and seconded by John Foreman to approve the Special Use Variance for 13007 Wicker Ave.

Roll Call Vote: 6 to 0

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

3. **Centier Bank- 13330 Parrish Ave.- Special Use Variance**

The Board of Zoning Appeals sends a favorable recommendation to allow the operation of a Centier Bank ATM at the site of the Hanover Township Trustee's Office and to include the findings of fact.

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Motion by Greg Parker and seconded by Patsy Casassa to approve the Special Use Variance for 13330 Parrish Ave.

Roll Call Vote: 6 to 0

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

4. Karen Lashure- 14434 Wheeler St.- Special Use Variance

The Board of Zoning Appeals sends a favorable recommendation to allow the Petitioner to operate an at home massage studio with one client at a time in the studio, parking to be on owner's driveway only and to include the findings of fact. There were no remonstrators for this item during the BZA meeting. Motion by Patsy Casassa and seconded by Ralph Miller to approve the Special Use Variance for 13330 Parrish Ave.

Roll Call Vote: 5 to 1

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

ORDINANCES & RESOLUTIONS:

1. Resolution No. 1111 – Amending JMOB Membership

Patsy Casassa read Resolution No. 1111 by title only into the record. David Austgen stated that this is an amendment to the latest agreement in regards to membership. The change is to eliminate the appointment of professional engineers and instead the Towns to appoint two members of whoever they choose for membership. Motion made by Ralph Miller and seconded by Greg Wornhoff to approve Resolution No. 1111.

Roll Call Vote: 6 to 0

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

2. Ordinance No. 1196 – Amending Town Salary Ordinance No. 1184

Patsy Casassa read Ordinance No. 1196 by title only into the record. Amy Gross stated this Ordinance increases compensation for the appointed Commander at the Police Department from \$500 to \$1000 annually, paid 100% from the Police General Fund. Motion made by John Foreman and seconded by Patsy Casassa to approve Ordinance No. 1196.

Roll Call Vote: 6 to 0

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

Motion made by John Foreman and seconded by Greg Wornhoff to suspend the rules and allow for a second reading of Ordinance No. 1196.

Roll Call Vote: 6 to 0

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

Patsy Casassa read Ordinance No. 1196 by title only into the record. Motion made by Ralph Miller and seconded by John Foreman to approve Ordinance No. 1196.

Roll Call Vote: 6 to 0

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

NEW BUSINESS:

1. South Shore Rail Extension Funding Commitment

Motion made by Greg Parker and seconded by Greg Wornhoff to defer this item to the next Public Meeting on May 20, 2014 to allow Bob Carnahan the opportunity to vote.

Roll Call Vote: 6 to 0

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

2. Fire Department Personnel

Randell Niemeyer stated that the Council Affairs Committee had a meeting with Clerk-Treasurer Amy Gross and Ian Nicolini to discuss hiring a full-time firefighter/EMT. The Committee found \$7,500 from vehicle repairs, moving to 28 day pay schedule, \$34,500 overtime awards and promotions, \$5,500 current budget line items that would fall short, and \$12,500 local option income tax public safety portion. The majority of funds that would be necessary for this position were found in the existing budget. The total package for 12 months is \$41,500. Motion made by Greg Wornhoff and seconded by Patsy Casassa to approve the hiring of one full-time EMT/Firefighter.

Roll Call Vote: 6 to 0

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

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3. Police Department Action Items and Updates

Police Chief, Jerry Smith stated that this first item for discussion is a request from Lake County Superior Court Division 2 to move their court from once a month to every other month as they have noticed a drop in citations and increase in compliance. Jerry Smith stated that Ian Nicolini along with the Building Department have streamlined a process for weed violations that has helped with compliance. There were a total of 111 weed violations issued, 93 were compliant and 12 paid the fines, and the remaining is pending. These numbers have increased from approximately 30% compliance to 80% compliance from previous years. Jerry Smith stated the other item for Council consideration is the renaming of 140th Ave. and Morse to Binyon Avenue for purpose of dispatch. There is 297 feet of 140th Avenue that is recommended to be renamed Binyon Avenue to stop confusion during dispatch to this location. Currently, there are no homes on this stretch of 140th Avenue. Motion made by Greg Parker and seconded by Patsy Casassa to direct David Austgen to draft an Ordinance in renaming the 297 feet stretch of 140th Avenue to Binyon Avenue.

Roll Call Vote: 6 to 0

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

4. Boy Scouts Request

Ian Nicolini stated that the Boy Scouts have requested the use of the Town Grounds for annual an overnight campout and request any fees associated to be waived. Motion made by Ralph Miller and seconded y Greg Wornhoff to approve the Boy Scouts request and to waive any fees.

Roll Call Vote: 6 to 0

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

5. Marsh Mutt Outdoor Festival

Petitioner Josh Rayner described the proposed Marsh Mutt Outdoor Festival on the Town Grounds July 12-13. The festival would include vendors such as hunting apparel, call makers, duck and goose calling competition, kids fishing activities, etc. The event is estimated to have 50-200 vendors and between 2000-3500 potential visitors. The Council recommended that the Petitioner provide them with a better plan/outline of the event and plan for public safety in order for this item to be considered. This item will be deferred until the next Public Meeting when plan is submitted and reviewed. Motion made by Greg Parker and seconded by Patsy Casassa to defer this item until a plan is submitted for further review and reserve dates of July 12-13.

Roll Call Vote: 6 to 0

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

TOWN COUNCIL REPORTS

1.) **Town Council- None.**

2.) **Clerk-Treasurer- None.**

3.) **Town Attorney- None.**

4.) **Town Manager-** Ian Nicolini announced his resignation effective May 9, 2014 and thanked the Council, Staff, and Citizens for their support over the years. Council stated their well wishes to Ian Nicolini in his future endeavors in Speedway, IN. Motion made by Ralph Miller and seconded by John Foreman to accept Ian Nicolini's resignation.

Roll Call Vote: 6 to 0

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

Randy Niemeyer solicited a motion to appoint Nicole Hoekstra, Administrative Assistant as lead person during this time of transition pending a job description and salary Ordinance. Motion made by Greg Wornhoff and seconded by Patsy Casassa to appoint Nicole Hoekstra as lead person during this time of transition.

Roll Call Vote: 6 to 0

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

WRITTEN COMMUNICATION:

1.) **Cedar Lake Chamber of Commerce**

2.) **Christopher B. Burke Engineering Report**

PUBLIC COMMENT: None.

ADJOURNMENT: The meeting was adjourned at approximately 8:00 pm.

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

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

Randell Niemeyer, President, Ward 5

Patsy Casassa, Vice President, Ward 6

Robert H. Carnahan, Ward 1

John Foreman, Ward 2

Gregory L. Wornhoff, Ward 3

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.