



**CEDAR LAKE PLAN COMMISSION SPECIAL PUBLIC MEETING MINUTES**  
**CEDAR LAKE TOWN HALL, 7408 CONSTITUTION AVENUE, CEDAR LAKE, INDIANA**  
**June 1, 2022 at 7:00 pm**

**Call To Order:**

Mr. Wilkening called the Plan Commission Special Work Session to order on Wednesday, June 1, 2022, at 7:03 pm with its members attending on-site and electronically. The Pledge of Allegiance was recited by all.

**Roll Call:**

**Members Present via Zoom:** John Foreman. **Members Present On-Site:** Robert Carnahan; Heather Dessauer; Richard Sharpe, Secretary; Chuck Becker; John Kiepura, Vice President; and Jerry Wilkening, President. A quorum was attained. **Also present:** Don Oliphant, Town Engineer; David Austgen, Town Attorney; Chris Salatas, Town Manager; and Ashley Abernathy, Recording Secretary. **Absent:** None.

**1. May 4, 2022, Special Public Meeting Minutes**

A motion was made by Mr. Becker and seconded by Ms. Dessauer to approve the Preliminary Plat for a One (1) Lot subdivision to be contingent upon review by the Town Engineer and Town Staff. Motion passed unanimously by roll-call vote:

Mr. Carnahan	Aye
Mr. Foreman	Aye *
Mr. Sharpe	Aye
Ms. Dessauer	Aye
Mr. Becker	Aye
Mr. Kiepura	Aye
Mr. Wilkening	Aye

**2. Douglas MacArthur Elementary School – Rezone from R-2 to PUD**

**Petitioner: Crown Point Community School Corporation**

**Vicinity: 12900 Fairbanks Street, Cedar Lake, IN 46303**

Mr. Wilkening stated the next order of business was for Douglas MacArthur Elementary School Preliminary Plat for a Rezone from R-2 to PUD in the vicinity of 12900 Fairbanks Street by Petitioner Crown Point Community School Corporation.

Mr. Dion Katsouros, Skillman Corporation, representing the Petitioner, stated there has been work done with the PUD Agreement since the Public Meeting on May 18, 2022, by all parties.

Mr. Austgen advised the PUD is complete from a legal standpoint.

Mr. Oliphant advised the Plan Commission the items remaining on his letter are in reference to the Site Plan, the comments are minor in nature.

Mr. Wilkening entertained a motion for a recommendation to the Town Council regarding the rezone to PUD from R-2. Mr. Austgen requested any motion to contain approval of the Developmental Plan and Developmental Agreement, as included as Exhibits in Ordinance 1419.

A motion was made by Mr. Becker and seconded by Ms. Dessauer to send a Favorable Recommendation to the Town Council for the Rezone for MacArthur Elementary School from R-2 to PUD to include the approval of the Developmental Plan and Developmental Agreement. The motion passed unanimously by roll-call vote:

Mr. Carnahan   Aye  
Mr. Foreman    Aye \*  
Mr. Sharpe      Aye  
Ms. Dessauer    Aye  
Mr. Becker      Aye  
Mr. Kiepura     Aye  
Mr. Wilkening   Aye

**3. Douglas MacArthur Elementary School – Site Plan Approval**

**Petitioner: Crown Point Community School Corporation**

**Vicinity: 12900 Fairbanks Street, Cedar Lake, IN 46303**

Mr. Wilkening stated the next order of business was for Douglas MacArthur Elementary School the Site Plan Approval by Petitioner Crown Point Community School Corporation in the vicinity of 12900 Fairbanks Street.

Mr. Austgen advised this is an exhibit in the Ordinance the Plan Commission has determined to send a Favorable Recommendation to the Town Council.

Mr. Katsouros stated they are working through the comments and details. Mr. Oliphant advised there are minor items outstanding from their May 24, 2022, letter and discussed the items included on the letter. Performance Letter of Credit will be determined with Final Plat. Discussion ensued regarding Mr. Torrenga submitting a response to Mr. Oliphant and the remaining items being minor.

