

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

October 7, 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	
Absent	Ralph Miller Council Member	Ward 4	Present	David Austgen Town Attorney	
Present	Greg Parker Council Member	Ward 7			

PUBLIC COMMENT

Charles Becker, 6100 West 136th Place questioned the construction on the east side, and the delays. Discussion ensued between Mr. Becker and Councilmen Carnahan, Niemeyer and Wornhoff.

Lynn Seth, 141st Court (Noble Oaks Subdivision) complained about flooding, potholes and a tree branch that may cause a safety issue. Building Commissioner Kubiak was directed to review the area.

PUBLIC HEARING

1. Ordinance No. 1208 – 2015 Budget

Attorney Austgen reviewed legal publications. The budget was advertised in the Cedar Lake-Lowell Star and Crown Point Star on September 11 and 18. Opening remarks consisted of Clerk-Treasurer Gross announcing the budget amounts, levies and rates where applicable. The total budget for all State-approved funds is \$6,762,671 with a levy of \$4,895,143 and a rate of \$1.5957. The total budget for locally-approved funds is \$647,627 for a grand total budget of \$7,410,298.

Prescribed by the Department of Local Government Finance
Approved by the State Board of Accounts

Budget Form No. 4 (Rev. 2013)

ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATE

Ordinance Number: 1208

Be it ordained/resolved by the Cedar Lake Town Council that for the expenses of CEDAR LAKE CIVIL TOWN for the year ending December 31, 2015 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of CEDAR LAKE CIVIL TOWN, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the Cedar Lake Town Council.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Cedar Lake Town Council	Town Council	10/21/2014

DLGF-Reviewed Funds

Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0061	RAINY DAY	\$16,650	\$0	0.0000
0101	GENERAL	\$4,274,892	\$3,480,095	1.1344
0286	LEASE RENTAL PAYMENT EXEMPT FROM CIRCUIT BREAKERS	\$56,000	\$25,094	0.0082
0342	POLICE PENSION	\$153,000	\$0	0.0000
0706	LOCAL ROAD & STREET	\$177,912	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$481,405	\$0	0.0000
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$37,996	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$451,571	\$394,156	0.1285
2430	REDEVELOPMENT - GENERAL	\$103,745	\$60,343	0.0197
2482	REDEVELOPMENT BOND	\$660,000	\$633,628	0.2065
2487	REDEVELOPMENT BOND EXEMPT FROM CIRCUIT BREAKERS	\$349,500	\$301,827	0.0984

Home-Ruled Funds (Not Reviewed by DLGF)

Fund Code	Fund Name	Adopted Budget
9500	Lake County Solid Waste	\$71,325
9501	Casino Gaming	\$272,000
9502	Park Non-Reverting Operating	\$0
9503	Law Enforcement Continuing Education	\$19,212
9504	CEDIT	\$15,000
9505	Tourism Innkeeper's Tax	\$4,725
9506	LOIT Public Safety	\$254,615
9507	Clubhouse Non-Reverting	\$10,750

Clerk-Treasurer Gross explained that the budget must be advertised higher than usual due to the circumstances regarding the net assessed valuation. This amount is not known when budgeting, so advertising higher protects taxing units from being approved for a budget that is lower than needed. There were no remonstrators. Mr. Carnahan questioned the street light line item, which is projected

President Niemeyer commented that the Police Department will be better staffed with 20 officers, and the Fire Department merger will allow for 10 full-time personnel. Public

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

Safety is concentrated upon as well as infrastructure. Mr. Carnahan stated that citizens are requesting street lights and we don't have money for them. Clerk-Treasurer Gross informed him that this should be brought to the public forum so it can be addressed by the Council. The second reading and adoption will take place at the October 21 meeting.

Motion to approve first reading of Ordinance No.1208.

