

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



July 19, 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
Present	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	
Present	Randell Niemeier Council Member	Ward 5	Present	David Austgen Town Attorney	

PUBLIC COMMENT

Ed & Debra O'Donoghue, 14637 Drummond A, voiced concerns regarding overgrown weeds in the empty lot adjacent to their property. A lengthy discussion occurred on corrective procedures, compliance, and the possibility of increasing fines.

CONSENT AGENDA

Minutes: July 5, 2016 Public Meeting Minutes

Docket: July 19, 2016 – All Town Funds \$765,490.37, Wastewater \$128,067.89, Water \$30,783.76, Storm Water \$116,331.13, Payroll 07/14/16 \$243,137.24

Donations: DARE – Casey's General Store \$218.00
DARE – Lighthouse Restaurant \$845.00

Ralph Miller moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Greg Parker. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1246 Zoning Amendment – Cedar Lake MHC, LLC

Council Member Parker read by title only. Town Administrator Murr explained that this is to amend the zoning from Residential R-1 to Title XI-Planned Unit Development Zoning District Classification.

Motion to adopt Ordinance No. 1246 made by Richard Sharpe with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0

2. Resolution No. 1169 – Temporary Loan for RDA 2011 A&B Bonds

Clerk-Treasurer Gross read by title only. She explained that this is to borrow \$203,064.00 from the Wastewater Treatment Plant Special Fund to be placed in the 2011 A&B Bond Fund. This is to keep up with cash flow. When the June taxes came in, they weren't enough to cover the payment.

Motion to approve Resolution No. 1169 made by Robert Carnahan with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0

3. Resolution No. 1170 Temporary Loan for RDA 2007 Bonds

Clerk-Treasurer Gross read by title only. She explained this is similar to the item before. This is to borrow \$82,426.00 from the Wastewater Treatment Plant Special Fund to be placed in the 2007 Bond Fund.

Motion to approve Resolution No. 1170 made by Robert Carnahan with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0

UTILITY BUSINESS

1. Lift Station #10

Operations Director Kubiak explained that quotes were solicited for finishing work for Lift Station #10. Town staff and engineer reviewed submitted quotes and it is recommended to approve the proposal submitted by Pro-Pump, Inc. for \$106,055.50. Clerk-Treasurer Gross stated that funds were available in the Wastewater Development Fund.

Motion to approve Lift Station #10 Proposal from Pro-Pump, Inc. for \$106,055.50 made by Greg Parker with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman –

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Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0

2. 139th Court Force Main

Operations Director Kubiak explained that this is in conjunction with Lift Station #10. The 139th Court Force Main has had multiple repairs. With new pumps, the current force main wouldn't be able to withstand very long. Quotes were solicited for 139th Court Force Main. Town staff and engineer reviewed submitted quotes and it is recommended to approve the proposal submitted by B&D Sewer for \$147,865.00.

Motion to approve 139th Court Force Main Proposal from B&D Sewer for \$147,865.00 made by Greg Parker with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0

3. Lift Station #5

Operations Director Kubiak stated it was determined that costs to upgrade and repair Lift Station #5 will require the project be put out for bid. He asked for permission to have NIES Engineering prepare and submit a proposal to prepare the design and bid specification documents.

Motion to direct NIES Engineering to submit a proposal for Lift Station #5 made by Greg Parker with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0

NEW BUSINESS

1. Town Complex and Public Works Security Camera System

Chief Smith discussed the need to replace and upgrade the camera system at the Town Complex and Public Works. Phase I for the Town Complex would be \$11,550. That includes cameras on the museum for better coverage of the lakefront. Phase II for the Public Works would be \$4,250. This includes a pan tilt zoom camera to help with coverage on the fuel pumps and the recycling center. President Niemeyer asked about the funding source. Clerk-Treasurer Gross stated that multiple funds would cover. The police non-reverting equipment fund, cumulative capital improvement fund, and the utilities would be able to put in a share. Motor vehicle highway (MVH) would also be able to cover some.

Motion to approve Town Complex and Public Works Security Camera System for a total of \$15,800 made by John Foreman with second by Robert Carnahan. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

2. Occupancy Permit Fee Waiver – Project Love Food Pantry

Town Administrator Murr explained that a request was received from the Project Love Food Pantry to waive the occupancy permit fee of \$150. They are moving into a temporary location so that they can demolish the existing pantry to make way for the new pantry construction.

Motion to approve Project Love Food Pantry Occupancy Permit Fee Waiver made by Greg Parker with second by Julie Rivera. Roll call vote: Carnahan – No, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 1.

