

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



September 1, 2015

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 Council Member	Ward 6
Absent	John Foreman Council Member	Ward 2	Present	Randell Niemeyer Council Member	Ward 5
Absent	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 HEARING

1. Additional Appropriation

- Legal Notices – Clerk-Treasurer Gross stated that the Proofs of Publication were received. The legal notices were printed in the Post-Tribune on 8/18/15 and The Northwest Indiana Times on 8/20/15.
- Clerk-Treasurer Comments – Clerk-Treasurer Gross stated that this is the 1995 Town Hall debt surplus funds that were returned because the Town called the bonds early. \$50,238 in surplus funds which is proposed to be spent on facility improvements. After Town Council approval, it will be sent down to the Department of Local Government Finance to get approval.
- Town Council/Department Head Comments - None
- Public Comments - None
- Reading of Resolution No. 1147 – Clerk-Treasurer Gross read by title and summarized as the authorization for an additional appropriation to add \$50,238 to General Fund: 101-002-399 Town Facilities.

Motion to approve Resolution No. 1147 – Additional Appropriation, made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: August 18, 2015 Public Meeting Minutes.

Docket: September 1 – All Town Funds \$110,172.01, Wastewater \$49,035.33, Water \$10,355.64, Storm Water \$13,918.77 Payroll #145 - \$142,322.85.

Clubhouse Rental Fee Waiver Request: Girl Scouts – September 11, 2015

Ralph Miller moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Greg Parker. Roll call vote: Carnahan – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

RESOLUTION

1. Resolution No. 1148 – Transfer – General Fund – Public Works

Clerk-Treasurer Gross read by title and summarized as a transfer of money within the General Fund for the Public Works Budget so that a new Toro Mower can be purchased. Monies to be transferred within the General Fund Public Works Budget as follows:

\$ 3,431.00 From: 222 – Operating Supplies	To: 445 – Machinery/Equipment
\$ 2,067.00 From: 396 – Misc. Services	To: 445 – Machinery/Equipment
\$ 1,717.00 From: 241 – Misc. Supplies	To: 445 – Machinery/Equipment
\$ 837.00 From: 361 – Equip. Repairs	To: 445 – Machinery/Equipment
\$ 500.00 From: 232 – Tire Replacement	To: 445 – Machinery/Equipment

Motion to approve Resolution No. 1148, made by Robert Carnahan with second by Patsy Casassa. Roll call vote: Carnahan – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

NEW BUSINESS

1. 2015 Road Project Bid Award (Strategic Plan: A Thriving Local Economy, A Secure Future)

Town Administrator Murr stated that bids were solicited for the 2015 Road Projects. Two bid packages ranging from \$1,138,200.00 to \$1,190,350.00 were opened on August 26, 2015 by Tim Kubiak, Facilities Director, and Don Oliphant, Christopher B. Burke Engineering. Bids were reviewed by Town staff, Engineers, and Town Attorney. It is recommended to award the contract to Reith-Riley Construction, INC for \$1,138,200.00. All of this subject to the bond financing closing and fund availability on September 8th.

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President Niemeyer stated also pending the clarification of construction schedule. Town Attorney Austgen added with the waiver of the informality in the non-inclusion of that schedule.

Motion to approve the 2015 Road Project Bid Award to Reith-Riley Construction for \$1,138,200.00 with the contingences listed, made by Greg Parker with second by Ralph Miller. Roll call vote: Carnahan – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

2. Holy Name Parrish Request (Strategic Plan: An Effective Organization)

Town Administrator Murr stated that Holy Name Parish submitted a request for using space on the parking lot across from the church at 133rd Avenue and Osborne Street, for their two paper recycling bins. The bins are currently out of sight at their present location.

Motion to approve Holy Name Parrish Request made by Ralph Miller with second by Patsy Casassa. Town Administrator Murr asked if the bins would require fencing around them being on Town property and on a main road. Tim Kubiak voiced some concerns. He stated the parking lot is still rough from the road project and not currently in condition to handle traffic by cars or pedestrians. He stated if there is consideration on the item he would like to make sure that there is adequate in and out labels on the lot. He also discussed that if the Town does improve the area and decide to do something with it in the future, that would they be able to do so if it's in use. President Niemeyer stated the possibility of having some contingencies. Mr. Kubiak also voiced concern about placing dumpsters on our main thoroughfare. Town Attorney Austgen suggested a meeting between the Parish and Town representatives to discuss the concerns. Council Member Miller withdrew his motion. Council Member Casassa withdrew her second. President Niemeyer stated this item would be back on a meeting in two weeks, pending a meeting between Mr. Kubiak and Parish representatives.

OLD BUSINESS

1. Park & Recreation Impact Fee Committee Member Appointments (Strategic Plan: A Secure Future, An Effective Organization, An Engaged Community, Extraordinary Resources)

President Niemeyer discussed this being an ongoing item. Stated he has spoken with John Dessauer about joining the committee. Council Member Miller stated he has spoken with Shelly Faber and Krista Casassa regarding joining the committee. President Niemeyer asked if any other members had approached at least two other citizens to round out the committee. There were no others. He asked for a motion to defer the item until the next meeting.