Motion: John Foreman		Second: Patsy Casassa			Roll Call Vote: 5 to 1	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	Absent	YES	YES	YES

Clerk-Treasurer Gross announced that this is the last year the Town will be required to advertise the budget in the newspapers. She invited the public to contact her for any information that is online through the Indiana Gateway program that publishes this and other information.

CONSENT AGENDA

Minutes: September 16, 2014 Public Meeting

Claims:	All Town Funds:	\$285,099.41	Wastewater:	\$129,788.57
	Waterworks:	\$31,239.62	Storm Water:	\$13,813.78
	Payroll #109,110:	\$148,574.97		

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: 6 to 0	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	Absent	YES	YES	YES

ORDINANCES & RESOLUTIONS

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

Vice President Casassa read by title only. This is the second reading. Motion to approve Ordinance No. 1207.

Motion: Greg Parker		Second: John Foreman			Roll Call Vote: 5 to 1	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
NO	YES	YES	ABSENT	YES	YES	YES

2. Resolution No. 1125 – Joint PSAP

Vice President Casassa read by title only. This appoints the Police and Fire Chiefs to the board for the PSAP Hire director ongoing process and reached a point budgetary where we can fund capital and operations from this second site. Attorney Austgen stated that Chief Wilkening and Chief Smith would be appointed to this board.

Motion to approve Resolution No. 1125 appointing Police and Fire Chief to Board.

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

President Niemeyer stated he received a letter from Commissioner Roosevelt Allen. This process has been ongoing for years but Mr. Allen only provided a deadline of a week from today to respond. This is not enough time to discover what is being offered to the three communities, Cedar Lake, St. John and Schererville. Efforts to communicate and discuss this matter have been previously turned down. The project for Lake County is \$1.6M range and at a shortfall. Mr. Parker stated that income tax would be increased due to this cost. Capital expenditures are projected at \$20M, and capital about \$2M, soon to reach their bonding capacity. The Lake County agreement proposes a dark site at \$3 to \$5M that would not be operational and currently not in budget. The three-town back up site is \$1M. A consolidated system could be up and running by January 1, 2015. Mr. Foreman commented on what could happen if there is no backup plan, and the Town's plan with St. John and Schererville would be advantageous to Lake County and the State of Indiana. President Niemeyer added that we are taking control over our destinies fighting to maintain our ground, and stand firmly; local governing bodies can do it better rather than being dictated by State or County government.

3. Ordinance No. 1209 – Salary Amendment for Building Coordinator

Vice President Casassa read by title only. Per request of the Building Commissioner, this amendment would increase the hourly rate of the Building Coordinator from a maximum of \$14.48 to \$16.79; biweekly \$1,343.20 maximum. This distribution would be between General Fund and Utilities. This position has been vital since there has been turnover in recent years. The one consistency has been the work of the Building Coordinator holding it together in the Department.

Motion to approve first reading Ordinance No. 1209.

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

Motion: Robert Carnahan Second: Greg Parker Roll Call Vote: 6 to 0

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

Request by President Niemeyer for suspension of the rules to allow for a second reading since roll call vote was unanimous. Motion to suspend rules for second reading of Ordinance No. 1209.

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

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

Vice President Casassa read by title only. Motion to approve Ordinance No. 1209 second reading.

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

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

4. Ordinance No. 1210 – Job Description Amendment for EMS Billing Clerk

Vice President Casassa read by title only. Attorney Austgen explained that the amendment would move the position of the EMS Billing Clerk from the Town Hall, under the Clerk-Treasurer or Town Manager’s jurisdiction, to the Fire Department under that of the Fire Chief.

Motion to approve first reading Ordinance No. 1210.

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

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

Request by President Niemeyer for suspension of the rules to allow for a second reading since roll call vote was unanimous. Motion to suspend rules for second reading of Ordinance No. 1210.

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

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

Vice President Casassa read by title only. Motion to approve Ordinance No. 1210 second reading.

