

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



February 6, 2018

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 Niemeier Council Member	Ward 5	Present	David Austgen Town Attorney	

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

1. **Minutes: January 16, 2018 Public Meeting**
2. **Claims:** All Town Funds \$254,810.80, Wastewater Operating \$58,191.92, Water Utility \$22,267.78, Storm Water \$85,259.85, Payroll January 25, 2018 & February 1, 2018 \$171,493.39
3. **Manual Journal Entries:** January 1 -31, 2018
4. **Conflict of Interest:** Cliff Wroe
5. **Tag Day Requests:** April 1 – October 13, 2018
6. **Clubhouse Fee Waiver Request:** Cedar Lake Historical Association – March 15, 2018

Greg Parker moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda as listed. Second was made by Julie Rivera. Council Member Carnahan stated the garbage claim for this month was approximately \$66,000. He wanted to let the audience know. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0.

**ORDINANCES**

**1. Ordinance No. 1283 – Salary Ordinance Amendment**

Council Member Parker read Ordinance No. 1283 by title only. Clerk-Treasurer Gross explained the Town received the budget notice from the state and it was approved as submitted. The Town budgeted for increases for full-time staff of 3%. The majority of the part-time went up 3% although not everyone is at the max so they have room to grow. The volunteer stipend for dispatch and training is an additional \$5 per call. Longevity for civilians has increased to match the police department which was increased a few years ago. Council Member Carnahan asked if the Town Manager position was listed in the ordinance in case they decide to elevate the Town Administrator's position. Clerk-Treasurer Gross answered yes, it is better to be left in the ordinance just in case. Council Member Foreman asked if this was the first time the submitted budget was approved in full. Clerk-Treasurer Gross answered not the first time but for the amount they did submit she would say yes. This was due to all the reductions made in 2017 to preserve the cash. Council Member Carnahan asked if there was still a reduction to do. Clerk-Treasurer Gross stated when the budget is advertised on the state website, the state wants them to add in an amount that shows the public what the actual tax caps are. We put in \$20,000 but the actual was about \$11,000. She expects them to reduce before the end of the year as usual. Right now they are pretty safe and the cash flow will be coming in the spring when building starts up again and the June tax settlement is received.

A motion to approve the first reading of Ordinance No. 1283 was made by Richard Sharpe with second by Ralph Miller. Council Member Foreman asked about the 3% increases for the fire department and if they were discussed last year. Clerk-Treasurer Gross stated the budget committee had extensive discussions with this and with department heads. It was prudent to wait until they got the budget approved then to go ahead and do it prior to December. President Niemeier stated the credit in this process goes to the department heads and staff. They worked together to find ways to manage the day to day business of the Town more efficiently. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0.

A motion to suspend the rules and allow for a second reading was made by Ralph Miller with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0.

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

Council Member Parker read Ordinance No. 1283 by title only. Clerk-Treasurer Gross added this will not be effective until the pay period beginning February 18, 2018.

A motion to adopt Ordinance No. 1283 was made by Ralph Miller 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.

**2. Resolution No. 1215 – Northwest Indiana SWAT Mutual Aid**

Council Member Parker read by title only. Deputy Chief Brittingham explained this is to get one of our department members on the NWI SWAT Team. This is not the County's SWAT. Years ago the department had a member on the team but a lot has changed with the team. This interlocal agreement is one of the changes. The department has already started asking officers who would be interested. They have a short list to forward on to the SWAT Team. The SWAT Team will interview and there are a number of other requirements. They will pick the member from our department who will be the best fit for their SWAT Team. This agreement is a requirement. To be a part of this team means if the Town has a use for them, they will come and assist with any situation that would require the use of the SWAT Team. Currently, they would only give one curtesy call out if there was a situation. As an active member, whenever and wherever, they will be there. President Niemeyer asked how often one of our officers would have to participate. Mr. Brittingham stated there is a 75% matrix. They have mandated yearly training. They are looking for a 75% participation in this with training and call outs. President Niemeyer added they were told for years this could not be done. He's glad to see Chief Coulson and the leadership in the police department being proactive and helping to broaden the reach of law enforcement and the assets for the Town. Mr. Brittingham added it is an asset and it's similar to the Major Crimes Task Force he is on. He helps with investigations in other communities and they come and help when needed.

A motion to approve Resolution No. 1215 was made by Robert Carnahan with second by John Foreman. Council Member Miller added this was brought up at the last couple Police Commission meetings and the Commission members thought it was a good idea. He added he supports it as well. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**NEW BUSINESS**

**1. Huseman Farm Lease**

Town Attorney Austgen explained this is the annual lease the Town enters with the Huseman Farm entity for the Town's 114 acre parcel at the southwest corner of the lake on Parrish Avenue. The amount is the same at \$150 per acre. Council Member Carnahan asked if it would be \$16,500 total. Mr. Austgen stated as represented in the agreement.

A motion to approve the Huseman Farm Lease as presented was made by Greg Parker with second by Robert Carnahan. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0. President Niemeyer added this is the property the Town owns that has been designated as an area to house some of the materials taken out of the lake when the Ecosystem Restoration project commences.

