

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



August 4, 2015

**Public Meeting Advertised for 6:00 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	Patsy Casassa Council Member	Ward 6
Absent	John Foreman Council Member	Ward 2	Present	Randell Niemeyer Council Member	Ward 5
Present	Julie Rivera Council Member	Ward 3	Present	Amy J. Gross, IAMC, MMC, CPM Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Absent	Jill Murr, CPM, IAMC, MMC Town Administrator	
Present	Greg Parker Council Member	Ward 7	Present	David Austgen Town Attorney	

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: July 21, 2015 Public Meeting Minutes.

Docket: August 4 – All Town Funds \$271,658.29, Wastewater \$41,092.87, Water \$38,224.54, Storm Water \$123,695.45, Payroll #142 & #143 - \$161,414.25.

Ralph Miller moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda. Second was made by Greg Parker. Roll call vote: Julie Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

NEW BUSINESS

1. London Witte Group (LWG) Proposal (Strategic Plan: A Secure Future, An Effective Organization)

Clerk-Treasurer Gross stated that at the May 19th meeting she reported attending a workshop in Indianapolis regarding changing state policies. House Enrollment Act 1264, states the State Board of Accounts shall define and audit, and the audit committee shall approve no later than November 1, 2015, the acceptable minimum level of internal control standards and procedures that will be required. London Witte Group has proposed to come in and analyze our internal controls and make amendments accordingly, so we are in compliance with the guidelines by November 1. The minimum for this service is \$8,000 with the maximum no more than \$15,000.

Motion to approve London Witte Group Proposal not to exceed \$15,000, made by Ralph Miller with second by Julie Rivera. Roll call vote: Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

OLD BUSINESS

1. Hanover Central Athletic Department – Standby Ambulance Request – Fall Football (Strategic Plan: An Engaged Community)

Chief Wilkening stated that to provide adequate staffing for ambulance and fire truck standby for any community events, there is an added cost. Chief Wilkening stated he's not recommending to charge or not charge the school. Being on standby is a little taxing on their system but there is extra staff to do it. The biggest issue is if a call comes in that is away from the game and if they have to leave, the game is then without an ambulance. Chief Wilkening stated they try to guarantee that doesn't happen by bringing in the extra staff. President Niemeyer discussed an idea of charging for the staff not the rig or equipment. Per Chief Wilkening's Report, the total cost for full-time staffing of 1 ambulance at a game (or 3 hours), not including employee benefits, is around \$89.25. Total cost for part-time staffing of 1 ambulance at a game is \$73.50. Ambulance cost of \$100 per hour to be on site. Fire Truck cost of \$200 per hour to be on site. President Niemeyer suggested \$100 per game would be a fair request. When President Niemeyer asked for the opinion of the Town Attorney, Mr. Austgen stated it was a policy call. Council Member Rivera stated she felt the school shouldn't get charged because football is a dangerous sport and if the school decides to go with an outside company, would they really want to chance that for the student's health. Discussion continued about having an ambulance staffed there at all times and never leaving the scene. Chief Wilkening briefly discussed new concussion standards, what trainers can and can't do regarding injuries and more participation needed between the fire department and school corporation. President Niemeyer discussed moving forward with the agenda item and having it be a precursor to development of policy of how Town services are contracted out. Council Member Miller asked about postponing the decision for two weeks until all of the council members were available to decide. President Niemeyer discussed the approaching start of the season and the school board needing an answer to make a decision by their next meeting. Clerk-Treasurer Gross asked if the Council wanted a report regarding total cost of staffing including wages and benefits. President Niemeyer stated in lieu of having a policy and needing to act on something that has urgency, that what Chief Wilkening put

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together and rounding that number up to cover some of that would do. President Niemeyer recommended charging Hanover Central Athletic Department \$100 per game and then work on a broader policy going into next year.

Motion to charge Hanover Central Athletic Department \$100 per game made by Greg Parker with second by Patsy Casassa. Roll call vote: Rivera – No, Miller – No, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 3 to 2. Motion does not carry.

