

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



October 20, 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
Present	John Foreman Council Member	Ward 2	Present	Randell Niemeyer Council Member	Ward 5
Present	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	

POLICE OFFICER RECOGNITION

Chief of Police Jerry Smith recognized Officer Allen Sulski for his professionalism and dedication to service on the evening of October 15, when an armed robbery occurred at the Verizon Wireless Store in St. John. His actions led to the capture of the first subject.

PUBLIC COMMENT

Melissa Veloz, asked permission to serve alcohol while renting out the Clubhouse. President Niemeyer discussed the Town not having a specific policy in place but added there is a certain amount of liability involved.

CONSENT AGENDA

Minutes: October 6, 2015 Public Meeting Minutes.

Docket: October 20, 2015 – All Town Funds \$364,986.61, Wastewater \$726,670.00, Water \$39,133.47, Storm Water \$1,071.21, Payroll #151 - \$213,205.89.

Cedar Lake Cub Scout Pack 129: Monastery Clubhouse Fee Waiver

Julie Rivera moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Patsy Casassa. Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

RESOLUTIONS & ORDINANCES

1. Resolution No. 1151 – Summerfest 2016 (Strategic Plan: A Secure Future, An Effective Organization, An Engaged Community)

Town Administrator Murr discussed updates to the 2016 Summerfest resolution, regarding items such as fireworks and ambulances on site. President Niemeyer asked Mr. Gordon Dickson about putting together a maintenance agreement in regards to the soccer fields used for parking during Summerfest. They discussed a meeting time. Council Member Carnahan suggested deferring the item.

Motion to defer, made by Robert Carnahan with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

2. Ordinance No. 1223 – Police Retirement Benefit Ordinance (Strategic Plan: A Secure Future, An Effective Organization)

This is the second reading. Council Member Casassa read by title and Town Attorney Austgen summarized. He stated it adjusts the pension benefits for retired officers. The first class patrolman special rate for pension benefits only. President Niemeyer asked what percentage of the first class patrolman salary, do pensioners receive. Chief Smith answered that first class patrolman receives 50% at 20 years and max out at 74% at 32 years.

Motion to approve Ordinance No. 1223, made by Robert Carnahan with second by Greg Parker. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

Council Member Carnahan asked when it would take effective. Clerk-Treasurer Gross stated it needed to be certified with the Indiana Public Retirement Fund and then shortly thereafter.

3. Ordinance No. 1224 – 2016 Budget (Strategic Plan: A Secure Future, An Effective Organization)

This is the second reading. Clerk-Treasurer Gross read Ordinance No. 1224 – 2016 Budget by title only. President Niemeyer asked for an adoptive motion.

Motion to approve Ordinance No. 1224, made by Greg Parker with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

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NEW BUSINESS

1. Utility/Maintenance Vehicle (Strategic Plan: A Secure Future, An Effective Organization, An Engaged Community)

Town Administrator Murr discussed a memo regarding a utility/maintenance vehicle. Research, pricing, and usage information was obtained for the vehicle. It is staff's recommendation to purchase a Kubota Four Wheel Drive Diesel Utility Vehicle – RV X-1100 with cab, lighting, and V-Plow in an amount of \$21,588.23 from Don Bales, INC.

Motion to approve the purchase of the utility/maintenance vehicle for \$21,588.23 made by Robert Carnahan with second by Patsy Casassa. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

2. Wastewater Utility Crane Truck (Strategic Plan: A Secure Future, An Effective Organization)

Building Commissioner Kubiak spoke regarding the need for a crane truck by the wastewater utility department. The crane truck is needed for repairs and maintenance on the Town's wastewater lift stations. Currently the Town pays about \$100 an hour for crane truck rental. It is staff's recommendation to purchase a used crane truck from Trucksmart, Inc. in an amount not to exceed \$50,000.

Motion to authorize the purchase of a used 2007 Chevrolet C5500 Mechanics Crane Truck in an amount of \$50,000 from Trucksmart, Inc., made by Ralph Miller with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

3. Ice Rink Agreement (Strategic Plan: An Effective Organization)

Town Administrator Murr stated Cedar Lake Ministries would like to lease the ice rink again this year. At this time the agreement is still being discussed. She stated she is looking for approval for her and the Town Attorney to update the former lease agreement with current insurance requirements and update the dates to go from November 2015 to March of 2016.

Motion to approve recommendation by the Town Administrator made by Greg Parker with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

4. East Side Community Council – “Talk to the Hand” Program (Strategic Plan: An Engaged Community, An Effective Organization)

President Niemeyer discussed written communication from East Side Community Council in regards to a \$500 donation to their “Talk to the Hand” program to provide scholarships to low-income youth for learning American Sign Language. He spoke about this being an opportunity to connect first responders and local youth. He asked if there was any money left in training budgets that would be appropriate. Clerk-Treasurer Gross stated Town Promotion would be available. Council Member Rivera questioned whether the money would be going towards officer training or low-income youth. A brief discussion continued on the appropriation that will be used.

Motion to approve a \$500 donation made by Greg Parker with second by Patsy Casassa. Council Member Miller questioned whether this would be setting precedence on donations to organizations. Chief Smith stated that when he was approached about the program that he explained training money could not be spent on the scholarships for youth but if they found funding for the scholarships then the training budget could be used for the officers to participate. Discussion continued amongst Council regarding setting precedence. Roll call vote: Carnahan – No, Foreman – Yes, Rivera – Yes, Miller – No, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 2.

