

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



April 3, 2018

**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
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 Niemeier Council Member	Ward 5	Present	David Austgen Town Attorney	

PUBLIC COMMENT

None

OATH OF OFFICE

Firefighter/EMT Matthew Easto received the Oath of Office from Clerk-Treasurer Gross.

CONSENT AGENDA

1. **Minutes:** March 20, 2018 Public Meeting
2. **Claims:** All Town Funds \$157,240.32, Wastewater Operating \$62,491.79, Water Utility \$55,899.70, Storm Water \$21,818.95, Payroll March 22, 2018 & March 30, 2018 \$175,030.03
3. **Manual Journal Entries:** March 1 – 31, 2018

Greg Parker moved to accept and waive the reading of the Minutes, and to accept the Consent Agenda as listed. Second was made by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0.

ORDINANCES

1. Ordinance No. 1289 – Cedar Lake Ministries PUD Amendment

Council Member Parker read by title only. Town Attorney Austgen stated this is a zone change to the PUD that is the Cedar Lake Ministries property. This will permit the removal of a lot line on an already existing portion of the plat of subdivision to permit the construction of a new structure across that terminated lot line. The procedure followed is consistent with the pattern that was established once the community came into updated compliance with Town Code. A one lot subdivision change to remove the lot line was already before the Plan Commission. A favorable certification was made to the Town Council to amend the ordinance for the PUD to reflect the change in the plat. This requires one reading only. Council Member Carnahan asked if this was at 137th and Lauerman. It was stated he was correct.

A motion to approve Ordinance No. 1289 was made by Robert Carnahan with second by Greg Parker. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeier – Yes. Vote: 7 to 0.

OLD BUSINESS

1. 2018 Ambulance/EMS and Fire Protection Services Agreement

President Niemeier discussed the contract between the Town and Hanover Township for fire protection services. During the last five years, the contract has grown some but he believes the community as a whole has outpaced the growth of the contract. This is part of the reason they looked at a Fire Protection Territory. The territory failed but nonetheless they still have duties as public servants to provide service. Last time they discussed the contract, the Township asked that all monies in excess of the base firefighting portion of the contract and LOIT monies would first go through the Township Board. Mr. Lopez concurred. President Niemeier asked about the total amount. Mr. Lopez stated the contract would be \$115,000 with an additional \$60,000 committed for equipment or repairs. That portion would be paid out as needed by the Township Board. President Niemeier asked about the LOIT Funds. Mr. Lopez stated that is included in the \$60,000. Council Member Parker discussed investments made by the Town when looking into a Fire Territory. He voiced concerns with the time and money spent on the failed territory. Mr. Lopez stated he wished the territory would've gone through. Mr. Parker stated the cost of the fire and ems department still goes on and the contract proposed isn't going to cover it. Mr. Lopez stated the proposal in front of them is what satisfied the board. It's basically what was originally asked for. The board does want to be able to accumulate any additional funds for future purchases. President Niemeier

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asked how much in Cumulative Capital Fire the Township collects on a yearly basis. Mr. Lopez stated it varies. In the past they've received \$50,000. This past year it was \$100,000. A lengthy discussion occurred on the proposed contract and cumulative capital fire funds. Clerk-Treasurer Gross added if the board wants control to spend the money directly, the Town will have to cut its budget in the General Fund. That is revenue that was anticipated from a contract that they won't get. President Niemeyer discussed the immediate capital needs of the fire department. He believes the request they'll make is for all of the funds available. Mr. Lopez stated he'll discuss it with the board. They wanted to accumulate the funds. Council Member Parker suggested deferring the item.

A motion to defer until the next Town Council Meeting was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

NEW BUSINESS

1. High Grove Subdivision Improvement – Change Order No. 1

Town Administrator Murr stated Change Order No. 1 is an increase to the contract price of \$14,316.30. The change is for an increase in asphalt for tack coat. Curb repairs, realignment, and an additional catch basin will be installed. These have been reviewed by the engineer. It was recommended to approve.

A motion to approve Change Order No. 1 was made by Greg Parker with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

2. Elimination of Sewer Utility Billing – 13434 Cedar Street

Town Administrator Murr stated the sewer at the address has been capped. It is no longer receiving services. It is recommended to eliminate the sewer utility bill.

