

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

September 16, 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			

PRESENTATION

Officers Keith Wood, Tom Kidd and Phil Lewis were presented plaques by the Fire Department in appreciation for their heroic efforts during a recent house fire.

PUBLIC COMMENT – None

PUBLIC HEARING

1. Ordinance No. 1207 – Vacating a Public Way – 9000 West 130th Court

Attorney Austgen stated that all legal notice was in order, and notice was given to adjacent property owners. This is a footpath requested to be vacated .06 acres through a property owned by the applicants. This has been filed since April, and due to the change in administration it has not come to the forum until now. Vice President Casassa read by title only. There were no remonstrators. Attorney Austgen added that this walkway is a parcel dedicated on the plat that separates two building lots and owners are seeking to combine lots to reduce taxation and drainage fees. Motion to approve Ordinance No. 1207.

Motion: Greg Parker		Second: Greg Wornhoff			Roll Call Vote: 6 to 1	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	YES	YES	YES	YES

2. Resolution No. 1123 – Reduce Current 2014 Balances

Attorney Austgen reviewed publisher affidavits from the Clerk-Treasurer. Notice was posted in the Cedar Lake-Lowell Star and Crown Point Star on August 28, 2014. Clerk-Treasurer Amy Gross stated that the reductions were due to the Rainy Day Fund proposal to support employee bonuses for 2015, and the Lake County Solid Waste and Park Non-Reverting budgets have decreases to their revenue stream. Clerk-Treasurer read by title only. There were no remonstrators. Motion to approve Resolution No. 1123.

<u>FUND #</u>	<u>FUND NAME</u>	<u>REDUCTION</u>
FUND #0061	RAINY DAY	\$16,467
TOTAL REDUCTION TO DLGF APPROVED FUNDS		\$16,467
FUND #104	LAKE COUNTY SOLID WASTE	\$10,797
FUND #403	PARK NON-REVERTING OPERATING	\$10,658
TOTAL REDUCTION TO LOCAL FUNDS		\$21,455
TOTAL REDUCTION TO ALL FUNDS		\$37,922

Motion: Robert Carnahan		Second: Ralph Miller			Roll Call Vote: 7 to 0	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

PRESENTATION: Steve Doniger of GenMove USA

Mr. Doniger spoke regarding the recreational program successes and what is being planned for 2015 for the private-public partnership. Mr. Doniger stated that operations are being expanded in Indiana as well as other areas. They are looking at Cedar Lake to be a hub for their enterprise. Mr. Foreman appreciated the effort made by the GenMove to open the pathway for staff to see this opportunity as a future career in the recreational industry, and not just a part time job. Mr. Carnahan expressed his concern that the company is based in South Carolina. Indiana Association of Cities and Towns (IACT) does speak well of GenMove USA. Mr. Doniger commented that less than \$30,000 goes towards administrative costs. The rest is being invested back into Cedar Lake. Attorney Austgen disputed the concern by stating that there are businesses in town whose headquarters are based elsewhere. They employ local people and use local resources, but profits do go out of state (i.e. Walgreens, CVS, McDonald's, Burger King, Dodge dealership). Mr. Carnahan commented that they are private businesses; this is taxpayer

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money. President Niemeyer brought to their attention the renaming of the Monastery Clubhouse, and that GenMove is working on this item. The proposed contract for 2015 is not to exceed \$125,500. This is a reduction in \$7,000 in cost and an addition of three months of service from January to December. President Niemeyer commented that the children involved in soccer are encouraged to excel and the leadership is a benefit for both children and parents. The reduction in the contract amount, and efforts to expand activities, should not go unnoticed as stewards in the interest of public finance. Clerk-Treasurer Gross stated that the budget for 2015 has been set in place to include the contract renewal. President Niemeyer requested that Attorney Austgen review the contract and make revisions as deemed appropriate.

CONSENT AGENDA

Minutes: September 2, 2014 Public Meeting

Claims: All Town Funds: \$206,390.45 Wastewater: \$115,570.58
Waterworks: \$28,875.47 Storm Water: \$772.08
Payroll #108: \$191,790.66 Sewer Sinking: \$94,516.25

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

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. Special Use Variance – Lake Toy Rentals

The BZA sent a favorable recommendation to the Town Council for the requested Special Use Variance to allow the petitioner to operate Lake Toy Rentals that will rent kayaks, paddle boards, fishing poles, and sell beverages, snacks, bait and fishing gear inside the marina, and to include findings of fact. Motion to approve.

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

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

ORDINANCES & RESOLUTIONS

1. Resolution No. 1124 – Authorizing Transfer of Money – Redevelopment District General Fund

Clerk-Treasurer Gross read by title and explained that the transfers were to allow for the beginning of signage for the rebranding, and to pay an invoice.

REDEVELOPMENT DISTRICT GENERAL #404:

\$ 5,000.00 From: 331 – Printing Services To: 445 – Equipment
\$ 2,000.00 From: 111 – Town Manager To: 313 – Professional Services

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

NEW BUSINESS

1. Rebuilding Together South Lake County – Permit Waiver Fee Request

Request made by Building Commissioner Tim Kubiak to waive two additional permit application fees for an upcoming Cedar Lake project. Permit #14-342 for \$75 and permit #14-335 for \$105 for total of \$180. Motion to approve waiver.

