

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

**August 30, 2011  
Public Meeting 7:00 PM at the Cedar Lake Town Hall  
Pledge of Allegiance & Moment of Silence**

**Roll Call:**

Absent*	John Foreman	Ward 2	Present	Greg Parker	Ward 7
	Council Member			Vice-President	
Present	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	
Present	Randell Niemeyer	Ward 5	Present	Ian Nicolini	
	Council Member			Town Administrator	
Present	William Landske	Ward 6	Present	David Austgen	
	Council Member			Town Attorney	

*\*John Foreman arrived at 6:35 pm*

**PUBLIC COMMENT:** There were no comments.

**CONSENT AGENDA**

- Minutes of the Regular Public Meeting Minutes of August 16, 2011.
- Docket: Town Claims – 69103 - 69138 for \$186,758.31; Wastewater Claims 26888 - 26904 for \$315,793.21; Storm Water Claims 69103 – 69105 and 69122 for \$5,645.81; and Water Utility Claims 80779 - 80783 for \$4,079.54. Randy Niemeyer noted that the August 16, 2011 Minutes should state that he is not in favor or against the merger. Motion by Randy Niemeyer and seconded by Jerry Smith to accept and waive the reading of the Minutes as amended, and to accept the Consent Agenda.

**Roll Call Vote: 6 to 0**

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

**PLANNING/ZONING & BZA**

- Ordinance No. 1139 - Public Way Vacation – Moody – Alley north of 141<sup>st</sup> Court, East of Soper Street – Second Reading**

Ian Nicolini read Ordinance No. 1139 by title only. Motion by Jerry Smith and seconded by Greg Parker to accept the second reading of Ordinance No. 1139.

**Roll Call Vote: 7 to 0**

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

**ORDINANCES & RESOLUTIONS**

- Ordinance No. 1138 – Park Impact Fee**

Ian Nicolini read Ordinance No. 1138 by title only. This includes option three (3) without the escalator. Motion by Jerry Smith and seconded by Greg Parker to adopt Ordinance No. 1138.

**Roll Call Vote: 6 to 0**

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

*\*John Foreman arrived.*

- Resolution No. 1055 – Transfer – General Fund and LEEF Fund**

Amy Sund Resolution No. 1055 in its entirety which transfers the following:

**GENERAL FUND**

**Police Department**

\$ 800.00	From: 445 Equipment	To: 331 Printing
\$3,000.00	From: 445 Equipment	To: 231 Repair Parts

**LAW ENFORCEMENT CONTINUING EDUCATION FUND (LEEF):**

\$1,000.00	From: 445 Equipment	To: 241 Misc. Supplies
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Motion by Randy Niemeyer and seconded by Dale Poston to approve Resolution No. 1055.

**Roll Call Vote: 7 to 0**

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

- Resolution No. 1056 – Budget Reduction**

Amy Sund read Resolution No. 1056 in its entirety which resolved to reduce the following:

#0708 - MOTOR VEHICLE HIGHWAY REDUCTIONS		
201-001-111	Operations Director	\$ 252
# 0706 - LOCAL ROAD & STREET REDUCTIONS		
202-001-235	Emulsion	\$ 431
#2379 - CUMULATIVE CAPITAL IMPROVEMENT REDUCTIONS		
401-001-444	Improvements	\$ 9,232

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**E.D.TOURISM/INNKEEPER'S TAX REDUCTIONS**

102-001-398	Town Promotion	\$ 575
TOTAL REDUCTIONS ALL FUNDS		<u>\$ 10,490</u>

Amy Sund stated that these budget reductions to balance the 2011 budget. Motion by Randy Niemeyer and seconded by Dale Poston to approve Resolution No. 1056.

**Roll Call Vote: 7 to 0**

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

**TOWN BUSINESS:**

**New Business**

**1. Strack & VanTil – Agreement Letter**

The agreement letter is Strack & VanTil (SVT) and the Town to work together to use Tax Increment Financing (TIF) for the SVT site, authorize co-application for land use related components and authorize the Town council President to sign documents for Board of Zoning Appeals and Plan Commission. The municipally-owned parcel within the subdivision is proposed to be improved to provide additional parking for the shopping center. The letter was drafted by Attorney David Austgen. TIF funding was discussed. This letter will start the negotiations. SVT will be the bond holders and they will be investing in their own longevity. Council will be updated as this project progresses to the extent legally allowed. Motion by Randy Niemeyer and seconded by Greg Parker to authorize Town Council President Robert Carnahan to sign the letter.

**Roll Call Vote: 7 to 0**

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

**Old Business**

**1. Cedar Lake Public Works – Water Operator Appointment**

This was continued to the next meeting.

**2. Facility/Shelter Rental Fees**

Amy Sund gave Council figures on the number of shelter rentals and revenue collected. The Lion's Den and Gazebo are the most popular. Information was distributed on the costs other organizations are charging and sample forms other communities are utilizing. It was suggested to have the attorney review the legalities of this. This was continued to the next meeting.

**WRITTEN COMMUNICATIONS:**

**1. The Golf Committee for Cedar Lake Chamber of Commerce – 2011 Golf Outing**

Flyer regarding this was in the meeting packet.

**PUBLIC COMMENT:** Sharon Zunica of 135<sup>th</sup> Place questioned the temporary permit of the Wornhoff's with no expiration date. She stated that she thought they were supposed to break ground in September. Public comment was closed.

**FINAL COMMENTS:**

- 1. Town Council Comment:** Randy Niemeyer expressed his opinion on consolidation of government entities and the level of efficiency and transparency. 911 dispatch centers were discussed and opinions were voiced. It was noted that provisions in the commission agreement in which #7, #8, #9 and #10 all stated "to be developed". Costs were discussed; local government agencies are tied to the costs. Dale Poston stated that Jerry Smith is working on information with the fire department. Motion by Dale Poston and seconded by Bill Landske to allow Jim Cornett to promote a part-time worker to full-time.

**Roll Call Vote: 7 to 0**

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

John Foreman thanked all for Sunday's parade.

- 2. Town Administrator Comment:** Ian Nicolini stated that the Robin's Nest Park ribbon cutting will be Monday, September 5<sup>th</sup> at 4:00 pm.
- 3. Town Attorney Comment:** David Austgen stated that there will be a 9/11 ceremony in Schererville for the 10<sup>th</sup> anniversary. Other local churches will be having services as well.

**Adjournment:** Motion by Dale Poston and seconded by Greg Parker to adjourn the meeting at approximately 7:00 pm.

**Roll Call Vote: 7 to 0**

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

An Executive Session was advertised and conducted pursuant to IC 5-14-1.5-6.1(b) 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, Dale Poston, Jerry Smith, Clerk-Treasurer Amy Sund, Town Administrator Ian Nicolini, and Town Attorney David Austgen.

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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.

DRAFT