

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



August 15, 2017

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 Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

PUBLIC HEARING

1. Disposal of Real Property – 10833 W. 133rd Avenue

- a. **Attorney's Review of Legals** – Town Attorney Austgen stated legals are in order.
- b. **Opening Remarks** – Town Administrator Murr stated the property was purchased years ago as an unsafe building. Two appraisals have been obtained and a minimum purchase price has been set. They are asking to sell the parcel. Mr. Austgen stated there is a statutory notice of disposal of real property provision in the code. This public hearing and the notice are provided so the public knows they are disposing of real property as it is no longer needed or used by the Town government or taxpayers. He briefly discussed the history of the parcel.
- c. **Remonstrators - None**
- d. **Town Council Discussion** – Council Member Carnahan asked about the minimum asking price of \$108,408.
- e. **Town Council Decision**

A motion to approve the disposal of real property was made by Robert Carnahan 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. Council Member Parker asked what happens if it doesn't sell for the minimum. Mr. Austgen replied they will act in public as they determine what is best and in the best interest of the taxpayers. Council Member Foreman asked about the municipality's ability to put a for sale sign on it and if they have to go through a legal process to pick a realtor. Mr. Austgen stated they can and that they have already begun the legal process. Mr. Foreman asked about choosing a realtor. Mr. Austgen stated that will be done by an appointment process at a public meeting. Council Member Carnahan asked how this will proceed. Mr. Austgen stated there will be another bid process. He thinks it will be done by next month for purposes of soliciting and receiving bids. Mr. Carnahan asked about putting up a for sale sign now. Mr. Austgen advised against it and stated there was a process to follow. Mr. Carnahan asked when it could be done. Mr. Austgen stated in a month. Mr. Carnahan asked how people will know it is for sale. Mr. Austgen stated when the notice is sent to the newspaper and the process is begun it can be listed.

OATH OF OFFICE

Jarred Andras and Joel DiFiore of the Cedar Lake Fire Department received the oath of office from Clerk-Treasurer Gross.

PUBLIC COMMENT

Nick Tieri, Lynnsway, praised the Police Department for their response to weed violations. He asked if the Town could do anything for weed violations. He asked for a status update on Parrish Avenue. President Niemeyer answered that Parrish is not forgotten and is in process. The financing is in place. Mr. Tieri continued to voice concerns with Parrish Avenue. Council Member Foreman answered it needs to be done properly and that's why it was bonded. President Niemeyer added that they were a little late in the construction season and so many projects are going on that the construction of it will not happen this year but the engineering and planning will be done. Mr. Tieri stated he heard something about new sewers. President Niemeyer stated they are going to dig everything up. There will be an entirely new road bed and any infrastructure that needs to be done. A lengthy discussion continued on Lynnsway Subdivision and Parrish Avenue. President Niemeyer briefly discussed the notices and procedures in place in regards to weed violations.

Linda Hallal, Tana Walter, Tina Winland, William Winland, and Leonardo Hallal, all of west 127th Avenue, voiced concerns with their road not being part of the High Grove Subdivision reconstruction. They shared pictures and voiced concerns with the lack of drainage in the area. President Niemeyer asked where their road was in regards to the project. Council Member Parker stated they were in High Grove. Council Member Carnahan stated it is not High Grove. Mr.

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Winland stated he believes it is Highland. Council Member Foreman discussed the location of their road and the scope of the project. He stated it is on the list but it didn't make this specific subdivision project. Town Administrator Murr discussed a capital plan with ten subdivision projects that was put together around 2006-2007. She stated these current projects are numbers seven and eight of the capital plan. When they said to go ahead with the next two subdivisions, they pulled out the capital plan and went with the next two. Now there is an asset management plan in place. They are analyzing all of the roads. They are starting to budget and plan for them as well as apply for community crossing funding. They are looking at the roads at a different approach. She stated it will take some time to maintain what they have and catch up to what has been falling apart. The residents asked why their road is not on the list. Council Member Carnahan asked about getting some of that money for their road. Town Administrator Murr stated she would have to look into it. A lengthy discussion continued between the residents and the Council regarding the road project, possibly including their road, and the drainage ditch. Marsha Mondrey, 7523 Lake Shore Drive, stated she was here last year about the stop sign at Lake Shore Drive and Hilltop. She voiced concerns with the increased traffic on the weekends and speeding vehicles. She voiced concerns with the excessive noise from vehicles. She asked if anything could be done. She stated she's called the police twice in the last two weeks. She stated one time an officer came and sat awhile but they never catch anyone. She voiced concerns with the noise ordinance not being enforced. She also voiced concerns with motorcycles being led through Town by law enforcement. Council Member Rivera stated there have been a lot of benefits this summer. A lengthy discussion continued on the concerns, enforcement, and a sign that was placed by Ms. Mondrey. Council Member Rivera suggested putting the radar sign in the area. It was asked if the sign could be moved. Chief Smith answered it would need to be done legally because currently there is a sign there illegally. Ms. Mondrey continued to voice concerns with speeding vehicles and the stop sign at hilltop and Lake Shore Drive. Arlene Krueger, 7523 Lake Shore Drive, voiced concerns with children and walkers in the area and the potential harm to them from speeding vehicles. Jenni Pause, 7228 W. 136th Court, read a letter to the Council voicing concerns with the property located at 13640 Morse Street. She stated it is an eyesore, lacks parking which blocks the view, and is potentially breaking multiple Town ordinances. She voiced concerns with multiple businesses working out of the building. A lengthy discussion continued on the concerns of the property.

