

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



March 17, 2015

**Public Meeting Advertised for 6:00 PM
Conducted 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 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: March 3, 2015 Public Meeting

Claims:	All Town Funds	\$157,826.22	Wastewater	\$134,520.50
	Waterworks	\$51,036.81	Storm Water	\$5,274.28
	Payroll #127	\$226,692.16		

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

Carnahan, Ward 1	Yes	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 & RESOLUTIONS

1. Resolution No. 1135 – Lease Purchase Police Squad Cars

Clerk-Treasurer Gross read by title only. She forwarded requests to three banks known for municipal lease purchasing. The request was made to lease purchase two options as presented by Chief Smith for three years with a semi-annual and an annual payment both in arrears. PNC Equipment Finance rate was 3.75%. Republic First National rate was 2.77% for annual payments and 2.85% for semi-annual payments. Tax-Exempt Leasing Corp. rate was 2.67%. Clerk-Treasurer Gross recommended the three annual payments for 2.67% with Tax-Exempt Leasing, and the resolution would allow the Town to enter into an agreement with them.

Motion made by Greg Parker to proceed with the first option being three Ford Utility Interceptors and one Ford Sedan Interceptor with lighting and equipment package, and to lease purchase through Tax-Exempt Leasing Corp for the annual 3-year lease payments at 2.67%. Second was made by Robert Carnahan. Roll call vote:

Carnahan, Ward 1	Yes	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		

2. Resolution No. 1136 – Temporary Loan to the General Fund

Clerk-Treasurer Gross read by title only. She stated that the General Fund balance is currently \$277,995. In order to continue paying operating expenses before the next tax distribution, a temporary loan is necessary. The Wastewater Treatment Plant Special Fund would advance the amount of \$350,000 to the General Fund. It would be repaid on or before June 30, 2015. She will also request a tax advance that should arrive in May.

Ralph Miller moved to approve Resolution No. 1136 with second made by Greg Parker. Roll call vote:

Carnahan, Ward 1	Yes	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. Resolution No. 1137 Amended Joint Resolution – E911 Dispatch

This resolution amends Resolution No. 1125 excluding the Town of St. John from the agreement as they opted out to join Lake County's inter-local E911 dispatching. The agreement would then be with Schererville and Cedar Lake.

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Julie Rivera moved to approve Resolution No. 1137 with second made by Greg Parker.
Roll call vote:

Carnahan, Ward 1	Yes	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. Inter-Local Agreement for E911 Dispatch

This item appeared on the agenda, but was not required as it mirrors the specifications of Ordinances and Resolutions No. 3, Resolution No. 1137 Amended Joint Resolution – E911 Dispatch. Motion was made to authorize signatures on the above-referenced Resolution No. 1137 by Julie Rivera. Second was made by John Foreman. Roll call vote:

Carnahan, Ward 1	Yes	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		

2. First Class Patrolman Special Salary Request

A presentation ensued with Officer Phil Lewis and Lt. Robert Forsell concerning the retirement benefits for police officers of the Indiana Public Employee’s Retirement Fund (INPRS). An officer retires at half the first class patrolman salary. They do not pay into Social Security, and there is no health insurance plan upon retirement available by the Town other than COBRA. It was proposed to create a line item in the salary ordinance that would only be used for certifying retirement to INPRS (formerly known as PERF). Some other communities have done this as well. Officers are in support of this measure that would increase their contribution out of pocket. The increase to the Town would be from \$41,370 to \$51,713 depending on the approval. Appropriations are available in the police budget to fund this cost.

Motion made by Greg Parker to amend the salary ordinance causing a separate line item for a first class patrolman salary that would increase by \$12,500 (Total of \$63,838.40). This line would only be used to certify the first class patrolman salary to INPRS for retirement purposes. Second was made by Patsy Casassa. Roll call vote:

Carnahan, Ward 1	Yes	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. Cub Scout Pack 129 Campout Weekend of July 10 to 11, 2015

Motion made by Ralph Miller with second by Robert Carnahan to allow for Cub Scouts to utilize the town grounds for camping and picnic/cookout from the 10th to the 11th of July. It was noted that matters of this nature could be placed on the consent agenda. Roll call vote:

Carnahan, Ward 1	Yes	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. Waiver of Fees Request Hanover Central School Corp.

