

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

March 1, 2011

**Public Meeting 7:00 PM at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence**

Roll Call:

Present	John Foreman	Ward 2	Present	Greg Parker	Ward 7
	Council Member			Vice-President	
Absent	Dale Poston	Ward 3	Present	Robert Carnahan	Ward 1
	Council Member			President	
Absent*	Jerry Smith	Ward 4	Present	Amy J. Sund	
	Council Member			Clerk-Treasurer	
Present	Randell Niemeyer	Ward 5	Present	Ian Nicolini	
	Council Member			Town Administrator	
Present	William Landske	Ward 6	Present	David Austgen	
	Council Member			Town Attorney	

**Jerry Smith arrived at approximately 7:35 pm*

DEPARTMENT REPORTS

Police: Chief Roger Patz had no report.

Public Works: Ed Robinson reported that the Lake County Solid Waste Management hazardous waste pick up will be in Cedar Lake on May 7th. He recommended moving the town wide clean up to the week of May 7th. Motion by John Foreman and seconded by Bill Landske to approve the Town wide clean up for May 4th – May 7th.

Roll Call Vote: 5 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	ABSENT	YES	YES	YES	YES

Parks & Recreation: A written report was distributed to Council prior to the meeting. Mary Joan Dickson reported that the annual report was approved by the Park Board. The Department of Natural Resources (DNR) approved the master plan. Grant proposals will be submitted to DNR for funding in June 2012; Mary Joan Dickson stated she thought June 2011 was too soon to have the application submitted for this year being short staffed. The spring program brochure is ready. The Cedar Lake Chamber of Commerce requested from the Park Board to install electric at North Park for their wonderland tree program; the Park Board approved the request. The electric will not interfere with the sprinkler system. The Chamber will pay the electric bill.

Clerk-Treasurer: Clerk-Treasurer Amy Sund had no report.

Fire Department: Bill Missal had no report.

Town Administrator: Ian Nicolini reported that there have been two (2) new home permits year to date. Phase II of 133rd has had its field check with American Structure Point and Indiana Department of Transportation (INDOT) to review the submittal prior to beginning the right-of-way phase. The Town has cleared the first step in the eighty/twenty (80/20) cost share for Federal Funds at the 2040 Steering Committee meeting at NIRPC. The project is considered for Federal Funding. The construction cost is estimated at three million dollars (\$3,000,000.00); there could be additional funding available for land improvement and right-of-way. The advertising of the request for proposals for the right-of-way services for the Safe Routes to School Grant Program has occurred; the Scoring Committee will score the proposals once received. The insurance company has reviewed the police department roof; they are going to fund about \$17,000.00 for the roof. A memo was distributed to Council outlining roofing options for the next meetings consideration. The 129th water main has been installed; some residential service taps, restoration and paving remain to be completed weather permitting. The web camera has been installed and is in working order, but it is not recording tonight's meeting. Meetings will be broadcast and stored; there will be testing on sound and video. It was noted that Dale Poston was called in to work. Bill Landske questioned the location of the easements for Phase II of 133rd; which side will they be located on or will they divide it equally. Bill Landske stated that he thinks they are dragging their feet on this; all they keep doing is study, study, study. Ian Nicolini stated that the project is on schedule with the timetable that was submitted to be eligible for Federal funds. There is no other funding mechanism in place for a project this size other than Federal funds; we need to follow the funding rules. The preliminary engineering portion is nearly complete which talks about the corridor, the location of utilities and the cross sections. Ian Nicolini stated that Bill Landske, Dale Poston and Jerry Smith are on the review committee who directed the consultants to proceed with a traditional right-of-way corridor for the project. This phase of plans has to be approved before moving into the next phase; he will get an answer for the next meeting. The public hearing about the right-of-way corridor is tentatively scheduled for July. Bill Landske stated that the business owners want to know. Ian Nicolini explained that items need to be done sequentially; we do not want to put the Town in the position of losing funding.

Town Attorney: Attorney David Austgen stated that there are executive session items. He recommended Council consider having a strategy session for executive committee matters; a special executive session possibly on a Saturday morning. The Council President can direct this.

Town Council: Robert Carnahan requested the use of the easels by the Historical Association for a display at Crown Point High School. Motion by Greg Parker and seconded by John Foreman to allow the use of the easels.

