

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



December 18, 2018

**Public Meeting Advertised for 6:30 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	Jennifer N. Sandberg 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	

OATH OF OFFICE

Clerk-Treasurer Sandberg gave the Oath of Office to Police Officer Richard Pennington.

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: December 4, 2018 Public Meeting/Work Session

Claims: All Town Funds \$62,488.89, Wastewater Operating \$92,460.35, Water Utility \$53,222.31, Storm Water \$6,252.06, 2017 RDA C Construction \$9,594.98

Manual Journal Entries: November 1-30, 2018

Donations: Cedar Lake Chamber of Commerce GFI outlets for streetlights

Shelter Clubhouse Fee Waiver Requests:

- Meals on Wheels' 2019 Spinning Spokes Feeding Folks – June 9, 2019 (rain date June 2, 2019)
- Cedar Lake Youth Baseball – Team Photos April 23, 2019
- Cedar Lake Historical Association – March 28, 2019 Annual Appreciation Dinner

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

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1312 – 2019 Salary Ordinance

Council Member Foreman read by title only. Town Administrator Murr stated the 2019 Salary Ordinance included a 2% raise for all full-time employees. The raise is effective the first pay in January.

A motion to adopt Ordinance No. 1312 was made by Randell Niemeyer with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 7 to 0.

2. Ordinance No. 1314 – Water System Development Charge Amendment

Council Member Foreman read by title only. Mr. Austgen explained this is proposing an increase to the development charge. These steps are necessary under the IURC. This is approximately a six month process. This is for an increase in the development charge only. This has no impact on the current ratepayers.

A motion to approve Ordinance No. 1314 was made by Randell Niemeyer with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 7 to 0.

A motion to suspend the rules and allow for a second reading was made by Randell Niemeyer with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – No, Parker – Yes. Vote: 6 to 1.

Council Member Foreman read by title only.

A motion to adopt Ordinance No. 1314 was made by Randell Niemeyer with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – No, Parker – Yes. Vote: 6 to 1.

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3. Resolution No. 1232 – Y2018 Budget Reductions

Council Member Foreman read by title only. Clerk-Treasurer Sandberg read through the list of reductions as follows.

