

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

August 19, 2014

**Public Meeting Advertised for 7:00 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 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

Mitch Dudlack, 12801 Oak Street – commented on a bike path on town grounds, condition of flags, cell phones, the lighting at North Point, and grading in front of his house from the recent roadway and drainage project. Building Commissioner Kubiak returned comment that his yard had small marks appearing to be from someone driving off road. Mr. Carnahan commented that flags are purchased from a local vendor and made in the USA, but funding poses an issue to have them present throughout the year. President Niemeyer commented that the capital plan calls for a walk and bike path on the town grounds estimated at \$45,000.

PUBLIC HEARING

1. Resolution No. 1120 – Additional Appropriation

#0101 GENERAL	APPROPRIATED
<u>FUND</u>	<u>AMOUNT</u>
101-005-111 Fire Chief	\$2,016
101-005-112 Full-Time Fire/EMS	\$79,500
101-005-115 Part-Time Fire/EMS	\$29,500
101-005-116 Overtime	\$22,600
101-005-122 FICA/Medicare	\$8,750
101-005-123 PERF	\$9,680
<u>TOTAL APPROPRIATION</u>	<u>\$152,046</u>

Attorney Austgen reviewed publisher affidavits. Crown Point Star and Cedar Lake-Lowell Star published legal notice on July 31, 2014, which meets legal requirements. Clerk-Treasurer read in its entirety and explained that this appropriation is necessary to meet the needs of the Fire Department merger for the remaining year. Previous town manager worked on the budget, and it was anticipated that this appropriation would be coming as financial information was lacking detail. The Hanover Township Trustee contract of \$102,500 will be used to fund this budget, which was not included in the original revenue estimation. There were no remonstrators. Mr. Carnahan questioned why this was not part of the budget. Clerk-Treasurer did not have much involvement in the planning of this budget, and perhaps information provided was not detailed. Motion to approve.

Motion: Ralph Miller Second: Greg Wornhoff Roll Call Vote: 7 to 0

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

PRESENTATION: Archon Safe Water Cross-Connection Control Program

Brochure outlining services was distributed to Council. Mr. Wornhoff discussed that the Utility Committee met with the vendor via teleconference and suggested they make a presentation to the Council. There would be a cost to the tester, but not the Town. Mr. Austgen commented that typically there is a hired and trained individual at the utility that would oversee the program. He is unaware of any other communities that have outsourced this duty. The draft agreement would have to be reviewed for legalities. Backflow prevention is a requirement for commercial entities connected to the municipal water, and those with irrigation systems. Mr. Foreman believed this discussion would be good to have for the next work session and made the motion to do so.

Motion: John Foreman Second: Robert Carnahan Roll Call Vote: 7 to 0

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

CONSENT AGENDA

Minutes: August 5, 2014 Public Meeting

Claims:	All Town Funds:	\$234,765.82	Wastewater:	\$38,294.87
	Waterworks:	\$48,000.62	Storm Water:	\$12,063.93
	Reg Pay Aug 14:	\$187,575.07		

Motion to accept and waive the reading of the Minutes, and to accept the Consent Agenda as listed. Mr. Carnahan questioned items on the docket relating to the purchase of test strips (answer: to test blood sugar for EMS patients), repairs on police squads and warranty (answer: not on warranty), and the GenMove invoices. Clerk-Treasurer Gross

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explained that the GenMove contract of \$132,500 is being paid from the general park budget and when appropriations have dissolved, the park non-reverting operating budget would pay the remainder on the contract.

Motion: Greg Parker Second: Patsy Casassa Roll Call Vote: 7 to 0

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

BOARD OF ZONING APPEALS

1. T&J Landscaping – Special Use Variance

The BZA sent a favorable recommendation to the Town Council to allow for the landscaping company to operate in a B-2 Zoning District with outdoor storage and parking; and to include the findings of fact. Motion to approve special use variance with findings of fact.

Motion: Greg Parker Second: Ralph Miller Roll Call Vote: 7 to 0

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

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1205 – Petition for Annexation

Vice President Casassa read by title only. This is the second reading tonight for adoption. Annexation consists of 4.86 acres immediately east of Henn & Sons Construction parcel, and south of existing Town borders. A new business (Action Plumbing) will be constructed with full amenities. Motion to approve. Mr. Carnahan questioned the precinct and ward for this parcel. It would be Ward 3, but the precinct is not necessary for the document. Motion and second did concur to add Ward 3 to adoption of ordinance.

