

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE TOWN COUNCIL**



February 17, 2015

**Public Meeting Advertised for 7:00 PM
Conducted 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 Council Member	Ward 6
Present	John Foreman Council Member	Ward 2	Present	Randell Niemeyer Council Member	Ward 5
Present	Julie Rivera Council Member	Ward 3	Present	Amy J. Gross, IAMC, MMC, CPM Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	Jill Murr, CPM, IAMC, MMC Town Administrator	
Present	Greg Parker Council Member	Ward 7	Present	David Austgen Town Attorney	

PUBLIC COMMENT None

CONSENT AGENDA

Minutes: January 20, 2015 Public Meeting

Claims:	All Town Funds	\$185,469.72	Wastewater	\$126,747.02
	Waterworks	\$38,383.77	Storm Water	\$1,218.67
	Payroll #124	\$202,661.51		

Tag Days:	Cedar Lake Lions	Tag Day	Rain Day
	Cedar Lake Lioness	Oct 17	Oct 24
		Jun 27	None

Greg Parker moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Ralph Miller. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

ORDINANCES

1. Ordinance No. 1216 – Ecosystem Restoration Project Special Revenue Non-Reverting Fund

John Foreman read by title only. Mr. Foreman explained that there has been discussion for months about using CEDIT funds for the lake dredging project. There was also discussion pertaining to the use of farmland rent funds and its possible utilization for the dredging. The funds have been accounted for in the budget this year so that matter is tabled for now. Attorney Austgen drafted the ordinance for periodic review and assessment by the Town Council. The Clerk-Treasurer would report on the collections and expenditures. There is a revision that the reporting would reflect 10%, 15% and 20% calculations. The transferring of funds would not be mandatory as the Council would review the report to determine its feasibility. Greg Parker moved to approve first reading of Ordinance No. 1216. Ralph Miller made the second. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

The vote was unanimous and President Niemeyer entertained suspension of the rules to amend the agenda for second reading. Greg Parker moved to do so, and John Foreman made the second.

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

Second reading by title only from John Foreman. **Motion to adopt Ordinance No. 1216** made by Greg Parker with second by Patsy Casassa. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

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2. Ordinance No. 1217 – Police Commission Membership

Patsy Casassa read by title only. Attorney Austgen explained that originally there were three members of the Commission until 2001 when the Council amended the ordinance to allow for five members. For efficiency and economy of government service, this Council has determined the need to return to three members. The term expirations of the existing members would have to be determined and it was suggested to do this in a separate motion. Patsy Casassa moved to approve first reading with second made by Julie Rivera. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

The vote was unanimous and President Niemeyer entertained suspension of the rules to amend the agenda for second reading. John Foreman moved to do so, and Julie Rivera made the second.

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

Second reading by title only from Patsy Casassa. Motion to adopt Ordinance No. 1217 made by Greg Parker with second by Patsy Casassa. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

President Niemeyer entertained motion to amend agenda for the term expirations of the existing Police Commission members. Motion made by Patsy Casassa with second by Ralph Miller. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

President Niemeyer explained that two members, Terri Blagojevich and Charlie Kaper expire at the end of 2016. All members are to have staggered terms. The new appointment is Keven Toth to serve for three years. John Foreman moved to expire the term for Blagojevich December 31, 2015 as she has been serving longer. Charlie Kaper's term would expire December 31, 2016, and Kevin Toth's term would end December 31, 2017. Second made by Patsy Casassa. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

NEW BUSINESS

1. Refuse and Recycling Bid Specification Authorization

Town Administrator Jill Murr explained that the current garbage contract expires March 31. There was direction to prepare bid specs and some items mirror that of the current contract; a 2-year contract with option to renew for 3 to 6 years. Services would include the Fire Department, recycling containers with option of enclosed totes, and mandatory pre-bid meeting to contractors so they understand the town's mapping, weight limits for roads and so on. There is a stipulation for weekly versus biweekly recycling to better evaluate the pricing. Attorney Austgen recommended that the Town Administrator contact the current contractor to extend the garbage service while the Town seeks bids. Ralph Miller made the motion to proceed with bid specs, and second was made by Julie Rivera. Mr. Miller then amended his motion to allow for discretionary action taken by staff for contractor meeting process. Mrs. Rivera concurred. Roll call vote was taken.

