

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



**October 18, 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<br>Council Member | Ward 1 | Present | Greg Parker<br>Council Member                   | Ward 6 |
| Present | John Foreman<br>Council Member       | Ward 2 | Present | Richard Sharpe<br>Council Member                | Ward 7 |
| Absent  | Julie Rivera<br>Council Member       | Ward 3 | Present | Amy J. Gross, IAMC, MMC, CPM<br>Clerk-Treasurer |        |
| Present | Ralph Miller<br>Council Member       | Ward 4 | Present | Jill Murr, CPM, IAMC, MMC<br>Town Administrator |        |
| Present | Randell Niemeier<br>Council Member   | Ward 5 | Present | David Austgen<br>Town Attorney                  |        |

**PUBLIC COMMENT**

Laura Sechen, 13405 Morse Place, thanked the Public Works Department for their prompt response to an excess water situation on a recently repaved street. They also placed a new street sign. She commented on what a great bunch make up the staff. She asked for an update on the garage sale ordinance. Town Attorney Austgen answered that it's being worked on and a draft ordinance could be ready as soon as the end of the week.

Eric Johnson, 12517 Marsh Landing Parkway, voiced concerns over standing water in his backyard, runoff from neighboring homes, and discussed the storm water catch basins recently put in. A lengthy discussion occurred on the recent work and Mr. Johnson explained the flooding situation further. Mr. Kubiak discussed the area and stated it was left accessible for Mr. Johnson and his neighbor to tie into the catch basin. Further discussion occurred. It was suggested that Mr. Johnson get on the agenda and attend the next Storm Water Board meeting.

Gordon Dickson, 8711 W 132<sup>nd</sup> Place, on behalf of the Cedar Lake Summerfest reminded the Council of the upcoming Summerfest meeting and requested that the Council liaisons be present. He stated that the Summerfest Committee would like to try and help with expenses of the fest. A brief discussion occurred on who would be in attendance and the gathering of documentation of expenses. Mr. Dickson also asked about getting the contract as soon as possible so that the Summerfest committee could move forward.

**CONSENT AGENDA**

**Minutes:** September 20, 2016 Public Meeting Minutes

**Docket:** October 4 & 18, 2016 – All Town Funds \$273,505.72, Wastewater \$173,576.31, Sewer Sinking \$82,316.25, Water \$98,393.65, Storm Water \$67,685.95, Payroll 09/22/16, 09/30/16, & 10/06/16 \$416,207.49

**Manual Journal Entries:** September 1-30, 2016

**Donations:**

Trunk or Treat Donations

Monetary – Total \$400.00

Ron Casassa \$50.00

Banter \$50.00

Al Bunge/Lake Shore True Value \$25.00

The Gund Co. \$50.00

Fraternal Order of Eagles \$100.00

Nagy's Automotive \$75.00

DeMotte State Bank \$50.00

In Kind

CL Vending – six boxes of candy

Corky's – 200 packets of candy with free hot dog coupons

Ron Casassa – two games

Casey's General Store – 25lb box of candy

Bobb's Automotive – candy

Aurelio's – candy

Strack & Van Til – Hot dogs and condiments, chips, and water for 500 people

VIPS Donation – Town of Lowell, Labor Day Parade \$250.00

John Foreman 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, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 6 to 0.

**ORDINANCES & RESOLUTIONS**

**1. Ordinance No. 1248 – 2017 Budget Adoption**

This was the second reading. Clerk-Treasurer Gross read by title only and briefly explained. She summarized that the adopted budget for all tax levy funds that require DLGF approval is \$6,725,242.00. The adopted tax levy is \$4,902,899.00 and the adopted tax rate is 1.2662. Local funds come to an amount of \$1,220,960.00 for a total budget for 2017 of \$7,946,202.00. President Niemeier asked for an adoptive motion.

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Motion to approve Ordinance No. 1248 made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

**2. Resolution No. 1178 – General Fund Transfers**

Clerk-Treasurer Gross read by title only and explained. This is to authorize the transferring of money within the General Fund. Monies to be transferred within the General Fund #101 as follows:

Town Council

|           |                             |                          |
|-----------|-----------------------------|--------------------------|
| \$ 900.00 | From: 445 – Event Equipment | To: 314 – Event Services |
| \$ 200.00 | From: 398 – Town Promotion  | To: 314 – Event Services |

Planning, Building, & Zoning

|             |                                |                               |
|-------------|--------------------------------|-------------------------------|
| \$ 175.00   | From: 397 – Dues/Subscriptions | To: 118 – On-Call Inspections |
| \$ 900.00   | From: 396 – Misc. Services     | To: 118 – On-Call Inspections |
| \$ 6,925.00 | From: 312 – Engineer           | To: 118 – On-Call Inspections |

Motion to approve Resolution No. 1178 made by Richard Sharpe with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

**NEW BUSINESS**

**1. Safe Routes to School – Change Order #5**

Town Administrator Murr explained that Change Order #5 for Safe Routes to School is for additional mulch and seeding. It's for a total of \$3,320.28. As with the previous change orders, she's asking for NIRPC to participate in an 80/20 cost share. It will go before their committee for consideration next week.

Motion to approve Change Order #5 for \$3,320.28 made by John Foreman with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

**2. Cedar Lake Chamber of Commerce Wonderland of Christmas Tree Program Request**

Town Administrator Murr discussed a request from the Cedar Lake Chamber of Commerce for use of the electricity from the Town light poles for their Wonderland of Christmas Tree Program. President Niemeyer asked if there was a huge spike in cost. Clerk-Treasurer Gross answered that it was minimal.

