

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



December 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 |
| 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 | |

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: November 17, 2015 Public Meeting Minutes

Docket: December 1, 2015 – All Town Funds \$677,991.21, Wastewater \$104,878.43, Water \$10,463.44, Storm Water \$14,555.20, Payroll #156 & #157 - \$165,006.85

Clubhouse Waiver Request: Jane Ball Daisy Troop #30471, December 15, 2015

John Foreman moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Julie Rivera. Roll call vote: 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)

Council Member Casassa read by title. Town Attorney Austgen stated that this is in regard to changes to the document regarding ambulance availability and dates. Option B addresses the insurance requirements regarding certain aspects of the event. He recommended Option B. President Niemeyer and Chief Wilkening discussed having a rescue crew on site for the event and the associated costs.

Motion to adopt Option B with contingency for policy of rescue service fees 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.

2. Ordinance No. 1225 – 2016 Salary Ordinance (Strategic Plan: A Secure Future, An Effective Organization)

Clerk-Treasurer Gross read by title and summarized. Since the first reading, Council Affairs has met and it was discussed that full-time sworn officers of the fire department would receive a 5% increase as opposed to the 2% previously discussed. The police chief has requested that the part-time records clerk receive \$15.75 per hour as opposed to \$15.50. Everything else remains the same as the first reading.

Motion to approve and adopt Ordinance No. 1225 made by Ralph Miller 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.

3. Ordinance No. 1227 – 2015 Salary Ordinance Amendment (Strategic Plan: A Secure Future, An Effective Organization)

Clerk-Treasurer Gross read by title and summarized. This is for the recently filled Operations Director position. For bi-weekly pay of \$2,423.08 payable from General, Wastewater, Storm, and Water Utility funds.

Motion to approve Ordinance No. 1227, made by Greg Parker with second by Patsy Casassa. Town Attorney Austgen asked the effective date. Clerk-Treasurer Gross stated it was retroactive to pay period November 15, 2015. Council Members Parker and Casassa concurred. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

Motion to suspend the rules and allow for a second reading made by Robert Carnahan 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.

Clerk-Treasurer Gross read by title and summarized.

Motion to adopt Ordinance No. 1227 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.

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4. Ordinance No. 1228 – S-27 – Code of Ordinances (Strategic Plan: An Effective Organization)

Clerk-Treasurer Gross read by title and summarized. This is standard procedure for the publisher American Legal to take the ordinances and codify them in the Town Code. Ordinance numbers 1196 through 1226 are to be forwarded to the publisher. Some will not be codified based on requirements of state statute.

Motion to approve the first reading of Ordinance No. 1228, 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.

Motion to suspend the rules and allow for a second reading made by Julie Rivera 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.

Clerk-Treasurer Gross read by title and summarized.

Motion to adopt Ordinance No. 1228 made by John Foreman 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.

NEW BUSINESS

1. Acceptance & Acknowledgement – Lake Shore Drive/Cline Avenue Project – Parcel 9 (Strategic Plan: A Secure Future, An Effective Organization, An Engaged Community)

Town Administrator Murr explained that this was the next parcel for the Lake Shore Drive/Cline Avenue roundabout project. This is to accept the right of way agreement and the warranty deed so they may be recorded.

Motion to accept and acknowledge Lake Shore Drive/Cline Avenue Project Parcel 9 made by John Foreman with second by Ralph Miller. President Niemeyer asked how many more there were. Town Administrator Murr stated nine. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

2. Capital Improvement Plan 2016-2020 (Strategic Plan: A Secure Future, An Effective Organization)

Town Administrator Murr stated this is an extension of the 2014-2018 Capital Plan. This is a long term plan for large ticket items, such as capital equipment, road projects, facilities, etc. This is a requirement for use of CEDIT funds for capital purchases. If there is no plan, there are no funds given. It's intended to be a living document. It's the foundation for planning but flexible for change to meet the growing needs of the community. President Niemeyer asked about posting this on the website for the public.

Motion to approve Capital Improvement Plan 2016-2020 made by Julie Rivera 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 stated that it now needs to move forward to the Lake County Auditor and asked if it needed to go to the Department of Local Government Finance as well. It just needs to be forwarded to the Auditor.

3. Defibrillator Purchase (2 Units) (Strategic Plan: An Effective Organization)

Chief Wilkening stated they are looking to replace two aging defibrillators. He received a proposal from Zoll for \$69,727.23. Clerk-Treasurer Gross stated some possible sources of funding are the LOIT public safety fund to make a payment or the non-reverting EMS equipment fund. She stated she's looking into other sources with better interest rates for financing. She will have more information at the next meeting. Town Attorney Austgen asked about partnering with the Township Trustee for use of cumulative capital fire equipment funding. Chief Wilkening stated he would contact the Township Trustee.

