

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



February 21, 2017

**Public Meeting Advertised for 7:00 PM
Conducted at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence**

Roll Call:

Absent	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 COMMENT

None

CONSENT AGENDA

Minutes: February 7, 1017 Public Meeting Minutes

Docket: February 21, 2017 – All Town Funds \$192,575.14, Wastewater \$154,077.94, Water \$32,536.36, Storm Water \$2,706.53, Payroll 1/12/17 \$233,057.03

Clubhouse Rental Waiver Request: Cub Scouts Pack #129 – March 6, March, 20, April 3, and April 17, 2017.

Ralph Miller moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Richard Sharpe. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1256 – Beacon Pointe – PUD

Council Member Parker read by title only. Mr. Anderson was present for the petitioner. Town Attorney Austgen stated that the Plan Commission meeting went according to the ordinance. President Niemeyer asked about conditions contained in the ordinance. Mr. Austgen answered that the developer has been the petitioner and applicant for the zone change. The owner has not yet transferred title to the property. There is a provision drafted into the ordinance that conditions approval with the closing of the transaction and submission of a copy of the recorded deed instrument. Mr. Anderson answered that is anticipated for early March.

Motion to approve Ordinance No. 1256 was made by Greg Parker with second by Richard Sharpe. Roll Call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

2. Ordinance No. 1255 – Unsafe Building Department Amendment

Council Member Parker read by title only. Town Attorney Austgen stated that every decade or so this ordinance needs an amendment because of the make-up of the hearing authority desired by the Town Council. Consistent with the statute, this membership has been amended to be current with the membership appointment instincts of the Council.

A motion to approve the first reading of Ordinance No. 1255 was made by Ralph Miller with second by Julie Rivera. Roll Call vote: Foreman – 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 John Foreman with second by Richard Sharpe. Roll Call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

Council Member Parker read Ordinance No. 1255 by title only.

A motion to adopt Ordinance No. 1255 was made by Julie Rivera with second by Ralph Miller. Roll Call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

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3. Resolution No. 1188 – Property Transfer – Meyer Manor Cemetery to Hanover Township

Council Member Parker read by title only. Town Attorney Austgen explained that this is to transfer the property of Meyer Manor Cemetery to the Hanover Township Trustee.

A motion to approve Resolution No. 1188 was made by Julie Rivera with second by Ralph Miller. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

NEW BUSINESS

1. Animal Control Service Agreement

Town Attorney Austgen stated that the item was not ready. He recommended that it be deferred for further consideration.

A motion to defer was made by Greg Parker with second by Julie Rivera. Council Member Foreman asked if the Town tracked the amount of money received for pet license fees. Clerk-Treasurer Gross stated yes, it's between \$4,000-5,000. Mr. Foreman asked if it was conceivable that the money would pay for the agreement. Clerk-Treasurer Gross stated yes. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

2. Donation Request – Crown Point Fire Department

President Niemeyer read a written request from the Crown Point Fire Department for donation of one of the smart boards in storage. Four smart boards were acquired from a liquidation sale in late 2015. One board has not been in use since acquired. Mr. Austgen asked that if there is a motion and action to be considered, if the maker of the motion would include that the item requested to be donated is no longer needed or useful to the Town of Cedar Lake.

A motion to approve the donation of the smart board that is no longer needed by the Town of Cedar Lake to the Crown Point Fire Department was made by John Foreman with second by Richard Sharpe. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

3. Lake County Parks Waiver Request

President Niemeyer read a written request from the Lake County Parks Department. The request asks for the waiver of storm water fees for recently acquired property in Town. President Niemeyer asked Mr. Austgen for clarification, that the ordinance doesn't allow for waiver or reduction of fees without an appeal process. Mr. Austgen stated that was correct. President Niemeyer asked if the Town paid its storm water fees on its properties. Clerk-Treasurer Gross stated that the Town pays approximately \$800 each month because the Town has to bill fairly and equitably. It is the law that the Town assess a fee on every parcel in Town.

A motion to deny the Lake County Parks Waiver Request was made by Ralph Miller with second by Julie Rivera. Roll call vote: Foreman – No, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 5 to 1. Brenda Roberts approached and spoke about the storm water fees that were charged when she owned the property and was annexed into Cedar Lake.

4. Farm Lease Agreement

Town Attorney Austgen explained that this is the annual lease with Huseman Farms Inc. for the tilling of the 110 acre parcel of the Town at the southwest quadrant of the lake. It is \$150 per acre payable twice a year.

A motion to approve the Huseman Farm Lease Agreement was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

TOWN COUNCIL REPORTS

1. Town Council – None

2. Town Attorney – None

3. Clerk-Treasurer – Clerk-Treasurer Gross is working on the finalization of the annual report and working on the reductions for the 2017 budget.

4. Town Administrator/Staff – Town Administrator Murr briefly discussed upcoming soccer registration. She anticipates INDOT Change Orders from Christopher Burke Engineering on the next agenda.

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WRITTEN COMMUNICATIONS

1. Christopher B. Burke Engineering Report – The Ecosystem Restoration Feasibility study is moving back through the chain of command. Town Administrator Murr anticipates calling a committee meeting within the next month.

PUBLIC COMMENT

None

ADJOURNMENT President Niemeyer called the meeting to adjournment at 7:33 PM.

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