3. 133rd Avenue Phase II – Change Orders No. 22, 23, 27, & 26

Town Administrator Murr discussed the last four change orders for 133rd Avenue Phase II. Change order 22 for \$5,582.85 for the concrete cold weather protection. Change order 23 is for the maintenance of traffic for \$7,835.31. Change order 27 for \$462 is for reinstallation of some of the decorative lighting. Change order 26 is in an amount not to exceed \$3,000 for asphalt winter prep, milling, and clean up.

A motion to approve Change Orders No. 22, 23, 27, and 26 made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

4. 137th Avenue and Parrish Avenue

Chief Smith explained that there have been multiple complaints regarding traffic and limited sight on Parrish Avenue at 137th Avenue. There is a line of cedar trees that are causing a blind spot at that intersection. Chief Smith recommends installing a temporary three-way stop at the intersection, followed by a recommendation to make it a permanent three-way stop to be added into the Town ordinance. He explained with school starting soon and the new Safe Routes to School, they need to make sure pedestrian traffic is safe in the area. A lengthy discussion continued on the growth of the community, increased traffic in the area, and corrective measures.

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A motion to approve three-way stop at Parrish and 137th Avenue made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – No, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – No. Vote: 5 to 2.

5. NIES Engineering Proposal – Lakeside Water System

Neil Simstad with NIES Engineering gave a brief update. President Niemeyer asked when they can expect an actionable item. Mr. Simstad stated by the next meeting. He recommended postponing until the next meeting.

A motion to defer was made by Greg Parker with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

6. Northwest Indiana Cancer Kids (NICK) Foundation

Council Member Rivera stated she was asked again to participate in a countywide event with the Northwest Indiana Cancer Kids (NICK) Foundation. They promote childhood cancer awareness. They are asking for sponsorship for the luncheon that follows. They are asking for a \$100 donation. On September 4th, they are holding a Labor of Love walk. They are also asking for sponsorship for that event. Mrs. Rivera recommends being a silver sponsor for \$250. She's asking for a total of \$350 to donate to the NICK foundation. Clerk-Treasurer Gross stated funds are available in the Town Promotion line.

A motion to approve a \$350 donation to the NICK Foundation was made by Julie Rivera with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

TOWN COUNCIL REPORTS

1. **Town Council** – Council Member Carnahan reminded everyone that the symphony will be at the Town Complex for their annual summer concert this Saturday. Council Member Foreman stated the Ecosystem Restoration Meeting held at the Cedar Lake Ministries had a nice turn out. He thanked everyone for coming out. Council Member Miller thanked Mr. Kubiak and the public works staff for making sure the clubhouse was set-up for the Keenagers luncheon. President Niemeyer discussed the recent events involving law enforcement officials. He stated he wanted it on record that we stand behind our law enforcement and they have our full confidence. Council Member Parker added his thoughts on recent events and stated that we need to thank and appreciate our police, fire, and military personnel.
2. **Town Attorney** – No Report.
3. **Clerk-Treasurer** – No Report.
4. **Town Administrator/Staff** – Town Administrator Murr added that over 150 people signed in for the Ecosystem Restoration Meeting. There is an upcoming conference call and they will be going to Indianapolis to meet with IDEM and DNR representatives on Thursday. Walsh & Kelly will be out this week to finish up punch list items on Parrish Avenue. President Niemeyer acknowledged VS Engineering in the audience and asked for an update. Sanjay Patel with VS Engineering gave a brief update regarding a draft roadway assessment.

WRITTEN COMMUNICATIONS

1. NIES Engineering – Westside Sanitary Sewer Feasibility Analysis – Town Administrator Murr added that they are working on scheduling a meeting to get a recommendation together for Council. Council Member Parker thanked public works for their assistance with an issue on Blaine Street.
2. Christopher B. Burke Engineering Report – Safe Routes to School is ongoing. Most sidewalks are in. MS4 classes have been scheduled with the Lake County Soil and Water Conservation District to do education with the summer day camp and the Boys and Girls Club. The 2015 Street Program will be picking up again soon.
3. Building Department Report – June 2016 – Currently at 65 new home permits for a total value of \$9,011,269. A new record set for June with 20 new home permits. Last year at this time we were only at 50 new permits through the end of June. Alteration permits are at 196. Last year at this time there were only 179.

PUBLIC COMMENT

Chief Smith added that August 2nd is National Night Out at 7PM.

Bill Kuhn, 13951 Huseman, discussed Project Love and all the families that are serviced each week. He discussed upcoming fundraising to get them to where they need to be for their new building. He thanked the Council and Town for their support.

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:06 PM.

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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.