

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



November 15, 2016

**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	Greg Parker Council Member	Ward 6
Absent	John Foreman Council Member	Ward 2	Present	Richard Sharpe Council Member	Ward 7
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	
Absent	Randell Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

PUBLIC HEARING

Public Way Vacation

- Attorney Review of Legals – Proofs of publication were posted November 1st in the Post-Tribune and November 2nd in The Times. Mr. Austgen recommended that the Council ratify the waiver of a posted sign.
- First Reading of Ordinance No. 1253 – Public Way Vacation – Clerk-Treasurer Gross read by title and Town Attorney Austgen briefly explained as the vacation of parcels platted as public ways.
- Remonstrators – None present. No objections were filed.
- Town Council Discussion - None
- Town Council Decision

A motion to approve the first reading of Ordinance No. 1253 was made by Ralph Miller with second made by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

A motion to suspend the rules and allow for a second reading was made by Julie Rivera with second made by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

A motion to adopt Ordinance No. 1253 – Public Way Vacation was made by Richard Sharpe with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

OATH OF OFFICE – Reserve Officers – Brandon R. Benton & Jarrett A. Stickle

Chief Smith introduced the newest reserve officers, Brandon R. Benton and Jarrett A. Stickle. Both received the Oath of Office by Clerk-Treasurer Gross.

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: November 1, 2016 Public Meeting Minutes

Docket: November 15, 2016 – All Town Funds \$344,570.04, Wastewater \$147,840.02, Water \$39,514.50, Storm Water \$11,284.24, Payroll 11/1/16 & 11/3/16 \$259,754.84

Manual Journal Entries: October 1-31, 2016

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

ORDINANCES

1. Ordinance No. 1252 – S-28 – Code of Ordinances

Clerk-Treasurer Gross read by title only and explained. This is standard procedure for the publisher American Legal to codify the Town ordinances. The next series is for 1229 through 1252.

A motion to approve the first reading of Ordinance No. 1252 was made by Richard Sharpe with second made by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

A motion to suspend the rules and allow for a second reading was made by Ralph Miller with second made by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

Clerk-Treasurer Gross read Ordinance No. 1252 by title only.

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A motion to adopt Ordinance No. 1252 was made by Richard Sharpe with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

BZA

1. Use Variance – Cedar Lake Early Learning Academy, 13115 Wicker Avenue

The Board of Zoning Appeals sends a favorable recommendation to the Town Council for the requested Variance of Use to allow the Petitioner to operate a child care center with a designated fenced outdoor play area of 2360 sq. ft., to address safety concerns with a review by the Town's Public Safety in regards to fencing, barriers and access, and to include the findings of fact. A lengthy discussion took place regarding safety details and the next steps for the Cedar Lake Early Learning Academy.

A motion to approve the favorable recommendation of the Board of Zoning Appeals with the terms and conditions of approval recommended plus, the comments of the Fire Chief and Building Commissioner made this evening, made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

NEW BUSINESS

1. 2017 Meeting Schedule

A motion to approve the 2017 meeting schedule was made by Robert Carnahan with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

2. Lakeside Well Profiling

Neil Simstad with Nies Engineering discussed the revised proposals sent for the well profiling at the Lakeside Test Well. Revised proposals were requested and received from the two contractors. It is recommended to use Ortman Drilling & Water Services, for Option 1 (Additional) in the amount of \$21,200. Mr. Simstad cautioned that this is an opportunity to try and find better quality water but there are no guarantees.

A motion to approve the recommendation of Nies Engineering for Option 1 (Additional) from Ortman Drilling & Water Services in the amount of \$21,200, was made by Robert Carnahan with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0. Town Attorney Austgen asked about an estimated time frame for work to be completed. Mr. Simstad stated he can discuss that with the company in the morning.

3. De-commissioned Police Vehicles

Chief Smith discussed a recommendation for the transfer of ownership of a de-commissioned 2006 Ford Crown Vic, police patrol vehicle. It was recommended a trade be made to the Indiana Law Enforcement Academy. In exchange, the Town would receive training credit to be used to offset the cost of future training. The Police Commission voted 3-0 in favor of the vehicle trade.

A motion to approve the trade of the de-commissioned 2006 Ford Crown Vic to the Indiana Law Enforcement Academy in exchange for training credit was made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes. Vote: 5 to 0.

TOWN COUNCIL REPORTS

- 1. Town Council** – Council Member Carnahan reminded everyone that the Jean Eberle Parade of Lights will be this upcoming Saturday, November 19, 2016.
- 2. Town Attorney** – No Report.
- 3. Clerk-Treasurer** – No Report.
- 4. Town Administrator/Staff** – No Report.

WRITTEN COMMUNICATIONS

- Christopher B. Burke Engineering Report – A teleconference on the Ecosystem Restoration Project was held with INDOT, IDEM, & EPA.
- Lake Toy Rentals – Rebecca Davis, 8504 W 139th Avenue, discussed the presentation made at the last Town Council Meeting regarding kayak and paddle board rentals and a potential partnership with the Town. She voiced concerns over a business operating on public property. She discussed her business Lake Toy Rentals and what she brings to the community.

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PUBLIC COMMENT

Bill Kuhn, 13951 Huseman, spoke on behalf of Rebecca Davis and let the Council know all the recent work she has done with the Cedar Lake Chamber of Commerce.

ADJOURNMENT President Niemeyer called the meeting to adjournment at 7:52 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

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

Randell Niemeyer, President, Ward 5

Greg Parker, Vice President, Ward 6

Robert H. Carnahan, Ward 1

John Foreman, Ward 2

Julie Rivera, Ward 3

Ralph Miller, Ward 4

ATTEST:

Richard Sharpe, 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.