



**Town of Cedar Lake**  
**Board of Safety Public Meeting Minutes**  
**Wednesday, August 25, 2021 at 6:00 PM**

**CALL TO ORDER:** Kaper called the meeting to order at 6:10 pm noting their executive session ran over and they would go back to the Executive Session after the Public Meeting in the Chief of Police's office.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Present	Joshua Govert, Member	Present	Ralph Miller, Town Council Liaison
Present	James Olthoff, Member	Absent	William Fisher, Police Chief
Present	David Villalobos, Member	Present	Todd Wilkening, Fire Chief
Present	Norman Stick, Vice Chairman	Absent	Carl Brittingham, Deputy Chief Police
Present	Lester Kaper, Chairman	Present	Nick Mager, Deputy Chief Fire

Kaper noted for the record to reflect that the attendance of Councilman Robert Carnahan and Town Attorney David Austgen.

**PUBLIC COMMENT:** Kaper called for Public Comment.

Douglas Ferguson and Cameron Ferguson, age 7, (13330 Edison St, Cedar Lake, IN) stated he addressed a letter to the Board and delivered it to Sarah Moore. He asked if it had been delivered as requested. Kaper stated it had been delivered but noted it was illegible and unable to be read. Chief Fisher stated it had been recorded on an internal document that should not have gone out and if Ferguson wanted to address the Town Council or Board of Safety, they would need to be addressed directly instead of his letter being placed on an internal complaint form. Kaper requested Ferguson typing the letter to them so it is more legible. Ferguson indicated he would type it and believed he had a copy of the letter on his phone. Kaper indicated if he did not have a copy to contact Moore and she would provide him with a copy.

Kaper called for Public Comment three times; none more received.

**APPROVAL OF MINUTES for Wednesday, July 28, 2021:** A motion was made by Norman Stick, seconded by Jim Olthoff, to approve the meeting minutes of July 28, 2021.

Govert	Olthoff	Villalobos	Stick	Kaper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

**COMMUNICATIONS:** None for Police or Fire Department.

**STAFFING:**

- 1. Police Department:** Chief Fisher stated the new recruits were at the Police Academy and doing well. He noted Dills and Kamstra are on their own on the road now.
- 2. Fire Department:** Chief Wilkening stated the Town Council approved the letter from the Board of Safety referencing the Safer Fire Department grant, as well as two more fire personnel next year, as long as it is budgetarily possible.

## **FINANCE:**

### **1. Purchase Orders - July 2021:**

- a. **Police Department:** Chief Fisher reviewed the purchase orders to include decals for 52, academy uniform for two new recruits, dark web investigation class for two officers, instructor training for Pepperball class, repair of belt sensor and fuel pump on unit #54, repair of front right wheel hub on #37, DARE shirts, repair of brakes and sway bar for #51, annual subscription to investigation tool for detective, repair to two squads for exhaust leak and replacement of office computer.

Kaper inquired if cost of repairs was being tracked and sent to Council. Fisher advised they are fully aware. Austgen inquired if the claims were included in the Claims list presented to the Council. Council member Miller explained it is included in the report he receives noting the amount, where it was done and what the nature of claim was.

- b. **Fire Department:** Chief Wilkening reviewed the purchase orders to include turnout gear for a firefighter, power driver for one of the engines, medical bag, and light work done to the ladder truck #1221. Wilkening indicated there would be more for next month.

2. **Grant Updates:** Chief Fisher stated they are looking into grant funding for body/car cameras, cost being \$318,000, broken up into quarterly payments, but they are awaiting results from the grant funding request. Fisher stated there has been discussion with a local business regarding the purchase of a drone that would be used for accident reconstruction as well as any search and rescue issues. He stated it would also help over the lake as it has infrared system on it to identify heat signature marks similar to those of the fire department used when they are looking into walls. Kaper inquired about police car sponsorship programs, similar to that of Crown Point and Lowell with possibility of \$2500 costs. Fisher stated he would be looking into it. Chief Wilkening reported that moving forward with the Safer Grant had been approved by the Town Council.
3. **Budget:** Chief Fisher stated that he and Chief Wilkening had individual department budget meetings with the Town Manager, Clerk Treasurer and the Financial Advisor regarding suggestions for increase and review of the budget. There was also a budget meeting with Council Affairs that they were not a part of. They are currently awaiting review and final decision on the budget.
4. **DARE Update:** Chief Fisher stated the Middle School requested teachings in the second semester instead of the first semester, which used to be the original schedule but was changed to accommodate the school's block schedule. Kaper had requested Moore provide them with a list of the donors and how much, which he noted the total was \$11,222.00. Moore indicated that since this document was placed in their packet, they had received an additional \$100 donation. Chief Fisher clarified for Kaper that the donation listed as Gerald Smith was the money collected by Smith and presented to DARE that was from parking in the Lighthouse parking lot during Summerfest, of which Lighthouse donates the property.