**2. Christopher B. Burke Engineering LLC Proposal – Town Club Ditch**

Town Administrator Murr explained this is the proposal for the quote package preparation, pre-construction services, part-time construction observation, and reporting that is required after the project is completed. This is to repair some of the erosion in the area of the Town Club Ditch. Last year a LARE Grant was received for this project. This project will occur over the summer during the dry months. This will get everything ready and on construction schedules. The proposal cost is \$30,300. President Niemeyer asked about the funding source. Town Administrator Murr stated the funding would be from the storm water utility and wastewater utility. President Niemeyer asked if there was a recommendation. Town Administrator Murr recommended they approve the proposal.

A motion to approve the Christopher Burke Proposal for Town Club Ditch in the amount of \$30,300 was made by Greg Parker with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**3. Mesriow Financial, Inc. Proposal**

This proposal is to provide underwriter and placement agent services for the refunding of the sewer works revenue bonds. This is a continuation of the paperwork catching up to the bond refunding that will be occurring. In December they approved the agreement with London Witte to do the financial services. The cost will be paid for out of the bond proceeds. The total cost will be \$21,856. It is recommended to approve the agreement. Town Attorney Austgen added this is for their engagement under SEC rules for permission to act on the Town's behalf. President Niemeyer asked how much the Town would benefit from the refunding. Town Administrator Murr stated with current market conditions the net present value savings is \$151,621. A net savings of 5.4%.

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

A motion to approve the Mesirov Financial, Inc. Proposal was made by Greg Parker with second by Robert Carnahan. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**4. Chamber of Commerce – NWI Symphony**

President Niemeyer discussed a written request from the Chamber of Commerce for use of the entire Town Grounds for the annual NWI Symphony Orchestra's event. He read through the list of use requests. President Niemeyer briefly discussed costs and future financial requests.

A motion to approve the request as listed from the Chamber of Commerce was made by Greg Parker with second by Richard Sharpe. Council Member Carnahan asked if it included any money. President Niemeyer stated that should discuss the money at a work session to figure out where they want to take that from to balance the funds throughout the year. Council Member Rivera cautioned against promising the tourism funds to one entity. She knows the Summerfest Committee will be putting in a request. She wants to make sure they have money for other organizations that bring in tourism. President Niemeyer added in the past they used a combination of funds for the orchestra. Mr. Carnahan stated they didn't use the tourism money last year. President Niemeyer stated he believes they used a combination of tourism and Town promotion funds last year. Mr. Carnahan stated they didn't use the tourism money. Mrs. Rivera asked what it was used for. Mr. Carnahan added it was left for the promotion of the 50<sup>th</sup> Anniversary. Mr. Parker added that his motion does not include any money. Clerk-Treasurer Gross stated in 2017 they gave money to the Chamber in the amount of \$1,775 from the Inn-Keepers Tax and \$4,725 from Town promotion. Only \$5,000 is budgeted for this year and later in the year the bus service will be requesting funds. It will be tight this year to give money. Mr. Parker agreed they need to have a work session to discuss. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**5. ATC Proposal – Geotechnical Exploration Services**

Town Administrator Murr explained they have been working to expand water on the east side as far as storage capacity, a site has been identified. They would like to do some soil borings to make sure that site would be adequate for supporting an elevated tank or tower. They received a proposal from ATC through NIES Engineering for a lump sum of \$11,450 to do the geotechnical exploration to make sure the site would be viable for use.

A motion to approve the ATC Proposal as listed was made by John Foreman with second by Richard Sharpe. Mr. Austgen noted the time estimate in the proposal for completion. He asked Mrs. Murr asked if they have more than an estimate based upon discussions with engineering staff. Mrs. Murr said it was approximately 4-6 weeks. This will get the Town on their calendar. They are doing other soil borings around Town. They are doing some on 129<sup>th</sup> as well. They are trying to coordinate for when they will already be out. President Niemeyer reiterated this is for a site for a possible water tower. Mrs. Murr stated that is correct. Council Member Carnahan asked if this is for the east side of the lake. Mrs. Murr stated that is correct. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**COMMITTEE REPORTS**