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

Roll Call Vote: 5 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	ABSENT	YES	YES	YES	YES

John Foreman stated that Linda Englemann requested that her application to the park board be rescinded. Motion by John Foreman and seconded by Bill Landske that in the best interest of the Town in order to restructure and reorganize all boards and commissions to remove all board and commission members and reappoint the following:

Commission	Appointee	Affiliation* (if required)	Term Expiration
Police Commission	Dan Englemann	D	12/31/2013
	Charles Kouder	D	12/31/2013
	Gregory Rambo	R	12/31/2013
	Patsy (King) Casassa	R	12/31/2012
	Ralph Miller	R	12/31/2012
Plan Commission	Tim Kubiak	R	12/31/2013
	Stacy Brooks	R	12/31/2013
	Jim Hunley	D	12/31/2011
	Diane Cusask	D	12/31/2012
Board of Zoning Appeals	Jeff Bunge		12/31/2014
	Jeremy Kuiper		12/31/2013
	Eric Burnham		12/31/2012
	Tim Kubiak**		12/31/2011
Redevelopment Commission	Pat Conlon		12/31/2011
	George Vukmirovich		12/31/2011
	Becky Davis		12/31/2011
	Helen Johns		12/31/2011
	Dominick Kortokrax		12/31/2011
Park Board	Dawn Wornhoff	R	12/31/2011
	Crystal Wilkening	D	12/31/2012
	Constance Sterkowitz	R	12/31/2014
	Karen Kil	D	12/31/2013
Stormwater Board	Greg Wornhoff	R	12/31/2012
	Jerry Wilkening	R	12/31/2013
	Walter "Skip" Crissy	D	12/31/2011

*Affiliation - R(Republican) D(Democrat)

**Town Council Appointment from the Plan Commission

Roll Call Vote: 5 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	ABSENT	YES	YES	YES	YES

PUBLIC COMMENT: Yvonne Taves of Dewey Street thanked Council; she has seen surveyors in the neighborhood.

CONSENT AGENDA

- Minutes of the Regular Public Meeting – Minutes of the February 15, 2011 Public Meeting.
- Docket: Town Claims 68168 – 68230 for \$234,636.91; Wastewater Claims 26361 - 26400 for \$500,826.31; Storm Water Claims 68172 – 68173, and 68190 - 68192 for \$12,384.85; and Water Utility Claims 80563 - 80581 for \$26,588.50. Motion by Greg Parker and seconded by Randy Niemeyer to approve the consent agenda.

Roll Call Vote: 5 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	ABSENT	YES	YES	YES	YES

PUBLIC HEARING:

Ordinance No. 1122 Redevelopment Authority Lease (First Reading February 8, 2011)

- Attorney Review of Legals:** Legals were published timely in the Post-Tribune and the Times by Attorney Austgen's office; all are in order.
- Presentation:** Ian Nicolini stated that this is for the lease from the Redevelopment Authority to the Redevelopment Commission. There are two (2) bonds for two million dollars (\$2,000,000.00) each not to exceed payments of eight hundred fifty thousand dollars (\$850,000.00) each per year with a recommendation of seven (7) years financing, but not to exceed ten (10) years. An interest rate of five percent (5%) was used for calculations. Ian Nicolini read Ordinance No. 1122 by title only. Exhibits with improvements are incorporated into Ordinance No. 1122. There is an additional appropriation required to add this to the budget and account for this.
- Remonstrators:** There were none.
- Council Comments:** There were none.
- Council Decision:** Motion by Randy Niemeyer and seconded by Greg Parker to adopt Ordinance #1122.

Roll Call Vote: 5 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	ABSENT	YES	YES	YES	YES

Resolution No. 1042 – Approving the transfer of certain property to the Redevelopment Authority

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

Ian Nicolini read Resolution No. 1042 by title and read sections one (1) through four (4); a copy is attached at the end of the minutes. Motion by John Foreman and seconded by Greg Parker to approve Resolution No. 1042.

Roll Call Vote: 5 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	ABSENT	YES	YES	YES	YES

David Austgen stated that upon execution of the lease between the Redevelopment Authority and the Redevelopment Commission on Thursday, March 3, 2011, notice will be published and there will be a thirty (30) day remonstrance period. Financing should close the end of April or beginning of May.