GENERAL FUND		
Dept 002-TOWN		
101-002-111.000	TOWN - COUNCIL	REDUCTION (1,000.00)
101-002-111.000	TOWN - ADMINISTRATOR	(2,000.00)
101-002-113.000	TOWN - ADMIN ASSISTANT	(2,000.00)
101-002-123.000	TOWN - PERF	(1,000.00)
101-002-311.000	TOWN - ATTORNEY	(10,000.00)
101-002-313.000	TOWN - CONSULTANTS	(4,000.00)
101-002-341.000	TOWN - PROP & CASUALTY	(5,000.00)
101-002-353.000	TOWN - STREET/TRAFFIC LIGHTS	(5,000.00)
Total Dept 002-TOWN		(30,000.00)
Dept 003-POLICE DEPARTMENT		
101-003-112.000	PD - FULL TIME OFFICERS	REDUCTION (6,000.00)
101-003-116.000	PD - OVERTIME	(1,000.00)
101-003-117.000	PD - GRANTS OVERTIME	(500.00)
101-003-131.000	PD - UNIFORM ALLOWANCE	(500.00)
101-003-233.000	PD - VEHICLE MAINT & SUPPLIES	(1,000.00)
101-003-362.000	PD - VEHICLE REPAIRS	(2,000.00)
Total Dept 003-POLICE DEPARTMENT		(11,000.00)
Dept 004-PZB		
101-004-113.000	PZB - COORDINATOR	REDUCTION (500.00)
101-004-114.000	PZB - PART TIME INSPECTOR	(2,000.00)
101-004-118.000	PZB - ON-CALL INSPECTIONS	(2,000.00)
101-004-122.000	PZB - FICA/MED	(500.00)
Total Dept 004-PZB		(5,000.00)
Dept 005-FIRE		
101-003-112.000	FIRE - FULL TIME OFFICERS	REDUCTION (10,000.00)
101-004-116.000	FIRE - OVERTIME	(5,000.00)
101-004-117.000	FIRE – VOLUNTEER STIPEND	(10,000.00)
101-004-122.000	FIRE - FICA/MED	(15,000.00)
Total Dept 005-FIRE		(40,000.00)
Dept 006-PARK MAINT		
101-006-111.000	PARK - CREW LEADER	REDUCTION (1,000.00)
101-006-115.000	PARK - PART TIME	(1,000.00)
101-006-122.000	PARK – FICA/MED	(500.00)
Total Dept 006-PARK MAINT		(2,500.00)
Dept 007-RECREATION		
101-007-115.000	REC - PART TIME	REDUCTION (1,500.00)
Total Dept 007-RECREATION		(1,500.00)
TOTAL GENERAL FUND REDUCTIONS		
		(90,000.00)
Fund 201 - MOTOR VEHICLE HIGHWAY		
201-001-112.000	MVH - FULL TIME	REDUCTION (1,500.00)
201-001-115.000	MVH - PART TIME	(5,000.00)
201-001-131.000	MVH - UNIFORM ALLOWANCE	(2,000.00)
201-001-232.000	MVH - TIRE REPLACEMENT	(500.00)
201-001-351.000	MVH - NIPSCO	(1,500.00)
201-001-362.000	MVH - VEHICLE REPAIRS	(2,500.00)
Total Dept 001		(13,000.00)
Fund 202 - LOCAL ROAD & STREET		
202-001-234.000	LRS - ASPHALT	REDUCTION (1,000.00)
202-001-239.000	LRS - SIGNAGE SUPPLIES	(1,300.00)
202-001-449.000	LRS - OTHER CAPITAL	(1,000.00)
Total Dept 001		(3,300.00)
Fund 404 - REDEVELOPMENT		
404-001-111.000	RDC - DEPT HEADS	REDUCTION (500.00)
404-001-123.000	RDC - PERF	(200.00)
404-001-311.000	RDC - ATTORNEY	(4,500.00)
Total Dept 001		(5,200.00)
TOTAL RESOLUTION REDUCTIONS		
		(111,500.00)

A motion to approve Resolution No. 1232 was made by Richard Sharpe with second by John Foreman. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 7 to 0.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
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NEW BUSINESS

1. Nomination and Appointment of 2019 Town Council Officers:

a. Town Council President

John Foreman nominated Greg Parker. Mr. Parker rejected the nomination. Randell Niemeyer nominated John Foreman. Julie Rivera seconded the motion.

A motion to approve John Foreman as Town Council President was made by Randell Niemeyer with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 7 to 0.

b. Town Council Vice President

Randell Niemeyer nominated Julie Rivera. Richard Sharpe seconded the motion.

A motion to approve Julie Rivera as Town Council Vice-President was made by Randell Niemeyer with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 7 to 0.

c. Town Council Liaison & Committee Appointments

Mr. Niemeyer read the list of appointments as follows:

Police Commission - Miller
Plan Commission – Parker, Foreman, Sharpe
Unsafe Building - Rivera
Stormwater Management Board - Carnahan
Redevelopment Commission - Carnahan
Ecosystem Restoration Committee - Rivera, Carnahan, Foreman
Joint Management Oversight Board (JMOB) - Miller, Sharpe
Northwest Indiana Regional Planning Commission (NIRPC) - Carnahan
Lake County Solid Waste (LCSW) - Carnahan
South County Community Services - Ralph Miller

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

d. Appointments to Boards and Commissions

Mr. Niemeyer read the list of appointments as follows:

Redevelopment Commission – Nathan Vis, Jolie Covaciu, Eric Burnham, Doug Spencer, and Randy Niemeyer

Stormwater Board – Tom Frick
Board of Zoning Appeals – Jeff Bunge
Council Appointment to BZA – Jerry Wilkening
Council Appointment to Unsafe – Julie Rivera

Mrs. Murr briefly discussed the Plan appointments being voting members and stated the Plan Commission still needs to vote on appointments to the BZA and Unsafe.

