

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

July 15, 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
Absent	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:

Mitchell Dudlack, 12801 Oak Street, stated that the light on the flag pole located at the Elder Brady Funeral Home was out and needs to be replaced. He also stated his concern about the need for additional stop signs in his neighborhood as well as weeds in the easement that need to be maintained.

CONSENT AGENDA:

1. **Minutes:** July 1, 2014 Public Meeting
2. **Claims for June 17th:** All Town Funds \$290,449.11, Wastewater Operating \$109,776.83, Water \$4,697.31, Storm Water \$108,169.83, Payroll #100, 101, & 102- \$355,983.68.
3. **Donations:**
 - a. **DARE**
 - i. \$350.00- Casey's General Store
 - ii. \$1,643.78- Lighthouse Restaurant

Motion by Patsy Casassa and seconded by Greg Parker to accept and waive the reading of the Minutes, accept the Consent Agenda as listed.

Roll Call Vote: 6 to 0

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

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1204- Wastewater and Town Utility Account Adjustments

Patsy Casassa read Ordinance No. 1204 by title only into the record. Amy Gross stated that this Ordinance will allow her the authority to waive fees greater than \$10.00 a month, as the previous Ordinance allowed. Amy Gross stated that there has been just cases, especially for commercial accounts where the fee is larger than \$10.00 but she does not have the ability to make the adjustment without approval. This will allow her to make the necessary adjustment for one month in one calendar year. Motion made by Robert Carnahan and seconded by Greg Parker to approve Ordinance No. 1204.

Roll Call Vote: 6 to 0

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

Motion made by John Foreman and seconded by Greg Parker to suspend the rules and allow for a second reading of Ordinance No. 1204.

Roll Call Vote: 6 to 0

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

Patsy Casassa read Ordinance No. 1204 by title only into the record. Motion made by Robert Carnahan and seconded by John Foreman to adopt Ordinance No. 1204.

Roll Call Vote: 6 to 0

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

2. Resolution No. 1118- Equipment Lease Purchase

Patsy Casassa read Resolution No. 1118 by title only. Amy Gross stated that this Resolution allows the Town to enter into a lease purchasing agreement with Tax Exempt Leasing Corporation to lease finance two leaf vacs for the Public Works Department. Motion made by Robert Carnahan and seconded by John Foreman to approve Resolution No. 1118.

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Roll Call Vote: 6 to 0

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

NEW BUSINESS:

1. West side Sanitary Sewer Scoping Report Proposal

David Austgen, Town Attorney, stated that this report proposal is for work to be performed by NIES Engineering for the Westside Sanitary Sewer project in an amount not to exceed \$9,450.00.

Roll Call Vote: 6 to 0

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

2. Pay Request No. 2 Town Complex Restroom/Concession Project

Randy Niemeyer stated that the current request is to pay \$28,425 to get this project to the 75% of completion. Motion made by John Foreman and seconded by Patsy Casassa to approve Pay Request No.2 for the Restroom/Concession Project.

Roll Call Vote: 6 to 0

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

3. Interlocal Agreement- South Shore Rail Line Extension

David Austgen stated that he has not had an opportunity to review this document and the proposed document has been recently amended. Motion made by Greg Parker and seconded by Patsy Casassa to defer this item to the next agenda to allow for attorney review.

Roll Call Vote: 6 to 0

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

4. Woods of Cedar Creek- Outlot B- Acceptance

David Austgen, Town Attorney, stated that this is a parcel that the Town was given back by the land trustee of a property. It is recommended that the Town Council accept the Woods of Cedar Creek Outlot B. Property is located at 141st and Morse St. Motion made by John Foreman and seconded by Patsy Casassa to accept the Woods of Cedar Creek Outlot B.

Roll Call Vote: 6 to 0

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

5. Structure Point Contract Amendment

Eric Wolverton, Project Manager at Structure Point, stated that this contract amendment is for a reallocation of funds from the existing approved contract. Current contract is an hourly rate contract and at this time Structure Point is under 20 hours. The original agreement did not include construction phase services and Eric Wolverton is requesting fund allocation to cover the coordination between design staff and onsite construction inspection firm with the remaining contract hours, in the amount of \$13,300. Motion made by Greg Parker and seconded by Patsy Casassa to approve the Structure Point Contract Amendment.

Roll Call Vote: 6 to 0

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

TOWN COUNCIL REPORTS

- 1) **Town Council-** Robert Carnahan stated he has received some complaints about the beach area and conditions of the beach. John Foreman made a motion seconded by Robert Carnahan to get new sand for the beach area.

Roll Call Vote: 6 to 0

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

Randy Niemeyer stated that the Council has had a lot of utility issues come before the council and it is important to be proactive and form a committee appointing Robert Carnahan, Ralph Miller, and Gregory Wornhoff to the Utility Committee. Motion made by John Foreman and seconded by Greg Parker to approve this committee and its members.

Roll Call Vote: 6 to 0

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

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Ralph Miller thanked Public Works and staff for their help with the Keenagers event. Randy Niemeyer also thanked Staff, Police Department, and Public Works for their work on a successful Summerfest event.

Randy Niemeyer stated that August 5th is National Night Out and the Town Council will change the time of their Work Session for this event to be published at a later date.

- 2) **Clerk-Treasurer-** Amy Gross stated she is working on budget. Recycling Grant money from Lake County Waste and was shorted \$6,000 from previous year, due to shortfall from taxes. We received our annual Inn Keepers tax which is \$4,700. A report was received this year on how these funds are distributed. We are also \$81,000 short in the Lake County TIF district funds.
- 3) **Town Attorney-** None.
- 4) **Staff** – Jim Cornett, Public Works Superintendent stated that he is working on the specs for bidding for two dump trucks. Also a skid steer is need in the future. Jim Cornett is requesting permission to move forward with the bid process for the dump trucks. Motion made by Robert Carnahan and seconded by Ralph Miller to approve Jim Cornett to bid for dump trucks.

Roll Call Vote: 6 to 0

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

Jim Cornett stated that he has purchased one generator but still needs one addition generator for the lift stations. He is recommending that the Council approve a second generator purchase for \$18,440. Motion made by John Foreman and seconded by Greg Parker to approve the purchase of this generator.

Roll Call Vote: 6 to 0

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

Mike Schaller, Water Superintendent, provided an update on the Robin’s nest pump house.

Tim Kubiak, Building Commissioner, stated that we are in need of a Plan Commission and BZA member as soon as possible.

Nicole Hoekstra, Events Coordinator, requested that the Council approve the Farmer’s Market refund request for Lather Me Up Soaps in the amount of \$165.00 for the remainder of the season. Motion made by John Foreman and seconded by Greg Parker to approve the refund request in the amount of \$165.00 for Lather Me Up Soaps.

Roll Call Vote: 6 to 0

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

Mark Kaiser, Engineer from Christopher B. Burke provided the Council with updates on the 133rd Ave road construction projects.

WRITTEN COMMUNICATION:

1. **Cedar Lake Ministries Letter- Wayfinding Signs**
2. **Christopher B. Burke Engineering Report**

PUBLIC COMMENT:

Mitchell Dudlack, 12801 Oak Street, asked about the allocation of funds and River Boat proceeds.

ADJOURNMENT: The meeting was adjourned at approximately 8:25 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 initiation of litigation or litigation that is either pending or has been threatened specifically in writing, the purchase or lease of real property by the governing body up to the time a contract or option to purchase or lease is executed by the parties, and develop a list of prospective appointees. Those in attendance were Randell Niemeyer, Patsy Casassa, Ralph Miller, John Foreman, Greg Parker, Robert Carnahan, 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.