

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



January 15, 2019

**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	Jennifer N. Sandberg Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Absent	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 Firefighter/Paramedic Amy Early.

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: December 18, 2018

Claims: All Town Funds \$1,012,993.03, Wastewater Operating \$607,442.67, Water Utility \$56,541.05, Storm Water \$179,242.58, Water Bond 2010B \$66,441.254, 2017 RDA A&B Construction \$287,456.73 Payroll: 12/28/18, 12/31/18, 01/10/19 \$427,772.93.

2019 Clerk-Treasurer's Bond

2018 Cancellation of Old Outstanding Warrants

2018 Forwarding Encumbrances: \$27,436.71

2018 EMS Collections Transfer 12% from General Fund: \$32,241.59

Manual Journal Entries: December 1 – 31, 2018

2018 Utility Adjustments: \$78,451.37

Donations: Schillings \$400; Franciscan Health \$4,200

Conflict of Interest: John Foreman, Tim Kubiak, Doug Machalk, Margo Nagy, Dawn Rastovski, Cliff Wroe

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. Mr. Carnahan discussed the claims for Grimmer Construction and LGS Plumbing for the High Grove and South Shore projects. He asked if they were the final pays. It was stated no. Mr. Austgen suggested they consider approving payments but assuring they retain at least 5% for the final discussions that need to be had. Mr. Miller amended his motion. Mr. Sharpe concurred. 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. 1313 – EMS Non-Reverting Equipment Fund Amendment

Council Member Rivera read by title only. Mr. Austgen briefly explained the history of this fund. Currently, 12% of collected revenues for EMS are transferred into the fund. This amendment changes it from 12% to 15%.

A motion to approve Ordinance No. 1313 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.

A motion to suspend the rules to 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 – Yes, Parker – Yes. Vote: 7 to 0.

Council Member Rivera read Ordinance No. 1313 by title only.

A motion to adopt Ordinance No. 1313 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.

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

2. Ordinance No. 1316 – Water System Development Charge Amendment

Council Member Rivera read by title only. Mr. Austgen stated last month they adopted the ordinance that established a system development charge for the east side district. This also authorized filing with the IURC for regulatory approval of that particular rate. The bond attorney has requested a consideration by them to amend east side district as a defined term and that the schedule of meter charges be more specific.

A motion to approve Ordinance No. 1316 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.

A motion to suspend the rules to allow for a second reading 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.

Council Member Rivera read Ordinance No. 1316 by title only.

A motion to adopt Ordinance No. 1316 was made by Julie Rivera 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.

3. Resolution No. 1234 – Temporary Loan – 2011 A&B RDA Bond Fund

Council Member Rivera read by title only. Clerk-Treasurer Sandberg explained this has become necessary in order to meet the lease payment due. This is due to a shortfall with the fall property tax distribution. This is for a temporary loan of \$24,100 from the Wastewater Treatment Plant Special Fund to the 2011 A&B RDA Bond Fund. It will be repaid with the spring installment. Mr. Niemeyer commented that AIM is working on legislation that deals with things like tax shortfalls and lease due date. A brief discussion continued.

A motion to approve Resolution No. 1234 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.

NEW BUSINESS

1. Engagement Agreement – EMS Billing Medicaid Reimbursement

President Foreman explained the engagement agreement is with Rooney & Company for Medicaid Provider Cost Report for Y2018. Clerk-Treasurer Sandberg explained they have previously engaged with a provider for the cost report and collected sizeable reimbursements with the company taking 25% of what is collected. There is no upfront cost. Mr. Austgen asked if there is a report that could be made of what the previous benefit has been. Ms. Sandberg stated she could pull numbers for the next meeting.

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

2. Parrish Avenue – Change Order #2

President Foreman explained Change Order #2 for Parrish Avenue was for soil stabilization. The soil analysis showed there was unsuitable soil and the most effective corrective action was shown to be cement stabilization. The cost of the change order is \$45,533.10. Mr. Niemeyer added there was really no surprise with this change order. The same issues plagued the first phase. This was something that was discussed throughout the project. Mr. Carnahan added it was what caused a delay with the completion of the project.

A motion to approve Parrish Avenue Change Order #2 was made by Robert Carnahan 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** – Mr. Carnahan stated January 25th at 9am at the Schererville Town Hall 16 Plus will meet and the speaker will be Tim Brown to discuss CDBG. Mr. Niemeyer stated he received a request via text that he forwarded to the Town Administrator. It was from Mr. Bogenschneider requesting use of the Town Grounds on September 14th for the 2nd Annual Arlen Bradley Car Show. Mr. Foreman read a letter aloud commending William Gerstenkorn for his rise to the rank of Eagle Scout.
- 2. Town Attorney** – None.

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

3. **Clerk-Treasurer** – Ms. Sandberg stated they received the 1782 Notice. All funds were approved as submitted except for one which is the new lease rental payment for the 2017 bonds. This is a statutory issue. It is identical to the issue they discussed earlier with the 2011 A&B RDA Bonds.
4. **Town Administrator/Staff** – Mr. Kubiak reported that they recently upgraded the lighting on 133rd Avenue to LED. The lighting is much better. The cost was around \$11,000 but it's estimated they will save approximately \$12,000 each year. He stated he is looking into possibly relocating the high streetlights on 133rd to other areas around Town.

WRITTEN COMMUNICATION

1. **2018 Building Department Report** – Mr. Foreman reported for 2018 there was \$32,782,169 in new permits and \$5,479,228 in alteration permits.
2. **Christopher B. Burke Engineering Report** – Mr. Oliphant gave a detailed report on the road projects, ecosystem restoration, Town Club Ditch, and grant opportunities for expansion of sidewalks and possible trail ways.
3. **Thank you note from Charlotte Edwards for handicap accessible ramp** – Ms. Rivera read a thank you letter from Ms. Edwards. Mr. Carnahan added the ramp came from the Project Love Food Pantry and Mr. Roger Hayward installed it.
4. **Congratulatory letter request for Eagle Scout William Gerstenkorn from Scott Gerstenkorn** – Previously reported.

PUBLIC COMMENT

Gail Murawski, 423 Quail Court, she was with John Williamson as representation for Nick's Tavern. They will be a family friendly restaurant. They have been making improvements to the building and are working hard towards opening soon. They are excited to be a part of the community. Mr. Williamson stated they've been watching what Cedar Lake is doing and it's very exciting. They are eager to be part of the growing community. A brief discussion continued on the new business.

ADJOURNMENT President Foreman called the meeting to adjournment at approximately 8:00 PM

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

John Foreman, President

Julie Rivera, Vice President

Robert H. Carnahan

Ralph Miller

Randell Niemeyer

Greg Parker

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.