

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



July 17, 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	Absent*	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	

\*Chief Deputy Clerk Margo Nagy was present. President Niemeyer announced there was an amendment to the agenda under New Business for an engagement letter from London Witte Group.

**OATH OF OFFICE**

Police Officer Dustin Corbin received the Oath of Office from Chief Deputy Clerk Margo Nagy.

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

**Minutes:** June 19, 2018 Public Meeting and June 29, 2018 Public Meeting

**Docket:** July 17, 2018 – All Town Funds \$1,006,071.56, Wastewater \$254,868.50, Water \$42,817.59, Storm Water \$450,933.03, 2017 RDA A&B Construction \$320,130.63, Payroll 6/28, 06/29, 07/02, & 07/12 \$460,895.98

**Donations:** DARE \$100 Lioness Club, VIPS \$100 Lioness Club

**Manual Journal Entries:** June 1-30, 2018

**Clubhouse Waiver Request:** Hanover Service Unit Girl Scouts – September 7, 2018

**Town Grounds Request:** Fireman's Ball – August 17-19, 2018

Ralph Miller 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: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**ORDINANCES & RESOLUTIONS**

**1. Ordinance No. 1294 – Tow Release Fee Amendment**

President Niemeyer noted the first reading was June 5<sup>th</sup>. At the second reading on June 19<sup>th</sup> a recommended amendment was made. Council Member Parker read by title only. Mr. Austgen stated a provision was added to the ordinance introduced. Specifically section 70.43 states the following:

“...Vehicles that are towed for expired license plates due to failure of passage of emissions testing are excluded from payment of the vehicle tow release fee; provided, however, that the owner of a towed vehicle shall be required to present evidence and information verifying or validating failure of passage of emissions testing for the towed vehicle when seeking release of the towed vehicle.”

A motion to adopt Ordinance No. 1294 was made by Richard Sharpe with second by Greg Parker. President Niemeyer stated certain Police Department administrative costs are funded by fees like this. The State of Indiana funds emission testing through license excise tax fees. This amendment is asking the police department to take out of their budget to cover the administrative cost of the tow release. He disagrees with the amendment because he feels it is a double hit on taxpayers that are in compliance. Mrs. Rivera asked how many times an individual is allowed to get the fee waived. Mr. Parker stated it depends on how many times a person has their car towed. A brief discussion occurred on emission testing. Mr. Foreman stated he thinks the intent here was to give a break to those who try but may not pass emissions before their plates expire. Mr. Austgen added the fee is imposed in instances when criminal charges are filed against the owner of the vehicle. For example, if someone gets arrested 100 times and they have a vehicle that doesn't pass emissions it will be waived 100 times. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – No. Vote: 6 to 1.

**2. Ordinance No. 1299 – Annexation – Lennar Homes**

Council Member Parker read by title only. Mr. Austgen stated there is approximately 107 acres outside the Town corporate boundaries in the vicinity of west 141<sup>st</sup> Avenue and immediately east of the railroad tracks. Across the railroad tracks is the Hanover Central

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Middle School. This property is the subject of a petition for voluntary annexation. This is the initial reading of the ordinance to begin the process. The next step would be a public hearing advertisement and review of the fiscal plan in mid-August. Mr. Carnahan asked if this was the southwest corner of Parrish and 141<sup>st</sup>. It was stated no it is further west.

A motion to approve the first reading of Ordinance No. 1299 was made by Ralph Miller 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.

**3. Ordinance No. 1300 – Committees**

Council Member Parker read by title only. Town Administrator Murr stated based on direction from the Council they were requested to prepare an ordinance to repeal the Town Code section that pertains to committees and special committees. Mr. Foreman commented that section 2 should be left intact. It entitles committees and special committees if the need arises to be allowed and/or appointed. He asked Mr. Austgen if they were to repeal the entire code would they be allowed to do a special committee if they publicize it. Mr. Austgen stated public meeting action of the Council to authorize or establish a committee or special committee may be made at any time. That is within their general powers as a body. Mr. Carnahan added part of the reason they are doing this is because committees would meet and not report back. Not every Council member would know what was going on. Now they will all meet and be involved. President Niemeyer stated that was false and reports were always given once a month at meetings. Mr. Carnahan stated people didn't always report. Mr. Parker stated he didn't disagree with Bob. Mr. Foreman stated there were always reports. Maybe not all of the details but a general synopsis was given after discussions.