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

A brief discussion occurred on the Police Commission appointments. Jim Olthoff was appointed to the vacancy left by Kevin Toth. Dave Villalobos was appointed to the open spot. A motion to approve the appointments as listed was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – No, Rivera – Yes, Miller – Yes, Niemeyer – No, Sharpe – Yes, Foreman – Yes, Parker – No. Vote: 4 to 3.

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2. Firefighter/Paramedic Training Agreement

Mrs. Murr stated this was the training reimbursement agreement for the newest Firefighter.

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

3. Austgen Kuiper Jasaitis PC: Contract Agreement

Mrs. Murr stated this is the annual contract agreement between the Town and Austgen Kuiper Jasaitis PC. Mr. Foreman asked if there were any changes. Mrs. Murr stated there were not. It is the same as the previous. Mr. Niemeyer added that the contract is \$100 per hour for professional services and \$40 per hour by any non-professional.

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

4. Birchwood Farms: Annexation Ordinance No. 1288 Extension

Mrs. Murr explained an extension has been requested for the Birchwood Farms Annexation. Mr. Austgen briefly that Olthof has been working on this for months. Mr. Niemeyer asked if there were any proceedings at the Plan level. Mr. Parker stated it's been slow going. A brief discussion continued.

A motion to approve the extension to March 1, 2019 was made by John Foreman with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – Yes. Vote: 7 to 0.

REPORTS

- 1. Town Council** - None
- 2. Town Attorney** – Mr. Austgen briefly discussed a zoning mitigation agreement. A motion to amend the agenda and allow the item for consideration was made by Randell Niemeyer with second by Richard Sharpe. Roll call vote: Carnahan – No, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – No. Vote: 5 to 2. A motion to enter into the mitigation agreement was made by Randell Niemeyer with second by Richard Sharpe. Roll call vote: Carnahan – No, Rivera – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Foreman – Yes, Parker – No. Vote: 5 to 2.
- 3. Clerk-Treasurer** – Ms. Sandberg stated they are awaiting a response to the 1782 notice. She expects to have an update by the next meeting.
- 4. Town Administrator/Staff** – Mrs. Murr reported that repairs to the Parrish Avenue road striping in regards to the center turn lane removal were completed on 12/17/18. Pump testing has been completed at the Parrish Avenue pump house.

WRITTEN COMMUNICATION

- 1. Christopher B. Burke Engineering Report**

PUBLIC COMMENT

(Name was inaudible), 7501 Binyon, asked about the Cedar Lake Police Department issuing traffic citations outside of the town limits. He wanted to know if the Town received anything. Mr. Niemeyer stated the Town receives little when the citations are issued in Town. Chief Coulson stated he didn't know the exact circumstances of the situation but he would be happy to talk with the gentlemen regarding his concerns.

Mr. Foreman wished everyone a Merry Christmas. Mr. Carnahan asked about the roundabout project and detours. Mrs. Murr stated Vermillion and Hilltop would be the detours. Project limits have been staked. Utility relocation is being coordinated. Mr. Carnahan voiced concerns about Fairbanks and the possibility of truck traffic on the roadway during the project. He wished everyone a Merry Christmas. Mr. Niemeyer thanked Mr. Parker for stepping up during these last few months. Mr. Austgen recognized Mr. Tippy in the audience and briefly talked about PSAP and the pending agreement about to go before the County Commissioners. The agreement has already been approved by the County Council.

ADJOURNMENT President Parker called the meeting to adjournment at 7:36 PM

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

Greg Parker, President

John Foreman, Vice President

Robert H. Carnahan

Julie Rivera

Ralph Miller

Randell Niemeyer

ATTEST:

Richard Sharpe

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.