A letter was drafted requesting a waiver of fees for the facility use related to the public hearing venue for April 7. Motion was made by Julie Rivera with second by Greg Parker to allow Council President to sign the letter. Roll call vote:

Carnahan, Ward 1	Yes	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		

5. Recycling and Disposal of Outdate Electronics

Town Administrator Jill Murr presented a list of non-functional, outdated electronics that have no value or use to the Town. Robert Carnahan made the motion to dispose of the items at Midwest PGM in Cedar Lake. Second was made by John Foreman. Roll call vote:

Carnahan, Ward 1	Yes	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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OLD BUSINESS

1. Shared Ethics Advisory Commission Citizen Appointment

Greg Parker stated that resident Marilyn Kaper would accept the citizen appointment. Mr. Parker moved to accept the appointment with second made by Patsy Casassa. Roll call vote:

Carnahan, Ward 1	Yes	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		

2. Cedar Lake Summerfest Tourism Fund Request

President Niemeyer stated that Old Business No. 2 and 3 are together. From last discussion, both entities have requested the innkeeper's tax of \$4,725 from the Town. Mr. Niemeyer recommended splitting up the donation to give Cedar Lake Ministries \$1,500 for signage, and \$3,225 to Cedar Lake Summerfest. This would be fair to a long-standing event and the start of a new partnership. Greg Parker noted that Mr. Carnahan told them Cedar Lake Ministries did not qualify for the funds. Mr. Carnahan had since spoken with Michael Griffin at the Town of Highland who confirmed other entities could be given the funds: Cedar Lake Ministries, Cedar Lake Historical Association, Cedar Lake Summerfest, Cedar Lake Chamber for the symphony, and so on. Cedar Lake Ministries could utilize the funds for the signage, but not for religious purposes. Mr. Parker felt it was fair to give to the Ministries because they pay the tax. Clerk-Treasurer Amy Gross read the town code on the innkeeper's tax fund. An ordinance was passed in 1993 describing the use of funds. President Niemeyer added that the usage is vague according to Speros Batistatos, President of the South Shore Convention and Visitors Authority.

John Foreman made a motion to donate \$1,500 to Cedar Lake Ministries and \$3,225 to Cedar Lake Summerfest. Greg Parker made the second. Ralph Miller said he did not like the split. The Historical Association would like to print brochures but did not realize they could request the funds also. Mr. McRae, Director of Cedar Lake Ministries was present to explain their request. They have paid \$40,962.81 over the past four years due to the tax. Mr. Foreman would be willing to change his motion to reverse the dollar amount. Motion made to grant Cedar Lake Ministries \$3,225, and Cedar Lake Summerfest \$1,500 by John Foreman. Greg Parker concurred. Roll call vote:

Carnahan, Ward 1	Yes	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. Cedar Lake Ministries Tourism Fund Request

See No. 2 above.

REPORTS

Robert Carnahan requested that the meetings be broadcasted over the internet. He also commented that Bill Landske made a donation to the Cedar Lake Historical Association in the name of Senator Sue Landske for \$5,000.

President Niemeyer received concerns from Havenwood POA regarding the private park. Those who are not residents are using the park and causing problems. Lt. Forsell said that signs need to be clearly posted for enforcement. John Foreman commented on having basketball courts available to the public in certain parks. President Niemeyer suggested that Mr. Foreman's idea go to the Park Committee for review. Commissioner Kubiak has some plans for using extra fill from projects to level the land at Kiwanis Park.

Robert Carnahan has been hearing many misunderstandings about the proposed annexation. He would like to see the Town continue its policy so that existing residents will not be required to connect to the water. Some discussion ensued regarding agricultural land, and that is protected by state statute. Existing businesses could be "grandfathered in" so they are not affected by the Town's zoning regulations.

Town Administrator Jill Murr recommended a feasibility study for design and engineering, and financial analysis, to continue the west side sanitary sewer interceptor project. Ralph Miller moved to amend the agenda to allow for a vote. Second was made by Julie Rivera. Roll call vote:

Carnahan, Ward 1	Yes	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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Motion made by Julie Rivera with second by Ralph Miller to proceed with obtaining proposals for the west side sanitary sewer interceptor as noted. Roll call vote:

Carnahan, Ward 1	Yes	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 Park Committee met with GenMove to discuss ideas for the development of Bartlett-Wahlberg Park. Some discussion ensued concerning piers by John Foreman. Request was made to have GenMove list number of participants on their reports.

Building Commissioner Tim Kubiak continues to work on a plan for milling and resurfacing roads in poor condition.

Superintendent Jim Cornett presented the Town Council with bid specs for the 5-ton trucks. The package was forwarded to the Town Attorney for review.

WRITTEN COMMUNICATIONS

1. GenMove February and March Reports
2. Hanover Central School Corporation Correspondence – support and appreciation to Police and Fire Departments for their assistance with recent matters.
3. Christopher B. Burke Engineering Report – provided to Town Council for review.

PUBLIC COMMENT

Mitch Dudlack, 12801 Oak Street, commented on people driving at night without use of headlights, cell phone usage while driving, road paving and speed traps.

ADJOURNMENT: President Niemeyer called the meeting to adjournment at 7:30pm.

An Executive Session was advertised and conducted after the Public Meeting 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.