A motion to defer and direct the Town Attorney to amend the ordinance to leave section 2 was made by John Foreman with second by Julie Rivera. Roll call vote: Carnahan – No, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – No, Niemeyer – No. Vote: 4 to 3.

**4. Resolution No. 1224 – Temporary Loan**

Council Member Parker read by title only. Chief Deputy Clerk Nagy explained that due to a shortfall of the spring tax settlement sufficient funds were not available to make the lease payment obligation due by July 15<sup>th</sup>. \$25,429 is to be transferred from the Wastewater Treatment Plant Special Fund to the 2011 RDA A&B Bond Fund. This will be repaid with the fall tax settlement. Mr. Carnahan asked about the tax money and if there was money left. Mrs. Murr stated this has been ongoing with this obligation with the collection of the taxes, timing of the bond payments, and how DLGF calculates the budget. If they were to look back at the minutes of the past several years, every July there is a temporary loan. President Niemeyer added basically the paycheck comes after the obligation.

A motion to approve Resolution No. 1224 was made by John Foreman 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.

**5. Resolution No. 1225 – Property Transfer**

Council Member Parker read by title only. Mr. Austgen explained a parcel of property on the corner of 146<sup>th</sup> and Bell Street includes a garage that has a 3x100 foot encroachment into the Town platted public way. In order for the property to transfer or be sold this encroachment issue needed to be cleared. It has been determined that this transfer does not adversely impact Town usage of the platted right of way. It would be consistent with the use that's been put to the property for many years. This resolution is the authorization to transfer that amount of property only much like the transfer with Center Garage a few years ago. Their action will authorize the execution of a quick claim deed to the property owners. President Niemeyer stated part of Center Garage encroached on Schneider Street and in order for Tom and Ed's Auto Body to purchase it the same thing had to happen.

A motion to approve Resolution No. 1225 was made by Ralph Miller 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.

**BZA**

**1. Randal Bogathy – 12615 Wicker Avenue – Special Use Variance**

The Board of Zoning Appeals sends a Favorable Recommendation to the Town Council for the requested Special Use Variance to allow the Petitioner: Randal Bogathy to use this property for a charitable haunted attraction for a twelve (12) month period; contingent upon an approved lighting plan; Fire Chief Approval; ingress/egress to be monitored; and to have multiple businesses on a lot in a Community Business (B-2) Zoning District. By a vote 4 in favor and 0 against, upon motion duly made and seconded, at the Public Meeting held on July 12, 2018. Council Member Carnahan stated they would review it in twelve months. Chief Wilkening stated they met all fire code requirements and the parking plan is sufficient. He recommended they approve. Chief Coulson stated they had

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an initial concern with the left turn out of the property and the lack of lighting on US 41. He thinks they resolved the concerns. He recommends they move forward. Council Member Miller asked about their charitable work. Mr. Bogathy explained he has been running these charitable haunted houses the last few years. They are seeking a local charitable organization but they benefit the Don't Be A Monster Anti-Bullying Campaign as their National Charity and the Project Love Food Pantry for their food collection efforts. Last year they brought in close to 2,000 pounds of food for Project Love and almost \$5,000 for Don't Be A Monster.

A motion to approve the Special Use Variance with contingencies was made by Julie Rivera 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. Parks Foundation – Appointments**

Town Administrator Murr introduced the Parks Foundation appointments as follows: Terri Collins, Shelly Diamond, Irene Rokaitis, Georgia Sharpe, Doug Spencer, Jeff Tamborino, and Ashley Slowinski. Mr. Carnahan asked if Mr. Spencer serving as a member of the Redevelopment Commission was a conflict. It was stated no.

