

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

August 5, 2014

**Public Meeting advertised for 6:30 PM with a Public Hearing 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 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, IAMC, MMC Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	David Austgen Town Attorney	
Present	Greg Parker Council Member	Ward 7			

PUBLIC COMMENT

Mary Joan Dickson, 8711 West 132nd Place, Cedar Lake – Questioned the GenMove contract for recreational consulting and management services, and the responsibilities as outlined in the contract.

Rebecca Govert, 11521 West 127th Lane, Cedar Lake – Described the ongoing issue she has concerning flooding on her property in Wicker Meadows. Nothing appears to have changed regardless of the repairs already done. She was told the town would place a trench/swale going to the big drain. President Niemeyer spoke with the Town's Engineer concerning a solution. One problem is the undersized pipe, and the Storm Water Board will have to be consulted as they will most likely fund the project. Discussion ensued regarding the flow and direction of the water, the pipe size, and the fact that a portion of the land beyond the subdivision is unincorporated. There are other neighbors having similar problems.

At this time the meeting was interrupted in order to hold the public hearing that was advertised for 7:00 PM.

PUBLIC HEARING: Advertised for 7:00 PM

1. Ordinance No. 1205 – Petition for Annexation

Attorney Austgen reviewed the affidavits to confirm that publication was made in the Post-Tribune on July 14, 2014 and The NWI Times on July 15, 2014. A period of 20 days must lapse for hearing to be held. The petitioner is E3 LLC requesting to annex 4.86 acres into the Town's corporate limits. This property is south of the Henn & Sons Construction parcel along US 41. This annexation is voluntary and will permit the property owner to be hooked up to the sanitary sewage system. The fiscal plan action and adoption of the ordinance will not take place this evening. Vice President Casassa read the ordinance by title only. Remonstrators were called; there were none. There were no comments from the Town Council. A copy of the fiscal plan is available in the Clerk-Treasurer's Office. Motion to accept the first reading of Ordinance No. 1205.

Motion: Ralph Miller		Second: Greg Wornhoff			Roll Call Vote: 6 to 0	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
ABSENT	YES	YES	YES	YES	YES	YES

Public comment now resumes.

Josh Govert, 12550 Tall Oaks Drive, Cedar Lake – Mrs. Govert's son spoke describing the matter with Mrs. Govert's flooding issue. The value of the water is too much for the pipe being described. Council Member Greg Wornhoff stated that water had been re-routed and re-directed and this caused the problems. It's not up to the developer to hold water for someone else. The Town and County both need to clean the ditches. Mr. Govert agreed that County should be working in tandem with the Town to resolve this matter.

Building Commissioner Kubiak has been reviewing the situation. He contacted the County about upsizing the culvert. A big part of the problem is the ditch is getting overrun, going over 129th and going into Wicker Meadows. The pipe needs to be increased in size. Engineer Mark Kaiser recommended to Mr. Kubiak a 24-inch pipe. This would alleviate the big rush of water coming in. President Niemeyer will contact Mark Kaiser, who attends the Storm Board meetings, to make this recommendation.

Mrs. Govert concluded the public comment by explaining a problem in the subdivision about dogs-at-large and small children riding motorbikes unsafely, adults riding golf carts through the park, and so on.

CONSENT AGENDA

Minutes: July 15, 2014 Public Meeting

Claims:	All Town Funds:	\$425,656.91	Wastewater:	\$319,058.58
	Waterworks:	\$17,968.62	Storm Water:	\$6,028.41
	Reg Pay July 31:	\$127,209.37	July End Pay:	\$13,394.69

Donations: VIPS - \$6,475.00 (Emergency Shelter Trailer)

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Refund Requests: Lisa Medina - \$80.25 Lion's Den Rental, Sheila Hays - \$21.40 Clubhouse Rental

Motion to accept and waive the reading of the Minutes, and to accept the Consent Agenda as listed.

Motion: John Foreman Second: Patsy Casassa Roll Call Vote: 6 to 0

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

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1206 – T&J Landscaping Zone Map Amendatory Ordinance

This ordinance would allow zoning from R-2 to B-2. Hearing was conducted in June with a vote of 5 to 0. Motion to approve first and only reading of Ordinance No. 1206.

Motion: John Foreman Second: Ralph Miller Roll Call Vote: 6 to 0

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

2. Resolution No. 1119 – Lease/Purchase Agreement (Ambulance & Portable Radios)

Clerk-Treasurer Amy Gross read by title only, and explained that this Resolution allows the Town to enter into a lease/purchase agreement with Tax-Exempt Leasing Corp., and permits appropriate execution of signatures. Motion to approve.

