

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

**October 4, 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	

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

**CONSENT AGENDA**

- Minutes of the Regular Public Meeting Minutes of September 20, 2011 and Special Public Meeting Minutes of September 27, 2011.
- Docket: Town Claims 69321 – 69394 for \$572,091.74; Wastewater Claims 26984 - 27024 for \$530,693.99; Storm Water Claims 69331 – 69332 and 69354 - 69358 for \$7,740.97; and Water Utility Claims 80814 - 80827 for \$16,372.02. Motion by Dale Poston and seconded by Greg Parker 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

**PUBLIC HEARING: Ordinance No. 1141 – 2012 Budget (First Reading)**

- Town Attorney's Review of Legals:** Attorney David Austgen stated that the proofs of publication are in evidence and publication occurred on September 2, 2011 and September 9, 2011.
- First Reading of Ordinance No. 1141:** Amy Sund read Ordinance No. 1141 in its entirety which states: Be it ordained by the Cedar Lake Civil Town unit, Lake County, Indiana that for the expenses of Cedar Lake Civil Town for the year ending December 31, 2012 the sum of \$6,907,273.00, as shown on Budget Form 4-A are hereby appropriated and ordered set apart out of the several funds herein named for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expense of Cedar Lake Civil Town, a total property tax levy of \$4,534,717.00 and a total tax rate of 1.3965 as shown on Budget Form 4-B are included herein. Budget Form 4-A and 4-B for all funds and departments are incorporated by the signing of this form and must be completed and submitted in the manner prescribed by the Department of Local Government Finance.
- Clerk-Treasurer's Comments:** Clerk-Treasurer Amy Sund reported on the 2012 Budget. A copy of her report is incorporated at the end of the minutes. The proposed General Fund Budget supported by property tax is \$3,466,696.00 which is a decrease of \$30,698.00 from the 2011 approved budget. 2012 Budgets are due to the Department of Local Government Finance (DLGF) on November 3, 2011 for approval.
- Town Administrator's Comments:** Ian Nicolini noted that the Town is operating with a leaner budget. Fiscal conservatism while maintaining our level of service is due to the hard work from all departments, the Clerk-Treasurer and Council.
- Remonstrators:** There were no remonstrators.
- Council's Comments:** Robert Carnahan complimented Clerk-Treasurer Amy Sund on attending classes and receiving her accreditation in her first term. He noted his appreciation for her fiscal responsibility; Council agreed. Dale Poston commended department heads and Amy Sund for watching our finances and their hard work. Randy Niemeyer agreed with all comments. He noted that as a member of the Budget and Finance Committee the 2012 budget is representative of tangible results for taxpayer's money; it is a good proposal. William Landske agreed, noting that Council needs to hold back on pay increases; times are tough. He noted that there are over 300 vacant homes in Cedar Lake that won't be on the tax roll. Do not spend what we do not have.
- Council's Decision:** Motion by Randy Niemeyer and seconded by Dale Poston to approve the first reading of Ordinance No. 1141.

**Roll Call Vote: 6 to 0**

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

**TOWN BUSINESS:**

**New Business**

**1. Change Order – Shades/Oaks Addition**

The change order is to extend the storm sewer trunk line from Foster Avenue & West 128<sup>th</sup> Place to Cedar Lake with work to be completed over the winter. The additional cost proposed by the change order is for \$257,863.76 which will leave \$20,982.74 available in the bond fund for any additional work or changes. The scope of work could be adjusted as work progresses if needed. Discussions occurred on the there being a building over the sewer lines. Motion by Jerry Smith and seconded by Greg Parker to approve the change order in the amount of \$257,863.76.

**Roll Call Vote: 6 to 0**

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

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**2. 2012 Fire/EMS Contract**

Clerk Treasurer Amy Sund reported that the only change to the contract is an increase of \$30,000.00 annually for a total contract of \$524,000.00 with quarterly payments of \$131,000.00 each. The Town will still budget for the fire departments Town utility bill and major ambulance repairs. Clerk-Treasurer Amy Sund stated that she is satisfied with the contract. David Austgen affirmed that only dates and the dollar amount of the contract gross total and quarterly payment amounts have been changed.

