

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



**October 17, 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
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	
Present	Randell Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

**CHIEF OF POLICE APPOINTMENT: David Coulson**

President Niemeyer briefly discussed the special public meeting held by the Police Commission on October 17, 2017. A unanimous recommendation was given to the Town Council to appoint David Coulson as Chief of Police.

A motion to act on that recommendation was made by Robert Carnahan with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

David Coulson was given the Oath of Office by Clerk-Treasurer Gross. He thanked the Police Commission and Town Council for the opportunity. He thanked the officers for their support and briefly discussed his law enforcement background.

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

**Minutes:** October 3, 2017 Public Meeting

**Docket:** October 17, 2017 – All Town Funds \$54,422.56, Wastewater \$196,050.63, Water \$29,868.78, Storm Water \$3,969.80, Payroll 10/05/17 \$230,796.93

**Donations:** Lion's Club Picnic Tables

Greg Parker 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, Niemeyer – Yes. Vote: 6 to 0.

**PRESENTATION – August Steininger – Eagle Scout Project, Troop 129**

August Steininger presented his Eagle Scout Project. He restored the stage at the Veterans Memorial on Fairbanks. He thanked the Town for their support while he completed the project. President Niemeyer discussed August's goal of joining the Air Force and offered him help with obtaining a letter of recommendation. Council Member Carnahan stated the American Legion's Memorial decking was destroyed in the past. He stated August stepped up and he's very proud of him. Council Member Miller commended August and his family for their continued service to the community. August stated there will be a ribbon cutting ceremony on Saturday, October 21<sup>st</sup> at 1pm.

**ORDINANCES**

**1. Ordinance No. 1271 - 2018 Budget**

First reading was on October 3, 2017. Clerk-Treasurer Gross read by title and explained. The total proposed budget for 2018 is \$7,892,440.00 with a proposed tax rate of \$1.18 per \$100.00 of net assessed value. This is just an estimated. Mid-January is when the Department of Local Government Finance will let them know what the actual budget is.

A motion to adopt Ordinance No. 1271 was made by Greg Parker with second by Richard Sharpe. Roll call vote: Carnahan – No, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 5 to 1.

**2. Ordinance No. 1272 - Salary Ordinance Amendment – Dispatcher**

Council Member Parker read by title only. Town Administrator Murr explained this amendment is one that came out of budget meetings. This is to have the Town's dispatcher's equivalent with Southcom. This would be to make the dispatchers hourly instead of salary. The rate will remain the same. This will be retroactive to the pay period beginning on October 15<sup>th</sup>.

A motion to approve the first reading of Ordinance No. 1272 was made by Ralph Miller with second by Julie Rivera. Council Member Carnahan asked if the hourly rate was the

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

same as Schererville. Town Administrator Murr answered yes. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

A motion to suspend the rules to allow for a second reading was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

Council Member Parker ready Ordinance No. 1272 by title only.

A motion to adopt Ordinance No. 1272 was made by Richard Sharpe with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

**3. Ordinance No. 1273 - Salary Ordinance Amendment – Fire Department**

Council Member Parker read by title only. Town Administrator Murr explained this amendment is similar to the previous item. As discussed in budget meetings the position of Division Chief will change from salary to hourly at a rate of \$17.50 per hour. As well as increasing the part-time EMT rate to \$12.50 and part-time paramedic to \$16.00 per hour. This is also retroactive to the pay period beginning October 15<sup>th</sup>. President Niemeyer stated this is to help fill the part-time shifts and reduce some of the overtime burden.

A motion to approve the first reading of Ordinance No. 1273 was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

A motion to suspend the rules to allow for a second reading was made by Julie Rivera with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

Council Member Parker ready Ordinance No. 1273 by title only.

A motion to adopt Ordinance No. 1273 was made by Ralph Miller with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

**4. Ordinance No. 1274 - Job Descriptions – Fire Department**

Council Member Parker read by title only. Town Administrator Murr explained this is to update job descriptions within the Fire Department for 2018. It also identifies a battalion chief. She stated this was worked on with the Fire Chief as well as the Town Attorney. The job descriptions include updated duties, unsafe building items, and added responsibilities on the department.

A motion to approve the first reading of Ordinance No. 1274 was made by Julie Rivera with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

**BZA**

**1. John & Heather Dessauer – 13530 Morse Street – Variance of Use**

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 cigar lounge serving alcohol in a B-1 Zoning District. By a vote of 4 in favor and 0 against, upon motion duly made and seconded, at the public meeting held on October 12, 2017.