COMMITTEE REPORTS

1. Public Works and Safety – President Niemeyer stated the committee met with Chief Wilkening and Assistant Fire Chief Mager to talk about the upcoming budget and equipment needs. Discussion concerned aging fire trucks and the need for maintenance on the aerial ladder and pumper truck. Mr. Mager is working up quotes on maintenance of the equipment and Chief Wilkening put together a proposal of what it would cost to purchase a new engine and ladder truck, as a package deal. It is a substantial cost. Discussion on pay increases for the fire department also occurred. Council Member Rivera stated it was a productive meeting and they need to think of creative ways to fund some of these things. President Niemeyer stated that ties into Council Affairs and budget season and asked Clerk-Treasurer Gross when she wanted to begin meeting to discuss budgets. She discussed working on budgets and needing to go back through some that were already submitted. She discussed that when the Town merged with the Fire Department, two leases were acquired. The Town pays anywhere from 5.04 to 5.96% in interest alone. It comes out of the Cumulative Capital Development Fund, which each year is slowly declining in its tax rate. The Town has utilized it quite a bit as well and the cash flow is going down. She contacted a couple of banks used for municipal financing to discuss refinancing the leases. If the Town was to refinance, it would take two years off the lease and save the Town almost \$30,000 in interest. This quote was from Republic First National. President Niemeyer asked if a refinance could be rolled into a new lease purchase of two fire trucks. Clerk-Treasurer Gross stated it was a possibility. She recommended refinancing with Republic First National for 5 years, annual payments, at 2.87% interest. President Niemeyer asked about checking on some of the language in the quotes to see that if the Town does decide to go with an equipment purchase, if this is something the debt can be rolled into. Clerk-Treasurer Gross asked for Town Attorney Austgen to assist with reviewing the lease documents. Town Attorney Austgen asked about the remaining amount due. Clerk-Treasurer Gross stated that there was a little over \$268,000 in outstanding principal and interest. Town Attorney Austgen stated it was a good deal and recommended amending the agenda and to consider the Clerk-Treasurer's recommendation.

Motion to amend the agenda and consider the recommendation of Clerk-Treasurer Gross made by Ralph Miller with second by Julie Rivera. Roll call vote: Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

Motion to approve recommendation made by Clerk-Treasurer Gross to refinance with Republic First National made by Greg Parker with second by Patsy Casassa. Roll call vote: Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

2. Park and Recreation – President Niemeyer stated at last meeting the renewal of the Park Impact Fee and need for a committee and consultant was discussed. Committee must be comprised of 40% realtor or builder experience and the rest may be citizens at large. Discussions have begun on recruiting a committee before the deadline of February 28, 2016.
3. Redevelopment – Town Attorney Austgen stated the Redevelopment Commission is evaluating and reviewing the TIF parcels distribution, shortfalls, and other information. This does impact the revenue stream and the revenue stream affects the ability of the Commission and the Town Council to continue with the initiatives that are in process.
4. Planning – Council Member Parker stated that the draft of the Zoning Ordinance is complete. Building Commissioner Kubiak stated that the following evening the Plan Commission meets to review copies of the Zoning Ordinance and after move into the Zoning Map. President Niemeyer asked if there were still a lot of new home permits being issued. Building Commission Kubiak stated there were 19 new house permits in June and 17 in July.
5. Council Affairs – Clerk-Treasurer Gross stated probably next week she will be in touch with members and department heads to see when the best time to meet would be.
6. Utility – President Niemeyer stated that Nies Engineering has given a report on the eastside water utility analysis. This was done after Schilling's proposed and plated the Lakeside Development. Part of what is seen is a need for improvements in the Town's water utility. President Niemeyer asked Neil Simstad for a summary of the report and to attach a recommended action plan. President Niemeyer stated the Town needed to get water out of the ground sooner rather than later. He also commented on substantial work on that utility being done by the developer. Building Commissioner Kubiak stated that he passed along the recommendation to Schilling Development on putting in a two well water supply for the subdivision. President Niemeyer asked if work was being done on the Lift Stations. Mr. Kubiak commented that quite a bit is being done. Lift Station #3 received a new bypass valve and Lift Station #12 was completely redone and is up to standard. Lift Station #17 is up to standard as well one other. Town Attorney Austgen

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asked if a log was being kept on upgrades and capital work. Public Works Superintendent Cornett stated field reports are kept. Discussion occurred on how to keep documentation on lift station upgrades.