A motion to approve the elimination of sewer utility billing was made by Ralph Miller with second by Julie Rivera. Council Member Carnahan asked if someone goes to build they'll have to pay system development fees. Mrs. Murr stated yes. He asked if the owners were aware. Mrs. Murr stated yes. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

COMMITTEE REPORTS

- 1. Public Works and Safety** – President Niemeyer stated the fire territory process was a learning process. He thinks everyone who attended learned a lot. One thing brought up numerous times was building permit fees. Some people have stated why doesn't the Town stop growing so they can take care of what they have. A portion of the building permit fees go into the General Fund to support the Fire and Police services. If they stop they'll have to cut the budget by a considerable amount. In the last year, building permit fees have increased 40%. They are some of the highest in Northwest Indiana. Putting a stop sign out will not work with the way public finance works in Indiana. They need to grow from a population standpoint and redevelopment standpoint. They need to create a diversified tax base that has sustainability. That is through growth of population and growth of commercial interests. These are things currently being worked on. Every avenue is being pursued. The conversation this evening with the Hanover Township Trustee is one of those pursuits. They are pursuing the money the taxpayers have paid into the system. He believes the Fire Chief presented a very robust capital improvement plan as part of the territory proposal. Those capital improvements still exist. Maybe not to the level needed for a territory but at least three more firefighters are needed to staff a second ambulance. Equipment is in need of replacing. The need is real and immediate.
- 2. Park and Recreation** – Spring soccer is underway. Evaluations and coach meetings are occurring this week. There are over 225 participants. Two more teams were able to be established this year. President Niemeyer asked if this was a new record. Mrs. Murr stated it is. They were at 185 participants last spring. Council Member Rivera stated they had a steady stream at the Business Showcase. When she spoke with Brandyn he stated it was at 227 participants. She stated Brandyn is helping to head up quality programs with record numbers at a fraction of the cost of traditional parks departments. It continues to grow.
- 3. Redevelopment** – The Town Council has had work sessions with the Veridus Group on Visioning. The next Visioning meeting will be on Tuesday, April 17th at 6pm before the regular Town Council meeting.
- 4. Utility** – The Water Utility Storage Expansion Project is still being worked on by staff, consultants, and engineers. JMOB will meet on April 11th. Council Member Foreman discussed an email received about a water tower in Krystal Oaks. Mrs. Murr stated the soil borings were completed yesterday. Mr. Foreman stated the email discussed the water tower being located in the park. Mrs. Murr stated that is a potential location. Mr. Foreman asked if it was in the park or Lemon Lake. Mrs. Murr stated both. It overlaps.

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5. **Street** – High Grove is underway. NIPSCO is getting out of the area. Same with South Shore. They are coordinating with LGS Plumbing on the schedule. Parrish Avenue and Lincoln Plaza schedules are being finalized. Looking at construction to begin in May. Businesses will be notified. The school has been notified as far as transportation goes for road closures on Parrish. Council Member Parker asked about a water situation in South Shore and if it was taken care of. Mr. Kubiak stated they did investigate and they have a plan for rectifying it. President Niemeyer stated he received a call from a concerned citizen on Osborne Street in regards to the street busting apart. Mr. Kubiak stated it has been checked out and it is on the radar to be taken care of. Council Member Carnahan stated he spoke with Scott Hutchinson and the plan is to repave it. Mrs. Murr stated the quarterly tracking meeting with NIRPC will be coming up for the Cline and Lake Shore Drive Roundabout.
6. **Ecosystem** – The next coordination meeting will be Monday, April 9th.

TOWN COUNCIL REPORTS

1. **Town Council** – Council Member Carnahan stated the Cedar Lake Chamber will have a luncheon tomorrow at Harry O's at noon and the keynote speaker will be Chief Coulson.
2. **Town Attorney** – None
3. **Clerk-Treasurer** – At the next meeting there will be a public hearing for an additional appropriation as well as an ordinance to establish a fund for the Community Crossing Grant money. The Town received over \$529,000 for the Parrish Avenue Project.
4. **Town Administrator/Staff** – Chief Coulson stated there has been discussion with several business owners in the Lake Shore Drive corridor near the s-turn. This concerns the 30 mph speed limit from approximately Hilltop to 133rd Avenue. In looking at the speed limit and traffic in the area and what is anticipated for the summer he recommends they look at potentially amending the ordinance to reduce the speed to 20 mph in both directions of that area. President Niemeyer asked if that would then allow golf carts to travel that area. Chief Coulson stated that is a potential issue. Multiple conversations overlapped. Council Member Carnahan stated the issue with the area is the fence at the condos has been hit numerous times from people flying along the curve. The Town put up the posts with the rope and that has been hit two or three times. President Niemeyer asked if that was from speed or substance. Mr. Kubiak stated they were all drunk drivers. Council Member Foreman asked if 20 mph is too slow. Chief Coulson stated it is to be mindful of the pedestrian traffic. President Niemeyer stated it is a reasonable idea because it is a short stretch of road.