A motion to approve the appointments as listed was made by Greg Parker with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**2. Hanover Community School Corporation MOU**

Town Administrator Murr explained the memorandum of understanding between the Town and Hanover Community School Corporation is in regards to providing a school resource officer at the middle school for the 2018-2019 year and beyond into 2021. This MOU has been reviewed by the Town attorney. The school would reimburse the Town for a portion of the costs for the officer including salary and benefits. Chief Coulson added he has been working with the school corporation since February on providing an officer for the middle school. One of the things they looked at was the influx of students coming from Lincoln and Jane Ball. The fifth graders will be at the middle school beginning this year. They looked at having a full-time officer in detail for not only security but liaison and outreach purposes. This MOU was drafted with the director of public safety for the school corporation and has gone before Mr. Austgen and the schools attorney.

A motion to approve the Hanover Community School Corporation MOU was made by Robert Carnahan with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**3. Christopher B. Burke – Wicker Meadows Design Proposal**

Town Administrator Murr explained this proposal is for the Wicker Meadows drainage improvement project. This is to complete the design needed for the project. The cost is \$14,500. It is anticipated this will be completed within five to eight weeks.

A motion to approve the Wicker Meadows Design Proposal for \$14,500 was made by Julie Rivera with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**4. South Lake County Community Service**

Town Administrator Murr explained as annually requested from South Lake County Community Services is a commitment from the Town for help with funding their 2019 budget. They included ridership for June 1, 2017 to May 31, 2018. The ridership list was reviewed to make sure the addresses were within the community. For this past year there were 1,236 rides for a total of \$3,831.60. She recommended if they approve to have Clerk-Treasurer Gross review the current budget versus 2019 and if they can make the payment this year as they have done in the past, make the payment this year.

A motion to approve the request from South Lake County Community Service contingent on budget review was made by Ralph Miller with second by John Foreman. Mr. Carnahan added South Lake County Services helps residents who may need a ride to Project Love Food Pantry. It is a vital service.

**5. Town Club Ditch Stabilization Project**

Town Administrator Murr stated for the Town Club Ditch Stabilization Project they received quotes that were well above engineer estimates. She recommended they reject all quotes submitted, have the engineer review the project, and have the project requoted. 61% of the project up to \$100,000 can be paid for out of a LARE Grant. They were looking at a project cost of approximately \$130,000. This project ties in with the Ecosystem Restoration Project.

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A motion to approve the recommendation as stated was made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**6. GMI – Garbage/Recycle Service**

Town Administrator Murr stated Gary Longoria, the President of GMI, requested to split garbage/recycle service over two days. All residential homes west of Cline would be serviced on Mondays. This would extend to include all of South Shore subdivision. All residential homes east of Cline would be serviced on Tuesdays. They were looking at an effective date on or around August 27<sup>th</sup>. Mrs. Murr recommended if they were to consider this would be to have it begin after Labor Day. The growth within the community since they quoted this service has been substantial. This would help meet timelines and stay within reasonable collections.

A motion to approve the proposal from GMI Recycling Service was made by Ralph Miller with second by Richard Sharpe. Mr. Foreman stated he thinks with the community being a weekend destination that Mondays work best. There would be less chance for animals to get into garbage. President Niemeyer added he thinks they are running into an issue with finding good help. This probably has to do with capacity and resources. Mr. Foreman asked them to amend their motion to include having the company use the proper size trucks. Mr. Miller added in Cedar Point Park the streets are smaller. The driver that picks up the garbage in the morning comes back in the afternoon to get recycling. Mrs. Rivera stressed the importance of advertising this to the public. Mrs. Murr anticipates having a map identifying the dividing line. That's why she recommends beginning this after Labor Day. Roll call vote: Carnahan – Yes, Foreman – No, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 6 to 1.

**7. South Shore Subdivision Improvement – Change Order #3**

Town Administrator Murr explained Change Order #3 for South Shore includes revisions to undercuts and subservice drainage items as well as adding a new undercut section with larger stone and underdrain. Increases to the tack coat quantity and modification of a manhole due to a shifting in its placement. This has an increased cost of \$42,990. It has changed the substantial completion date from August 15<sup>th</sup> to August 23<sup>rd</sup>.