PLANNING/ZONING & BZA

1. **Ordinance No. 1023 - Rezone – T&J Landscaping – Rezone from Residential (R-2) Zoning District & General Business (B-3) Zoning District to Community Business (B-2) Zoning District. Favorable Recommendation from the Plan Commission.**

Ian Nicolini stated that the Cedar Lake Plan Commission sent a favorable recommendation to the Town Council for the rezone to Community Business (B-2) Zoning District, by a vote of 6 in favor and 0 against. Ian Nicolini read Ordinance No. 1023 by title only. It was noted that this is the old saddle shop. Motion by Greg Parker and seconded by Randy Niemeyer to approve the rezone.

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

**Jerry Smith arrived at approximately 7:35 pm prior to roll call vote.*

2. **Variance of Use – T&J Landscaping – to allow an open lot contractor's storage for a landscaping business. Favorable Recommendation from the Board of Zoning Appeals.**

Ian Nicolini stated that the Board of Zoning Appeals sent a favorable recommendation for the variance of use to allow an open lot contractor's storage in a Residential (R-2) Zoning District and Community Business (B-2) Zoning District contingent upon the vehicles being stored wholly within the building by a vote of 5 in favor and 0 against. Motion by Greg Parker and seconded by Bill Landske to approve the variance of use with contingencies. It was noted that there would be about ten (10) vehicles being ½ ton to ¾ ton trucks.

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

3. **Special Use – Dapan Investments – to allow the sale of alcoholic beverages in a Neighborhood Business (B-1) Zoning District. Favorable Recommendation from the Board of Zoning Appeals.**

Ian Nicolini stated that the Board of Zoning Appeals sent a favorable recommendation for the requested special exception/special use to allow the proposed restaurant to allow the sale of alcoholic beverages in a Neighborhood Business (B-1) Zoning District by a vote of 5 in favor and 0 against. This is Goodfellas, formerly Legends Bar, on 129th and US-41. Ownership changed and prior special uses were specific to the property and a specific plan. Motion by Greg Parker and seconded by Randy Niemeyer to defer this to the next meeting.

Roll Call Vote: 3 to 3

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	NO	YES	NO	YES	NO

Robert Carnahan asked Clerk-Treasurer Amy Sund if she would like to break the tie; Amy Sund respectfully declined stating that it is Council's decision. Motion by Jerry Smith and seconded by Bill Landske to allow the variance of use based upon the Board of Zoning Appeals recommendation.

Roll Call Vote: 4 to 2

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	NO	YES	NO	YES

4. **Variance of Use – Dapan Investments – to allow outdoor dining, the outdoor sale of alcohol and to allow live entertainment, indoors and outdoors. Favorable Recommendation from the Board of Zoning Appeals with contingencies.**

Ian Nicolini stated that the Board of Zoning Appeals sent a favorable recommendation for the variance of use to allow outdoor dining, the outdoor sale of alcohol and to allow live entertainment, indoors and outdoors, contingent upon full compliance with the Town of Cedar Lake Noise Ordinances, as amended from time to time, by a vote of 5 in favor and 0 against. Motion by Greg Parker and seconded by Randy Niemeyer to defer this to the next meeting for further review.

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

Noreen Wellwerts of West 120th Avenue stated that she is going to personally introduce herself to all residents in the area of Goodfella's and work on any items or concerns they may have with the establishment. Randy Niemeyer requested that she be upfront with residents on the noise and what may or may not happen at their location.

5. **Variance of Use – Harvest Church – to allow Harvest Church to hold services on a lot utilized by a vehicle dealership. Favorable Recommendation from the Board of Zoning Appeals with contingencies.**

Ian Nicolini stated that the Board of Zoning Appeals sent a favorable recommendation for the variance of use to allow Harvest Church to hold services on Tuesday evenings and Sunday morning and Sunday evenings as presented, contingent upon the parking spaces and drive aisle delineation completed within ninety (90) days of Town approvals. Ian Nicolini noted that this is the former Circle

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

Oldsmobile building which is now owned by Center Garage. The showroom is not being used; that is where mass will be held. As part of the agreement fifty (50) parking spaces need to be delineated. John Schutz of Schneider Court stated that the building is being utilized for the detail shop, a holding lot and offices; he will make sure there is plenty of parking. Motion by Greg Parker and seconded by Jerry Smith to approve the variance of use with contingencies. Occupancy use will be revoked if contingencies are not met within ninety (90) days.