Motion: Ralph Miller Second: Patsy Casassa Roll Call Vote: 7 to 0

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

2. Resolution No. 1117 – Fiscal Plan and Policy for Annexation

Clerk-Treasurer Gross read by title only. The new business would have services provided as is the nature for an annexation. Motion to approve.

Motion: Greg Parker Second: Ralph Miller Roll Call Vote: 7 to 0

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

3. Resolution No. 1121 – Declaring Uncollectible Accounts (EMS Billing)

Clerk-Treasurer Gross read by title with explanation. The EMS billing clerk has declared \$9,359.97 uncollectible from January 1 to July 31, 2014. There are 7 deceased accounts, 14 accounts with attorney letters, and 4 that are determined to be not cost effective to pursue. Mr. Carnahan questioned the names being public record. Attorney Austgen explained that for purposes of approving this resolution, they are public. Motion to approve.

Motion: John Foreman Second: Robert Carnahan Roll Call Vote: 7 to 0

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

4. Resolution No. 1122 – Appropriation Transfers

GENERAL FUND - POLICE:

\$10,000.00 From: 117 – Grants Overtime To: 445 - Equipment

Clerk-Treasurer Gross read in its entirety and explained that the line item for equipment was not part of the original 2014 budget. Due to various changes that have resulted this year, we are required to place new line items on a resolution for Council approval. Chief Smith added that years ago there was a line item for equipment in their general budget, but due to LEEF (Law Enforcement Continuing Education Fund) there was no need for it, until high usage reduced the cash flow for that fund. Motion to approve.

Motion: Robert Carnahan Second: Patsy Casassa Roll Call Vote: 7 to 0

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

NEW BUSINESS

1. Interlocal Agreement – South Shore Rail Line Extension

Discussion ensued by Mr. Parker concerning the mandates and funding requests placed upon local government for this project and forcefulness of federal, state and county governments to adopt rules on our behalf. This matter was likened to the recent dispatch consolidation and approval of a county income tax without local consent. Mr. Foreman believes that CEDIT (County Economic Development Income Tax) funds should go towards lake dredging, and requested this to be on the next work session. Mr. Niemeyer

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stated that the agreement is for a 30-year commitment even though Cedar Lake has only vowed to provide \$15,000 in funds for 2015. Motion to not approve the agreement.

Motion: Greg Parker Second: Greg Wornhoff Roll Call Vote: 4 to 3

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

TOWN COUNCIL & STAFF REPORTS

Mr. Carnahan questioned President Niemeyer in regards to NIRPC meeting attendance. Mr. Foreman would like to see the Kiwanis Park on the agenda to discuss ideas for parking. Friday night begins Hanover football with tailgating and a barbeque.

Mr. Miller requested Public Works to fumigate (mosquito spray) at the Monastery on Parrish for bowl event on September 13. Motion for Public Works to perform spraying on Thursday or Friday prior to event.

Motion: Ralph Miller Second: John Foreman Roll Call Vote: 7 to 0

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

President Niemeyer noted the temporary delay in the project at 133rd and Fairbanks due to an environmental obstacle at that corner. Authorization was given to the necessary engineers to coordinate and facilitate the matter at hand, and to expend funds required. Motion made to do so.

Motion: Greg Wornhoff Second: Patsy Casassa Roll Call Vote: 7 to 0

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

Mr. Wornhoff commented on the project on the west side. The railroad is open with quite a bit of activity taking place. Unfortunately some citizens did not obey the signs posted and one incident occurred.

WRITTEN COMMUNICATIONS

Northwest Indiana Cancer Kids (NICK) Foundation Letter – proclamation was read by President Niemeyer. Motion made to accept.

Motion: John Foreman Second: Greg Wornhoff Roll Call Vote: 7 to 0

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

Director Donna Criner from The NICK Foundation spoke about the program and an upcoming event on September 7 at Lemon Lake County Park.

GenMove Monthly Report – August 2014 – President Niemeyer read highlights from the report and commented favorably on the well-received programming.

Christopher B. Burke Engineering Report – provided to Town Council for review.

PUBLIC COMMENT

John Schutz, 13522 Schneider Court - commented on the good job that the Council was doing. He also commented on maintenance needs of the meeting room (carpet, speakers) and sealcoating parking lot. He asked how close the Town was to getting a town manager. President Niemeyer answered that there were some options being reviewed and it appears they will be advertising soon for an administrator or manager position.

Next meeting September 2, 2014 at 7:00 PM with a budget workshop.

ADJOURNMENT: Approximately 8:30 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.