Motion by Jerry Smith and seconded by Dale Poston to approve the 2012 Fire/EMS Contract. Randy Niemeyer inquired of Fire Chief Todd Wilkening if this contract is satisfactory to maintain the level of service the citizen's of Cedar Lake are used to; Todd Wilkening replied yes noting his appreciation of Council's and the Public Safety Committee's work on this. William Landske questioned what the \$30,000.00 increase would be used for; Todd Wilkening responded that it would be for manning to cover more shifts, an increase for employees as they have not had any in three (3) years and repairs and maintenance of equipment. He noted that the ladder truck is in need of \$10,000.00 worth of repairs. Motion by Jerry Smith and seconded by Dale Poston to approve the 2012 Fire/EMS Contract.

**Roll Call Vote: 6 to 0**

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

**3. Tag Day Request – Amvets Post 15**

Amvets Post 15 requested October 29<sup>th</sup> for a tag day. It was noted that this tag date is already scheduled for another organization. October 22<sup>nd</sup> is a possibility if the organization scheduled for October 15<sup>th</sup> does not need their rain date. Motion by Randy Niemeyer and seconded by Jerry Smith. Amy Sund noted that her department will be sending out letters at the end of the year to the contacts they have to remind organizations to get their requests in early and submit their certificates of insurance.

**Roll Call Vote: 6 to 0**

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

**4. Fire Prevention Week Proclamation**

Ian Nicolini read the proclamation which proclaimed October 9<sup>th</sup> – 15<sup>th</sup> as Fire Prevention Week. Motion by Dale Poston and seconded by Randy Niemeyer to approve the proclamation.

**Roll Call Vote: 6 to 0**

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

**Old Business**

**1. Elimination of Sewer Utility Billing – 8611 W. 132<sup>nd</sup> Place**

President Robert Carnahan deferred this to the next meeting.

**WRITTEN COMMUNICATIONS:** None

**Police:** Chief Roger Patz reported that the first Neighborhood Watch Organizational meeting was well attended; most wards and subdivisions were represented. Sergeant Jerry Smith is the coordinator of this program. The program has residents take ownership in their neighborhood and Town; work together to prevent problems. The Police Department received a COPS grant through the Department of Justice for a new officer. This grant will pay 100% of the officer's salary for the first three (3) years with the Town continuing the employment in the fourth year. Only four (4) agencies in Indiana received the grant. Motion by Greg Parker and seconded by Dale Poston to approve entering into the grant agreement.

**Roll Call Vote: 6 to 0**

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

Discussions occurred on the selection process; it is hopeful that reserve officer testing will result in some candidates for the position. Reserve officers are considered for full-time first; this has been the standard practice, however there is currently no one in the reserve staff ready for full-time at this time. Chief Patz noted that several grants go through the Clerk-Treasurer's office. Grants allow the department to provide more services and off duty officers to make more money. Randy Niemeyer inquired if the consolidated dispatch committee has met; Chief Patz responded that they met at the end of September at which time they appointed committees including finance, technology and personnel. Robert Carnahan noted that information from the meeting and that copies of Roger's notes were in everyone's mailboxes. Chief Patz stated that the committee visited the Porter County dispatch center which is controlled by their county commissioners and is a few million dollars in the hole. Discussions occurred on 911 tax decreases as land line use decreases. There was discussion on fighting this consolidated dispatch requirement. This committee will make Town's feel as if they are part of the process and make us accept it which will only move revenue out of the Town's police department and to the county commissioners. Porter County is considering charging a \$10.00 fee to each community for each 911 call they receive; our Town receives about 6,000 calls annually.

