

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



November 20, 2018

**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	Jennifer N. Sandberg Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	Jill Murr Town Administrator	
Present	Randell Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: October 20, 2018: Public Meeting
Claims: All Town Funds **\$347,077.75**, Wastewater Operating **\$310,376.60**, Water Utility **\$79,816.43**, Storm Water **\$52,519.69**, 2017 RDA A & B Construction **\$687,347.24**,
 Payroll: October 18th, November 1st & 15th, 2018 **\$564,862.27**.
Manual Journal Entries: October 1 – 31, 2018

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: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1311- Wastewater System Development Charge Amendment

Council Member Foreman read by title only. Town Administrator Murr explained the proposed amendment would increase the system development fee from \$2,200 to \$3,500 for a 5/8” to ¾” service line. Mr. Niemeyer asked Sue Haase, London Witte Group, to explain some of the details of how they came up with the rates. Ms. Haase stated when a system development calculation is done they put it in terms of an equivalent unit. The equivalent unit is typically the residential unit, which is the 5/8 or ¾” line. This is the smallest line or equation possible. This means for a development coming in, for each home to be developed, instead of collecting \$2,200 they will now collect \$3,500. When a new customer comes on they are using up current capacity and potentially causing the Town to have to incur cost for expansion. This rate is meant so they don’t have to go back to existing customers. Ms. Haase briefly continued.

A motion to approve the first reading of Ordinance No. 1311 was made by Randell Niemeyer with second by John Foreman. Roll call vote: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

2. Resolution No. 1231 - Confirming Budget Transfers

Council Member Foreman read by title only. Clerk-Treasurer Sandberg explained this was resolution was for a total of \$9,000 in transfers made within the General Fund under the Fire Department. The transfers are as follows:

GENERAL FUND #101		Total Transfers: \$9,000.00
Fire Department 005		
\$ 1,500.00	From: 117 – Volunteer Stipend	To: 351 – NIPSCO
\$ 500.00	From: 117 – Volunteer Stipend	To: 352 – Town Utilities
\$ 4,000.00	From: 362 – Vehicle Repairs	To: 241 – Misc. Supplies
\$ 3,000.00	From: 361 – Vehicle Repairs	To: 241 – Misc. Supplies

A motion to approve Resolution No. 1231 was made by Randell Niemeyer with second by Richard Sharpe. Roll call vote: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

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NEW BUSINESS

1. South Shore Subdivision Change Order #5 Amendment

Mrs. Murr explained at the last meeting they approve Change Order #5 for South Shore but there has been an amendment. An item was left off and has increase of \$112. The change order total is now \$3,352. This item has been reviewed by the Town engineer.

A motion to approve South Shore Subdivision Change Order #5 Amendment was made by Ralph Miller with second by John Foreman. Roll call vote: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

2. Request for Elimination of Sanitary Sewer Billing – 13007 Fulton Street

Mrs. Murr explained this house was demo'd in 2007 but they left the sewer tap open thinking they would rebuild. It has since been capped and inspected and reviewed by utility staff at Public Works. It is recommended they approve.

A motion to approve elimination of sanitary sewer billing at 13007 Fulton Street was made by Randell Niemeyer with second by John Foreman. Roll call vote: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

3. Engagement Agreement – VS Engineering – Maintenance & Improvement Plan

Mrs. Murr explained in 2016 VS Engineering did the Town's Maintenance & Improvement Plan (also known as the Asset Management Plan) of all the roadways. It's time to update the plan. This is a requirement for applying for any future Community Crossing Grants. She received a quote from VS to update the plan, develop an update summary as well as develop preliminary cost estimates for future roadwork. The total proposal is for \$9,820 and is anticipated to be completed before the end of the year.