A motion to approve Change Order #3 was made by Ralph Miller with second by John Foreman. President Niemeyer added that LGS Plumbing is the general contractor on the project. They have worked for the Town several times over the years and every project they've ever done is met with multiple change orders. This is problematic. They've already received an extension on the project. Mr. Carnahan added he's previously mentioned this issue before. He's asked Mr. Austgen if they could consider not selecting them if they are the low bidder based on their performance. Mr. Austgen stated those are fact sensitive and would depend on circumstances at the time. Usually they are cumulative circumstances that arise to validating the decision to reject. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – No. Vote: 6 to 1.

**8. NIES Engineering Design Proposal**

Town Administrator Murr explained in front of them is the east side water utility elevated water storage tank design engineering proposal. This proposal is in an amount not to exceed of \$48,500 based upon a design schedule of 100 days. This is for the elevated tower on the east side water system that has been a discussion. Estimated project costs for this system are \$950,000 to \$1 million. President Niemeyer added this project has been part of ongoing discussions with the Council for several years. The east side of the community has seen incredible growth and this project is a necessity to service the current residents as well as the growth. Mr. Simstad stated this is to not only provide for the future growth but fire protection as well. This is designed to look toward the future. The elevated tank has been sited. ATC has performed soil boring on the site selected. They are looking to provide a 250,000 gallon elevated tank which would be a single pedestal. It would be similar to the one on the west side. Mr. Carnahan asked about the location. Mr. Simstad stated it is in the general area of Lemon Lake Park and Krystal Oaks. Mr. Parker asked about the funding source for this design work. It was stated the water utility fund would be the source. A brief conversation continued on the project.

A motion to approve the proposal in an amount not to exceed \$48,500 was made by Richard Sharpe with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemeyer – Yes. Vote: 7 to 0.

**9. London Witte Group Engagement Letter**

President Niemeyer explained this is for analysis of water and wastewater system development charges. This ties into how they fund the water tower. Town Administrator Murr explained this proposal is to perform preliminary analysis on system development fees at an hourly rate. After the initial analysis is completed there will most likely be additional agreements for each utility as they determine which route to take. Mr. Carnahan added if they didn't do this analysis on development fees current residents would end up covering the cost. This will be the new home owners that absorb the cost.

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A motion to approve the London Witte Group Engagement agreement was made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemyer – Yes. Vote: 7 to 0.

**TOWN COUNCIL REPORTS**

1. **Town Council** – Mr. Miller stated a few months ago he was tasked with looking into putting a water park on the lake similar to Whiting. He's visiting Whiting and watched as they put the water park in. Mr. Miller recruited Doug Spencer to help him with this task. They talked with the local IDNR and were told they didn't think it would be possible because of the Lake Preservation Act and it would be forwarded to their legal department. Mr. Miller received an email from Lt. Colonel Hideman that it wasn't possible because of the Lake Preservation Act. He asked what they wanted to do as a group. Mr. Foreman stated they've had movement the past few months for the ecosystem restoration project. He thinks they need to focus efforts on the cleanliness of the lake and possible address this again in a few years. Mr. Foreman stated legally they don't own the lake. The state does and there are a lot of unknowns when it comes to insurance. Mr. Austgen stated this is an administrative proceeding with administrative statute. As with the lake ecosystem restoration activities and the processes discovered and gone through with the federal government and Army Corps of Engineers. They would most likely face a need to process through IDNR. Mr. Austgen discussed the depth of the lake and if the location was practical. Mr. Miller discussed the possibility of renting a dredging machine from Whiting. Mr. Austgen stated all of that would be exclusively in the jurisdiction of IDNR. There is an administrative process. President Niemyer discussed use of the lake and developing a lake economy. Mr. Foreman again stated maybe they should table the item for now and focus on one thing at a time. A lengthy discussion continued. Mr. Foreman stated a gentleman from the Cedar Lake Little League came to him with a donation request for a light at Hanover Park near the roadway. More information will be forthcoming. Mr. Carnahan added the Northwest Indiana Symphony will perform a free concert this weekend on the Town Grounds. It will move to Hanover High School if it rains. President Niemyer stated there has been a lot of discussion on the ecosystem restoration. One thing the Council will need to begin to consider is when they have a ready project, there will be a design proposal and a feasibility study that will need to be funded. The two of those together is approximately \$1.5 million. That goes into what the locally preferred option is and that is approximately \$11 million. They need to start thinking and discussing funding and what mechanisms will be used. A brief conversation continued.
2. **Town Attorney** – None
3. **Clerk-Treasurer** – None
4. **Town Administrator/Staff** – The High Grove Subdivision project has a substantial completion date of August 1<sup>st</sup>. The contractor has yet to ask for any delayed claims. Final completion date is September 1<sup>st</sup>. Paving will begin this Thursday. It will be tight and there will be restrictions with access as the paving trucks come in. This has been posted on Facebook, the website, and they're working on getting the word out to residents. Currently everything is on schedule. Mr. Parker stated there are some things that haven't been addressed with residents. Mrs. Murr stated she has had discussions with residents and the engineer. She has discussed the fence issue with one resident. She still needs contact information for one resident and is playing phone tag with another resident. There was a brief ecosystem restoration meeting on Friday. The feasibility report is in the ASA's office and is being communicated to other departments. Mr. Miller thanked Chief Wilkening and the dive team for their help with gathering lake depth information for IDNR. Chief Wilkening received a request from the Crown Point Fire Department for use of an ambulance during the Lake County Fair. Equipment has been shared in the past. This would be the third ambulance. Mr. Foreman asked if it would be taken to their station. Chief Wilkening stated it could be taken to their station or stay at ours. In the event it is needed it would be brought right back.