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

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2. Joint Management and Oversight Board Appointments

In April 2014 the Town Council adopted an amendment to the sewage treatment agreement with Lowell. This amendment would change the structure of the Board to allow for two voting members from Council, and one non-voting member from staff. Lowell adopted the amendment and appointed members last week. Being that Mr. Miller and Mr. Foreman are on the Utility Committee, they would agree to be the voting members. Building Commissioner Tim Kubiak would be the non-voting member. Greg Parker moved to approve the appointments with second by Julie Rivera. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

3. Interlocal Cooperation Agreement for Shared Ethics Advisory Commission

A presentation took place to explain the functions of the Commission. Legal counsel reviewed. There would need to be an appointment being one voting member per Town Administrator. There is an enrollment fee of \$1,500 based on number of full-time employees and an annual membership fee of \$500. A termination clause exists in the agreement. Motion made by Julie Rivera to approve the agreement and John Foreman made the second. Attorney Austgen explained that a resolution is also necessary to enter into this agreement. Clerk-Treasurer Gross issued No. 1133 to the Resolution draft that was provided by legal counsel. Motion and second was on table to join the Commission. Roll call vote was taken.

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

Next item is resolution that accompanies the agreement. John Foreman moved to approve **Resolution No. 1133**. Second was made by Patsy Casassa. President Niemeyer appointed himself as the voting member as there was no other volunteers. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

4. Hanover Yearbook Ad Space

Hanover Central Seniors are soliciting ad space for their yearbook. John Foreman moved to allow for a full-page ad at \$350. Second was made by Patsy Casassa. President Niemeyer did not think a full-page ad was necessary; perhaps a smaller ad for \$40, which Julie Rivera agreed. She did not believe the impact would bring that much value from a yearbook. The money could be used elsewhere for advertising. Second was made by Ralph Miller. Roll call was taken.

Carnahan, Ward 1	NA	Parker, Ward 7	No
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	No
Rivera, Ward 3	No	Niemeyer, Pres., Ward 5	No
Miller, Ward 4	No	Motion denied.	

John Foreman then moved to advertise for \$155 for an ad consisting of four sections. Second made by Ralph Miller. Roll call vote was taken.

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	No	Niemeyer, Pres., Ward 5	No
Miller, Ward 4	Yes	Motion passes 4 to 2.	

5. Cedar Lake Summerfest Funding Request

The Summerfest Committee requested funds from the Lake County Tourism distribution for year 2015. The funds would be utilized for assisting with the Summerfest July 2 to 5. Last year, Cedar Lake Ministries solicited consideration for the funds. The Council could not act on it at that time because the funds were committed to Summerfest Committee. Mr. Parker wanted to know what funds the Summerfest had between January and today. Gordon Dickson was in attendance at the meeting and would relay information to the Summerfest Committee. Motion to defer made by Greg Parker with second by Patsy Casassa. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

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6. UpCycle Products Municipal Rain Barrel Event Agreement

This event was held last year with 30 rain barrels requested. The event begins earlier this year with a sale start date of March 1 to April 15. Residents could pick up at Town Hall or have the barrel delivered. Installation is also an option. Date of pick up would be April 22. Motion made by Ralph Miller to participate with second by Patsy Casassa. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

7. Cub Scout Pack 129 Monastery Clubhouse Rental Waiver Request

Request made to use the facility for February 27 for a den meeting. The group would work on art requirements with a teacher. Motion made by John Foreman to waive fees with second by Greg Parker. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

TOWN COUNCIL AND STAFF REPORTS

Patsy Casassa noted that Cedar Lake Parks Foundation still needed the assistance of the Town to work with an architect for the proposed band shell. Attorney Austgen reviewed the information and the agreement should be between the Town and the architect. This will be an agenda item for the next meeting.