John Dessauer stated they are moving their business office to 8600 W. 139<sup>th</sup> Court. The building at 13530 Morse Street will be vacant and they feel it is in a proper location for a cigar lounge to tailor to a higher end clientele. President Niemeyer asked if there were any findings of fact at the BZA meeting. Town Attorney Austgen stated there were and it was a unanimous favorable recommendation.

A motion to approve the Variance of Use at 13530 Morse Street was made by Greg Parker with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

**NEW BUSINESS**

**1. Street Signs & Posts – Design Standards**

Operations Director Kubiak stated they are looking to add new design standards for street signage and posts. This is to clean up developmental standards. He shared three different signage sizes depending on the speed limit of the road is where they would be placed. Previously, new manhole covers were approved. He asked the Council to add those to the developmental standards as well.

A motion to approve design standards for street signs, posts, and manhole covers was made by Robert Carnahan with second by Greg Parker. Town Attorney Austgen added that the subdivision control ordinance will need to be updated with these items to add

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

them to the design standards. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

**2. Christopher B. Burke Engineering LLC Proposal**

President Niemeyer stated this proposal is in the amount of \$21,450. It is based on projects that were pinpointed in the comprehensive master plan for a possible Cedar Lake downtown development. He stated they are working with the RDA to look at options for funding the lake project and it is believed that parallel movement of an economic development focus project is something that will yield the best results for raising funds from the RDA as well as soliciting private partners. This proposal is for a concept plan of a livable Town center. Location would be north in the Midway Gardens area or Town Hall area which would include the band shell development. A 3D model and animation will be produced.

A motion to approve the Christopher B. Burke Engineering Proposal for \$21,450 was made by Robert Carnahan with second by Richard Sharpe. Council Member Rivera asked when this would be presented. President Niemeyer stated it will be presented on November 3<sup>rd</sup>. He will be meeting with the RDA, Councilman Foreman, and Commissioner Tippy. They will be going around Town to solicit funds to get the lake project up and running. Town Administrator Murr added that this will be paid for from economic development funds. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

**TOWN COUNCIL REPORTS**

- 1. Town Council** – President Niemeyer gave a brief report on the AIM Summit that some of the Council attended. He discussed attending placemaking sessions that were extremely informative. He discussed the forward movement of the Town and upcoming projects. Council member Miller concurred. Council member Rivera added they hope to use existing space and staff to make Cedar Lake a destination Town. She stated the Town Grounds is pretty full next summer. Council Member Miller asked about when they would be engaging the public about the golf cart ordinance. Council Member Carnahan stated in the November newsletter and discussing it at the work session on the first Tuesday in November. A brief discussion continued.
- 2. Town Attorney** – None
- 3. Clerk-Treasurer** – Clerk-Treasurer Gross stated budget reductions will be on the next agenda. She managed to find \$200,000 in the General Fund to reduce as well as reducing a few other funds.
- 4. Town Administrator/Staff** – Town Administrator Murr stated Parrish Avenue, Series C on the bond will be closing soon. Construction is slated for 2018. A team meeting for the ecosystem restoration will be tomorrow. She stated right now they are in between a lot of projects and will have more to report next meeting. Chief Wilkening thanked the Council for the increase in the part-time pay.

**WRITTEN COMMUNICATIONS**

- Christopher B. Burke Engineering Report – No change from previous report.

**PUBLIC COMMENT**

Wally Boilek, 12620 Marsh Landing Parkway, discussed a situation in Havenwood with many people parking across driveways and blocking the sidewalks. He stated it cannot be resolved with Havenwood's bylaws. He has spoken with Town Administrator Murr and Officer Machalk about the situation. He stated he read through Cedar Lake ordinances but doesn't have a clear understanding. He read part of the ordinance. He stated he reads it as anything that lies across the sidewalk. Town Attorney Austgen stated his interpretation of the code is good because anything means anything. That definition means anything and if there is interference there is an ability to enforce. Mr. Boilek discussed people doing this on a repetitive basis. He stated people are forced into the street or grass. President Niemeyer asked for Mr. Austgen's opinion on the ordinance. Mr. Austgen stated law enforcement personnel can code cite. Town Administrator Murr added this was discussed last week because there is a separate ordinance and agreement for police services with Havenwood Homeowner's Association. Enforcing some of that does fall under the Homeowner's Association. She stated they were working out the details. Officer Machalk added that the contract only covered half of the enforcement with the ordinances in section 72. Section 94 wasn't enforceable at that time. The administration looked into it and the officers have been made aware they are to enforce it. It was found in a parking ordinance in title 72 that does apply. He stated officers have been advised and when available will go in and enforce. Mr. Boilek thanked them. Town Attorney Austgen added that Mr. Boilek and his board may want to issue notice to residents in Havenwood that the issue has been reviewed with the Town.

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

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

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.

**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.