



CEDAR LAKE REDEVELOPMENT COMMISSION PUBLIC MEETING MINUTES  
Cedar Lake Town Hall, 7408 Constitution Avenue  
July 19, 2021, at 6:00 pm

**CALL TO ORDER:**

Mr. Nathan Vis called the regular meeting to order at 6:00 pm., on Monday, July 19, 2021, with its members attending on-site and remotely. All recited the Pledge of Allegiance.

**ROLL CALL:**

**Members Present:** Nathan Vis, President; Eric Burnham, Vice-President; Doug Spencer, Secretary; Jolie Covaciu, Member; Randy Niemeyer, Member. A quorum was attained.

**Also present:** Tracy Haskell, Hanover School District Liaison (via Zoom); Robert Carnahan, Town Council Liaison; Rick Eberly, Town Manager; David Austgen, Town Attorney; Jennifer Sandberg, Clerk-Treasurer and Margaret Abernathy, Recording Secretary Pro Tem.

**Absent:** Brian Smith, Crown Point School District Liaison.

**PRESENTATION OF “EXPLORE EVERYDAY COMMUNITY RECOGNITION” AWARDS**

Mr. Vis explained invited Mr. George Poponas of Cedar Lake Kitchen to come to the podium. He briefly summarized the history of the “Explore Everyday Community Recognition” award program. Mr. Vis then asked Mr. Poponas to tell everyone about his business, Cedar Lake Kitchen.

Mr. Poponas, who is married and has three children, stated that he opened the restaurant in May of 1998 on the corner of 133<sup>rd</sup> Avenue and Parrish Avenue. They built the new building approximately 10 years ago. Mr. Poponas stated that his father was in the restaurant business back in the 60s and 70s and his wife’s family is in the business as well.

**CONSENT AGENDA:**

Mr. Vis advised the next item on the agenda is the Consent Agenda for the June 21, 2021, Regular Meeting Minutes and the monthly claims, Fund No. 404: \$2,250.00 and Fund No. 804: \$9,795.50.

A motion was made by Mr. Burnham and seconded by Mr. Spencer to approve the consent agenda. Motion carried unanimously by roll-call vote:

Jolie Covaciu	Aye
Doug Spencer	Aye
Randy Niemeyer	Aye
Eric Burnham	Aye
Nathan Vis	Aye

**NEW BUSINESS:**

**A. Explore Everyday Community Recognition Nomination:**

The Members discussed the importance that Sheehy Well played over the years.

A motion was made by Mr. Spencer and seconded by Ms. Covaciu to nominate Sheehy Well and Pump as the next Explore Everyday recipient. Motion carried unanimously by roll-call vote:

Jolie Covaciu	Aye
Doug Spencer	Aye
Randy Niemeyer	Aye
Eric Burnham	Aye
Nathan Vis	Aye

**B. Light Pole Banner Project**

Mr. Vis advised that the next item on the agenda is to discuss the Light Pole Banner Project.

Mr. Eberly advised that this is an action item on tonight's agenda so that the banners may be ordered and received in time for Veterans Day. Mr. Eberly reviewed the various sizes and types of banners and recommended the 18-inch by 24-inch banners with the independent hardware. The Commissioners discussed the options. The banners should be used for promoting a sense of community and not be used as a platform for activism.

A motion was made by Mr. Burnham and seconded by Mr. Spencer to purchase 120-count of 18-inch by 24-inch, 13-ounce banners and independent hardware in an amount not to exceed \$6,324. Motion carried unanimously by roll-call vote:

Jolie Covaciu	Aye
Doug Spencer	Aye
Randy Niemeyer	Aye
Eric Burnham	Aye
Nathan Vis	Aye

**PROJECT UPDATES:**

**Clerk-Treasurer's Funds Report:** Ms. Sandberg reviewed the reports in the packet, noting that the spring settlement has been received and that the TIF has an amazing cash balance at this time. There are Façade reimbursements going on, 133<sup>rd</sup> and King is starting, so there will be more payouts related to that.

Mr. Vis asked Ms. Sandberg about the "Investment" line item in the amount of \$233,901. Ms. Sandberg explained that it is the money that the RDC requested to be invested in Trust Indiana when everything was going on with the SVT matters and is still sitting there until she receives further instruction on what to do with it. Mr. Niemeyer asked if it is earning anything. Ms. Sandberg responded that it's not earning very much, but she doesn't have the exact figures with her at the meeting.

Discussion ensued. Attorney Austgen advised that the RDC does have the ability to invest the money to earn more, but it has to be conservative with an approved investor.

Mr. Vis asked if there are options available to earn more or if they should establish a policy to keep 10 percent of TIF revenues in a rainy-day fund. Mr. Niemeyer stated that it could mean the difference between making it through a difficult time. Attorney Austgen stated that the 25 percent is the typical percentage in capital financing, which is what the TIF increment will typically leverage for coverage on hand. Mr. Niemeyer commented that we should work with our financial advisors on this. Mr. Eberly noted that Corby Thompson and Buzz Krohn have given guidance and advised to roll the funds over quickly and to not tie funds up for long periods of time. Sweep accounts can be done overnight.

