

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



**November 27, 2017**

**Fire Territory Information Session Advertised for 6:30 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
Absent	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	Absent	David Austgen Town Attorney	

**OTHERS PRESENT**

*Cedar Lake Fire Department Chief Todd Wilkening  
Jennifer Hudson, CPA, LWG*

**INTRODUCTION**

President Niemeyer opened the public information session. It was to discuss the proposed Fire Territory between the Town of Cedar Lake and Hanover Township. The information session was meant to give the public a greater understanding of who, what, why, and where. That way once the statutory process is started the information will have already been circulated and all the questions asked can be answered.

**PRESENTATION: CHIEF WILKENING**

Chief Wilkening stated the two government entities have been working together the last few months to come up with a solution. The Town and Township have both been growing over the last few years. They've run into an increase in call volume and their fire equipment is aging. The two bodies have discussed merging into a fire territory. He stated a fire territory would become its own taxing entity. He discussed the call volume in 2016 and the busiest times. He discussed the current equipment and how it's aging. He discussed the make-up of the daily staff. The Chief and Assistant Chief work daily from 8am to 5pm. They are on call after hours. The Assistant Chief will jump on the second ambulance during the day if they are short staffed. They also have two paramedics and one EMT at the station. He stated after 5pm staffing drops down to 3 and is supplemented by the volunteers. He gave an example. An ambulance call may come in and the first team goes out. One paramedic is left at the station. A second call comes in and the volunteers are dispatched. The volunteer responders come in and make up the second ambulance. They want to eliminate that process and have the second ambulance staffed as well as the first. He added that getting volunteers is difficult. The primary response time in Hanover Township is 7 to 13 minutes on average. For a second ambulance call after 5pm, the response time increases as they wait for the responding volunteers. In Town, the average response time is 4 to 8 minutes. With additional staffing they should be able to cut that in half. Response times depend on time of day and weather conditions. He stated their department covers approximately 60 square miles. The current area is from 153<sup>rd</sup> on the south and east side of the lake to 101<sup>st</sup> and all the way to state line. He discussed response times at length. With a second station and additional staffing, response times are anticipated to decrease by 60%. He added the reason they are proposing a territory is to increase staffing, replace aging equipment, and to pay a competitive wage.

Chief Wilkening discussed staffing and equipment further. Station 1200 (in Town) would have a battalion chief on duty 24 hours a day, seven days a week. He would manage both stations. He added that both stations would respond to all critical calls. There would be an engineer dedicated to the truck. He would be the first out the door. Two paramedic/firefighters would be there as well. The Chief and Assistant Chief would be there during the day. It would be staff of six during the day and down to four at night. They will still recruit volunteers as much as possible. He discussed equipment. Station 1200 would have an engine/tanker, one ladder truck, one rescue truck, and two advanced life support ambulances. Future Station 1400 (in Township) would have two paramedic/firefighters and one part-time emt/firefighter at all times. Three people stationed there 24/7. That station would have one advanced life support ambulance, one engine/tanker, and a brush truck.

He briefly discussed assets between the two locations. The satellite station is estimated to cost around \$500,000. Almost \$2 million in assets would be stationed in the Township. That doesn't include personnel, salaries, or insurance. The current station in Town would be renovated at an estimated cost of \$1 million. It is estimated to have about \$5.5 million in assets at that station. Chief Wilkening continued to discuss current assets and plans to refurbish equipment. He briefly discussed insurance ratings.

President Niemeyer stated with a fire territory a lot of people want to know the impact on tax dollars. Up to this point there have been three work sessions and the financial impact has been discussed. It is difficult to determine a concrete number until the statutory process begins. He briefly discussed how this idea began. In 2015, State Representative Hal Slager called a number

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of communities to discuss how to improve public safety. He briefly discussed tax caps and slow revenue growth for supporting public safety. A fire territory was proposed between Cedar Lake, Schererville, St. John, St. John Township, Lake Hills, and Hanover Township. It was decided that may be too large of a group. Cedar Lake and Hanover Township decided to explore a territory together. The last work session discussed the makeup of the governing body of the fire territory. Questions have been asked about who the fire department is accountable to. Based on discussions they are looking to form a board. It was discussed to have a joint board of seven members. The makeup would be one citizen each from the Town and from unincorporated Cedar Lake, three elected officials from Cedar Lake, and two elected officials from the Township. That board would meet to discuss fire territory issues whether they be financial or operational. Recommendations would be made to the Town Council. The Town Council would serve as the statutory fiduciary body of the territory. He stated this is only a proposal. He turned the meeting over to the public.

