

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



October 3, 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
Absent	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 HEARING

- a. Gateway Notice – Clerk-Treasurer Gross stated the Gateway Notice was sent electronically on 9/22/17.
- b. Council Affairs Committee Comments – Clerk-Treasurer Gross stated the budget committee met various times and with departments. It is a very interesting budget year coming up. The community is growing and unfortunately the levy limitations and the miscellaneous revenues that are coming through are not able to withstand the growth that is anticipated. Discussion revolved around how the 2018 budget could possibly be reduced in order to meet such expectations. One item was the health insurance plan. The Town has had a benefit rich plan for a number of years and now it is getting to the point where they may need to meet industry standards and possibly increase the deductibles and out of pocket expenses for employees. She stated she's heard a lot of other communities are taking the same action. This is still in the planning stages. Salary increases were discussed to compensate for the loss without sacrificing the fact that budget cuts still need to be made. Reinvestment and cost savings with part-time personnel to help save with overtime costs. That can be implemented this year with a salary ordinance. Direct cost savings will be with the reduction of \$120,000 or more from this year's budget. The more we cut the better it will help with an approved budget for next year. Our dispatchers at Southcom will be changed from salary to hourly. That will save \$6,500. Adjustments to health insurance costs will help save anywhere from \$73,000 on up. The deductible changes could possibly save \$94,000. A proposed Fire Territory for 2019 could save approximately \$126,000 in health insurance costs. A shift has been noticed. The Fire Department, which was acquired in 2014, has not been able to grow according to the needs of the community. Longevity for civilian employees was looked at as well as fair and equitable leave banks. Different departments follow different paid time off procedures. When some employees leave they leave with a significant sum of money due to comp or vacation time that has been saved up. Mr. Miller added that one of the big discussions was the banked comp time and putting a non cash value on time off. Mr. Sharpe added everything that needs to be done will not be done in one year. It will take a few years. This is step 1 and it is a very good step. Mr. Niemeyer discussed municipalities in Illinois and some getting to the point where expenditures on benefits packages are a huge problem. Mr. Niemeyer discussed wages and sustaining talented employees. He discussed balancing benefits, wages, and retaining employees.
- c. Reading of Ordinance No. 1271 – Clerk-Treasurer Gross read by title and gave an explanation. She read down the list as follows:

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ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)
Approved by the State Board of Accounts, 2015
Prescribed by the Department of Local Government Finance

Budget Form No. 4
Generated 9/27/2017 4:31:34 PM

Ordinance Number: 1271

Be it ordained/resolved by the Cedar Lake Town Council that for the expenses of CEDAR LAKE CIVIL TOWN for the year ending December 31, 2018 the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of CEDAR LAKE CIVIL TOWN, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the Cedar Lake Town Council.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Cedar Lake Town Council	Town Council	10/17/2017

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0061	RAINY DAY	\$1,834	\$0	0.0000
0101	GENERAL	\$4,298,615	\$3,299,821	0.8393
0342	POLICE PENSION	\$173,200	\$0	0.0000
0706	LOCAL ROAD & STREET	\$270,750	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$588,420	\$0	0.0000
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$30,000	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$223,204	\$235,905	0.0600
2430	REDEVELOPMENT - GENERAL	\$48,800	\$0	0.0000
2482	REDEVELOPMENT BOND	\$658,000	\$730,127	0.1857
2487	REDEVELOPMENT BOND EXEMPT FROM CIRCUIT BREAKERS	\$362,000	\$378,631	0.0963
		\$6,654,823	\$4,644,484	1.1813

Home-Ruled Funds (Not Reviewed by DLGF)		
Fund Code	Fund Name	Adopted Budget
9500	Lake County Solid Waste	\$78,977
9501	Casino Gaming	\$300,000
9502	Park Non-Reverting Operating	\$15,000
9503	Law Enforcement Continuing Education	\$22,500
9504	CEDIT	\$412,100
9505	Tourism Innkeeper's Tax	\$4,725
9506	LOIT Public Safety	\$193,756
9507	LOIT 2016 SPECIAL DISTRIBUTION	\$188,454
9508	Clubhouse Non-Reverting	\$22,105
		\$1,237,617

- d. Public Comment - None
- e. Council Discussion – Mr. Parker asked if everyone was satisfied with the presented budget. Mr. Sharpe answered yes. Everyone worked very hard on it and there was a lot of give and take. It's a good first step. Mr. Niemeyer stated with what is being proposed is satisfactory because it addresses some of the public safety needs. Mr. Carnahan reiterated what he's said in the past. He's been told that the whole Council should have been involved. Things may have been discussed that everyone else doesn't know. Mr. Niemeyer stated he doesn't disagree with him but they would've had to have six or seven work sessions. It was a very difficult process. Mr. Parker asked Mrs. Gross if she was satisfied. She'll be satisfied when the number comes back from the DLGF. Right now all they have is estimates. It's inflated and typically it is. Once the State tells them what they get they'll have to go down the line items and make cuts. This is for advertising purposes to get them through so they can get the budget adopted. They'll see where they officially stand probably late January 2018. Conversations will continue with the budget committee as well as department heads. They have already discussed with the Fire Chief other avenues that can be taken and gotten good rapport back from everyone. Mr. Niemeyer stated if the Council wants to have a work session even as this goes into next year, he's more than happy to schedule something. This has been a very tedious process.
- f. Council Decision
A motion to approve the first reading of Ordinance No. 1271 was made by Richard Sharpe with second made by Ralph Miller. Roll call vote: Carnahan – No, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 4 to 1.