CONSENT AGENDA

Minutes: August 1, 2017 Public Meeting

Docket: August 15, 2017 – All Town Funds \$114,736.52, Wastewater \$462,679.15, Water \$41,574.52, Storm Water \$8,025.80, Payroll 08/10/17 \$235,530.81

Manual Journal Entries: 07/01/2017 – 07/31/2017

Conflict of Interest Statement: Jason Besse

Richard Sharpe moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Greg Parker. Council Member Carnahan asked Mr. Kubiak about a claim from Menards. A brief disagreement occurred between Councilmen Carnahan and Miller. Mr. Kubiak stated he didn't know where the bulbs were purchased. Council Member Parker discussed finding the best price for items and being a good steward of taxpayer dollars. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1270 – Building and Permit Fee Amendment

Council Member Parker read by title only.

A motion to adopt Ordinance No. 1270 was 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.

2. Resolution No. 1202 – International Association of Firefighters

Town Administrator Murr read by title and explained. She stated this is an organization similar to the fraternal order of police for the fire department. This is to recognize that unit. Chief Wilkening introduced Pat Scoleri as the President of the IAOF and Matt Sella as the Secretary/Treasurer.

A motion to approve Resolution No. 1202 was made by Julie Rivera with second by Greg Parker. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

3. Resolution No. 1203 – Temporary Loan to General Fund

Clerk-Treasurer Gross read by title only and explained. This is to authorize a temporary loan of \$750,000 from the Wastewater Treatment Plant Special Fund to the General Fund. It will be repaid on or before December 31, 2017.

A motion to approve Resolution No. 1203 was made by John Foreman with second by Richard Sharpe. Council Member Carnahan asked if there was any other money out. Clerk-Treasurer Gross stated everything is paid back except for recently there were two

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temporary loans for the 2007 and 2011 RDA Bonds. Council Member Carnahan asked what the amounts were. Clerk-Treasurer Gross stated they were specific amounts for the debt service and she would get those for him. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

NEW BUSINESS

1. Indiana Department of Transportation – Project Coordination Contract

Town Administrator Murr stated this is the contract introduced at the last meeting. It has been reviewed by legal. It is for the Lake Shore Drive and Cline Roundabout project. This is putting the maximum amount of federal funds allocated for the project at \$1,754,580. Currently, \$300,000 has been allocated towards the right of way acquisition. This is the next step for getting the project forward. The project is currently in the queue for fiscal year 2022 which begins in 2021. She stated she has a meeting with NIRPC next week to discuss moving the project up to potentially fiscal year 2019.

A motion to approve the INDOT Project Coordination Contract was made by Richard Sharpe with second by Julie Rivera. 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 Miller apologized to Council Member Carnahan for the previous disagreement. The Council briefly discussed the great job done by Mr. Kubiak.
- 2. Town Attorney** – None
- 3. Clerk-Treasurer** – Clerk-Treasurer Gross discussed a conversation with Mr. Austgen about sending some utility accounts to collections. She discussed the lengthy and costly process of placing liens. She added that she is planning on contacting the budget committee for a meeting next week.
- 4. Town Administrator/Staff** – Town Administrator Murr stated that the High Grove Subdivision meeting will be Monday, August 21 at 6 PM. NIPSCO is currently in the area beginning work. Christopher Burke Engineering will be on hand as well as the contractor to answer questions. South Shore will be coming soon. The work session with the Chamber of Commerce will be on Tuesday, August 22 at 6:30 PM. It is an open work session. August 23 at 1 PM is the JMOB meeting in Lowell. She discussed a letter she received from Region Rides thanking the Town for the use of the Town Grounds for the 2nd Annual American Muscle Car, Truck, and Bike Show. Chief Smith stated the third vehicle purchased is now out on the road. He stated the department is losing two officers. They are moving forward with an application from a reserve officer. He will not be given an offer of employment until he can pass the PERF portion of the physical. They started yesterday with an advertisement for the other open position. He briefly discussed the next steps. Council Member Carnahan asked Chief Smith if there were any issues with carbon monoxide in the explorers. Chief Smith stated no. Ford stated it was an issue with outfitters drilling holes in the vehicles. The outfitter the department uses is certified by Ford. He stated they will still place carbon monoxide detectors in the vehicles just to make sure they don't have a problem. He stated they have not had an issue yet. Chief Wilkening discussed a grant application to the Crown Point and Cedar Lake Community Foundation for a sonar unit for the boat. They received a \$2,000 grant and the Volunteer Fire Department put in the other \$2,000 to purchase the unit.

WRITTEN COMMUNICATIONS

1. Christopher B. Burke Engineering Report – Previously reported.

PUBLIC COMMENT

None

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:26 PM.

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