

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



June 6, 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 | Absent* | 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 Deputy Clerk Margo Nagy was present.*

PUBLIC COMMENT

Chuck Kouder, 8423 W 147th Avenue, stated he wanted to clarify with the Council that his previous comments were in regards to illegal fireworks only. He discussed the percentage of Veterans that suffer from PTSD. He discussed ideas for educating the public and increasing fines. He wondered if it was possible for a percentage of fines to be contributed back to groups that help PTSD sufferers. Mr. Austgen confirmed that the maximum penalty was \$7,500. A brief discussion continued on enforcement and penalties.

Mitch Dudlak, 12801 Oak Street, stated he was glad to see the flagpoles up. He voiced concerns on the flags still not being up. He continued to voice concerns on those who use their cell phones while driving, speeders, and missing tail lights. He commented on the \$5 stormwater fee increase and discussed the possibility of a wheel tax. President Niemeyer stated a wheel tax has not been discussed and he gave the reasoning for the stormwater fee increase. Mr. Dudlak continued with other concerns.

Jerry Stenger, 13418 Wicker Avenue, asked why the Girls Softball drainage went up tremendously. He stated he just heard it tonight and doesn't have all of the details. He voiced concerns with a neighbor draining onto his property. He stated he reported it and no one has done anything. President Niemeyer asked about the process to make a claim on such an issue. Mr. Austgen stated the issue needs to be documented. Mr. Stenger stated he told Mr. Kubiak about the issue. Mr. Niemeyer asked Mr. Stenger to formalize his complaint and talk with the Town Administrator. Mr. Kubiak stated drainage needs to be ten feet from the property line and he would take a look tomorrow.

Natalie Sumara, 7914 Lake Shore Drive, voiced concerns with a neighbor's property draining onto hers. She asked why she needs to have a licensed plumber just to change out pipes. Ms. Samara and Mr. Kubiak discussed the matter. He told her a licensed general contractor would be fine. Just needs to be registered with the Town.

Paul Benton, 13304 Schneider, asked if Goodfella's was issued a permit for outdoor music again. Mr. Kubiak stated they had a blanket approval but there were stipulations. He voiced concerns about the noise level coming from the establishment. President Niemeyer stated he's heard other concerns and there is definitely an issue. He stated they will need to review the stipulations and if they are in violation they need to be ticketed for it. Mr. Austgen discussed considering stringent enforcement, up to and including revocation of the use component of the special use that was granted for that to occur.

CONSENT AGENDA

Minutes: May 16, 2017 Public Meeting

Docket: June 6, 2017 – All Town Funds \$317,232.04, Wastewater \$191,552.03, Water \$53,538.33, Storm Water \$21,595.66, Payroll 05/18/17 & 06/01/17 \$419,607.31

Manual Journal Entries: May 1 – 31, 2017

Donations: VIPS – Lady Lions \$60.00

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.

RESOLUTIONS

1. Confirming Resolution No. 1197 – Transfer within General Fund – Public Works Budget

Chief Deputy Clerk Nagy read by title only. She explained that this was a transfer of \$2,500 from Public Works Budget Line 445 Equipment to Line 361 Equipment Repairs. It is for repairs to mowing equipment.

A motion to approve Confirming Resolution No. 1197 was made by Robert Carnahan with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

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

2. Resolution No. 1198 – Authorizing and Approving Equipment Lease-Purchase Agreement – Y2017 Police Squads

Chief Deputy Clerk Nagy read by title only. She explained that this is the lease-purchase agreement with Tax Exempt Leasing Corp. for the new police squads.

A motion to approve Resolution No. 1198 was made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

NEW BUSINESS

1. Public Drainage Easement Agreement Ratification

Town Administrator Murr explained that this is the ratification of the drainage easement that was needed for the South Shore Subdivision improvements. The project is currently out for bid.

A motion to approve Public Drainage Easement Agreement Ratification 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.

2. 2014 Governmental Ambulance Payment Adjustment for Managed Care Services Agreement

Town Administrator Murr stated they received notice of program reimbursement from Myers and Stauffer for fiscal year 2014 Governmental Ambulance Payment Adjustment for Managed Care Services. This is the second part of the 2014 reimbursement that they can get as a governmental entity providing ambulance services. Due to the Town is \$21,425.81. In 2015, they approved an engagement agreement with Blue and Co. for cost report preparation and submission for years 2014, 2015, and 2016 where there is a 20% fee based on what they are able to collect. They will be due \$4,285.16. The Town's net adjustment will be \$17,140.65 and it will be receipted into the General Fund.

A motion to approve the 2014 Governmental Ambulance Payment Adjustment was made by Robert Carnahan 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. Historical Association Museum Lease

Town Administrator Murr stated that they have been working with the Historical Association on entering into a new lease. Previously, the Town had a 50 year lease that was entered into in 1979. The new lease will be for the next 75 years. It will end in the year 2092. The Historical Association has already approved the lease. President Niemeyer commented that it has been a few years in the making. He added that as painful as it has been at times, he feels blessed because he has been able to learn more about what the association does. He commented that they have incredible volunteers serving the community.