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

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

NEW BUSINESS

1. GenMove Contract 2015

Attorney Austgen stated that the proposal could be acted upon this evening with a direction to draft the contract for 2015. President Niemeyer commented that the amount is for \$125,500. He reviewed the history of the Park and Recreation cost. 2004 to 2013 average was \$134,413.15, 2009 to 2013 was \$142,922.2. This includes maintenance of grounds but subtracts the workers being an employee of Public Works. GenMove is a unique set up and will be offering more opportunities as demographics grow. Cedar Lake is a focal point for their activity. Mr. Wornhoff included that the contract includes all 12 months for 2015 at a savings of \$7,000 from previous. **Motion to accept proposal and draft contract.**

Motion: Greg Parker Second: Greg Wornhoff Roll Call Vote: 5 to 1

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

2. Municipal Water Rate Sufficiency Analysis Proposal – London Witte Group (LWG)

This proposal is to analyze the rate of collections and current expenses to determine the funding that can be obligated towards future improvements. It will also confirm the coverage rate for debt service. This will assist in decision making going forward. Cost is not to exceed \$12,000. **Motion to accept proposal.**

Motion: Robert Carnahan Second: Greg Wornhoff Roll Call Vote: 6 to 0

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

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

3. Fire Department Emergency Hire

The need arises for the Department to add a new Firefighter/EMT sooner than anticipated due to the temporary absence of an existing employee who was injured while on duty. The new Officer will be paid from the unpaid wages for the remaining year, and beginning 2015, he then be paid from the Local Option Income Tax (LOIT) Fund. The new hire, Matthew Sella, would be a lateral move as he is currently working part time with the Department He is an EMT and will become a Certified Paramedic in January.

Motion: Robert Carnahan Second: Patsy Casassa Roll Call Vote 6 to 0

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

4. Red Cedars Museum Lease

A real estate lease was agreed upon between the Town of Cedar Lake and the Cedar Lake Historical Association for a term of 50 years. The term ends March 2029. The Historical Association is requesting an extension of another 50 years due to grant applications. A recorded copy was not to be found in the files. Mr. Jim Laud explained the matter so they could have the museum assessed, but having only 15 more years on the lease poses a question for long-term. Robert Carnahan approved an extension, and Patsy Casassa made the second. Mr. Carnahan added to have Attorney Austgen draft a lease and Casassa concurred. Attorney Austgen requested that the Association should provide documentation that validates an extension to justify 50 more years. When the lease is recorded, it will impact future decision making when the current regime no longer exists. Greg Parker said a motion to defer would be good, and Mr. Wornhoff wanted more information. A motion was on the table. Mr. Carnahan maintained his motion. Casassa asked if Mr. Laud could provide documentation. Tim Brown said they have two draft reports describing the concern about the lease. **Motion to table by Greg Parker and second by Greg Wornhoff.** Mr. Carnahan said that next time there needs to be a motion to remove from table before it can be discussed.

Motion: Greg Parker Second: Greg Wornhoff Roll Call Vote 5 to 1

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

5. VIPS Generator

NIPSCO funded a trailer for the Volunteers in Policing Services (VIPS), and half the cost of decals. Crown Point Community Foundation funded one shelter cart, and the Hanover Township Trustee funded another shelter cart. Each cart contains 25 cots and bedding supplies with personal hygiene kits. The Town of Cedar Lake has not been asked to assist in the funding until now, but will receive most of the benefits in case of a disaster situation where the cots would come into use. Cedar Lake is the only community in Lake County that will have such a trailer at their disposal and will not have to share with neighboring communities. The goal of this trailer is to make Cedar Lake better prepared for natural disasters and place the Town at the forefront of public safety. The cost of the proposed equipment is \$1,750.71. The funds could come from Cumulative Capital Development Fund. **Motion to approve purchase.**