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

TOWN BUSINESS:

New Business:

1. Approval of Utility Adjustments.

Amy Sund stated that utility adjustments are an annual function of the Clerk-Treasurer's office. She stated that per Town Code, the Clerk-Treasurer is authorized and directed to adjust wastewater/utility fee accounts as deemed necessary and proper according to any of the reasons set forth in the following: Ministerial adjustments including, but not limited to, new home billings that need to be pro-rated, NSF checks and fees, bankruptcy filings which require adjustments, posting error corrections, penalties assessed due to delay of the postal service, changes in ownership of property, incorrect automatic penalty fees, and any other unusual circumstance that caused a customer to be late in payment of the utility account. Other matters pertain to parcels that have been combined for drainage fee adjustment, late notification by property owners that there is a new owner, properties purchased from tax sales, and foreclosures. The total amount of adjustments is \$17,062.37 from January 1, 2010 to December 31, 2010. She noted that her Utility Billing staff regularly monitors the Lake County Assessor's data online and the newspapers for tax sales so we can bill the correct owners. This is a problem we have had since billing vacant parcels for drainage. Motion by Jerry Smith and seconded by Bill Landske to approve adjustments as approved by the Clerk-Treasurer.

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

2. Cedar Lake Enhancement Association – Lake front event July 29-31, 2011

The Cedar Lake Enhancement Association (CLEA) requested use of the Town Grounds for a boat and outdoor sports show from July 29th – 31st, 2011. Ian Nicolini read the request which stated that its goal is to raise money for CLEA, to promote the lake, the businesses in Cedar Lake and the Town of Cedar Lake. Ian Nicolini read their request in its entirety; a copy is attached at the end of the minutes. Motion by Greg Parker and seconded by Jerry Smith to approve the request provided CLEA provides infrastructure items needed for the event and insurance rider.

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

3. Tag Days

<u>Organization</u>	<u>Tag Date</u>	<u>Rain Date</u>
Cedar Lake Chamber of Commerce	July 23 rd	July 30 th
Distinguished Young Women of Cedar Lake	August 20 th	August 27 th

Motion by Greg Parker and seconded by John Foreman to approve the requests.

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

PUBLIC COMMENT: Greg Wornhoff of W. 133rd Lane on behalf of the Storm Water Board along with Jerry Wilkening spoke to Council on what the Board is doing. There are some severe delinquencies in the storm water fees; they haven't quite put a number on it, but are working with Clerk-Treasurer Amy Sund on it. The Board has requested anyone over six (6) months or more behind on paying their storm water fees. There are some accounts that are over \$11,000.00 and some that haven't paid since day one. They are reexamining the Ordinance and the calculation and mechanism for the fees. They will present to Council a list of delinquencies and a recommendation to Council on what needs to be done. The Board requested delinquent letters be sent and work with them on payment arrangements. If nothing happens he suggested publishing names and dollars owed in the paper as was done in the past for uncollected ambulance billing or if not, go to court if needed. There is not a firm dollar figure, but with a preliminary review of the records it would not surprise him if the amount is \$250,000.00 to \$300,000.00 behind in our funding. John Foreman inquired of David Austgen if storm water is like wastewater where you can put a lien on it; David Austgen stated that would be one of his recommendations. Amy Sund stated that delinquency notices will be going out mid-March for the whole utility; wastewater, garbage, and storm water. She stated that she gave Council a memo recommending doing this first; then review the Town's options. Sandra Joseph will reexamine parcels and calculations; Amy Sund agreed.

FINAL COMMENTS:

- 1. Town Council Comment:** William Landske suggested members of the press have lanyards with name tags/badges indicating they are with the press so that people know who they are.
- 2. Town Administrator Comment:** Ian Nicolini has no comments.
- 3. Town Attorney Comment:** Executive Session.

Adjournment: Motion by Randy Niemeyer and seconded by Greg Parker to adjourn the meeting at approximately 8:00 pm.

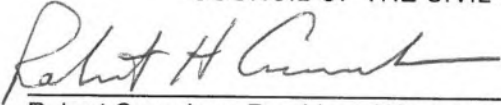
**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MEMORANDA & MINUTES OF THE CEDAR LAKE TOWN COUNCIL**

Roll Call Vote: 6 to 0

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	ABSENT	YES	YES	YES	YES	YES

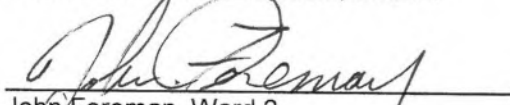
An Executive Session was advertised and conducted pursuant to IC 5-14-1.5-6.1(b) before and after the meeting with discussion consisting of litigation, acquisition and personnel issues. Those in attendance were Robert Carnahan, John Foreman, William Landske, Randy Niemeyer, Greg Parker, Jerry Smith, Clerk Treasurer Amy Sund, Town Administrator Ian Nicolini, and Town Attorney David Austgen.