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PRESENTATION

House of Representatives Proclamation

State Representative Michael Aylesworth discussed the proclamation he presented at the Town's 50th Anniversary Celebration. Mr. Aylesworth commented on having a new proclamation printed and signed with the corrected name of Carl O. Spiechert. Mr. Niemeyer added that Mr. Aylesworth was gracious in coming to the celebration. He stated it was a great honor to have him there. Mr. Aylesworth asked if there was anything the Council wanted to discuss with him. Mr. Carnahan asked about him still working on trying to get the turning arrow on 133rd Avenue. Clerk-Treasurer Gross briefly discussed having the budget uploaded to Gateway but having to publish the annual report in two newspapers. She asked about posting it to Gateway and the Town's website instead. Mr. Parker discussed the PSAP consolidation dispute and the mandate that required consolidation but the lack of provision for mediating disputes. He asked for help with the impasse and taking a look at the legislation. Mr. Aylesworth asked about conversation with Mr. Rick Niemeyer and opening that legislation to have mediation put in but they have to be careful about how to go about that. Mr. Niemeyer added that the distribution of money is an issue. The County receives all the money from the State for the 911 fees. Southcom is a second entity recognized by the State of Indiana as a public safety answering point. Yet, the money sits in escrow because the County claims that they have no claim to their portion of it. The legislation doesn't spell out an equation specifically. Mr. Parker discussed the legislation knowing what the county is capable of because the gas tax has language to prevent things like this from happening but it didn't happen with the dispatch legislation. A lengthy discussion continued.

PUBLIC COMMENT

None

**President Niemeyer amended the agenda to allow for consideration a property listing at 10833 W. 133rd Avenue. Will be item 4 under new business.*

CONSENT AGENDA

Minutes: September 19, 2017 Public Meeting

Docket: October 3, 2017 – All Town Funds \$263,236.09, Wastewater \$167,114.26, Water \$14,736.04, Storm Water \$4,368.39, Payroll 09/21/17 & 09/29/17 \$183,438.78

Manual Journal Entries: September 1 -30, 2017

Conflict of Interest: Tim Kubiak, Dawn Rastovski, and Doug Machalk

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, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 5 to 0.

NEW BUSINESS

1. 2015 Governmental Ambulance Payment Adjustment

Town Administrator Murr explained that this is the second year receiving the governmental ambulance payment adjustment. The amount due to the Town is \$8,333.08. They previously approved an agreement with Blue & Co. for the cost report preparation, submission, and responses from 2014, 2015, and 2016. This was done on a contingency fee basis of 20%. They will receive \$1,666.61. The Town's net adjustment will be \$6,666.47 and the payment would be receipted into the General Fund. She recommended the Town Council authorize and accept the 2015 Governmental Ambulance Payment Adjustment Agreement and the Certified Public Expenditures Statement.

A motion to approve the Town Administrator's recommendation was made by Richard Sharpe with second by Ralph Miller. Roll call vote: Carnahan – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 5 to 0.

2. NIES Engineering – Parrish Avenue Engineering Services Amendment

Neil Simstad with NIES Engineering presented a request to amend the contract for design and construction engineering services for Parrish Avenue Phase II. He stated the timeliness of submitting the Community Crossings Match Grant application was a matter that was discussed at staff level and if they had come to the Council and tried to get a modified contract amendment they may have missed the application deadlines, due dates, and award dates. They were successful on behalf of the residents of Cedar Lake and received a 2017 grant in the amount of \$690,000. They are requesting an amendment of \$16,400 to cover the costs. As discussed with Town Administrator Murr, the templates are in place and ready for 2018 and future projects going forward.

A motion to approve Parrish Avenue Engineering Services Agreement Amendment for \$16,400 was made by Greg Parker with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 5 to 0.

3. LWG Engagement Agreement

Town Administrator Murr presented an engagement letter from LWG for the work on the Series C of the 2017 bonds for the Parrish Avenue Project from 141st to 151st Avenue. The agreement fee is in the amount of \$30,000 and is payable from the bonds.

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A motion to approve LWG Engagement Agreement was made by Ralph Miller with second by Greg Parker. Roll call vote: Carnahan – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 5 to 0.

4. Property Listing – 10833 W. 133rd Avenue

Town Administrator Murr explained that she contacted a couple agents and heard back from one offering to list the parcel at \$90,000 with a 4% commission rate. With the Council's permission she would like to enter into an agreement with Anton Agency. John Dessauer submitted the proposal. Mr. Niemeyer asked if the Council had any knowledge of any other proposals. Mrs. Murr stated she approached another agent and they were not interested.

A motion to approve the agreement with Anton Agency was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 5 to 0.