**Public Works:** Jim Cornett reported that chip sealing is continuing. Emulsion and chips have been put on North Parrish Avenue; this will be swept in a few days after it has been compacted down. The first truck should be ready in about thirty days; the Vactor truck should be delivered to Streator, Illinois, by the end of next week. The old vac truck is being traded in.

**Parks & Recreation:** Ian Nicolini stated that a park report with participation rates and goals was submitted. Dale Poston stated that he has spoken with park committee members Greg Parker and Bill Landske about more child friendly activities throughout the Town. A full basketball is going to be installed

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somewhere in Town, Hanover Park is a good location near the softball/baseball fields. The basketball court could be used as an ice rink in the winter. Jim Cornett and staff researched the cost for this. This would include a barrier for around the court and a rubber type membrane to put the water on which could be utilized year after year with an approximate cost of \$6,313.00 for the ice rink. John Foreman and Dale Poston are working on a donation of concrete for the full basketball court. The plan is to do some excavation work and have the ice rink installed for this winter. Amy Sund stated that the Cumulative Capital Fund would pay for this. This will be an agenda item for next meeting. Grant opportunities were discussed; it would be better to look for a grant for the construction of the basketball court. The basketball backboards were donated by the Hanover Central Wildcats. Robert Carnahan noted what a neighborhood watch program could do; prior to installation of the pads at Robin's Nest Park a resident noticed someone loading them into their truck and called the police.

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

**Fire Department:** Todd Wilkening reported that the Fire Department's Open House and Pancake Breakfast will be on October 16<sup>th</sup> from 7 am to 1 pm. He thanked Council for their support of the contract. The fire department applied for a grant in the amount of \$277,000 to replace forty-five (45) air packs; a \$13,000.00 match is needed. The department received help writing the grant. Todd Wilkening stated that the fire department does not have as many grant opportunities as law enforcement. Robert Carnahan inquired about the grant opportunities he sent to Todd Wilkening from Lake County Solid Waste Management; Todd Wilkening responded that he has looked at these. The department has received donations from the Dean White Foundation.

**Town Administrator:** Ian Nicolini reported that the Strack & VanTil subdivision will be on the Plan Commission work session tomorrow with the public hearings scheduled for November. The project is moving forward. The Community Development Block Grant (CDBG) to demolish the structure at 14530; bids are being advertised and should be in hand by the end of the month. A grant for diesel oxidation catalyst retrofit for the 2001 Freightliners in the public works department was applied for through Indiana Department of Environmental Management (IDEM) and South Shore Clean Cities. This is an air quality improvement. The Safe Routes to School grant was discussed. The right-of-way costs far exceed the funds available. A proposal from First Group Engineering has not been brought as it is still being discussed. The map was reviewed and Ian Nicolini explained the areas. In order to remove any sidewalks or change the scope of work, the Indiana Department of Transportation (INDOT) requires a letter with the signature of the highest elected official. Motion by Randy Niemeyer and seconded by Greg Parker to authorize the Town Council President to sign the letter.

**Roll Call Vote: 6 to 0**

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

Ian Nicolini stated that the Town of Cedar Lake will be recognized as an Indiana Green Community at the Indiana Association of Cities and Towns Annual Conference. This recognizes cities and towns with exemplary policy to promote environment. Robert Carnahan commended Ian Nicolini on his work on the grant application. Robert Carnahan noted the work on area projects and the dedication of the street department.

**Town Attorney:** Attorney David Austgen requested Council allow the Clerk-Treasurer to enter into a payment agreement with the Apostolic Fellowship Church on West 141<sup>st</sup> Avenue for the repayment of wastewater utility billings which have accrued over the years. An understanding has been reached with the congregation's leadership, but approval of Council is requested. Motion by Dale Poston and seconded by Jerry Smith.

