

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
Memoranda & Minutes of the Cedar Lake Town Council**

June 3, 2014

**Public Meeting 7:00 PM 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 Vice President	Ward 6
Present	John Foreman Council Member	Ward 2	Present	Randell Niemeyer President	Ward 5
Present	Gregory L. Wornhoff Council Member	Ward 3	Present	Amy J. Gross Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	David Austgen Town Attorney	
Present	Greg Parker Council Member	Ward 7			

PUBLIC COMMENT:

Becky Davis, 8504 W. 139th Ave., stated that she opened a new business in Town, Lake Toy Rentals.

Grant Wedding, 7754 N. 54 W. Lake Village, IN, requested permission to operate a farm stand to sell sweet corn on Al Bunge's property just north of True Value in addition to participating in the Farmer's Market on Saturdays. Motion made by Patsy Casassa and seconded by Ralph Miller to approve Grant Wedding to sell sweet corn on the requested property with owner's permission from June 23 through September 20th.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

CONSENT AGENDA:

1. **Minutes:** May 20, 2014 Public Meeting
2. **Donations:**
 - a. VIPS:
 - i. Tag Day -\$2,364.23
 - ii. In-Kind- \$30.00

Motion by Greg Parker and seconded by Patsy Casassa to accept and waive the reading of the Minutes, accept the Consent Agenda as listed contingent that the requested revisions be made to the minutes.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

NEW BUSINESS:

1. South Shore Rail Extension Funding

Randy Niemeyer stated that there is an inter-local agreement that still needs to be circulated. Randy Niemeyer suggested that the Council participate in giving \$15,000 flat per year for the commitment of the project which is 30 years. John Foreman stated that he would prefer that we took that CEDIT money and placed it in a fund for the Lake dredging project but does like Randy's suggestion of having a set portion of the funds verses a percentage which could grow with time. Greg Parker stated that he has worked on and planned several road reconstruction projects and the problem has always been funding. Greg Parker stated that Cedar Lake needs better infrastructure more than any other city or town in the area and that needs to be the focus of these CEDIT funds. Ralph Miller stated that \$15,000/annually for 30 years is \$450,000 and the cost of a complete road reconstruction for one mile of road is over one million dollars. Greg Parker stated that \$500,000 would found approximately half of a subdivision reconstruction. Ralph Miller stated that he feels that we would be better off putting some of that money towards the train project. Greg Parker stated that this is the first window of opportunity to have funds to fund any project in Cedar Lake and we don't know when we are going to get that opportunity for funding again, and to give it away to a train project verses our infrastructure would not be injustice. Robert Carnahan stated that he has constituents that are in favor of the train. Greg Wornhoff stated that they are asking for a percentage of the CEDIT for the next 30 years with no guarantee that the train will come any further south than Dyer. Greg Wornhoff stated that if we are going to give this project any money that we need to hold Pete Visclosky responsible and have a position that we can give input to where these train stations are going to be. Greg Wornhoff suggested that you give the project \$10,000-\$15,000 yearly and review it on yearly basis. Robert Carnahan stated that \$15,000 a year will not be enough money to perform the road construction necessary and after 30 years those roads will not hold up. Randy Niemeyer stated that the certified shares of 2014 are \$205,783.96 and the Congressman requested 34% of those funds, the proposed 7-8% is \$190,783.90 at today's rate of collection which could potential pave a lot of roads here in Cedar Lake if we used it to leverage bonds. Randy Niemeyer stated that there is a

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percentage of this community that although it may not be the majority still needs to be represented as they would use the train. John Foreman stated that it would be irresponsible to not put a percentage of those funds away for the lake dredging project. Patsy Casassa inquired about the funds if the project was not completed. David Austgen stated that if the project did not come to completion that there would be an accounting and true up of those funds back to the communities. Motion made by Greg Wornhoff and seconded by Ralph Miller to give \$15,000 for 2014 to the South Shore Rail Extension, to be reconsidered on a yearly basis, along with a position on the Planning Commission contingent on an inter-local agreement acceptance.

Roll Call Vote: 5 to 2

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	NO	YES	YES	NO	YES	YES

2. 2014 Leaf Vac Financing

Amy Gross stated that financing for the Leaf Vac has been secured by Tax Exempt Leasing Corporation for 2.67% with the lowest rate. Other banks that quoted were Main Source Bank at 3.10% and Republic First National at 3.29%. Amy Gross recommends the lowest quote from Tax Exempt Leasing Corp at 2.67% with an annual payment of \$17,194.80 for five years. Motion made by Robert Carnahan and seconded by John Foreman to approve the financing and purchase of the leaf vac.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

3. Fire Department Emergency Hire Positions

Todd Wilkening, Fire Chief stated that there are two positions for emergency hire consideration that would help eliminate some overtime from his department. Currently the proposed employees are working part-time for the Fire Department. The job positions were properly advertised and finalists were interviewed. The two positions are for a fire fighter/EMT and fire fighter/Paramedic. Motion made by Greg Wornhoff and seconded by Greg Parker to hire the proposed candidates for these positions subject to applicable law.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