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

A motion to approve the request to allow Crown Point the use of the third ambulance was made by Julie Rivera with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller – Yes, Sharpe – Yes, Parker – Yes, Niemyer – Yes. Vote: 7 to 0.

Chief Wilkening discussed the fire station and police station being in need of structure repairs. Mr. Kubiak looked over the firehouse and discussed ideas with him. The fire station is starting to come apart. Something will need to be done soon. The police station has similar issues. He asked the Council to start the process to allow staff to work on a plan for the future either to renovate current facilities or build a new facility to share.

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President Niemeyer stated Chief Wilkening has already begun the process by talking with Mr. Kubiak, Chief Coulson, and the Town Administrator. Once they discuss and get a facilities plan together they can bring it to the Council for review and begin work on a fiscal plan. While that is ongoing the Council needs to be looking at the development of a cumulative capital fire fund so they can get it adopted next year and ready for the following budget year. Further discussion continued on current and future facilities.

Mr. Austgen suggested they recognize the Park Board volunteers. The Council thanked those present in the audience. A brief discussion occurred on money available for parks. Jeff Tamborino stated they've begun research on park grants.

**WRITTEN COMMUNICATIONS**

1. Christopher B. Burke Engineering Report – Previously Reported.

**PUBLIC COMMENT**

Kari, 7129 W. 127<sup>th</sup> Place, voiced concerns with the construction in High Grove Subdivision. She discussed her car being damaged due to the construction. Construction debris such as nails, boards, and steel rods has been left in the road. Mail and garbage service to the neighborhood has been affected. She shared photos of the issues with the Council. She doesn't know who hired the contractor but wants someone to be held accountable. The project is not being done well or timely. Mr. Foreman discussed the road project including storm and sewer infrastructure. There is no easy way to make these improvements. It is an unfortunate situation but they are following state statute. President Niemeyer asked if this is construction management oversight. Mrs. Murr stated she has been in contact with the engineer and contractor regarding customer complaints. President Niemeyer answered her question about hiring. The Town followed the statutory process for choosing the lowest responsive and responsible bidder. Grimmer won the project by that process. It seems like she is experiencing a lack of care. It is not something the Council sanctions or has anything to do with. Kari continued to voice concerns. President Niemeyer asked that she fill out the tort claim form and share the photos with the Town Administrator. Part of addressing this with the contractor is having documentation. Mr. Carnahan asked if this was justification for not considering them in a future project. Mr. Austgen stated this is part of cumulative evidence. President Niemeyer thanked Kari for bringing the issues to the Council's attention.