Motion: Robert Carnahan Second: Greg Wornhoff Roll Call Vote 6 to 0

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

6. Hanover Building Trades Permit Fee Waiver Request

Request is for waiver of \$105.00 permit #14-384. This is to allow for a deck approved for a developmental variance last fall. **Motion to approve waiver.**

Motion: Robert Carnahan Second: Greg Wornhoff Roll Call Vote 6 to 0

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

TOWN COUNCIL & STAFF REPORTS

Mr. Niemeyer commented on the Wicker Meadows flooding issue. Some direction was given to digging of a trench. Engineer Mark Kaiser reported that locates were complete and Public Works started digging. A plan is being proposed. Lake County has provided no progress at this time. Attorney Austgen has been in contact with the County Surveyor and administrator to meet and review the watershed. The Storm Board President should be included in discussion. Tim Kubiak would coordinate. **Motion to include Chair Norm Stick from Storm Board in project discussion.**

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

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

Mr. Carnahan stated that the Parade of Lights will be called the Jean Eberle Parade of Lights. There will be a Jean Eberle traveling trophy at the Chamber office, and this year's parade is dedicated to Jean Eberle. Businesses are pledging sponsorship for the awards Times Media

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

\$300, NIPSCO \$200, My-Home Health Care third place, Walgreens fourth place, and still needed is fifth place sponsor. Mr. Carnahan dropped off proclamation to the Fire Chief for Fire Prevention Week. He declared Oct. 5 to 11 Fire Prevention Week and for fire alarm safety and smoke detectors. **Motion to approve proclamation by Mr. Carnahan with second by Patsy Casassa.**

Motion: John Foreman		Second: Robert Carnahan			Roll Call Vote: 6 to 0	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	Absent	YES	YES	YES

Fire Chief Wilkening – Pancake Breakfast and Open House on October 12. Visiting schools next week for Fire Prevention Week.

Mr. Carnahan commented on a letter dated August 28, 2014. Cedar Lake Summerfest Committee is requesting VIPS building and garage access for 2015 from June 25 to July 8 with access to grounds and extension of Summerfest date. Items needed: look at provisions for next year, inquire with VIPS about their use of building. Wahlberg building was not utilized for training due to various circumstances, and Town can proceed with demolition. The park name will be Bartlett-Wahlberg Park and it is a part of the master plan to eliminate as many buildings as possible.

Mr. Wornhoff reminded elected officials of Town Ordinance and State regulations about campaign signs. The right of way is illegal for placement. The signs need to be on private property. The law is for everyone, no exceptions. A percentage of the signs in right of way are from Robert Carnahan and Mary Joan Dickson. He wants Public Works to pick up signs and put them in dumpster. The candidates can fish them out of the dumpster just like the State Highway Department does. It's a matter of enforcement. Chief Smith was directed by President Niemeyer to notify those whose signs are in the right of way.

Clerk-Treasurer Gross – Public Works will receive reimbursement for FEMA funds in the amount of \$10,270.85, which is 75% of cost.

Police Chief Smith – clarification of the budget proposal for pay out of paid time off and holiday pay. This is voluntary and a line item was included just for holiday pay, but the budget amount was not affected. It went to the Police Commission as requested. The 2015 COPS grant was denied, but they will try again. Crime stat numbers have been reduced, and the Town continues to increase the police force regardless of a grant. New Police Officer is Christopher Matson. They are waiting for PERF Board approval. **Motion made by Parker with second by Casassa to start Officer Matson who will be sworn in at next meeting.**

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

WRITTEN COMMUNICATIONS

Cedar Lake Summerfest Letter – discussed previously.

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

PUBLIC COMMENT

Tim Brown spoke on behalf of Rebuilding Together and the work that was done in Cedar Lake. He thanked the Council for waiving fees and the assistance received.

Jerry Reiling provided the Council with the Summerfest financial report.

Next meeting October 21, 2014 at 7:00 PM.

ADJOURNMENT: Approximately 8:40 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.

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

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.