

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



November 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	

PRESENTATION: Tim Jensen, Veridus Group

President Niemeyer introduced Mr. Jensen from Veridus Group. Mr. Jensen's group gave several seminars on placemaking at the AIM Summit. Mr. Jensen gave a PowerPoint presentation discussing what his company offers in development and construction services, government services, and economic development services. President Niemeyer briefly went through the Town Center concepts. A lengthy discussion followed.

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: November 7, 2017 Public Meeting

Docket: November 21, 2017 – All Town Funds \$111,491.27, Wastewater \$199,020.41, Water \$31,553.95, Storm Water \$2,322.49, Payroll 11/16/17 \$149,345.23

VIPS Donations: Town of Lowell \$200

Julie Rivera 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

1. Ordinance No. 1276 – Supplement to the Town Code – S-29

Council Member Parker read by title only. Clerk-Treasurer Gross explained this is Supplement 29 to the Town Code. This is standard procedure to adopt ordinances 1255-1276. After approval it will be sent to American Legal Publishing to format in the appropriate manner.

A motion to approve the first reading of Ordinance No. 1276 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 and 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. 1276 by title only.

A motion to adopt Ordinance No. 1276 was made by Richard Sharpe with second by Ralph Miller. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

BZA

1. TKR, Inc. – 14719 Morse Street – Special Use Variance

The Board of Zoning Appeals sends a Non-Recommendation to the Town Council for the requested Special Use Variance to allow the Petitioner to operate a pet cemetery in an R-2 Zoning District and to include the affirmative findings of fact form TITLE XXX of Town Zoning Ordinance 496, as amended. By a vote of 4 in favor and 0 against, upon motion duly made and seconded, at the public meeting held on October 12, 2017.

A motion to deny the special use variance was made by John Foreman with second by Julie Rivera. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

2. Joel Wagner – 12937 Wicker Avenue, Unit D – Special Use Variance

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

The Board of Zoning Appeals sends a Favorable Recommendation to the Town Council for the requested Special Use Variance to allow the Petitioner to operate an automobile detail shop with the following contingencies, namely: use for Bobb Auto Group only; same hours as Bobb Auto Group dealership; no employee parking; three (3) employees maximum; all detailing done inside; three (3) cars maximum waiting outside in a B-2 Zoning District and to include the affirmative findings of fact from TITLE XXX of Town Zoning Ordinance 496, as amended. By a vote of 5 in favor and 0 against, upon motion duly made and seconded, at the public meeting held on November 9, 2017.

A motion to approve the special use variance was made by John Foreman with second by Julie Rivera. Roll call vote: Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 0.

NEW BUSINESS

1. LWG – Engagement Agreements

Town Administrator Murr explained there is an opportunity to refund a couple of bonds. The two bonds to be refunded are the storm water bond and the sewer bond. There are opportunities for other bonds to be refunded but those need to be approved by the Redevelopment Commission, which is scheduled for a public meeting next week. President Niemeyer asked what the cost is. Town Administrator Murr stated each engagement agreement is \$25,000. Sue Haase explained the two bonds to refund are the sewage works refunding revenue bonds series 2010 and the storm water district revenue bond series 2007. The sewer bond will be approved but not close until January because it is callable on March 1st. It would exceed the current refunding of 90 days. The storm water bond can be done right away. Several underwriters are very interested. The interest rate showing for the remainder of the maturity of the bond is 3% but is subject to the market. Right now the market is good. They would close that one in December. The savings overall on storm water is 7.836% which equates to a net average savings of \$37,000 for the remainder of the maturity which is right around 10 years. President Niemeyer asked if that was an annual number. Ms. Haase confirmed it was. She added they are looking that they would not have to fund a debt service reserve on it. They would get a surety bond. The sewage works bond would be the same interest rate with a net average savings of \$41,700 and net present value savings of 9.466%. The interest rates are very good. Everything being proposed is at a minimum in the high 4% interest currently. They would be going down quite a bit and that's why the savings is so good. A lengthy discussion continued on the potential savings.

A motion to approve the LWG – Engagements Agreements for the Sewage Work Refunding Revenue Bond Series 2010 and Storm Water District Revenue Bond Series 2007 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.

TOWN COUNCIL REPORTS

1. **Town Council** – Council Member Rivera discussed the need for amending an ordinance or creating an ordinance for officers to have the ability to site pet owners that are leaving them outside in inclement weather. Chief Coulson has been working with the Town Administrator to capture best practices throughout the area. He stated he found that it's pretty much cut and paste from one community to the next. It's not clearly defined what constitutes abuse or neglect of animals left outside. They need to continue looking at communities that may be more defined so they can have guidance on how to proceed. The ordinance currently in place deals with noise issues with animals but it doesn't address abuse. He recommended it be examined further. A lengthy discussion continued on what constitutes abuse and how to monitor such activity.
2. **Town Attorney** – None
3. **Clerk-Treasurer** – None
4. **Town Administrator/Staff** – Town Administrator Murr stated Mr. Miller, Chief Coulson, Mr. Foreman, and she will be meeting soon to discuss the golf cart ordinance and put something together to present to the Council. High Grove will be having some asphalt going down soon. NIPSCO is still working in South Shore. Deputy Chief Brittingham shared a letter with the Council that he wrote to Schererville's Town Manager, Bob Volkmann, expressing his appreciation for Schererville staff members Kelly Wynkoop and Dan Gin for their help with the P25 state radio system. .

WRITTEN COMMUNICATIONS

1. Christopher B. Burke Engineering Report – No change since last report.

PUBLIC COMMENT

None

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

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:17 PM.

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