John Foreman made a motion to move CEDIT funds into the new non-reverting fund that was approved tonight on the agenda. Attorney Austgen suggested that the Clerk-Treasurer prepare a report first for Council review. Mr. Foreman removed his motion.

Clerk-Treasurer Amy Gross stated that the Town received the final budget notice from the Department of Local Government Finance. Originally the General Fund was proposed for \$4,274,892 and the DLGF returned with \$3,772,557. This would have caused a reduction in the General Fund budgets by \$502,335. She reviewed the revenue stream and determined that the budget could be increased without increasing the tax levy and rate. The miscellaneous revenues generated from the Building Department were productive among a few other items. The final budget was approved for \$4,126,093, which \$148,799 would only have to be reduced. The Cumulative Capital Development Fund was proposed for \$451,571, but only approved for \$288,675. The last three years provided for more capital expenses and acquisition of leases from the Fire Department merger. The Town will have to reduce this fund by \$162,896. The raises proposed could go into effect for sworn police officers at \$2,500 across the board, fire chief at \$5,000, and bonuses for full-time and part-time personnel as stipulated in the 2015 Salary Ordinance. The pay period would begin February 22 with pay date of March 5. To reflect this officially in the public records, Clerk-Treasurer Gross requested Council amend agenda for a vote. Motion made by Ralph Miller to amend agenda to allow for approval of disbursement of budgeted raises and bonuses. Second was made by John Foreman. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

Agenda was amended and Ralph Miller made the motion to permit the raises as outlined. Julie Rivera made the second. Roll call vote:

Carnahan, Ward 1	NA	Parker, Ward 7	Yes
Foreman, Ward 2	Yes	Casassa, VP, Ward 6	Yes
Rivera, Ward 3	Yes	Niemeyer, Pres., Ward 5	Yes
Miller, Ward 4	Yes		

Clerk-Treasurer Gross concluded that she would have a resolution on the next agenda for reductions to appropriations. There is room in all the General Fund budgets to allow for reduction and the Clerk-Treasurer spoke with the Police Chief regarding their budget cuts. They could reduce \$87,339. Other departments would be allocated based on fairness.

Town Administrator Jill Murr said she was requested to prepare road striping proposals at the last meeting. She asked for clarity as quotes were obtained two years ago to do main roads for \$30,000, or was this for all the roads. The longer wearing thermal plastic paint would cost \$130,000. Road striping was budgeted in 2015 for \$50,000. The estimated life span for the other paint is 2 to 3 years as used before. President Niemeyer did not believe it would be responsible based on the Clerk-Treasurer's budget report to go with the higher cost. John Foreman asked about the equipment at the street department, but this was not meant for striping roads; only parking lots or sports fields. Mrs. Murr will work with the Public Works Superintendent to obtain quotes in keeping with the budget.

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The website will be finalized this week. The site is expected to be user friendly and there was some discussion about contacts so the correct department could be utilized for information.

WRITTEN COMMUNICATIONS

1. 2015 March for Meals Campaign – elected officials welcome to participate.
2. Shared Ethics Advisory Commission Ethics Summit – March 12 reservations required.
3. Christopher B. Burke Engineering Report – provided to Town Council for review.
Jill Murr noted that end of March is the MS4 Good Housekeeping audit with IDEM.

PUBLIC COMMENT None

Next meeting and work session March 3, 2015 at 7:00 PM.

ADJOURNMENT: At approximately 8:00 PM President Niemeyer called the meeting to adjournment.

An Executive Session was advertised and conducted before the Public Meeting at 6:00 PM pursuant to IC 5-14-1.5-6.1(b). Refer to Memorandum of Meeting for topics discussed and those in attendance.

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

Julie Rivera, Ward 3

Ralph Miller, Ward 4

ATTEST:

Greg Parker, Ward 7

Amy J. Gross, IAMC, MMC, CPM
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.