Mr. Niemeyer commented that people investing in community is what supports the TIF revenue and allows us to invest in the future of our community.

Mr. Vis asked Ms. Sandberg to think about some investments that the RDC could consider. Ms. Sandberg agreed to the same and stated that she would reach out to Corby Thompson as well.

**Hood – LUST Damages:** Attorney Austgen explained that he is working with the other attorney on settlement language, and the other attorney has that document right now for paydown on the deductible amount. Mr. Carnahan asked if anyone remembered how this matter started that on 133<sup>rd</sup> Avenue we had to have contaminated dirt pulled out of there. Discussion ensued regarding the remediation that took place.

**Industrial Park Property Roadway:** None.

**Façade Grants Updates:** The Commissioners reviewed the report document. Ms. Abernathy reported that a couple of extension requests may be coming before the Commission in August or September. Mr. Niemeyer commented on the list of projects that have been done with the grants that the RDC has awarded noting the improvements that have been done.

**Financial Analysis:** Mr. Eberly reported on what TIF would be asked to support in the coming years, referencing the TIF pages from the Sustainability Plan that Corby Thompson, OW Krohn & Associates, had prepared showing what TIF would be asked to cover and in what years. He noted that the \$900,000 earmarked for Parrish Avenue is what the cost was thought to be; however, it is now thought to be closer to \$1.2 million, so it was decided to hold off on that project and try for a matching Community Crossing Matching Grant. If the full grant is approved, it would only cost the Town \$600,000 plus the cost of inspections.

Mr. Carnahan stated that the cost shown for the Fairbanks project is \$220,000, but it is going to cost less than the projected cost shown and cost about \$188,000. Mr. Eberly noted that the Fairbanks project is a CCMG project that is not being paid for out of TIF funds, but the winning bid was less than the engineer's estimate.

Mr. Vis asked if Parrish Avenue from 133<sup>rd</sup> Avenue to 137<sup>th</sup> needs to be moved to 2022. Mr. Eberly responded in the affirmative.

Mr. Vis requested that \$600,000 be noted for the budget session for the Parrish Avenue project for 2022.

Mr. Vis asked if Founders, Morse Street, and Lake Shore Drive are a shot in the dark for 2025. Mr. Eberly responded that we have a pretty good shot at getting 80/20 federal grant money for Morse Street and Lake Shore Drive. If we are successful, only 20 percent of those costs will have to be funded locally.

Mr. Niemeyer advised that part of the initiative that we have going into next year is to create a park board again. Founders Creek Trail corridor might be closer to reality. It is a project that has been identified by the public as being important. Mr. Eberly added that we are in the process of getting the necessary parcels appraised, which were identified by our Town Engineer. It is something we have to have for the Federal Grant.

Mr. Niemeyer stated that we have acquired a good bit of the land already. Founders Creek would run from Morse Street, around back of the old Brunt farm, down into the creek valley, over towards Lemon Lake, and ultimately to the other trails. It could probably be made both a pedestrian and a bicycle trail.

Mr. Carnahan inquired about the kayak trail. Mr. Niemeyer stated that the Northwest Indiana Paddlers Association has had it on their radar for a while and is dredging Cedar Creek to make a connection between Cedar Lake and Lake Dale for kayaks. He further stated that it is one of those initiatives that will take a lot of partnership because it would involve IDEM and Army Corps of Engineers. It will cost a significant amount of money, but it would be a cool project to put on the list.

Mr. Vis stated asked what role the TIF will have for the Ecosystem Cleanup and Illustrative Bond Funded Project. Mr. Niemeyer stated that the Ecosystem Restoration was about \$3.5 million to be funded by the issuance of a bond backed by TIF revenue, and the other funding would come partly from the ARPA funds as well as other potential sources that are being considered. Mr. Vis asked if we knew what the annual amount would be that the RDC would be looking at paying back. Attorney Austgen responded in the negative because the engineers are working on the necessary report. He stated that the bond issuance range would be 7 to 10 years. Discussion ensued regarding budgeting for the TIF funding wherein the annual cost of that bond issuance was estimated to be approximately \$300,000 to \$450,000.

Mr. Vis asked if they are anticipating that will start next year or bonded out next year and start payback in 2023. Attorney Austgen stated that we are on a schedule with our engineers, and it could really kick off from the issuance of that report. Mr. Niemeyer responded that the project bid will take place in March of 2022 in anticipation of the dredging starting next summer. Mr. Eberly advised that we cannot start dredging before the 4<sup>th</sup> of July in any given year, per Indiana Department of Natural Resources, DNR. Mr. Niemeyer stated that this will come before the RDC next year to issue the debt and sell the bonds.