**PUBLIC COMMENT**

A citizen voiced concerns with the staffing. He stated the staffing make up is administrative and ambulances. He voiced concerns with response times. Chief Wilkening stated response times would get better as the stations would supplement each other. Mr. Niemeyer asked how much administrative staffing there would be. Chief Wilkening stated the Chief and Assistant Chief are the two administrative positions. The battalion chief will be on duty and will jump on the engine as well to firefight. There will be three firefighter/paramedics in Town and in the Township they will have two full-time and one part-time. Between the two stations they will have nine on duty. A brief discussion continued on staffing and mutual aid.

Mark Stenger voiced concerns with the taxing. He asked why not make the developers pay. Mr. Niemeyer stated that building fees have recently increased 40%. Mr. Stenger continued to voice concerns with taxes and escalating fees. Mr. Niemeyer stated it cannot. Once you develop a budget it can only increase by the state approved levy growth. Mr. Stenger asked if they were looking for Hanover Township taxpayers to fund this and not Cedar Lake residents. Mr. Niemeyer stated that was not true. Jennifer Hudson stated this would work similar to the Town's budget. The fire territory would have its own budget. It would be separate from the Town's and you would be able to see the money spent in the territory. The taxpayers paying would be residents in the Township and the Town. That budget would be levied on all the assessed value for the Township as well as the Town. Right now the fire department is just being paid by the Town. The Township has a contract with the department. The Township gives a certain amount of money each year to pay for fire services. With a fire territory it would be spread equitably and everyone pays the same rate based upon the assessed value of their property. Mr. Stenger stated with the board it seems like Cedar Lake would still be in charge. Mr. Niemeyer stated the Town would be the fiduciary. There has to be a fiduciary. A few weeks ago they had a meeting and it was brought up. If the Township wanted to be the fiduciary they could but they would need to hire staff. The Town already has staff in house that can take care of it. This would be much more effective for the territory. The township trustee and board members at that meeting were agreeable to the setup. Mr. Stenger asked where the satellite station would be located. It was answered near the Brunswick schoolhouse. Multiple conversations overlapped.

(Name inaudible) stated right now taxes paid to the Town go to the General Fund. He asked if that will decrease with the creation of a territory. Mr. Niemeyer discussed the shifting of funds. He explained it as a pie. The pie cannot grow. Each entity would take a smaller piece of the pie. The citizen voiced concerns with the Town Council being the fiduciary and having the possibility to set rates. Again, Mr. Niemeyer explained the roll of the board and the difference between a fire territory and a fire protection district.

Mrs. Howe asked how much the Township currently pays the Town for fire protection. She asked if this would be decided by referendum or will the Council decide. Mr. Lopez stated approximately \$156,000 is paid to the Town out of a budget of around \$1.1 million. He stated it's about a 10:1 ratio. The Township has approximately 30% of the call volume. Mrs. Howe asked about the number of calls being for those out of the area. Further discussion continued on fire protection costs and transportation costs. Mr. Niemeyer stated after January there will be a series of public hearings. Before March 31<sup>st</sup>, it would have to be adopted by both entities. During those public hearings there will be platforms and times for remonstrations. If there is a room full of people against it, it will probably not be acted on favorably. Mrs. Howe discussed the Town pursuing the annexation. She stated this looks like the Town trying to force something on them that they don't want. Chief Wilkening stated the fire territory has nothing to do with annexation. Multiple conversations overlapped.

Mark Stenger asked what other Town's do in a situation like this. Chief Wilkening stated St. John is exploring a territory and Lowell is looking into one too. Crown Point recently tried. Their trustee didn't support it at the time. Merrillville became a territory a few years ago. Lake Ridge has a fire protection district. Mr. Stenger asked what Crown Point's other option is. Chief Wilkening stated they have the money to staff their department. Mr. Stenger again discussed increasing development fees.

Keith Pizro asked how many fire territories there are. Chief Wilkening stated there are quite a few. Mr. Niemeyer stated they are gaining more steam and everyone will shrink once the exemptions from tax caps that still exist are lifted in 2020. Mr. Pizro asked if they've talked to St. John or Lowell about joining in this. Mr. Niemeyer stated they have discussed with Lowell but right now Lowell's priority is getting a full time station of their own going. Chief Wilkening added they are trying to merge their EMS and Fire. That's what Cedar Lake did. They are cross-trained. Further discussion continued on EMS versus Fire calls.

Sharon Vargas asked how they will be assessed. She asked if everyone will be charged the same. Chief Wilkening answered that everyone would be the same across the board.