A motion to approve the Historical Association Museum Lease was made by Ralph Miller with second by Robert Carnahan. Mr. Austgen commented that this is the proper process and it's a 21st Century state of the art lease. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0. Council Member Miller asked if Ms. Julie Zasada would discuss some recent museum news. Ms. Julie Zasada, Executive Director for the Cedar Lake Historical Association, stated they sent in a draft of the lease as part of a grant application to the Indiana Historical Society. It helped them secure a grant for \$34,000 to help with securing contractors for repairs to the museum.

4. St. John Oktoberfest Request

Town Administrator Murr commented that this is an annual request from St. John Oktoberfest to borrow 20 picnic tables from the Town. They will pick them up on September 20th and return them on September 25th. They have not had any past issues with this.

A motion to approve the St. John Oktoberfest Request was made by Richard Sharpe with second by Greg Parker. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

5. Summerfest Firework Display Request – July 1 & July 3, 2017

Town Administrator Murr added that in the past the \$100 firework permit fee has been waived. She recommended that they continue with the waiver of the permit fee.

A motion to approve Summerfest Firework Display Request was made by Julie Rivera with second by Ralph Miller. Council Member Carnahan added that he was impressed with the map of where the barge will be located added to the request. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

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

6. Lake County Soil & Water Conservation Agreement

Town Administrator Murr explained that this is an annual agreement with Lake County Soil & Water in the amount of \$1,278. It is to provide public education, outreach, participation, and involvement services. Last year they provided programming to the Boys and Girls Club as well as during the summer day camp. It is part of an MS4 requirement. President Niemeyer asked if it would be paid from Stormwater. Town Administrator Murr stated that was correct.

A motion to approve Lake County Soil & Water Conservation Agreement was made by Richard Sharpe with second by Greg Parker. Council Member Carnahan asked if it was possible to get some of the information to the Lake County Public Library in Cedar Lake. Town Administrator Murr stated she would discuss it with them. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

COMMITTEE REPORTS

- 1. Public Works and Safety** – President Niemeyer stated they met yesterday and discussed radio and pager upgrades for the Fire Department. Soon the Town will be joining the statewide 800MHz system. Improvements are needed to pagers first. Police Officers already have the dual-band system needed.
- 2. Park and Recreation** – Council Member Rivera stated they are still promoting the 50th Anniversary Celebration on September 16th at the Town Grounds. It will be a free event for all ages. Council Member Carnahan added that the Cedar Lake Chamber has agreed to donate \$250.00. President Niemeyer added that summer camp registration has begun. It starts June 12th and ends July 28th.
- 3. Redevelopment** – None
- 4. Planning** – None
- 5. Council Affairs** – Budget time is approaching. Meetings will begin soon.
- 6. Utility** – JMOB will have a meeting on June 29, 2017.
- 7. Street** – Bids for High Grove were opened on June 1st. They are currently being reviewed. They anticipate having a recommendation for award at the June 20th meeting. South Shore is out to bid. Bids are due on June 20th and will possibly be awarded at a special public meeting on June 26th. Parrish Avenue Phase II is still on schedule with NIES Engineering for design.

TOWN COUNCIL REPORTS

- 1. Town Council** – Council Member Parker discussed a telephone call informing him about an accident at Cline and 147th over the weekend. A car hit a parked car in a driveway and totaled the car in the driveway. It was close to the home. He discussed putting up a dangerous intersection sign with the flashing lights near that intersection. The Council and Chief Smith discussed the possibility of signage. It just comes down to funds. President Niemeyer asked for quotes on signage. Council Member Carnahan discussed the next census count will be 2020. He stated he read that the federal government will be cutting from \$250 million to \$100 million. He said they went from 68% to 79% of the residents counted in 2010. He stated for 2020 it's important they form another team to make more progress. He stated that's how the Town gets money is by population. President Niemeyer discussed Mr. Kouder's concerns with the fireworks and updating the policy. Council Member Rivera added that continued reminders online will help too. Discussion continued on monitoring, policy, and enforcement.
- 2. Town Attorney** – None
- 3. Clerk-Treasurer** – None
- 4. Town Administrator/Staff** – Town Administrator Murr stated just distributed is the possibility of what the west side water tower could look like. Staff is looking into an asset management plan, similar to what is done for the roads and wastewater. They are looking at the cost in terms of entering into a service agreement versus a one-time investment. They anticipate having a report next meeting.

WRITTEN COMMUNICATIONS

- 1. Christopher B. Burke Engineering Report** – The Ecosystem Restoration Project is continuing with meetings. In the Chicago District Corps, Colonel Drew will be relinquishing command of the district to Colonel Aaron Reisinger on July 21st.

PUBLIC COMMENT

None

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

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:10pm.

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.