## **OLD BUSINESS:**

### **1. Lexipol Policy Updates:**

- a. **Fire Department – Polices Update & Resolution 2021-02:** Chief Wilkening reported that Town Attorney Austgen indicated his review was almost complete.
- b. **Police Department – Policies Update & Resolution 2021-01:** Attorney Austgen indicated the Resolution was good to proceed with. Villalobos asked Austgen if there were any modifications necessary for any of the policies. Austgen indicated he was not going

through the documents and policies to write them, but rather just review them. Kaper asked if there was a motion to approve the resolution. Upon discussion between the Board, Attorney, Chief of Police and the Recording Secretary, it was determined the updated/corrected resolution would be provided by the Town Attorney for the Board's signature.

A motion was made by Norman Stick, seconded by Jim Olthoff, to approve Resolution 2021-01.

Govert	Olthoff	Villalobos	Stick	Kaper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

- c. **Fire Department – Polices Update & Resolution 2021-02:** Chief Wilkening reported Attorney Austgen was almost finished with the review. Austgen indicated that the resolution for the Fire Department would be slightly different than the Police Department resolution.

## 2. Equipment Updates:

### a. Police Department

- i. **Purchase Updates:** Chief Fisher indicated he received notification that one of the Durangos was built but do not have delivery date. He is still awaiting information from Ford for the hybrid vehicles. He still does not have a VIN number for the truck.
- ii. **Repair Updates:** Chief Fisher stated he reviewed the repairs during the Purchase Order section, noted above.
- iii. **Other:** Nothing else noted.

### b. Fire Department

- iv. **Purchase Updates:** Chief Wilkening indicated they purchased two new thermal imaging cameras; one bought by the Firefighters Association.
- v. **Repair Updates:** Chief Wilkening stated they have had a handful of smaller repairs in the last couple months.
- vi. **Building Renovation Updates:** Chief Wilkening stated the upstairs has been drywalled and they are to begin mud tomorrow. He indicated additional work was needed. Town Manager Eberly recommended Wilkening request funding from the Redevelopment Commission (RDC) for the additional \$22,000 of work. Wilkening stated they were able to help him with parts of the funding and the project is still on schedule.
- vii. **Other:** Nothing else noted.

## 3. Training Updates:

- a. **Police Department:** Chief Fisher explained that training in July tends to stay minimal due to Summerfest and staff vacations. Fisher reviewed the training report, noting training including legal update training for the entire department that occurs annually along with online classes for the two new recruits.
- b. **Fire Department:** Chief Wilkening reviewed the training report, noting training including daily training, one in EMT school with graduation anticipated in April, one in paramedic school with practical work to be completed and two attending technical training classes.

## **NEW BUSINESS:**

### **1. Police Department**

- a. Monthly Activity Report:** Chief Fisher reviewed the monthly call report noting 1350 calls for the month bringing the yearly total to 7531. For citations: 125 state citations, 9 Town Traffic Violations and 25 Town Ordinance Violations for a total of 161 for the month, bringing the yearly total to 1121. For warnings: 319 State Violations, 3 Town Traffic Violations and 14 Town Ordinance Violations for a total of 336 for the month, bringing the yearly total to 2116. For arrests: 24 total arrests, 66 charges filed, 34 misdemeanor, 8 felony and 24 warrants, for a total number of arrests of 189 and 33 charges filed for the year.
- b. Towing Company:** Chief Fisher stated that Dan Buczkowski from Ray and Wally's was present regarding the \$150 gate charge noted at last month's meeting. Buczkowski handed out copies of the statute to the Board members. He explained he met with Fisher to review and discuss the miscommunication. He indicated that in July of 2019, the Tow Association passed a law allowing tow companies to charge an inspection fee, stating that many individuals who do not have insurance would leave/abandon the car in the yard. The gate fee would be charged for inspection and retrieving belongings and help with the tow company's costs incurred for administration/paperwork, fees and disposal of the vehicle. Buczkowski noted Deputy Chief Brittingham contacted their Lowell office and spoke to the dispatcher regarding the fee. He explained there was miscommunication between his dispatcher and Brittingham regarding the new law and the fees charged. Buczkowski explained he spoke with the Chief regarding this incident and agreed they would not charge the fee. Fisher stated they spoke of not only the fee, but also the response times. Fisher stated Buczkowski was not aware of the response time issues and claimed he would clean them up. Fisher indicated he respected it, but requested he speak to the Board tonight but would still be seeking the Board retain a second towing firm at minimum so that there are no problems in the future and have a constant rotation for every other call. Buczkowski confirmed to Stick that he was not aware of the issues at the time, but since been aware of these issues, felt the call list had not been updated with the changes at his company, stated his staff is on probation and believes that the issues have been resolved. He apologized, is working on rectifying the situations and hopes the Board will give him another chance. Buczkowski stated he has always loved working with the Town and felt they had a good working relationship.