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

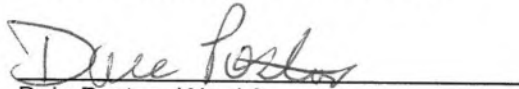


Robert Carnahan, President, Ward 1

Greg Parker, Vice-President, Ward 7



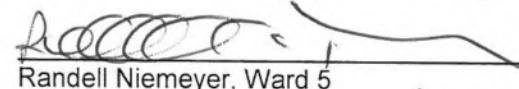
John Foreman, Ward 2



Dale Poston, Ward 3

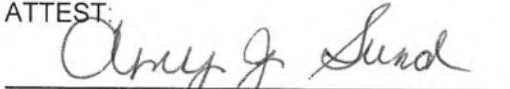


Jerry Smith, Ward 4

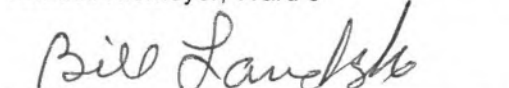


Randall Niemeyer, Ward 5

ATTEST:



Amy J. Sund, IAMC, CMC, Clerk-Treasurer



William Landske, Ward 6

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.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

ORDINANCE NO. 1122

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, APPROVING A LEASE BETWEEN THE CEDAR LAKE REDEVELOPMENT AUTHORITY AND THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, REDEVELOPMENT COMMISSION, MAKING AN ADDITIONAL APPROPRIATION IN CONNECTION THEREWITH, AND ALL MATTERS RELATED THERETO

WHEREAS, the Cedar Lake Redevelopment Authority (the "Authority") has adopted a Resolution indicating its intent to issue its Cedar Lake Redevelopment Authority Lease Rental Revenue Bonds (the "Bonds") in two (2) series, each series of which will be in an aggregate issued amount not to exceed Two Million Dollars (\$2,000,000), to (i) finance all or a portion of the acquisition and construction of certain road and street improvements within the Town, which are described on Exhibit A attached hereto and made a part of this Ordinance (clause (i), the "Cedar Point Park Project"), (ii) finance all or a portion of the acquisition and construction of certain road and street improvements within the Town, which are described on Exhibit B attached hereto and made a part of this Ordinance (clause (ii), the "Oaks/Shades Project," and, together with the Cedar Point Park Project, the "Projects"), (iii) pay any capitalized interest on the Bonds, and (iv) pay costs incurred in connection with the issuance of the Bonds; and

WHEREAS, the Authority and the Town of Cedar Lake, Lake County, Indiana, Redevelopment Commission (the "Commission") have each adopted Resolutions approving a proposed Lease Agreement in the form presented at this public meeting (the "Lease") for the purpose of paying the principal of and interest on the Bonds issued pursuant to IC 36-7-14.5 to finance the construction of the Projects, and the Commission has scheduled a Public Hearing regarding the Lease and the Projects pursuant to IC 36-7-14-25.2 and also published a Notice of such Public Hearing pursuant to IC 5-3-1; and

WHEREAS, on February 17, 2011, said public hearing was held, and all interested parties were provided the opportunity to be heard at the public hearing; and

WHEREAS, the Commission, at a public meeting on February 17, 2011, adopted a Resolution finding, pursuant to IC 36-7-14.5-14, that the lease rental payments to be paid by the Commission to the Authority pursuant to the Lease are fair and reasonable and finding, pursuant to IC 36-7-14-25.2, that the terms of the Lease are based upon the value of the Leased Premises (as defined in the Lease) and the use of the Projects throughout the term of the Lease will serve the public purpose of Town of Cedar Lake, Lake County, Indiana (the "Town") and is in the best interests of its residents; and

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana, as the duly elected legislative and fiscal body of the Town (the "Town Council"), now seeks to approve the Lease pursuant to applicable provisions of Indiana law, including IC 36-7-14-25.2, which provides that any lease approved by a Resolution of the Commission must be approved by an Ordinance of the Fiscal Body of the Town; and

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

WHEREAS, in connection with the Projects, it will be necessary for the Town to transfer the existing right-of-way interests of the Town in the portion of the roads and streets set forth on each of Exhibit A and Exhibit B attached hereto (the "Town's Real Property Interests") to the Authority for Ten Dollars (\$10.00) from the proceeds of the Bonds in connection with Resolutions to be adopted by the Town and the Authority regarding such transfer; and