7. Street – Council Member Parker asked for a public meeting account of 133rd Ave. Town Attorney Austgen stated that there was a design defect by the design engineers that resulted in flooding during peak rain events. There were four such events in mid-June that irrefutably concluded there was a faulty storm drainage design. Meetings occurred during this time that yielded discussions on solutions. Christopher B. Burke Engineering was asked to do some study and analysis off site of the road. The design engineer American Structurepoint was thought to be leaving the meetings with understanding that they would come back with information to a solution. American Structurepoint did not take ownership and didn't participate substantially in solution recommendations. Hence, the Council's action to terminate the firm. There was a meeting last week that discussed the transition of engineering and solution consulting. A meeting will occur with American Structurepoint to discuss where everything stands, if a solution is available or not, and if a solution is available who's paying for it. President Niemeyer discussed being in contact with Neil Simstad about the neighborhood streets project bids. He will have the bid specs available soon. Town Attorney Austgen commented on Parrish Avenue Phase I, notice to bidders has been advertised and bids will be ready to be opened on August 17.

TOWN COUNCIL REPORTS

1. Town Council – Council Member Rivera discussed speaking with residents of Wicker Meadows upset with the grading working done on the swale and asked if it was going to be left all lumpy and full of divots. She asked if there was a report on when it would be finished. Public Works Superintendent Cornett reported that they've been working on it as time and conditions permit. Council Member Rivera suggested looking into an outside contractor to finish some of the jobs and get caught up. Discussion continued on the upcoming storm water agenda and the considerable amount of items and long-term solutions needed. President Niemeyer stated he agreed with Council Member Rivera and soliciting a request for a proposal from an outside vendor to help town staff get projects done. Council Member Rivera stated that this does not have to be a permanent solution of having a contractor on standby indefinitely, just to get everything caught up to the point where staff can handle incoming projects. She also asked if one of the engineers could come out and look at Wicker Meadows. Multiple, lengthy discussions continued on overflow issues, possible solutions, and moving forward with an action plan.

President Niemeyer stated each year the Northwest Indiana Cancer Kids (NICK) Foundation presents the Council with a proclamation. He asked if Council would amend the agenda and allow for a reading and consideration of the proclamation.

Motion to amend the agenda and consider the proclamation made by Greg Parker with second by Ralph Miller. Roll call vote: Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

Council Member Rivera read the proclamation.

Motion to accept the proclamation and declare September Childhood Cancer Awareness Month made by Greg Parker with second by Patsy Casassa. Roll call vote: Rivera – Yes, Miller – Yes, Parker – Yes, Casassa – Yes, Niemeyer – Yes. Vote: 5 to 0.

2. Town Attorney – Town Attorney Austgen stated he has forwarded an amended police training reimbursement agreement and fire department training reimbursement agreement. He recommended consideration of the items at the next meeting. Mr. Austgen also reported on being about 75% into the drug testing policy protocols. Research and evaluation has been completed. Council will be getting a report with recommendations in the next few weeks.
3. Clerk-Treasurer – Previously reported during Committee Reports.
4. Town Administrator/Staff – No report.

WRITTEN COMMUNICATIONS

1. Christopher B. Burke Engineering Report – Don Oliphant reported that 133rd West went to surface the previous week and is about done. Mr. Oliphant briefly reported on the Safe Routes to School Project moving forward.

PUBLIC COMMENT

None

ADJOURNMENT President Niemeyer called the meeting to adjournment at 7:10 PM.

An Executive Session was advertised and conducted 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.

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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

Julie Rivera, Ward 3

Ralph Miller, Ward 4

ATTEST:

Greg Parker, 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.