4. Fireworks Permit- Cedar Lake Summerfest

Todd Wilkening has approved and signed the firework permit. The barge has been fixed and is ready to be placed in the water. Robert Carnahan stated that he is opposed to charging Cedar Lake organizations the \$100 permit fee. Amy Gross stated that it is up to the Council to waive the fees, there are only two organizations that apply each year and they are the CL Chamber of Commerce and Summerfest Committee. John Foreman asked about reimbursements and Amy Gross stated that Summerfest has already paid the \$100 application fee and would need to be reimbursed. Motion made by Robert Carnahan and seconded by Patsy Casassa to waive the \$100 fee and approve the Summerfest permit.

Roll Call Vote: 5 to 2

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	NO	YES	NO	YES	YES

5. Sewer Utility Elimination Agreement- 14007 Fairbank St.

Jim Cornett stated that all items are in order for sewer elimination. Motion made by Ralph Miller and seconded by Greg Wornhoff to approve the sewer utility elimination agreement for 14007 Fairbank Street.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

WORK SESSION ITEMS:

1. Establishing Fire Department Inspection and Plan Review Fees (Ordinance No. 1199 Deferred)

Randy Niemeyer requested that this item be moved to a study session for further discussion and review.

2. Request for Attorney Fee Waiver- Jeff Lane- 7127 W. 128th Ave.

Jeff Lane requested that the attorney fees in the amount of \$1,400 be waived from the three foot pathway vacation that occurred at his unsafe property at 7127 W. 128th Ave. Randy Niemeyer stated that there are issues that arise in projects like this that require legal review and it is not the responsibility of the tax payer to pay for those projects that would not benefit them in private property acquisitions. Greg Wornhoff asked who is gaining the vacated easement, if the tax payers were gaining anything by this vacation. Greg Parker stated our policies require us to have legal processes when we vacate anything as a review process, and it does not benefit the tax payers it only

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benefits the owner in a potential profit to remodel and sell the home. Jeff Lane requested the detailed statement of the attorney fees.

COMMITTEE REPORTS:

a. **Public Works and Safety:**

Jerry Smith, Chief of Police stated the Gas Boy System is in need of an update which is approximately \$25,000 total with installation and training. The system update would allow for the Police Department and other departments to generate a number of detailed reports on fuel usage and vehicle maintenance. Chief Smith also requested signatures for the Cops Grant that needs to be submitted. Motion made by Robert Carnahan and seconded by Patsy Casassa to sign and submit the Cops Grant.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Todd Wilkening stated that he has meet with Mark Lopez, Township Trustee and he has some non-reverting money that would be available immediately for new bunker gear in the amount of \$25,000. Lopez is also willing to help us with the radio project for the equipment that will need to be purchased. Fire Act Grant was submitted requesting \$70,000 in funds, a new thermal imaging camera is needed to be purchased from these funds if they are received as well as the remaining bunker gear.

- b. **Park and Recreation:** GenMove monthly report was submitted at the last Council meeting for review and lists all the new summer recreational activities.
- c. **Redevelopment:** None
- d. **Planning:** None
- e. **Council Affairs:** None

TOWN COUNCIL REPORTS:

1.) **Town Council-** Bob Carnahan stated that on June 14th at 5:30pm will be a Flag Day parade.

2.) **Clerk-Treasurer-** Amy Gross stated that we received our tax advance on May 30th , and we will be receiving our spring installment, and are able to pay back the temp loan that was taken out. Amy Gross is requesting that an analysis be done on the water utility, aging structure, and funds. Council requested Neil Simstad be involved with that process as well as report on the Westside sanitary sewer for the next council meeting. Amy Gross explained that some 80 customers were being erroneously charged a \$.50 hydrant fee and will receive a credit on their next utility bill. Motion made by Robert Carnahan and seconded by John Foreman to approve the hydrant fee credits.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	YES	YES	YES	YES	YES

3.) **Town Attorney-** None.

4.) **Staff-** None.

WRITTEN COMMUNICATION:

1.) **Christopher B. Burke Engineering Report**

PUBLIC COMMENT:

ADJOURNMENT: The meeting was adjourned at approximately 9:00 pm.

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An Executive Session was advertised and conducted pursuant to IC 5-14-1.5-6.1(b) before the meeting with discussion consisting of land acquisition. Those in attendance were Randell Niemeyer, Patsy Casassa, Ralph Miller, John Foreman, Gregory Wornhoff, Greg Parker, Robert Carnahan, Clerk-Treasurer Amy Gross, and Town Attorney David Austgen.

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

Gregory L. Wornhoff, Ward 3

Ralph Miller, Ward 4

ATTEST:

Greg Parker, Ward 7

Amy J. Gross, IAMC, MMC 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.