Motion: Robert Carnahan Second: Ralph Miller Roll Call Vote: 7 to 0

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

Tim Brown spoke on behalf of Rebuilding Together and explained the organization and the project. Cedar Lake is one of four communities served by the group so they will return in four years for another project.

2. Lake County Board of Elections - Election Day Request

Request to use Town Hall for housing mechanics on Tuesday, November 4, 2014 from 5am to 6pm. Motion to approve.

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

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

Reschedule first meeting of November to Thursday, November 6, 2014 due to Election Day. Motion to approve.

Motion: John Foreman Second: Patsy Casassa Roll Call Vote 6 to 1

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

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TOWN COUNCIL & STAFF REPORTS

Mr. Carnahan will be working on Parade of Lights for November 22. He has the first two prizes accounted for by NWI Times and NIPSCO. There were 40 entries last year. He attended the recent IACT conference and participated in workshops relating to parks, annexation, TIF districts, and utility disputes. Copies were distributed via email to council members among others. Ralph Miller attended as well.

President Niemeyer commented on a program called "Communities of Distinction". They are requesting the Town to participate in a 5-minute spot hosted by Terry Bradshaw. The cost is \$19,800, which he feels is an ad more than a TV spot. It would air regionally on Discovery Channel and some others; not nationally. He requested Council's direction on this item so he could inform the programmer. Motion to deny this item by John Foreman and second by Patsy Casassa

Motion: John Foreman		Second: Patsy Casassa			Roll Call Vote: 7 to 0	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Mr. Foreman had concerns about a recent recommendation by the Police Commission regarding the police officer benefit proposal for budget year 2015. He requested that they reconsider an item for payout. Mr. Carnahan agreed that they should have time off to spend with their families. Chief Smith explained that the first item was for PTO buyout \$5,000 for comp time, personal days and vacation time. The second item listed would be for officers to sell back vacation time \$33,000. If budget reductions are needed this would be one of the first items to go. President Niemeyer thought it would be prudent for the Commission to reconvene regarding this matter. Mr. Wornhoff said they already went through this process, but a letter showed up late. Chief Smith said it was in the original proposal, but only the number of officers had changed with the second letter. Mr. Miller believed that the question was answered by the Chief that it was an option and doesn't need to go back to the Commission. Motion on floor by Mr. Foreman to have this item go back to Police Commission for review.

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

Attorney Austgen – Dolores Pittman property matter is close to being resolved.

Clerk-Treasurer Gross – first meeting of October will be the 2015 budget hearing, and second meeting will be the adoption.

Fire Chief Wilkening – reported on Saturday's boot drive for the Hoosier Burn Camp. Fire Prevention Week will host an open house with a pancake breakfast on October 12 starting at 7am. He requested to sell the old ambulance and use the funds to purchase equipment for the new ambulance. Patsy Casassa moved to allow for this through the appropriate channels with second by Greg Wornhoff. They concurred based on recommendation by Clerk-Treasurer that the funds be placed in EMS Non-Reverting Fund.

Motion: Patsy Casassa		Second: Greg Wornhoff			Roll Call Vote: 7 to 0	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Grant training program to start. Nick Mager wrote a grant and part of it was for bunker gear with the assistance of Hanover Township Trustee Mitch Lopez; \$25,000 for 16 sets of gear received. The other half of gear should arrive soon.

Building Commissioner Kubiak – he noted an agenda item for October to increase pay for Building Coordinator. A salary ordinance amendment is needed, and the Clerk-Treasurer has it for the agenda. It was mentioned to demolish the old Wahlberg building purchased by the Town, and it would be in house work. Robert Carnahan moved to Public Works to have them demolish it.

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

Mr. Wornhoff commented on the traffic condition on the west side near the school and proceeding to the railroad tracks. Also, Goodfella's is playing music that is loud on the weekends. Chief Smith was requested to address both matters.

WRITTEN COMMUNICATIONS

Letter from Greg Schilling, Chairman of St. John Oktoberfest. Request to use 15 picnic tables for their event. They will pick up October 1 and return clean on October 7.

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Motion: Robert Carnahan		Second: Greg Wornhoff			Roll Call Vote: 7 to 0	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

GenMove Monthly Report – September 2014.

Christopher B. Burke Engineering Report – provided to Town Council for review. Mark Kaiser spoke briefly about the two projects being performed. Comcast to continue work on the west side, and contaminated soil is being cleared away on the east side. Attorney Austgen added that the extent of the remediation condition was more than anticipated and an added cost of about \$40,000.

PUBLIC COMMENT

Mark Gross, 6307 West 136th Place – commented on the Pittman property matter. Although he sympathizes with the situation at hand, he does not feel that government should be spending public money to be a landlord.

Next meeting October 7, 2014 at 7:00 PM.

ADJOURNMENT: Approximately 8:45 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

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.