A motion to amend the agenda to allow an item for consideration was made by Robert Carnahan with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

President Niemeyer asked Mr. Austgen to work with Chief Coulson to get the language of the ordinance right. Chief Coulson added in the last few months they've been working with Public Works and the Building Department concerning a code enforcement officer position that has been in the budget but never executed. Today was their first day with the part-time code enforcement officer. They are hopeful that the violations and complaints will be addressed on a more consistent basis regarding codes and ordinances. President Niemeyer asked Chief Coulson how the public safety meetings are going. Chief Coulson stated things are pretty much the same. There has been no movement allowing Schererville and Cedar Lake to at least monitor the other radio traffic. President Niemeyer asked if they themselves have been able to tie into the 800MHz statewide system yet. Chief Coulson stated they have not. President Niemeyer added he has heard nothing but positive things with how the officers have been interacting with the community. He commended the Chief for his leadership.

Council Member Foreman asked Council Member Rivera if they have made any headway with a clean-up day. She stated they are waiting until winter is over. There are a few citizens interested in a clean-up day. Council Member Foreman asked if there were funds available to purchase colored bags for folks to pick up and use for a clean-up day. Clerk-Treasurer Gross stated she would assume the Garbage Fund would be the best to utilize. Council Member Carnahan stated the Chamber is considering purchasing garbage bags to allow this to happen in the Town. He cautioned folks waiting until it's too warm and wildlife such as snakes coming out.

WRITTEN COMMUNICATION

1. **Christopher B. Burke Engineering Report** – Previously reported.

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PUBLIC COMMENT

Nick Werley voiced concerns with people throwing garbage out their windows. He noticed spray paint cans along the side of the road. He stated they need to put a stop to it. He discussed placing garbage cans out. He stated he wants to make the Town look good. He also discussed putting more sidewalks in Town. A clean-up effort was discussed.

Chief Wilkening stated the Fire Department Local #5141 has decided to do a mailer this year for the Burn Camp they normally do boot drives for. They will not be doing the boot drive this year. Some businesses have already received phone calls. They think it is a scam. It is not. Anyone with questions can contact Pat Scoleri at the Fire Department he is the union president. The membership voted down any future boot drives due to safety concerns. They will not be doing a boot drive for the fire department or the food pantry this year. The Fireman's Ball this year will be August 18th. He added that the annual fundraiser ticket raffle will be going out shortly. Chief Wilkening assured residents of unincorporated Hanover Township that the Fire Department will not stop providing services. This is just a negotiation of the contract and doesn't affect services.

Wayne Stoll, 13237 Calumet, voiced concerns with lack of a resolution. With all the money he will still provide the service. That won't do any good because it's only \$180,000 on something when the proposal was over \$1 million. Mr. Stoll asked if they are still going to provide the service. Mr. Parker stated he supposed it depends on if they come up with an agreement for the contract. President Niemeyer stated the only difference is with the fire territory they could've expanded the service. Now they are looking for every single resource available to provide what they have today. Mr. Stoll stated it's not enough. President Niemeyer agreed. Even all of it from the Township won't be enough. It will be a help but it won't be a resolution. Mr. Stoll asked about the available lots in Town. President Niemeyer stated there is a lot of available land. Over the next several years they will see hundreds of homes built. If the building slows down that would be a huge dent in the General Fund which contributes to Police and Fire. A lengthy discussion continued on growth, funding, and the needs of the department.

Randy Strasser with VS Engineering introduced himself and gave the Council some literature explaining the services that VS Engineering offers.

ADJOURNMENT President Niemeyer called the meeting to adjournment.

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.