- 1. Public Works and Safety** – President Niemeyer stated they recently had a Fire Territory public hearing. The next public hearing will be on February 20<sup>th</sup> at 7PM. Financial information will be available at that meeting.
- 2. Park and Recreation** – Spring soccer will be held April 14 – June 2, 2018. Registration will begin March 9<sup>th</sup>. Last year there were over 200 participants. They are hoping for another great turn out this spring. The Easter Egg hunt will be on March 23<sup>rd</sup>. There will be two age groups. The older group will be a flash light egg hunt. Registration will begin February 26<sup>th</sup>. Interior improvements are being done at the Cedar Lake Clubhouse are being completed by Public Works staff. President Niemeyer gave kudos to Brandyn Becker who runs the soccer program. New records keep being set. People are very interested and Mr. Becker's leadership is tremendous. Mrs. Rivera asked if he was part-time. Mrs. Murr stated he was as he is a full-time college student. Mrs. Rivera asked if he did the summer camp as well. Mrs. Murr stated he does. He has a passion for soccer. He also volunteers at the Boys and Girls Club during their soccer program. President Niemeyer added he received information from Mr. Miller about a water park activity on the lake similar to what Whiting does. He thinks this is an opportunity to generate revenue and create a centerpiece of recreational activity. Mr. Miller stated they've talked about putting the Park Foundation back together and this could be an item for them to work on. The revenue from such an activity could go right back into building things such as the bandshell. He stated he's been talking with Doug Spencer and Mr. Austgen and they are getting ready to come along with the Park Foundation. President Niemeyer added he'd like to get the Park and Rec Committee together to discuss this and get some ideas for a Council work session on how to get this up and running.

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

3. **Redevelopment** – President Niemeyer stated they had a work session with the Veridus Group on Work Order 1 which was visioning. The next meeting to discuss the outcome is being scheduled. He asked how many work orders there were. Mrs. Murr stated there are five work orders. President Niemeyer stated it is an ongoing process and there will be many more public forums and opportunities for people to contribute to the process.
4. **Planning** – The Plan Commission Work Session will be tomorrow evening. The Board of Zoning Appeals Meeting will be Thursday. Both have full agenda's. A brief discussion occurred on construction permits. Council Member Foreman commented on the pictures in the reports. Michelle puts the reports together and the pictures came from Schilling.
5. **Council Affairs** – None
6. **Utility** – The water utility storage expansion project for the east side is in process as noted by the proposal previously approved this evening. Engineers, staff, financial consultant, and attorney are working on the project. The next JMOB meeting will be March 21<sup>st</sup>. They are still working on re-coordinating the meeting with Cedar Lake and Lowell's Town Council. They haven't heard back yet from Lowell on proposed dates.
7. **Street** – Road projects are weather pending. Paperwork is catching up. Mrs. Murr anticipates High Grove and South Shore starting up again mid to late March. Schedules are being coordinated for Parrish Avenue from 141<sup>st</sup> to 151<sup>st</sup>. There is a quarterly tracking meeting for the Cline and Lake Shore Drive Roundabout on Thursday. That project is anticipated to start in the fall with utility relocation. Lincoln Plaza entrance improvement project is anticipated to commence later spring/early summer. Mr. Carnahan added that utility relocation for High Grove and South Shore is ongoing. President Niemeyer added the road projects have been in the planning process for almost two years. Mrs. Murr added High Grove and South Shore were part of the 2007 capital plan.
8. **Ecosystem** – The feasibility report comments were responded to by the Chicago District and submitted to the ASA's office on January 26<sup>th</sup>. The design agreement review is underway. Division has already sent that agreement to headquarters. That agreement has to be approved in form by the assistant secretary of the Army. It's anticipated that review should be completed by late spring. The project management plan was updated by the Corps project manager and received on February 1<sup>st</sup>. This report outlines all the processes for the project. Comments were sent back to the Corps project manager after review and a teleconference is scheduled for tomorrow. President Niemeyer asked if Mrs. Murr could reach out to Kay Whitlock to come give an update on the Ecosystem Restoration Project and help dismiss current rumors on chemical treatment being a viable option for the lake project. A brief discussion occurred on approval being needed from entities such as the state, IDEM, and DNR for the lake project.

**TOWN COUNCIL REPORTS**

1. **Town Council** – Mr. Carnahan stated after the fire territory meeting he has had a few residents ask why the Town of Cedar Lake taxpayer dollars are subsidizing the Township. Mr. Parker added it is the US 41 corridor as well. President Niemeyer stated in the past it was worse. Before the Fire Department was part of the municipality, the Town had a contract with them as well as the Township. What the Town committed to when merging with the fire department was investing in its expansion. The first priority set in 2013 was personnel. That's why the taxpayers of Cedar Lake have dedicated their resources to this process. It is the foundation of everything they do. Cedar Lake is growing faster than the Township. A brief discussion continued on the support and use of the fire service. Mr. Carnahan stated the Township uses about 30% of services and the Town uses approximately 70%. He asked Chief Wilkening about the cost received from the Township. Chief Wilkening answered the contract is about \$160,000. President Niemeyer added the uniform tax rate would help to balance the investment into the service and sustain it.
2. **Town Attorney** – None
3. **Clerk-Treasurer** – None
4. **Town Administrator/Staff** – Previously reported.

**WRITTEN COMMUNICATION**

1. **Christopher B. Burke Engineering Report** – Previously Reported.
2. **Tourism Fund Requests**
  - a. Cedar Lake Summerfest
  - b. Cedar Lake Historical Association

It was decided to take the requests under advisement and further discuss them at an upcoming work session.

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

**PUBLIC COMMENT**

None

**ADJOURNMENT** President Niemeyer called the meeting to adjournment at 7:49 PM.

An Executive Session was advertised and conducted before 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 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.