Mr. Eberly advised that we have about \$1.5 million in ARPA funds that the Council plans to commit funding towards the project, and an IFA SWFF Grant application that is part of the \$100 million that was made available statewide to communities for a combination of water, stormwater, and sanitary project. That application was due by July 15, 2021, and that was turned in on time. We are asking for \$1.4 million from those funds for the Lake Eco Project. We are going to apply again next year regardless if we are successful or unsuccessful this year to see what we can get. There are fund-raising efforts going on now around the community. Whatever we get there will lessen what the RDC is asked for a bond-issuance amount.

Mr. Niemeyer stated that we have a \$5.5 million budget, and we are dedicated to that budget. We are trying to get excess funds to sustain the project. Mr. Vis asked what the sustainability for something like this looks like. Mr. Niemeyer stated that part of the restoration is restoring some of the habitat, and some looks like technology that Mr. Spencer has brought to us where it infuses oxygen into the water and

keeping things moving. Mr. Spencer stated that it is in oxygenator with microorganisms, like probiotics. Mr. Niemeyer stated that these things help sustain the health of the ecosystem, which would cost several million dollars to maintain over a 30-year period. The base budget for the project is to get it done. Discussion ensued regarding the length of the bond issuance, and all were of the mind that a 7-10-year bond issue is appropriate.

Mr. Eberly advised that DNR is going to conduct a fish kill at the end of our project to get rid of the invasive species that are in the lake, and they are going to restock the lake at their expense with native species. Mr. Carnahan noted that he is getting a lot of complaints from the folks who fish in town. He was told that one of them may take us to court if we kill the fish. Mr. Eberly stated that it is not our decision; it's DNR's. Discussion ensued.

Mr. Vis stated that he does not wish to go into the budgeting yet, but he would like to have \$450,000 set aside for next year for the Lake Ecosystem Restoration Project.

#### **TOWN NEWSLETTER:**

Mr. Eberly advised that he and Ms. Abernathy have been working on putting the newsletter together. We have had a number of people asking for this to be renewed. We are looking at doing this on a quarterly basis. In the past, this has been an RDC project to fund. It is being brought to you to show it first. It will be distributed through the utility bill and made available on the website.

The Commissioners asked what the quarterly cost is. Ms. Sandberg advised that the RDC has a line item, but at this time, she can't say how much it is. Discussion ensued regarding the paper used and the cost savings that could be had for a less-costly paper that is not glossy.

Mr. Eberly asked if a price could be brought to them at a future meeting. We just wanted to let the RDC know about it. The expectation is that the RDC would pay for this. It is a quarterly newsletter. It does not need to be done more often than that. It becomes difficult to get information from the various departments to add to the newsletter. Discussion ensued.

A motion was made by Ms. Covaciu and seconded by Mr. Niemeyer to approve expenditure for the newsletter in an amount not to exceed \$1250 for quarterly issues starting in August 2021. Motion carried unanimously by roll-call vote:

Jolie Covaciu	Aye
Doug Spencer	Aye
Randy Niemeyer	Aye
Eric Burnham	Aye
Nathan Vis	Aye

Mr. Vis entertained any business from the Commissioners. None was had. Mr. Vis asked Mr. Carnahan if he had anything to report for the Chamber of Commerce. Mr. Carnahan reported that they have a golf outing on August 22, 2021, at \$85 a person at the Minne Monesse. Jim Betkowski of Elmwood Funeral Home is the chair person. The town-wide yard sale will take place on August 7<sup>th</sup> from 8 a.m. to 4 p.m.

Attorney Austgen provided a copy of the schedule and advised that he is working on the calendar for the TIF expansion and connection. He reviewed the dates noting that there are approval actions on August 17,

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2021, after which we will start the public hearing and the public notice processes. The declaratory resolutions come first. They will be considered by you after a Public Hearing is conducted at the September 20, 2021, meeting and process the approval actions that you make. He has a bit of work to do with CBBEL on the legal descriptions. The parcels are adjacent and contiguous. He noted the land that was just brought into town by Andrew Bultema has authority to move dirt. Attorney Austgen further stated that it is up to RDC and the Council schedules to make this happen. The Members agreed to the schedule of meetings.

**WRITTEN COMMUNICATIONS:** None was had.

**PUBLIC COMMENT:** None was had.

**ADJOURNMENT:** Mr. Vis adjourned the meeting at 7:04 p.m.

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TOWN OF CEDAR LAKE REDEVELOPMENT COMMISSION

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Nathan D. Vis, President

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Eric Burnham, Vice-President

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Doug Spencer, Secretary

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Jolie Covaciu, Member

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Randell C. Niemeyer, Member

ATTEST:

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Margaret R. Abernathy, Recording Secretary

*The Minutes of the Cedar Lake Redevelopment Commission Public Meeting 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 are 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.*

*Cedar Lake Redevelopment Commission: Minutes of July 19, 2021*