Motion to defer made by Greg Parker with second by Patsy Casassa. Town Attorney Austgen added that statute does not preclude membership on the advisory committee of one or more who are seated on other Town boards or commissions. Roll call vote: Carnahan – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

2. Park & Recreation Impact Fee Consultant (Strategic Plan: A Secure Future, An Effective Organization, An Engaged Community, Extraordinary Resources)

Town Attorney Austgen stated that he has visited briefly with the Town Administrator on vetting a firm and recommends bringing a report and recommendation next meeting. President Niemeyer asked for a motion to defer.

Motion to defer made by Greg Parker with second by Patsy Casassa. Roll call vote: Carnahan – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

COMMITTEE REPORTS

1. Public Works and Safety – President Niemeyer discussed a newspaper article in The Times last week on the E-911 Consolidation. He stated the statements made by Commissioner Allen were false. The proposal made by Schererville and Cedar Lake has been shared on several occasions with representatives of Lake County, including their legal counsel. So far we have received no response. The lack of willingness to negotiate is not on our part. He stated we have done our part as we have said we would and are awaiting response from Lake County. Personnel are working diligently to complete the consolidation with Schererville. He added ours could be operational within the next few weeks. Chief Wilkening commented that the dispatch policies are pretty much written. The local Chiefs have been meeting regularly. A lot of testing is being done and it's coming together quickly. He stated the departments mirror policy and dispatch will be unified. He discussed meeting with the Supervisor that will be in charge and her willingness to work with everyone. They want to do a lot of training with the dispatchers. Town Attorney Austgen stated he's been tasked with setting up a meeting with the Administrators, Council Presidents, and Clerk-Treasurers to review the business relationship between the two Towns. He asked for the Town Administrator's help with scheduling the meeting.
2. Park and Recreation – President Niemeyer commented on the Sue Landske Memorial Park being previously approved. It's currently being worked on to develop a sign and a dedication date. Council Member Carnahan stated as soon as a sign can be put up an announcement for a dedication date will be made. President Niemeyer discussed the

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Town Council's Park and Recreation Committee having some conversation about what the Park and Recreation function will look like moving forward. He stated the last two years the Town has contracted with GenMove Recreation but based on conversation, it is going to be recommended to look at other options. He stated the product is not what was expected. He stated within the next couple of meetings there will need to be consideration of how the Town develops that initiative for next year as well as communication with Mr. Steve Doniger from GenMove that the Town is looking to change directions. Council Members Miller and Casassa concurred.

3. Redevelopment – No Report
4. Planning – Council Member Parker stated the zoning ordinance is drafted and they're going to start working on the zoning map.
5. Council Affairs – President Niemeyer stated the Council Affairs has met twice with the Clerk-Treasurer, Town Administrator, and various department heads to go over the 2016 budget. Reports will be forthcoming.
6. Utility – No Report
7. Street – President Niemeyer stated that the street projects previously approved, are a product of this committee. The street list has been posted online and will be started this fall. Parrish Phase I is still on track as well as future phases.

TOWN COUNCIL REPORTS

1. Town Council – Council Member Carnahan reminded everyone that September 17th is Constitution Day.
2. Town Attorney – No Report
3. Clerk-Treasurer – Clerk-Treasurer Gross stated that concerning the budget the non-binding review is forwarded by electronic means to Lake County. This is the first year the State of Indiana is allowing certain things to be sent electronically. The meetings for the hearing and the adoption of the budget will be available online through Indiana's Gateway. It no longer has to be published in print.
4. Town Administrator/Staff – Town Administrator Murr stated that at the last meeting State Representative Mike Aylesworth requested use of the Town Hall for a community meeting. A date of October 1st has been confirmed for the community input meeting, from 5-6:30PM.

WRITTEN COMMUNICATIONS

1. Christopher B. Burke Engineering Report – Town Administrator Murr stated that we are still awaiting the Right of Way from INDOT for the Safe Routes to School Project. She stated part of our agreement with the Lake County Soil and Water Conservation District is that they do community outreach. They held a program over the summer for middle school students at the Cedar Lake Boys & Girls Club, to help make them aware of storm water and water cycles. President Niemeyer asked if any progress has been made on soliciting a vendor to be on-call for storm water projects. Town Administrator Murr commented that a list is still being developed.

PUBLIC COMMENT

Denny Wilkening, 9421 W 135th Place, stated he likes watching construction being done around Town and that now we have nice streets. He voiced concerns about overloaded trucks and the traffic they make on local streets. He's concerned that they are tearing up the streets. He also discussed the work on West 133rd Avenue and he doesn't think it's being watched close enough. He's concerned about the uneven sidewalks. President Niemeyer stated he noticed part of the curb by the bike shop is crumpled. He asked Mr. Kubiak to take a look at it. Mr. Wilkening also voiced concerns of people tearing up the retention pond by Parrish and 137th with dirt bikes and four-wheelers. He's concerned about the Town's equipment bouncing over the ruts left behind. He stated he would like to see some signage put up. President Niemeyer asked Mr. Cornett and Mr. Kubiak about placing signs in the area.

ADJOURNMENT President Niemeyer called the meeting to adjournment at 7:41 PM.

An Executive Session was advertised and conducted at 6:00 PM and following the meeting, 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

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.