Chief Fisher stated applications were put out for towing firms. Two were received back: one from Stans and one from Tom & Eds. He indicated there is specific criteria that must be met in order to tow, as indicated in the application, and noted requirements at minimum medium-duty vehicle that can haul up to 16 tons and access to a heavy-duty truck. Dan Lukasik, introduced himself as third generation from Stan's, noting the company had been around since 1960. He stated he has received about three calls to assist, noting he would never speak badly about the competition as they all work hand in hand together. He indicated the last call he received was around 1am, they got to Cedar Lake because dispatch could not reach Ray & Wally's, and then they were signaled for cancel when a block away. He stated he would love to be able to help out the Town. Kaper stated that Emerald Towing had big shoes to fill when they decided to retire the business and it would be up to the Board to decide on how to proceed. Stick stated Stan's has a great reputation. Fisher stated that whatever the decision is on Ray and Wally's, which if they are placed on probation, he told Buczkowski he was okay with that, but

regardless there is a request for the second tow firm in the rotation to avoid issues in the future. Austgen confirmed to Kaper that the motion for adding the second firm should be separate from a motion on possible disciplinary action toward Ray & Wally's.

A motion was made by Norman Stick, seconded by Josh Govert, to add Stan's to the towing list.

Govert	Olthoff	Villalobos	Stick	Kaper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

Multiple discussions ensued regarding what to do with Ray and Wally's. Fisher stated if they suggested placing them on probation, that they follow the same requirements in the current tow policy, meaning that response to calls be within 20 minutes or notify us and they cannot miss a phone call. Buczkowski and Fisher confirmed for Villalobos that the average amount of tows could be 20-30 per month, but in the winter could be really busy or nothing. Fisher clarified for Villalobos that the figures of all tow times for the last six months were averaged and the average was over 30 minutes. Kaper indicated after the 6-month probationary timeframe, a review be completed.

A motion was made by Norman Stick, seconded by Josh Govert, to place Ray & Wally's on a 6-month probationary period referring back to the requirements in the towing policy.

Govert	Olthoff	Villalobos	Stick	Kaper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

Fisher indicated that Stan's would be put into the rotation starting September 1.

Fisher stated in 2020, there were a total of 183 tows, reminding the Board that for 4 months, there were no traffic stops unless a felony due to COVID. Fisher confirmed for Govert that neither Stan's nor Ray & Wally's will charge the \$150 fee.

## 2. Fire Department

- a. **Monthly Activity Report:** Chief Wilkening reviewed the monthly call report noting 151 total calls for the month, 1011 total calls for the year, stating they are on record pace. He focused on overdose and structure fire numbers. He stated there had been 15 structure fires, which was substantial for this size town. Wilkening clarified for Stick that the hire numbers were due to fireworks, open burning, arson, electric fire and heating element fire. Wilkening confirmed for Villalobos that arson was classified under structure fire. Wilkening stated two went undetermined due to insufficient evidence. Wilkening explained to Kaper that Narcan administered by the police prior to the EMS arrival is a smaller amount, then the EMS staff administers a larger dose upon their arrival.
- b. **Rescue Extrication Equipment Project:** Chief Wilkening stated he spoke with the Clerk Treasurer about funding available for replacement of rescue tools. He indicated Howell Rescue Systems/Genesis Rescue Systems is the leading supplier in the market for cutting carbon steel for heavy duty cases. The proposal included spreader & cutter tools and airbags. Wilkening clarified for Stick that he has been discussing with the Clerk Treasurer about the money in the EMS non-reverting fund, not from the sale of the ambulance, to be able to spend on this project, which would total slightly over \$40,000. He stated that he did not believe that the entire \$40,000 would be available and that these items would be replacing very old sets and would give them two complete sets. Wilkening confirmed

for Govert that if they had to prioritize, they would eliminate the airbags now and try to purchase them next year. Kaper asked if they had applied to the Community Foundation. Fisher responded that they were not eligible for foundation funding until February of next year.

A motion was made by Jim Olthoff, seconded by Josh Govert, for support in moving forward with the purchase, if funding available, based on the quote.

Govert	Olthoff	Villalobos	Stick	Kaper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

**VIPS REPORT:** Lieutenant Layer reported all members met the minimum required hours for the month. He reported one call out on a utility problem. He noted Summerfest went well but was very busy. Fisher stated he met with Layer, Moore and Yauger a couple weeks ago to brainstorm recruiting strategies to obtain new recruits. Fisher indicated they would be reaching out to local churches in recruitment efforts. Kaper suggested reaching out to the HOAs. Wilkening stated they would be willing to put something in their yearly mailer to help support their efforts. Layer suggested officers that are out on patrol help spread the word as well.

**PUBLIC COMMENT:** Kaper called for Public Comment three times; none received.

**ADJOURNMENT:** A motion was made by David Villalobos, seconded by Josh Govert, to adjourn the meeting at 7:08 pm. Kaper added they would return to Executive Session.

Govert	Olthoff	Villalobos	Stick	Kaper	Vote
Yes	Yes	Yes	Yes	Yes	5-0

**NEXT MEETING:** Kaper stated the next meeting would be Wednesday, August 25, 2021 at 6:00 pm.

TOWN OF CEDAR LAKE BOARD OF SAFETY

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Lester Kaper, Chairman

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Norman Stick, Vice-Chairman

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Joshua Govert, Member

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James Olthoff, Member

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David Villalobos, Member

ATTEST:

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Sarah Moore, Recording Secretary