Motion to approve the purchase of 2 defibrillator units for \$69,727.23 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. NIES Engineering Services Amendment – Parrish Avenue (Strategic Plan: A Secure Future, An Effective Organization)

Neil Simstad with NIES Engineering discussed a contract amendment for Parrish Avenue which is an extension of the design work to complete the construction observation in the amount of \$19,500. Town Administrator Murr added that this will continue into the spring with punch list items so costs have been calculated and reviewed. President Niemeyer asked about the funding source. Clerk-Treasurer Gross stated that funding was from three sources; the garbage fund, casino fund, and storm fund.

Motion to approve NIES Engineering Services Amendment for \$19,500 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.

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5. Parrish Avenue, Change Order #1 (Strategic Plan: A Secure Future, An Effective Organization)

Neil Simstad stated this change order is the balance of quantity installed versus bid items from the contract with the contractor. The total amount with some additions due to unsuitable soils is \$62,899.10. He stated there is a projected amount of \$55,000 coming back from the developer Centennial, for work that they should have done during their construction that was completed on their behalf by the road contractor.

Motion to approve Parrish Avenue Change Order #1 in the amount of \$62,899.10 made by Robert Carnahan with second by Ralph Miller. Council Member Foreman asked if they anticipated additional change orders. Mr. Simstad answered no. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

6. Public Works Trucks (Strategic Plan: A Secure Future, An Effective Organization)

Town Administrator Murr stated after discussion with Dustin Waters from Truck City, that due to the timing of when the request for purchase went in, they will not be able to get model year 2016 Chassis but 2017. Therefore, there will be an increase of \$750 per truck. Anticipated completion for the chassis is January 21st, 7-10 days to be delivered to Truck City, and then they will go over to Lindco to be built. We should see them the end of March/April.

Motion to approve an additional \$750 per truck made by John Foreman with second by Greg Parker. Council Member Carnahan asked about possibly going out with a new bid and saving money. Town Administrator Murr stated a new bid would cost about 6 months of time. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 7 to 0.

COMMITTEE REPORTS

None

TOWN COUNCIL REPORTS

1. Town Council – Council Member Niemeyer stated he's in receipt of a letter from the Indiana Bicentennial Commission. Indiana will be celebrating the 200th Anniversary of Statehood on December 11th, 2016. They ask that the Council reads the proclamation and raise the Indiana Bicentennial flag. He asked if the Council would consider amending the agenda to read a proclamation.

Motion to amend the agenda 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.

President Niemeyer read the proclamation.

Motion to approve the Proclamation made by Patsy Casassa 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.

Council Member Foreman voiced concerns over a garbage truck reversing down Woodland Drive and damaging the road. He asked if Mr. Kubiak would take a look at the road. Council Member Carnahan discussed an upcoming meeting of 16 Plus. He stated everyone is invited. President Niemeyer added a report on E-911. At the last meeting of the Lake County Public Safety Communications Commission, he made a motion and it was seconded by the Lake County Police Deputy Chief Dan Murchek to allow for access to the 700 megahertz system for the police and fire department for the purpose of responding to calls regarding mutual aid. The motion passed with unanimous votes from the cities and town representatives in attendance, with one abstention from County Commissioner Allen. Since then there has been communication regarding a meeting with County Officials to close some of the gaps that remain, while still making sure that our public safety professionals have the equipment they need to do their job. It now moves on to the Lake County Board of Commissioners for their consideration. He asked any of the public safety professionals that can attend and support, it would be greatly appreciated. The meeting is December 16th. He also stated a Public Safety Communications meeting will occur on the 17th. He commented it will be a very active couple of days. On the 15th there will be a State 911 Commission meeting to consider the request by Lake County to release the \$2.9 million dollars in escrow to Lake County, which we have disputed due to the correspondence from the Attorney General's Office which states there needs to be a binding agreement between the two entities.

2. Town Attorney – No Report
3. Clerk-Treasurer – Clerk-Treasurer Gross stated with the year coming to a close, there will be reductions and transfers at the next meeting.
4. Town Administrator/Staff – Town Administrator Murr stated she will be graduating from Leadership Northwest Indiana this Friday. She updated on the Christopher B. Burke Engineering Report. Regarding the ecosystem restoration project, she participated in the Chicago District's project review board. The ecosystem project was brought up multiple times during the discussion. The LPP (locally preferred plan) waiver is going from the Chicago district to the Army Corps Headquarters for review and approval. This is the next

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step in the feasibility plan. Work is ongoing on the Jane Ball Safe Routes to School project to get the final set of plans prepared for signature. It's the last step for submission to INDOT to get construction started next summer. Council Member Carnahan asked who prepares the MS4 report due in January. Town Administrator Murr answered that Christopher B. Burke Engineering does. She added that on Thursday the box culvert will be installed on 133rd Avenue. It is anticipated that the road will be closed down from 8:30am to 2:30pm.

WRITTEN COMMUNICATIONS

1. Christopher B. Burke Engineering Report – Town Administrator Murr previously gave the update.
2. GenMove Recreation Report – Town Administrator Murr gave an update on GenMove programs and participation.

PUBLIC COMMENT

None

ADJOURNMENT President Niemeyer called the meeting to adjournment at 7:53 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

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.