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Rose Kleine discussed her research on the development of territories. She asked about joining with an existing station. Chief Wilkening stated they tried doing that with other entities but it didn't move forward. Mr. Niemeyer added if this is successful between the Township and Town that others may want to join in. Mrs. Kleine asked about the fire department being in debt. She thinks that's part of the problem with us not being able to join with others. Chief Wilkening stated that is not true. Mr. Niemeyer stated they do have debt like any other department that buys equipment. He asked Clerk-Treasurer Gross about the debt acquired. She stated it was around \$400,000. Mr. Niemeyer discussed it being down to \$250,000 now. Clerk-Treasurer Gross stated she would have to look but it may be around that by now. Further discussion continued on equipment purchases and debt of the Fire Department.

Mr. Hunley asked about the board makeup and what the advantage is for the Township. Mr. Niemeyer stated the Town will have the majority of the members because they will be the fiduciary. If the Township had two board members and the trustee it would then be a quorum and would become a Township meeting. Open door laws have to be considered. The joint board will be recommending actions. Further discussion continued on the make-up of the board and representation of the Township citizens.

Mrs. Kleine further questioned the make-up of the board. She added that past behavior dictates a lot. The Township people have a hard time trusting the Town board because of the annexation. Multiple conversations overlapped.

A part-time firefighter discussed how the department has become a training ground for other area departments. Employees are forced to go elsewhere because of the pay. He discussed Valparaiso's territory and improved ISO ratings. He added that this territory could be a very good thing.

Clerk-Treasurer Gross asked for clarification on the contract cost. Mr. Lopez stated the Township pays the Town approximately \$160,000 for fire services.

Mr. Cox asked about the initial budget and being controlled by a tax cap. Mr. Niemeyer discussed part of the public hearing process is to decide on a budget. Further discussion continued on an initial budget.

Rick asked about the cost of staffing the stations. Chief Wilkening stated the proposed operational budget is around \$2.6 million.

Mark Stenger asked about the possibility of shrinking tax caps and what if they don't have enough to fund it in the future. Mr. Niemeyer stated this entity would shrink the other taxing entities. The importance of establishing this with the right budget is to think about those possibilities. This has to be a sensible approach from the start.

Someone asked if they would be voting on this by referendum. Mr. Niemeyer stated this would be through public hearing not referendum.

Mrs. Kleine asked if the school and library would be affected. She discussed looking at her tax bill and she wants to know where her fire cost comes in. Mr. Lopez stated the funds from the Township taxpayers go to the Township. From there the Township contracts with the Town. Mrs. Kleine asked about the percentage. Mr. Lopez stated he believes it to be .1. A lengthy discussion continued on the assessments of Township residents. Someone again questioned the make-up of the territory board and the lack of Township representation.

Rich Niemeyer added that the board will only be giving recommendations. They will have no statutory say at all. The Town Council will have the final say. That's what these people are worried about. Multiple conversations overlapped.

Mr. Pizro asked Mr. Lopez if the Township ever looked into starting a fire department. Mr. Lopez stated the Township budget doesn't have the funds to maintain a department. Further discussion continued on the current services the Township receives and what they need.

Mr. Niemeyer asked about the Township demographics versus the Town. Mr. Lopez stated it's about 7:1. This is why it's not balanced. He further discussed the benefits of distributing the costs. Mr. Niemeyer stated he understands some of the Township resident misgivings. He discussed the importance of all calls being the same. Mrs. Kleine stated she understands they need to have better coverage and she agrees but she doesn't like the way the board make-up is. Mrs. Rivera stated they may be able to come up with a way to make it equal. They just have to figure out how to break that tie. Further discussion continued on how to make the board equal.

Mr. Pizro asked why the Town took over the fire department. Mr. Niemeyer stated the Town took over to create more staffing.

Dennis Wilkening added they only see's what's in front of them. They don't know what's going on behind the scenes. They have the opportunity to increase services now and grow with the Town and the Township. This is for the people and they need to see that. Mr. Stenger stated it goes back to not trusting the Town. Mr. Stenger and Chief Wilkening went back and forth discussing the fire department and their ability to work with other area departments.

A citizen stated the big issue seems to be with the board. He stated if there is an issue in the Township, it should be decided by the Township members. The Township should be allowed to break any ties. Chief Wilkening discussed how he and Mr. Lopez handle Township issues. He stated he answers to the Township as well as the Town Council. Multiple conversations overlapped.

Mr. Hunley asked about having a satellite station at the south end of the lake. They are just as important. Chief Wilkening stated increased staff would help response times.