5. Acceptance & Acknowledgment – CL Venture I, LLC Parcels 1-6 & 8 (Strategic Plan: A Secure Future, An Effective Organization)

Town Attorney Austgen stated that the bulk of parcel acquisition for Lincoln Plaza is complete. It requires acceptance because of an easement conveyance of the subject parcel. The remaining parcel will be acquired after a disclosure statement is obtained for recordation. He stated the Town is now in control of Lincoln Plaza, commonly known as Broadway, for purposes of maintenance and use. A brief discussion continued between the Council on the long awaited project and future plans.

Motion to approve made by Greg Parker with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

TOWN COUNCIL REPORTS

1. Town Council – Council Member Carnahan mentioned an upcoming Trunk or Treat at the United Methodist Church on October 25th. The Jean Eberle Parade of Lights will be on November 21st, he asked for adult volunteers to assist in lining up the vehicles. Council Member Miller praised the quick response and professionalism of the new dispatch service after he returned home recently and found his property damaged. Council Member Parker wished President Niemeyer a happy birthday. President Niemeyer stated he met recently with Commissioner Allen to discuss E-911. They discussed differences and the need for a partnership. They set mutual goals for the future. The Schererville/Cedar Lake group had a conference call that was very productive. They are

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working on putting together a meeting with Lake County which will start the process of understanding and working with one another. He mentioned a few items that need agenda consideration. He asked for a motion to amend the agenda.

Motion to amend the agenda made by Greg Parker with second by Patsy Casassa. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

Town Attorney Austgen discussed two agreements with Hanover Central High School regarding final resolution of the road project. The first agreement pertains to a right of entry for purposes of improvements and inspection. There is a contribution amount of about \$24,000 from the Town to the School. The second agreement is in regards to two drive aprons. There is a cost consideration of \$3,000. Town Administrator Murr added that as part of the solution for the drainage issues on 133rd Avenue, one of the solutions is tied into the school's expansion of their practice fields. One thing they did was locate their storm retention ponds that they'll need for their expansion project. The item needed to complete the road project is a right of entry, that way the Town can go onto the property to properly swale the land to get the water to the drainage basins. As part of the solution to 133rd one of the costs was a wall at \$24,000. Instead of putting the money towards something that is not needed, it would be put towards the school's storm retention pond. An additional consideration would be to waive the permit fees for the school in regards to the retention pond.

Motion to enter into both agreements with Hanover Central High School, with the contingencies discussed and with the inclusion of the waiver of permit fees made by John Foreman with second by Greg Parker. Town Administrator Murr asked to also authorize the Council President's signature and Clerk-Treasurer's Attestation. Council Member Foreman amended his motion and Council Member Parker concurred. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

President Niemeyer added Resolution No. 1152, which approves a transfer of certain parcel of real estate. Town Attorney Austgen discussed an encroachment of the property at 11009 W 133rd Avenue on to Schneider Street. The encroachment would not permit a commercial transaction to occur.

Motion to approve Resolution No. 1152 made by Greg Parker with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

2. Town Attorney – No Report.
3. Clerk-Treasurer – No Report.
4. Town Administrator/Staff – Town Administrator Murr updated that the surface coat of asphalt has been done on Parrish Avenue. It's been about four months from design, to bid, and to build. It's possible it could open up as early as next week. She is working with the family of Sue Landske for a dedication ceremony for Senator Sue Landske Memorial Park, with a tentative date of November 14th. Staking will take place this week for 133rd Avenue and line relocations will soon begin. Chief Smith added that Reserve Officer's Miller and Olsen have begun training. Full-Time Officer Corbin is progressing through the FTO program. This Saturday, October 24th, at 8am there will be a department uniform and vehicle inspection. They will line up in the east lot by the Lighthouse. He reminded everyone that there will be an extra hour added to Trick or Treating on Halloween from 4-7PM. Council Member Foreman asked a question about a resident's concerns with their well. Building Commissioner Kubiak gave an update on the road project. He discussed they were under budget with the roads on the list, so they are finishing up with Meyer Manor, 132nd and Polk Street. They are paving those and 142nd as well. President Niemeyer asked about Stormwater projects. Mr. Kubiak answered that a few have already been completed. Council Member Parker asked if the August Oaks Culvert would get done before bad weather. Mr. Kubiak stated it would begin tomorrow. Council Member Carnahan asked about 127th and culverts in the area. Mr. Kubiak answered that they are working on a preliminary plan. Chief Wilkening added that the hydrants are active on 133rd Avenue to US 41.

WRITTEN COMMUNICATIONS

1. Christopher B. Burke Engineering Report – Town Administrator Murr stated she, Council Member Foreman, and Kay Whitlock from Christopher B. Burke Engineering will be presenting the Ecosystem Restoration Project at the Army Corps of Engineers Headquarters in Washington D.C. on October 22.

PUBLIC COMMENT – Jerry Reiling, 7201 W 140th Place, asked a question regarding paving and culvert replacement on 140th. Discussion continued between him and Mr. Kubiak regarding the plans.

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:03 PM.

An Executive Session was advertised and conducted at 6:00 PM and after 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.