Motion: Greg Wornhoff Second: Patsy Casassa Roll Call Vote: 6 to 0

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

NEW BUSINESS

1. Sewer Utility Billing Elimination Agreement – 6900 West 133rd Avenue

The structure was demolished on this parcel. Owner/Contractor: Doris Dunn/McAllister, Inc. Certificate of Completion signed by Public Works on 5/12/14, and Building Commissioner on 6/19/14. Motion to approve elimination of billing.

Motion: John Foreman Second: Greg Wornhoff Roll Call Vote: 6 to 0

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

2. Mixdesign Proposal for Website Development

This proposal includes concept and development of an informational brand website for \$6,000, and development of a mobile-friendly site for \$1,800. Total cost \$7,800. The Redevelopment Commission has been paying for these services from their general operating budget. Motion to approve.

Motion: Ralph Miller Second: Patsy Casassa Roll Call Vote: 6 to 0

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

3. Pay Request No. 3 – Town Restroom/Concession Project

This is the final payment to the contractor Van Ryn Design Build LLC from the Lake County Community Block Grant funding. The Town was responsible for the remaining share payable from casino gaming funds. Total contract amount: \$114,500.00, previously paid \$85,875.00, this final request is for \$28,625.00. Motion to approve final payment.

Motion: Ralph Miller Second: John Foreman Roll Call Vote: 6 to 0

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

4. Interlocal Agreement – South Shore Rail Extension Line

This item is deferred to the next meeting. Motion to defer.

Motion: Greg Parker Second: Greg Wornhoff Roll Call Vote: 6 to 0

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

COMMITTEE REPORTS

Council Affairs – President Niemeyer stated that the Committee met with Clerk-Treasurer Gross to go over budget proposals for 2015. Mr. Carnahan requested earlier this year a work session to discuss the budget. Department Heads are to prepare to share their proposals. Meeting is anticipated for September.

TOWN COUNCIL & STAFF REPORTS

A vacancy was discussed on the Plan Commission. Val May and Jerry Wilkening applied for the opening. Mr. Foreman noted that Jerry Wilkening has been on the Storm Board and involved in other matters. John Foreman moved to accept Jerry Wilkening's application and appointment to

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the Plan Commission. Patsy Casassa made the second. He will also accept the Town Council appointment to the BZA.

Motion: John Foreman Second: Patsy Casassa Roll Call Vote: 6 to 0

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

President Niemeyer requested a motion by the Council to allow Jerry Wilkening to be an appointment to the Board of Zoning Appeals.

Motion: Greg Wornhoff Second: Ralph Miller Roll Call Vote: 6 to 0

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

Mr. May's application will be kept on file for any future appointments that may arise.

Nicole Hoekstra presented a request to refund Mr. Grant Wedding the amount of \$144.45 from the Farmer's Market vendor participation.

Motion: Greg Parker Second: John Foreman Roll Call Vote: 6 to 0

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

Council Member John Foreman believes that the CREDIT funds should be set aside for the lake dredging project. The local match was about \$6 million. He would like to see a percentage annually be transferred into a special non-reverting fund. This will be an agenda item the September work session.

Fire Chief Todd Wilkening requested a Tag Day for the Hoosier Indiana Burn Camp on September 20 with rain date of September 27.

Motion: Greg Wornhoff Second: Greg Parker Roll Call Vote: 6 to 0

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

Newly-hired Firefighter/Paramedic Jacob Kabella was given the oath of office by Clerk-Treasurer Gross.

WRITTEN COMMUNICATIONS

Christopher B. Burke Engineering Report
GenMove Recreation Monthly Report for June and July 2014

Chamber of Commerce – Town Map Letter – A representative from Spinnaker Group had been in contact with Clerk-Treasurer Gross, Robert Carnahan and President Niemeyer. The Cedar Lake Chamber is sponsoring a map for the Town and the group is soliciting advertising. A total of 10,000 are to be circulated. Niemeyer requested a motion to approve the Town placing its new branding logo in an ad; 3 x 3 both sides including 75 maps for \$595.00. The ad could be paid from the Town Council's promotion line item per Clerk-Treasurer. Motion to approve the ad placement.

Motion: John Foreman Second: Greg Parker Roll Call Vote: 5 to 1

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

PUBLIC COMMENT

Brenda Roberts, 15008 Morse Street, Cedar Lake – stated that her annexed property in 2008 was not on a previous map. She wanted to ensure that this property is on the new map and reflects as a part of the Town.

Next meeting August 19, 2014 at 7:00 PM

ADJOURNMENT: 7:50 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.

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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.