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

REPORTS

1. Town Council – Ms. Rivera announced there will be a fundraiser for the Moen Family at Grand Tots on Sunday at noon. They recently lost their home in a fire. Mr. Niemeyer thanked everyone for the opportunity to serve for a third term. He appreciates the support and the opportunity to serve the community. Ms. Rivera stated she is happy to serve another term. She ran unopposed but got out there and met a lot of great people with great ideas.
2. Town Attorney - Mr. Austgen stated it is time for the annual renewal of the Huseman Farm Lease Agreement. The terms have remained the same. He discussed the suddenness of information that passed around the community in regards to the Project Love Food Pantry Project and the land use approvals related to the project. He has been in communication with Bill Kuhn. Mr. Kuhn read a letter allowed on behalf of the Board of Directors for Project Love. It stated they would not be requesting a waiver of fees for the Project Love Food Pantry Project. Mr. Niemeyer thanked Mr. Kuhn for attending and reading the letter. He stated if a waiver is applied for there is no problem considering the item. Mr. Parker added the Council can't grant a waiver of anything to someone who doesn't request it. Nothing was ever requested. Mr. Austgen continued with his report. Over the past few years they've been negotiating with Lake County for the 911 Emergency Services and funds. The Town is part of the SouthCom PSAP with Schererville. The negotiations with Lake County have resulted in an agreement. They have identified the amount of fees dues and the expense for the improvement of Spillman Services. The records reflect the negotiation of the SouthCom portion of the call volume for purposes of the distribution of funds is 3.5%. That total of 3.5% will be applied for payment to SouthCom of funds on a monthly basis moving forward. The proposed settlement agreement encompasses those provisions. The Town of Schererville approved the agreement last night. If it is considered and acted upon the Lake County Commissioners will consider the matter at their December 5th meeting.

A motion to amend the agenda to consider the Huseman Farm Lease and the mutual release and settlement agreement for E911 as presented was made by Randell Niemeyer with second by Ralph Miller. Roll call vote: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

A motion to approve the annual Huseman Farm Lease Agreement was made by John Foreman with second by Richard Sharpe. Roll call vote: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

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A motion to approve entry in the mutual release and settlement agreement on behalf of the Town of Cedar Lake was made by Randell Niemeyer with second by Ralph Miller. Mr. Niemeyer commented that if this is successful at Lake County it will put the end to a long saga. He was previously involved with long meetings and debates in regards to E911. He discussed the positives of being on the state network. Mr. Austgen stated this has been an ongoing issue since 2007. It had intense debate and litigation but they have gotten to the backside. It was a hard fought and well-earned. He suggested the motion be amended to add three generic conditions. It is contingent upon the Lake County Commissioners approving the agreement, the Lake County Council approving, and verification to the extent deemed appropriate by staff of the numbers. Mr. Niemeyer and Mr. Miller concurred. Roll call vote: Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 6 to 0.

3. Clerk-Treasurer – Ms. Sandberg anticipates having 2018 budget reductions at the next meeting.
4. Town Administrator/Staff – Mrs. Murr stated they are working on the design agreement for the Highland area with Christopher Burke Engineering. Survey work will be done but they anticipate having the proposal for the next meeting. The 2019 Salary Ordinance is anticipated for the next meeting.

WRITTEN COMMUNICATION

1. Hanover Community School Corporation – Hanover Hazard Initiative – Superintendent MacAulay sent a letter in regards to school bus stop arm violations. Hanover Schools are asking local communities to help support bus drivers by turning on their hazards when stopped. They are identifying issue areas and are working with Chief Coulson. They asked if the Town would be willing to help by purchasing signs for the various problem spots. They are still discussing this as no costs have been identified. Conversations are still occurring. Mr. Niemeyer added this was brought to the attention of the Redevelopment Commission at the last meeting. He believes it to be a Public Safety matter. Certain problem areas may need intervention by not only the Town but the State of Indiana as well for signage. A brief discussion continued on communication with the local schools for identifying problematic areas.
2. 2019 Boards & Commissions – Mrs. Murr stated she has put together the public notice for Board & Commission openings. The Redevelopment Commission has 5 vacancies. The Storm Board, Police Commission, and Board of Zoning Appeals each have one vacancy. She will continue with the advertisement to have applications in by December 12th.
3. Christopher B. Burke Engineering Report – Current road projects are closing up and planning is beginning for new projects.

ADJOURNMENT President Parker called the meeting to adjournment at 7:53 PM.

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.

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

Greg Parker, President, Ward 6

John Foreman, Vice President, Ward 2

Robert H. Carnahan, Ward 1

Julie Rivera, Ward 3

Ralph Miller, Ward 4

Randell Niemeyer, Ward 5

ATTEST:

Richard Sharpe, Ward 7

Jennifer N. Sandberg
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.