Sharon Adley, 9725 W. 134<sup>th</sup> Place, voiced concerns with a loose dog in her yard. The dog had no identification tags. She called dispatch and asked what to do. She was told that Cedar Lake has no animal control and she would have to let it go. She asked the dispatcher what happens in the case of a dangerous animal. She was told in those cases a police officer would be called out. Ms. Adley continued to voice concerns with the Town's lack of animal control. Mrs. Rivera discussed the updated ordinance in regards to mistreatment of an animal. Chief Coulson discussed efforts to partner with a local entity for animal control. Discussions are ongoing with Lake County Animal Control. He's also discussed the possibility with St. John. The issue of capacity always arises. Ms. Adley suggested the police department purchase a chip reader. Many pets are microchipped. Mrs. Rivera stated that is something they could look into. She asked Chief Coulson if the police department would be able to transport a dog. Chief Coulson stated currently they don't have a vehicle equipped to handle a canine. A brief discussion continued.

Sheryl Reeves, High Grove, applauded the Town for starting to take care of the roads. She stated there are complaints that they need to address with the construction company. She has shared information and pictures with Jill. She stated she wanted it on record that her husband caught construction workers using the electrical outlet outside their cabin. They block the driveway and leave construction debris lying around. She continued to voice concerns with the construction company. She's concerned the new curbs will be damaged with how narrow the road is. President Niemeyer stated he was upset with the activities described. More than talk needs to happen. Staff and the contractor need to figure out what the issue is and why residents are being treated poorly. Mr. Carnahan added he received a call from a resident about someone damaging the new curbing and created ruts. Mr. Foreman asked if he has talked to them. Mrs. Murr stated she has talked with the engineer about this issue. It is a drive over curb. No damage occurred. She stated she has been communicated with Mrs. Reeves and the issues described have been brought to the attention of the engineer and contractor. Mr. Austgen commented that all issues brought to Council Members should be brought to the Town Administrator so they can be handled correctly.

Bruce Marcus, 14244 Rocklin Street, discussed ongoing conversations with Woods of Cedar Creek and the Town in regard to issues with the park area, storm drains, and the detention pond. He voiced concerns with concrete issues in the neighborhood. He asked for an update. Mrs. Murr stated it has been an agenda item on the Storm Board. Mr. Kubiak has been working with the engineer and the current developer. There were issues with the previous developer. There has been some communication with an attorney on this matter. Items are being taken under advisement and some more research needs to be done. Mr. Kubiak stated the storm drains were welded shut back when the development started due to thefts. Since the issue was reported last month the welds on the storm drains were ground out. A lengthy discussion occurred on the concrete and whether or not it is up to code and concerns with the detention pond. Mr. Kubiak added the detention pond has met all the requirements of a detention pond. The park was never part of discussions when the new developer took over. The debris was going to be removed and the area graded and then the Town would come in for the rest of the sidewalk and work on getting it seeded. It is on the list to do. It is an ongoing process. Mr. Marcus asked if it was okay to contact Mrs. Murr directly for updates. It was answered that is the best way to remain in contact.

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Tom Borgman & Charles Hall, representing Monastery Woods Homeowners Association Cottage Homes, stated they have an agreement to maintain the detention pond. The maintenance of the pond includes cutting down brush. They need to get rid of the brush near the pond. They need help with the removal. Mr. Kubiak stated it's not a substantial amount of brush and he instructed them to get it to the curb and Public Works will pick it up. Unfortunately, they don't have the means to get it to the curb. Removal of it from the area it's in is above and beyond the scope of work for them. If he gets permission to help out he will. President Niemeyer stated he believes this is a staff call. A lengthy discussion continued on the issue presented and whether it was a task above and beyond. President Niemeyer asked if Charles could get something in writing allowing access to the area. It would help them address the issue. A brief discussion continued.

**ADJOURNMENT** President Niemeyer called the meeting to adjournment at 9:17 PM.

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

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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:

\_\_\_\_\_  
Richard Sharpe, Ward 7

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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.