PROCLAMATION
CHILDHOOD CANCER AWARENESS MONTH
SEPTEMBER 2014

- Whereas, cancer is the number one killer of our children by disease with an estimated 13,500 children diagnosed every year in the United States alone. On average, one in every four elementary schools has a child with cancer, and the average high school has two students who are current or former cancer patients; and
- Whereas, many children with rare and aggressive cancers are already Stage IV at diagnosis, and three out of five childhood cancer survivors experience long term/late effects from treatment including secondary cancers; and
- Whereas, the incidence of cancer among adolescents and young adults is increasing at a greater rate than any other age group, except those over 65 years of age and an estimated 2,555 children die each year of cancer in the United States alone. The average age of death for a child with cancer is 8, causing a child to lose 69 years of expected life.
- Whereas, despite these facts, childhood cancer research is vastly and consistently underfunded. In 20 years the FDA has initially approved only two drugs for any childhood cancer and half of all chemotherapies used for children's cancers are over 25 years old; and
- Whereas, research and development for new drugs from pharmaceutical companies comprises sixty percent of funding for adult cancer drugs and close to zero for childhood cancers and the NCI spends ninety-six percent of its budget on adult cancers and only four percent of its budget on children's cancers; and
- Whereas, the causes of most childhood cancers are unknown and at the present, childhood cancer cannot be prevented, and families who are or have been in treatment work tirelessly to change these alarming statistics.

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Board Report
August 2014

GenMove Recreation planned various events and programs to reach a wide audience. Programs were selected based on past success, recommendations and/or national trends.

The 2014 program portfolio was designed to be "exploratory" in nature. With limited or marginal data to work from i.e. registration history, program evaluations, communication chains, standard operation procedures, etc. staff focused on adding programs to the market place with a cross interest value (different ages, season, special interest, etc.).

Overall we were very pleased with the community response, where some programs did not meet the minimum registration the vast majority of summer activities had good attendance.

Example

Spring Soccer averaged 75 participants and added players throughout the program. Summer camps averaged 30 campers a week with a strong pre and post camp participation

Based on experience and feedback Staff continues to explore opportunities and is working on a comprehensive 2015 plan that will be highlighted in January to help participants better plan for registration.

Programs **Out of the 12 programs (beyond camp and soccer) we had 75% participation**

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| <ul style="list-style-type: none"> • Spring Soccer • Fall Soccer • Lakeside Day Camp <ul style="list-style-type: none"> a) Pre and Post Camp 1. Lakeside Leadership Camp 2. Little Lake Preschool Camp 3. Science Camp 4. All Star Sports Camp 5. Mom & Me Garden Tea 6. Kids Yard Sale (rescheduled to the fall) 7. What's In A Name 8. Multi-Media Arts Camp 9. Summer Youth Beach Volleyball 10. Adventure Camp 11. Summer Kick-Off 12. Community Night Out – Movie Night (partnership with Cedar Lake Police) | <p style="text-align: center;">Summer Camps Stats</p> <p>Average 30 campers per week</p> <p>Average of 20% used per/post camp</p>
<p>14% attended only one week</p> <p>20% attended all six weeks</p> <p>80% return rate per week</p> |
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Fall/Winter Programs

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| <ul style="list-style-type: none"> • Town of Cedar Lake Trunk & Treat • Family Campout September • Pumpkin Guts – Carving | <ul style="list-style-type: none"> • Dirt & Worms – Kitchen Creation • Flashlight EGG Hunt • Zombie Laser Tag • Winter Break Camp |
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| <ul style="list-style-type: none"> • Hot Wheels Challenge • Young Leaders Science • Santa's Workshop and Mrs. Claus Cookies • Pint Size Kitchen • Parachute Games • Cookie Monsters • Team Handball • Nature Art | <ul style="list-style-type: none"> • Photo Event • Parent and Child – Messy Munchkins • Parent Child Lunch Bunch and Storybook Art • Art Classes • Full STEAM ahead Preschool Enrichment Programs |
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Additional Notes

- American Water Charitable Foundation Grant – new playground was not selected but if approved by Council we will reapply in the future.
- Beach enhancement inflatable toys – with the water being shallow GenMove selected to go with shallow water inflatables as a special feature for the lake. We would like to expand opportunities and provide more activities in the future
- Storage relocation and cleanup – a general inventory was completed and equipment storage and cleanup has been ongoing – our goal is to have a final recreation organization completed this fall.
- In June GenMove Recreation discussed options with Summer Fest to do activities i.e. family game show, sport events etc. – the committee thought they were good ideas but opted to continue with past programs ... we will look to revisit these ideas later this fall for 2015
- Scholarship – no child has been or will ever be turned away due to financial issues. Families are not subjected to a formal review all they need to do is request assistance