WORKSESSION

1. Golf Cart Ordinance

President Niemeyer stated at the last meeting it was directed to have the attorney draft an ordinance for golf carts. Mr. Miller stated after review of the draft he would like to see a fee of \$25 charged for registration of golf carts. He asked if it was normal. Mr. Austgen stated it was a customer term. You'll find easy acceptance and rank disgust. Mr. Niemeyer asked what verbiage and law this was tested against. Mr. Austgen stated it is premised on state law and Title 9 is cited throughout. He stated he worked off of a number of things. He stated he drafted a similar ordinance for Schererville using those same resources. Mr. Niemeyer asked if the Council had any questions or discussions. Mr. Carnahan stated he would like to see it taken to the residents that own golf carts. Mr. Miller suggested moving the item back and putting a notice in the newsletter. Town Administrator Murr added that she and Interim Police Chief Brittingham had not had a chance to look over the draft. A lengthy discussion continued on similar vehicles and if they would be covered by the ordinance, registration and fees, and safety features.

2. Roadway Weight Limit Ordinance

Town Administrator Murr reported that Council Member Foreman has been leading a movement to set roadway limits. As the Town is working on, repairing, and reconstructing roads, a freeze thaw having Parrish Avenue be a crossroad to construction areas. This is to set in motion the steps to start drafting an ordinance to establish some of those roadway limits. Mr. Kubiak discussed establishing a through Town truck route. He discussed weight limits to interior roads. Mr. Niemeyer stated as the owner of a trucking company he appreciates having clearly labeled truck routes. Anything they do needs to be clearly labeled and have common sense to it. A lengthy discussion continued on protecting the roads and problem areas.

COMMITTEE REPORTS

- 1. Public Works and Safety** – Town Administrator Murr discussed the budget being at the forefront. A fire territory meeting was held recently with the township. Mr. Niemeyer added that police chief interviews have been conducted. An announcement will be made shortly. Town Administrator Murr added that they are looking forward to the 2018 Community Crossing Grant application and planning some of that with the asset management plan and pavement projects.
- 2. Park and Recreation** – Trunk or Treat will be on Saturday, October 28, 2017.
- 3. Redevelopment** – The Lincoln Plaza project will be completed in 2018. It will be going out to bid in late October. There is a cost savings with having the project go into 2018. News was received today on the Cline and Lake Shore Drive Roundabout Project. All the right of way has been acquired. The project was slated for construction and fiscal year 2022. Town Administrator Murr has been working with NIRPC to get the project moved up. At this morning's TROC meeting, the project was part of the list of projects to be considered to move the construction date from fiscal year 2022 to fiscal year 2019. It still needs to be recommended by the Transportation Policy Committee and by the Executive Board. They should know by the end of the month if it is official to move it forward three years.
- 4. Planning** – 108 new home permits valued at just under \$21 million this year. One new commercial building valued at \$250,000. 359 alteration permits valued at \$5.2 million. A very busy building inspector with over 600 inspections in the past two months.
- 5. Council Affairs** – Still going over the budget and benefits.
- 6. Utility** – On August 29th, the Cedar Lake and Lowell Town Council's met. The Wastewater and sewer joint agreements were obtained and shared last week with Jeff Sheridan. Both communities have the same information. A follow up meeting is anticipated in December. The next JMOB meeting is scheduled for November 15th in Cedar Lake. Work is continuing on the televising of the wastewater interceptor line. Mr.

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Kubiak attended the Chemical Phosphorus Removal Facility Mechanical Trash rack Construction Progress meeting. Work is slowly progressing.

7. **Street** – Construction is ongoing in High Grove Subdivision. NIPSCO is scheduled to get into South Shore to bring improvements next week. LGS is scheduled to start soon too. Parrish Avenue was just awarded. They are finishing up the financing for it. The \$690,000 Community Crossing Grant was presented to the Town yesterday.
8. **Ecosystem Restoration** – A conference call is scheduled for Friday.

TOWN COUNCIL REPORTS

1. **Town Council** – Mr. Niemeyer discussed the 50th Anniversary Celebration and the 75th Fireman's Ball and the talented staff putting these things together. He is impressed with some of the team that the Town has and hopes they can do the right things in the budget to make Cedar Lake a destination point for talent.
2. **Town Attorney** – None
3. **Clerk-Treasurer** – Clerk-Treasurer Gross stated that for the next agenda it is anticipated to have amendments to the 2017 Salary Ordinance. It will consist of the discussion that was had with the part-time EMT/paramedics and the dispatchers for Southcom. They are also looking into job description changes for the fire department.
4. **Town Administrator/Staff** – Town Administrator Murr stated they don't have a weekend in July where there is not an event or something going on next year at the Town Grounds.

WRITTEN COMMUNICATIONS

1. **Christopher B. Burke Engineering Report** - Town Administrator Murr added that they are working on a fact sheet for the storm water utility user fee credit and application process.
2. **Building Department Report** – Previously reported.

PUBLIC COMMENT

None

Mr. Parker thanked Chief Brittingham for stepping up and helping out in the interim.

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:13pm.

An Executive Session was advertised and conducted after 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

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.