WHEREAS, the Town Council intends to use the money received from the transfer of the Town's Real Property Interests to the Authority to pay for all or a portion of the costs of undertaking any portion of the Projects not undertaken by the Authority or the Commission; and

WHEREAS, it is necessary for the Town Council to appropriate the proceeds of the Bonds paid to the Town for the transfer of the Town's Real Property Interests; and

WHEREAS, notice has been given and on this date, a public hearing has been conducted regarding such appropriation, as required by applicable Indiana law.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION 1. Approval of Lease. The Town Council hereby approves the Lease, as approved by the Commission, pursuant to IC 36-7-14-25.2, and hereby approves the issuance of the Bonds.

SECTION 2. Transfer of Real Property Interests. The Town Council hereby authorizes the transfer of the Town's Real Property Interests which will be included in the Leased Premises under the Lease for a sale price to be agreed upon by the Town and the Authority, pursuant to Resolutions to be adopted by both the Town and the Authority, which will be paid to the Town out of the proceeds of the Bonds.

SECTION 3. Appropriation of Proceeds. An appropriation in an amount of not to exceed Ten Dollars (\$10.00), together with all investment earnings thereon, shall be and hereby is made from the proceeds of the Bonds to be paid to the Town by the Authority in connection with the transfer of the Town's Real Property Interests to finance any portion of the Projects not undertaken by the Authority or the Commission.

SECTION 4. Authorization of Other Actions. Any Member of the Town Council and the Clerk-Treasurer of the Town, or any other Officer, Employee or Agent of the Town is hereby authorized and directed, for and on behalf of the Town, to execute and deliver any contract, agreement, certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this Ordinance, with such determination to be conclusively evidenced by such person's execution of such contract, agreement, certificate, instrument or other document or such person's taking of such action.

SECTION 5. This Ordinance shall take effect, and be in full force and effect from and after its passage and adoption by the Town Council in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, THIS 1ST DAY OF MARCH, 2011.

Exhibit A
Description of Cedar Point Park Project

The acquisition of right-of-way for and construction of all or a portion of road and street improvements for the following roads and streets in the Cedar Point Park area (which area is generally depicted on Schedule A attached hereto) of the Town of Cedar Lake, Indiana:

134th Place – Approximately 2,005 lineal feet from Morse Street to Cedar Street
Knight Street – Approximately 1,085 lineal feet from 134th Place to 136th Avenue
Fir Street – Approximately 450 lineal feet south from 134th Place
Hickory Street – Approximately 350 lineal feet south from 134th Place
Elm Street – Approximately 245 lineal feet south from 134th Place
133rd Court – Approximately 535 lineal feet west from Morse Street
Fulton Street – Approximately 215 lineal feet from 134th Place to 133rd Court
Hilltop Drive – Approximately 840 lineal feet from 134th Place to Knight Street
134th Court - Approximately 290 lineal feet east from Knight Street
135th Place – Approximately 615 lineal feet from Knight Street to Dewey Street
Dewey Street – Approximately 540 lineal feet from 135th Place to 134th Court
Lee Street – Approximately 580 lineal feet from 135th Place to 134th Court
Bryan Street – Approximately 625 lineal feet from 135th Place to 134th Court
134th Court - Approximately 390 lineal feet from Dewey Street to Blain Street
Blain Street – Approximately 215 lineal feet from Bryan Street to 134th Court
Cedar Lane – Approximately 295 lineal feet west from 134th Place
Cedar Street – Approximately 825 lineal feet south from 134th Place

Exhibit B
Description of Oaks/Shades Project

The acquisition of right-of-way for and construction of all or a portion of road and street improvements for the following roads and streets in the Oaks/Shades area (which area is generally depicted on Schedule B attached hereto) of the Town of Cedar Lake, Indiana:

West 126th Avenue – Approximately 690 lineal feet west from Cline Street
West 126th Place – Approximately 1,115 lineal feet west from Cline Street
Maple Street – Approximately 865 lineal feet from West 126th Avenue to West 126th Place