Mr. Cox asked who the Chief would get his direction from the Town or the board. Mr. Niemeyer stated he would work for the territory and answer to the board.

Mr. Kaper asked how this would impact businesses. Mrs. Hudson stated in Indiana there are constitutional property tax caps. Residential property is capped at 1% of the grossed assessed value. Rentals are capped at 2%. Commercial properties are capped at 3%. For much of the Township, the rate is pretty low compared to the folks in Town. As the new tax rate comes in, the

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Town's tax rate would decrease. A special territory tax rate would be added in. The tax rates will increase. Further discussion continued on the tax caps and credits.

Rick asked about how this affects the schools. Mrs. Hudson answered that everyone will share in the increase. There will be an increase in the total tax rates. The Town's will decrease because their budget is being decreased. The Township's budget may go down because they won't be paying the \$160,000 to the Town. A new tax rate will be included for the special district. It will have its own tax rate and its own budget. Circuit breaker pressures will be put on the other entities. Rick asked if those in Town would not see a tax increase. Mrs. Hudson answered that taxes will increase for everyone in the territory.

Someone asked if the schools pay taxes. Mrs. Hudson answered no. They are tax exempt.

John stated that the Township seems to be worried about representation. He asked who will chair the board. Mr. Niemeyer stated that would be elected amongst the members. It could be someone from the Township or the Town. He stated it seems like no one is against the fire territory but the representation. Further discussion continued on the territory process and how nothing has been decided on yet.

Sharon asked why they can't put it to a vote with a referendum. Mr. Niemeyer stated he doesn't believe something like this can be put into a referendum. If it was a district than yes it would but not for a territory. Multiple conversations overlapped.

Mr. Cox asked about having the consultant give the proposed tax increases at the first meeting. Mrs. Murr stated it is being discussed. Mrs. Hudson answered starting in January once the agreement has been drafted they will be able to provide that information. The state requires public meetings.

Mr. Stenger asked about the Town's next steps and about additional staff. Mr. Niemeyer stated right now they don't have options to raise more funds. The only option is to have a service that is not as good as it used to be.

Marilyn Kaper asked if there is enough Town staff currently to handle the demands of a territory. Mr. Niemeyer stated there are several staff members.

Someone asked about the next meetings. Mrs. Murr answered that everything is still proposed. All public actions cannot take place until after January 1<sup>st</sup> but must be before April 1<sup>st</sup>. It's proposed to have the first public hearing at the January 16<sup>th</sup> meeting, the second on February 6<sup>th</sup>, and the third on February 20<sup>th</sup>. Someone asked if the Town Council is driving this. Mrs. Murr answered they put together a proposed timeline. The word ordinance was questioned. Mr. Niemeyer stated the Town has to adopt an ordinance to kick it off. Mr. Lopez added the Township has to adopt an ordinance as well. It was asked if they would have public township meetings. Mr. Lopez stated they do have township meetings. Those meetings and advertising of them were questioned.

Multiple conversations overlapped.

Someone stated it doesn't matter what the people want. It seems like what they don't want will happen. Mr. Lopez stated he wants everyone to have all of the information. If the people decide it is not something they want, they will not move forward. Mr. Lopez added he thinks they need the territory but ultimately the people will decide.

Someone asked about the upcoming Township meeting. Mr. Lopez discussed the upcoming meeting for the Township residents at Zion Church. Again, the advertising of meetings was questioned. Multiple conversations overlapped.

Mr. Niemeyer discussed how the Town advertises public meetings. He urged folks to check the Town's website for the most up to date information. Further discussion continued on how meetings are advertised. Multiple conversations overlapped. Mrs. Murr added that all public meeting notices are sent to the Post Tribune, The Times, The Lowell Tribune, and the local radio stations. They send the notices to the papers but it's up to the papers to publish the notices. She discussed setting up an email list. She welcomed folks to give her their email to stay up to date. Further discussion continued on the different media outlets.

Chief Wilkening stated they are trying to provide better services for the people. They are trying to keep up with the times. He asked folks not to rely on rumors. He asked anyone with questions to call him directly. He further discussed the improvements they are trying to make in a growing fire area.

**ADJOURNMENT** The public information session adjourned at approximately 8:05 p.m.

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

\_\_\_\_\_  
Randell Niemeyer, President, Ward 5

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Greg Parker, Vice President, Ward 6

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Robert H. Carnahan, Ward 1

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John Foreman, Ward 2

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Julie Rivera, Ward 3

\_\_\_\_\_  
Ralph Miller, Ward 4

ATTEST:

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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.