

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

**July 7, 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 H. Carnahan	Ward 1
	Council Member			President	
Present	Jerry Smith	Ward 4	Present	Amy J. Sund	
	Council Member			Clerk-Treasurer	
Absent	Randell Niemeyer	Ward 5	Present	Ian Nicolini	
	Council Member			Town Administrator	
Present	William Landske	Ward 6	Present	David Austgen	
	Council Member			Town Attorney	

**DEPARTMENT REPORTS**

**Police:** Chief Roger Patz reported statistics from the holiday weekend and Summerfest. There was a larger police presence this year. He reported that Sergeant Jerry Smith was on vacation from the department during Summerfest, but was raising funds for the DARE program parking cars in the spots designated by the Lighthouse Restaurant; over \$1,600.00 was raised. Chief Patz represented the Town at the Congestion Mitigation Air Quality (CMAQ) meeting at NIRPC. The Town applied for grants totaling \$165,950.00 for diesel fuel retrofit and infrastructure for an E-85 tank and installation. The Town Administrator did the work on this grant which was approved and will be moving on to the next level of approval. If approved the funding level will be 100%. Greg Parker thanked the police department, public works department and all employees involved with Summerfest for their work.

**Public Works:** Ian Nicolini reported that Jim Cornett is out of the office. The public works department is chipping in several areas. Chip seal paving will begin on Monday. The Gasboy system reports are being generated which is allowing for enhanced accountability with fuel.

**Parks & Recreation:** Ian Nicolini stated that a written report was submitted by the Park Director.

**Clerk-Treasurer:** Clerk-Treasurer Amy Sund stated that her department is working the 2012 budgets. She will be meeting with the budget & finance committee and the fire/EMS committee.

**Fire Department:** No report.

**Town Administrator:** Ian Nicolini stated that construction on the lake front project is moving along. The Cedar Point Parks and Oaks/Shades preconstruction meeting was yesterday. Final completion should be on or around November 6<sup>th</sup>. The contracts and notice to proceed are in the packet for signature tonight. Once signed, field work is scheduled to begin Monday. Ian Nicolini clarified that information reported from the plan commission work session should have stated that an economic deal is being worked on with Strack & VanTil. This project is moving forward. Greg Parker inquired on 127<sup>th</sup> Place where regarding the street and a garbage truck. Ian Nicolini responded that Jim Cornett and Sandra Bucklew are working on this. Ian Nicolini stated that he met with Jim Cornett in Robin's Nest Park to determine a location for the donated park equipment. Design and drainage are being worked on.

**Town Attorney:** Attorney David Austgen had no report.

**Town Council:** Greg Parker stated that the Boys & Girls Clubs Annual Scully Scramble will be July 23<sup>rd</sup> beginning at 8:00 am with all proceeds benefiting the Cedar Lake Club. Jerry Smith clarified that Dean White, WPM and the Lighthouse Restaurant donated about 110 parking spaces for the DARE program fundraiser. He noted that the charge was slightly higher as to not deter those from Summerfest parking. The donation was \$1,665 once the kids were paid and some signage was purchased. Robert Carnahan reported that NIRPC will not meet in July, Lake County Advancement and the 16 Plus Committee will not meet until September. Robert Carnahan is in charge of a fund drive for the Cedar Lake Chamber to raise funds for the purchase of American Flags that are made in America to put around Town. He noted donations that have been made so far.

**PUBLIC COMMENT:** **Mitch Dudlack** of Oak Street spoke on the stop sign by LaTulip; it was noted that Town signage can not be placed on private property. He stated that the flag pole light is out; Ian Nicolini stated that it had been repaired this morning and should be working now. He stated that there are weeds on Truman Circle. **Betty Elliott** of 142<sup>nd</sup> Place noted the problem with the ditch and flooding in the area. The sticker trees block the view from her driveway and there are weeds on the corner. The ditch needs to be cleaned out. It was noted that Sleepy Hollow ditch is not a regulated drainage ditch. Right-of-ways, easements and ownership were discussed. A regulated drainage ditch has an access easement edge to edge. It was noted that this will be looked at and discussed with George VanTil. **Patti Heygi** of 142<sup>nd</sup> Place noted her concern with Sleepy Hollow ditch filling in with silt, rocks and tires and that is eroding away. **Yvonne Taves** of Dewey thanked all involved for their work on the road project. She inquired on dates of road closures and work. Ian Nicolini responded that mobilization should be around August 8<sup>th</sup> and that road closures can be from 8:30 am – 4:30 pm but not for more than two consecutive days and that all closures need to be done before school begins. **Noel Salinas** of 133<sup>rd</sup> stated that he purchased the property from Dr. King. He will be moving the restaurant and discussed the preliminary plan ideas. He is cleaning out the building and getting ready for engineers. Greg Parker stated to get everything on the site plan and do it all at once. **David Bollinger** of 127<sup>th</sup> Lane in Wicker Meadows spoke on flooding issues.

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Greg Parker noted that the retention ponds capacity needs to be enlarged. Ian Nicolini noted that lot lines go across the pond; the Town does not own the pond; only the outlot. **Skip Crissey** of 131<sup>st</sup> Avenue inquired if the Town could look into larger recycle bins. **Mitch Dudlack** of Oak Street noted that there is a pothole in the middle of the street; Ian Nicolini noted that this road is going to be reconstructed.

**CONSENT AGENDA**

1. Minutes of the Regular Public Meeting Minutes of June 21, 2011.
2. Docket: Town Claims 68812 - 68879 for \$407,222.91; Wastewater Claims 26740 - 26775 for \$337,257.23; Storm Water Claims 68813 - 68814 for \$6,038.04; and Water Utility Claims 80713 - 80728 for \$80,226.20. Motion by Greg Parker and seconded by Jerry Smith to accept and waive the reading of the Minutes, and to accept the Consent Agenda.