Mr. Austgen advised he would recommend to the Town Council to act on the PUD Agreement presented to them but to withhold signatures for Ordinance 1419 pending the comments being addressed. Ms. Dessauer asked if this should be considered as part of the motion. Mr. Austgen responded it could be included within the motion.

Mr. Katsouros asked if they would still be allowed to move forward with submittal of Building Permit. Mr. Oliphant responded they should be able to submit a permit. Mr. Austgen discussed a difference occurring with a submittal and an approval.

Mr. Oliphant advised he would review the resubmittal from Mr. Don Torrenga and discussed the remaining items being minor and should not take long to review.

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Mr. Katsouros asked if they are able to start site work. Mr. Oliphant responded in the affirmative.

A motion was made by Ms. Dessauer and seconded by Mr. Becker to approve the Site Plan Approval for Douglas MacArthur Elementary School referencing the Developmental Documents and Exhibits as described by Mr. Austgen, with Mr. Oliphant's comments being addressed, and the Town Council withhold signatures until all comments are completed. The motion passed unanimously by roll-call vote:

Mr. Carnahan Aye  
Mr. Foreman Aye \*  
Mr. Sharpe Aye  
Ms. Dessauer Aye  
Mr. Becker Aye  
Mr. Kiepura Aye  
Mr. Wilkening Aye

\*Mr. Foreman advised the Plan Commission due to attending via Zoom for the second meeting in a row, he was unable to vote and his votes would not count towards the action items he had already voted on. Mr. Austgen stated the votes were made but the votes were not properly made and the votes do not count towards the overall vote count.

#### **4. Beacon Pointe Unit 4 – Performance Letter of Credit Expires June 11, 2022**

Mr. Wilkening stated the next order of business was for Beacon Pointe Unit 4 Performance Letter of Credit which expires on June 11, 2022.

Mr. Oliphant advised the developer had been provided a list of Unit 4 repairs letter in March and on May 31, 2022. He has received no communication back regarding this item. He recommends setting a pull date.

Mr. Wilkening discussed advising the developer for when the pull date is set. Mr. Oliphant commented the developer is aware of the expiration date, and had approached Mr. Oliphant in March requesting a list of items left to complete. He will try to contact them again, but due to the expiration of the letter on June 11, a pull date will need to be set for the Monday or Tuesday of the upcoming week. Discussion ensued regarding the latest date a pull date could be set and the timeline needed to be followed for pull dates.

Mr. Austgen asked Mr. Salatas if there has been any communication from the Town regarding this item. Mr. Salatas responded there has not been any communication from the Town with the exception of Mr. Oliphant's correspondence with the developers. Mr. Austgen asked Mr. Oliphant if there has been regular communication between the developers and himself. Mr. Oliphant responded in the affirmative and stated they had reached out in March to obtain a list of outstanding items. Discussion ensued regarding the consistent communication and the setting of a pull date.

A motion was made by Ms. Dessauer and seconded by Mr. Becker to set a pull date for June 6, 2022, with a final e-mail communication being sent to the developer advising them of the intention to pull. Motion passed unanimously by roll-call vote:

Mr. Carnahan Aye  
Mr. Sharpe Aye  
Ms. Dessauer Aye

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Mr. Becker      Aye  
Mr. Kiepura      Aye  
Mr. Wilkening   Aye

**Public Comment:** None was had.

**Adjournment:** Mr. Wilkening adjourned the Special Public Meeting at 7:22 pm.

**TOWN OF CEDAR LAKE PLAN COMMISSION**

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Jerry Wilkening, President

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John Kiepora, Vice President

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Richard Sharpe, Member

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John Foreman, Member

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Robert Carnahan, Member

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Heather Dessauer, Member

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Chuck Becker, Member

ATTEST:

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Ashley Abernathy, Recording Secretary

*The Minutes of the Cedar Lake Plan Commission Special Public Meeting are transcribed pursuant to IC 5-14-15-4(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 section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.*

*Cedar Lake Plan Commission: June 1, 2022, Minutes of the Special Public Meeting*