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

Sunnyside Place – Approximately 270 lineal feet from West 126th Avenue to West 126th Place
West 127th Avenue – Approximately 1,265 lineal feet west from Cline Street
West 127th Place – Approximately 110 lineal feet east from Foster Street
West 127th Lane – Approximately 310 lineal feet east from Foster Street
West 128th Avenue – Approximately 595 lineal feet from Cline Street to Lake Shore Drive
West 128th Place – Approximately 615 lineal feet west from West 128th Avenue
Wrightwood Street – Approximately 545 lineal feet north from West 128th Place
Oak Street – Approximately 450 lineal feet north from West 128th Place
Maple Street – Approximately 1,634 lineal feet north from West 128th Place
Foster Street – Approximately 815 lineal feet north from West 128th Avenue

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
RESOLUTION NO. 1042**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
APPROVING THE TRANSFER OF CERTAIN PROPERTY FROM THE TOWN OF CEDAR LAKE, LAKE
COUNTY, INDIANA TO THE CEDAR LAKE REDEVELOPMENT AUTHORITY**

WHEREAS, the Cedar Lake Redevelopment Authority (the "Authority") has been created pursuant to I.C. 36-7-14.5 (the "Act") as a separate body corporate and politic and serving as an instrumentality of the Town of Cedar Lake, Lake County, Indiana (the "Town") and is permitted by the Act to acquire real property in order to accomplish the purposes of the Authority under the Act; and

WHEREAS, the Authority has adopted a Resolution indicating its intent to issue its Cedar Lake Redevelopment Authority Lease Rental Revenue Bonds (the "Bonds") in two (2) series, each series of which will be in an aggregate issued amount not to exceed Two Million Dollars (\$2,000,000), to (i) finance all or a portion of the acquisition and construction of certain road and street improvements within the Town, which are described on Exhibit A attached hereto and made a part of this Resolution (clause (i), the "Cedar Point Park Project"), (ii) finance all or a portion of the acquisition and construction of certain road and street improvements within the Town, which are described on Exhibit B attached hereto and made a part of this Resolution (clause (ii), the "Oaks/Shades Project," and, together with the Cedar Point Park Project, the "Projects"), (iii) pay any capitalized interest on the Bonds, and (iv) pay costs incurred in connection with the issuance of the Bonds; and

WHEREAS, the Authority seeks to acquire from the Town the existing right-of-way interests of the Town in the portion of the roads and streets set forth on Exhibit A and Exhibit B attached hereto, which will be more particularly described in the documents of transfer (the "Real Property") in connection with financing of the acquisition and construction of the Projects by the Authority for lease to the Town of Cedar Lake, Lake County, Indiana, Redevelopment Commission (the "Redevelopment Commission") pursuant to the Act; and

WHEREAS, the Town, as the owner of the Real Property, seeks to transfer the Real Property to the Authority for Ten Dollars (\$10.00).

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: The Town Council hereby finds and determines that the transfer of the Real Property from the Town to the Authority for Ten Dollars (\$10.00), in connection with the financing of the acquisition and construction of the Projects by the Authority for lease to the Redevelopment Commission pursuant to the Act, is in the best interests of the Town and its citizens.

SECTION TWO: The Town Council hereby approves the transfer of all of the Town's right, title and interest in the Real Property to the Authority for the amount recited above.

SECTION THREE: The President of the Town Council is hereby authorized to execute one or more deeds or such other instruments or documents and to take such other actions that may be necessary to effectuate the transfer of the Real Property as authorized herein.

SECTION FOUR: This Resolution shall be in full force and effect from and after its passage of the Town Council of the Town of Cedar Lake, Lake County, Indiana.

ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA THIS 1st DAY OF MARCH, 2011.

Exhibit A
Description of Cedar Point Park Project

The acquisition of right-of-way for and construction of all or a portion of road and street improvements for the following roads and streets in the Cedar Point Park area (which area is generally depicted on Schedule A attached hereto) of the Town of Cedar Lake, Indiana:

134th Place – Approximately 2,005 lineal feet from Morse Street to Cedar Street
Knight Street – Approximately 1,085 lineal feet from 134th Place to 136th Avenue
Fir Street – Approximately 450 lineal feet south from 134th Place
Hickory Street – Approximately 350 lineal feet south from 134th Place
Elm Street – Approximately 245 lineal feet south from 134th Place
133rd Court – Approximately 535 lineal feet west from Morse Street
Fulton Street – Approximately 215 lineal feet from 134th Place to 133rd Court
Hilltop Drive – Approximately 840 lineal feet from 134th Place to Knight Street
134th Court – Approximately 290 lineal feet east from Knight Street
135th Place – Approximately 615 lineal feet from Knight Street to Dewey Street
Dewey Street – Approximately 540 lineal feet from 135th Place to 134th Court
Lee Street – Approximately 580 lineal feet from 135th Place to 134th Court