**Roll Call Vote: 5 to 0**

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

**ORDINANCES AND RESOLUTIONS:**

**1. Resolution No. 1048 – Transfer Resolution within the General Fund**

Amy Sund read Resolution No. 1048 which transfers \$5,000.00 from General Fund Police Department 114 – COPS Grant Officer to 362 – Vehicle Repair. Motion by Jerry Smith and seconded by Greg Parker to approve Resolution No. 1048.

**Roll Call Vote: 5 to 0**

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

**2. Resolution No. 1049 – Temporary Transfer to the Park District**

Amy Sund read Resolution No. 1049 which resolves that the sum of \$1,498.45 shall be transferred from the Casino Gaming Fund #105 to the Park District Bond Fund #303 in order to make timely payment to First Financial Bank for the 2001 Park District General Obligation Bonds. The amount transferred shall be repaid to the appropriate fund on or before December 31, 2011. Motion by Jerry Smith and seconded by Greg Parker to approve Resolution No. 1049.

**Roll Call Vote: 5 to 0**

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

**3. Resolution No. 1050 – Temporary Transfer to RDA Lease Rental Bond Fund**

Amy Sund read Resolution No. 1050 which resolves that the sum of \$68,337.58 shall be transferred from the Casino Gaming Fund #105 to the RDA Lease Rental bond Fund #410 in order to make timely payment to the paying agent Wells Fargo Bank for the 2007 Cedar Lake Redevelopment Authority Lease Rental Revenue Bonds. The amount transferred shall be repaid to the appropriate fund on or before December 31, 2011. Motion by William Landske and seconded by Jerry Smith to approve Resolution No. 1050.

**Roll Call Vote: 5 to 0**

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

**4. Resolution No. 1051 – Extract of Minutes, Entering in to Lease-Purchase Agreement for Public Works Vehicles**

Attorney David Austgen read Resolution No. 1051 in its entirety. Motion by Jerry Smith and seconded by John Foreman to approve Resolution No. 1051.

**Roll Call Vote: 5 to 0**

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

**5. Resolution No. 1052 – Extract of Minutes, Entering into Lease-purchase Agreement for Metropolitan Police Vehicles**

Attorney David Austgen read Resolution No. 1052 in its entirety. Motion by Jerry Smith and seconded by Greg Parker to approve Resolution No. 1052.

**Roll Call Vote: 5 to 0**

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

**TOWN BUSINESS:**

**New Business**

**1. Affidavit Requesting Ownership Name Change**

Ian Nicolini stated that there are ten (10) park parcels with various names of ownership. This would change the name on those parcels to the Town of Cedar Lake. This is a process to clarify and identify uniformly the properties owned by the Town. Motion by John Foreman and seconded by William Landske to approve the affidavit for ownership name change.

**Roll Call Vote: 5 to 0**

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

**2. Robin's Nest Park – Fall Surfacing**

Ian Nicolini stated that the cost estimate for the fall surfacing for Robin's Nest Park is \$13,504.09. This is an insurance requirement. Costs for hardware and concrete work have already been obtained. The total cost for the project is about \$18,000.00 with the donated equipment; costs would have been up to

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\$25,000.00 to buy new. Motion by William Landske and seconded by Greg Parker to proceed with the installation.

**Roll Call Vote: 5 to 0**

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

**Additional Item: Monastery Clubhouse - Unit Lease Agreement**

Ian Nicolini stated that there is a residential rental lease agreement for the unit above the Monastery Clubhouse. The Town is now the lease holder and the lease needs to be updated to reflect the ownership change. Motion by Greg Parker and seconded by William Landske to update the lease. This is an annual lease and a new term was recommended.

**Roll Call Vote: 5 to 0**

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

**WRITTEN COMMUNICATIONS:**

1. **First United Methodist Church, Crown Point, dated June 28, 2011.** Council was invited to a Community Service Day on September 11, 2011.

**PUBLIC COMMENT:** Mitch Dudlack of Oak Street inquired on a stop sign missing in Meyer Manor on Marquette Street by the basketball court. Public Works will check on this. Mary Joan Dickson of 132<sup>nd</sup> Place inquired on the procedure for the Kiwanis and Hanover Booster Club to switch tag dates. Robert Carnahan stated that a letter from each organization needs to be submitted to the Clerk’s office for record keeping.

**FINAL COMMENTS:**

1. **Town Council Comment:** John Foreman spoke on public comments not being allowed at Hanover School Board meetings. He noted that when the school board president was at the meeting requesting permit fees be waived she stated that public comment is allowed at school board meetings; he stated that her comment is incorrect. John Foreman stated that Council gives the public ample time to speak. Jerry Smith thanked all that donated for the Hanover Central rings.
2. **Town Administrator Comment:** Ian Nicolini had no comments.
3. **Town Attorney Comment:** David Austgen had no comments

**Adjournment:** Motion by Greg Parker and seconded by John Foreman to adjourn the meeting at approximately 8:20 pm.

**Roll Call Vote: 5 to 0**

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

An Executive Session was advertised and conducted pursuant to IC 5-14-1.5-6.1(b) before 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 H. Carnahan, President, Ward 1

\_\_\_\_\_  
Greg Parker, Vice-President, Ward 7

\_\_\_\_\_  
John Foreman, Ward 2

\_\_\_\_\_  
Dale Poston, Ward 3

\_\_\_\_\_  
Jerry Smith, Ward 4

\_\_\_\_\_  
Randell Niemeyer, Ward 5

ATTEST:

\_\_\_\_\_  
William Landske, Ward 6

\_\_\_\_\_  
Amy J. Sund, IAMC, CMC, 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.