Motion to approve Cedar Lake Chamber of Commerce Request made by John Foreman with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

**3. Robin's Nest Water Well Pump Recommendation**

Neil Simstad discussed the Robins Nest Well Capacity Test that was performed September 27, 2016. He summarized that an additional 54 homes for the Lakeside Development and up to but not more than 26 additional units can be accommodated. This addresses normal, daily max use but does not provide any additional fire capacity for the peak hour. Mr. Simstad discussed a recommendation to replace both well pumps, the electric, any discharge piping, and any associated appurtenances. President Niemeyer asked about the cost. Mr. Simstad stated an estimate was not yet determined but could be provided. Discussion continued on what upgrades are needed and production capacity.

Motion to approve NIES Engineering recommendation to prepare a quote to quote out to upgrade equipment to get the production facility up to the 200 gpm capacity made by Greg Parker with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0. Town Attorney Austgen asked that since Mr. Simstad suggested a quote process, that multiple quotes would be solicited. Mr. Simstad apologized for his gaffe and agreed that multiple competitive quotes would be solicited.

**4. Lakeside Water Profiling**

Mr. Simstad stated that following the good results from the well test, it is recommended to take the Ortman and Peerless Midwest well profiling proposals and taking the best of both options, revising a quote, and sending a request for quote to the two contractors to provide the best value for the Town's dollars. President Niemeyer asked about the profiling taking water tests at different levels of the water table. Mr. Simstad answered within the bedrock strata. A lengthy discussion continued on the quality of water within the test well, the possibility of a standing water tower, and the possibility of upgrades, providing more capacity at peak usage to more homes.

Motion to approve NIES Engineering recommendation to take the best of each quote from Ortman and Peerless and have them resubmit based on revised quoting made by

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Greg Parker with second by John Foreman. Mr. Austgen asked for clarification of time. Mr. Simstad stated it can be done within the next two weeks. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

**TOWN COUNCIL REPORTS**

1. **Town Council** – Council Member Foreman discussed the great season had by the Hanover Central Football team. He thanked the Cedar Lake Conference Grounds for letting the kids practice on their property over the years. He discussed the recent IACT Conference attended by most of the Council. He discussed a company that does online permitting, inspections, and payments. He asked Jill and Tim to get with Frank and look into it. He discussed information he gathered from a company that rebuilds water towers. Council Member Carnahan discussed workshops at IACT he attended. He discussed the lack of afterschool programs in Indiana. He also discussed the redevelopment of French Lick, Indiana. He added that the Cedar Lake Fire Department recently held their open house. He stated he prepared a proclamation for Fire Prevention Week. He asked to ratify it and made a motion to amend the agenda. A second was made by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0. Council Member Carnahan read the highlights of the proclamation.

A motion to approve the ratification of the Fire Prevention Proclamation was made by Robert Carnahan with a second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

2. **Town Attorney** – Mr. Austgen stated that property acquisition is being completed for the roundabout project. Specifically, Parcel 5 is the subject and the owners have negotiated an additional \$3,000 in administrative adjustment. Upon approval by the Council, this parcel will be completely owned by the Town and the project will be much closer to fruition. He suggested amending the agenda and adding it. President Niemeyer asked for a motion to amend the agenda and allow for consideration. Motion by Greg Parker with a second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

Mr. Austgen stated that the item for consideration is the completion of the acquisition of Parcel 5 for the Cline and Lake Shore Drive Roundabout Project in the amount of \$3,000.

A motion to approve was made by John Foreman with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0

Mr. Austgen also discussed the recent passing of Barbara Fuchs and Nick Schafer. Mr. Austgen and Mr. Carnahan shared personal stories of Mr. Schafer. They briefly discussed the idea of a memorial for those who have served the community. Mr. Carnahan added that he was proud to carry the Bicentennial Torch for Cedar Lake.

3. **Clerk-Treasurer** – No Report.
4. **Town Administrator/Staff** – Town Administrator Murr reported that the 2015 Street Program is starting to close out. Mr. Foreman added that he's heard a lot of compliments on the crew and organization changes at Public Works.

**WRITTEN COMMUNICATIONS**

1. Christopher B. Burke Engineering Report

**PUBLIC COMMENT**

Mary & Samantha Rasmussen, 13032 Fulton Street, discussed current work on getting funds for a special needs playground addition at MacArthur School. It's been an ongoing effort the last three years. Ms. Rasmussen stated that once the MacArthur project is finished, Samantha hopes to work on other projects with the Town to get special needs equipment for other parks in Cedar Lake. Discussion continued on the MacArthur project and Samantha's future ideas. President Niemeyer commended Samantha for her hard work.

Allie Kors, 14507 Morse St, stated she had to do a variance too and asked about the time it takes to process the information for the public way vacation. Mr. Austgen added almost instantaneous once the request is made to the county. Town Administrator Murr and Mr. Austgen briefly discussed recent findings. Ms. Kors was told that everything was in the works. She would be notified by staff when items were ready. She asked about future additions to her property. Mr. Parker discussed what a unique situation this was and added that it would be much easier for her in the future.

**ADJOURNMENT** President Niemeyer called the meeting to adjournment at 8:12 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 Niemeier, 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.