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

Bryan Street – Approximately 625 lineal feet from 135th Place to 134th Court
134th Court - Approximately 390 lineal feet from Dewey Street to Blain Street
Blain Street – Approximately 215 lineal feet from Bryan Street to 134th Court
Cedar Lane – Approximately 295 lineal feet west from 134th Place
Cedar Street – Approximately 825 lineal feet south from 134th Place

Exhibit B
Description of Oaks/Shades Project

The acquisition of right-of-way for and construction of all or a portion of road and street improvements for the following roads and streets in the Oaks/Shades area (which area is generally depicted on Schedule B attached hereto) of the Town of Cedar Lake, Indiana:

West 126th Avenue – Approximately 690 lineal feet west from Cline Street
West 126th Place – Approximately 1,115 lineal feet west from Cline Street
Maple Street – Approximately 865 lineal feet from West 126th Avenue to West 126th Place
Sunnyside Place – Approximately 270 lineal feet from West 126th Avenue to West 126th Place
West 127th Avenue – Approximately 1,265 lineal feet west from Cline Street
West 127th Place – Approximately 110 lineal feet east from Foster Street
West 127th Lane – Approximately 310 lineal feet east from Foster Street
West 128th Avenue – Approximately 595 lineal feet from Cline Street to Lake Shore Drive
West 128th Place – Approximately 615 lineal feet west from West 128th Avenue
Wrightwood Street – Approximately 545 lineal feet north from West 128th Place
Oak Street – Approximately 450 lineal feet north from West 128th Place
Maple Street – Approximately 1,634 lineal feet north from West 128th Place
Foster Street – Approximately 815 lineal feet north from West 128th Avenue



Cedar Lake on the Water Boat & Outdoor Sports Show

Goals: To raise money for Cedar Lake Enhancement Association (CLEA). To Promote the Lake, The businesses in Cedar Lake, and the Town of Cedar Lake.

Boats:

- 1 Water ski / Wakeboard boats.
- 2 Power boats, Bowriders 16' – 24' size
- 3 Fishing type boats. High powered Bass boats. Row boats & John boats.
- 4 Canoes & Kayaks.
- 5 Jet Ski's / Wave runners.
- 6 Sail Boats / Sail boards / Hobie Cats
- 7 Water ski's – Wake boards – Tubes/watertoys
- 8 Boat accessories

Outdoor Sports:

- 1 Fishing –
- 2 Hunting
- 3 Camping, hiking, and jogging.
- 4 Bicycles, trail bikes, racing bikes, recreational bikes
- 5 Golf ? Cedar Lake Golf course

Food:

1. Taste of Cedar Lake – Food vendors C.L. Restaurants first
2. Taste of the Region – Promote to bring in local Region Restaurants
3. Avoid or very limited ... (elephant ears, cotton candy, etc.) This is not a carnival
4. Beer/Wine garden.

Events:

- 1 Water Ski shows. Cypress Garden Type. Wake Board show.
- 2 Outdoor Triathlon: Kayak, X- Country run, & X- Country bike.
- 3 In The water Show product showcase. Day time / Night time. Showcase presentation of boats and water products.
- 4 Sail Boat Races. Sail Boat rides around the lake. Learn to sail events.(Working with CLYC)
- 5 Live Music on bandstand also a second tent with bands and speakers in the day time. (Sponsor funded) Friday & Saturday night theme party (Saturday Jimmy Buffet party)
- 6 Guided Pontoon rides/tours around the lake. (fund raiser)

Time Frame?

- 1 Friday July 29. 11am-11p.
- 2 Saturday 7/30, 10am-11pm.
- 3 Sunday, 10am-4pm.

Some Potential Sponsors:

- Cabala's - Bass Pro Shop – Gander Mt - Fleet feet. – Trek Bike - Dick's Sporting goods
White Industries (Lighthouse Restaurant) Pier 74 Restaurant, Strak & Van Till, Chase Bank ,
Peoples Bank, etc. The Time Newspaper – Post Tribune - Nipsco, Pepsi, Coke, Miller,
Budweiser, Northcoast Dist. Crownline, MasterCraft, SanPan, SeaRay, SeaDoo, Yamaha,
6 Center Garage- Official Tow vehicles