**Roll Call Vote: 6 to 0**

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

The preparations for the Cedar Lake Park Foundation Incorporated, a non-profit entity, are complete. The documents are in need of the Council President's signature as incorporator. David Austgen requested this be an agenda item for the next meeting. A workshop was conducted on the new handgun carry laws. A Weapons Control Regulations Repealer Ordinance will be presented at the next meeting to bring the Town Code into compliance.

**Town Council:** Bill Landske inquired if any money has been made on the cell tower and when is it going to begin; Ian Nicolini responded that about eight weeks ago a proposal was reviewed and sent back with comments; to date the Town has not received a response. Greg Parker noted that we have not approved a contract, just the concept. If the financial requirements of the Town are not met, there will not be a cell tower. Jerry Smith stated that he received a thank you card from the Gary Railcats for DARE Day; there were over 138 people in attendance representing our community. Randy Niemeyer spoke on consolidated dispatch; how can the entity that created the law not be interested in listening to a proposed amendment.

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

**Adjournment:** Motion by Greg Parker and seconded by Dale Poston to adjourn the meeting at approximately 8:10 pm.

**Roll Call Vote: 6 to 0**

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
ABSENT	YES	YES	YES	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, William Landske, Randy Niemeyer, Greg Parker, Dale Poston, 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

Greg Parker, Vice-President, Ward 7

Dale Poston, Ward 3

Randell Niemeyer, Ward 5

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.

# 2012 Budget Compilation

<b>#0061 RAINY DAY FUND</b>	<b>2012 Budget Change</b>	<b>Approved 2011</b>	<b>Proposed 2012</b>
	Increase of \$36,347	\$11,353	\$47,700

Estimated a transfer from General Fund of \$30,000 into this fund to subsidize a larger budget. Budgeted for a bonus pay for full-time and part-time employees, \$500 and \$250 respectively. Also budgeted for capital outlay of \$10,000.

<b>#0101 GENERAL FUND</b>	<b>2012 Budget Change</b>	<b>Approved 2011</b>	<b>Proposed 2012</b>
<b>Supported by Property Tax</b>	Decrease of \$30,698	\$3,497,394	\$3,466,696

Clerk-Treasurer:	Decrease of \$5,709	\$122,744	\$117,035
Town Council:	Decrease of \$42,279	\$964,959	\$922,680
Police Department:	Increase of \$40,312	\$1,545,212	\$1,585,524
Planning, Zoning & Building:	Decrease of \$8,521	\$152,236	\$143,715
*Parks & Recreation:	Decrease of \$83,199	\$176,372	\$93,173
**Fire & EMS Contract:	Increase of \$26,200	\$505,150	\$531,350
Public Works:	Increase of \$48,288	\$18,840	\$67,128
Unsafe Building:	Decrease of \$5,790	\$11,881	\$6,091

Decrease in all capital outlays, which could be paid from other funds as needed.

\*Decrease from transfer of groundskeeper and park maintenance to Public Works.

\*2011 Fire & EMS Contract approved for \$494,000 paid directly to CLVFD. Other expenses budgeted payable by Town. 2012 proposed at \$30,000 increase for contract with some decreases from other budgeted line items payable by Town.

#0286 TOWN HALL BLDG CORP LEASE-RENTAL PAYMENT	Approved 2011	Proposed 2012
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<b>1995 First Mortgage Bonds @ \$645,000</b>	<b>\$56,000</b>	<b>\$59,000</b>
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Budget based on amortization schedule. Lease payment due June 30 and Dec 31 through Year 2015. Increase of \$3,000 on lease-rental schedule.

<b>#0342 POLICE PENSION FUND</b>	<b>2012 Budget Change</b>	<b>Approved 2011</b>	<b>Proposed 2012</b>
	Increase of \$2,076	\$141,584	\$143,660

Proposed adjustment for pension relief based on State calculation for most recent retiree. Remaining retiree increase based on first class patrolman salary.

The following budgets are calculated based on formulas presented by the State Auditor. Increase anticipated due to 2010 Census from 9,279 to 11,560.

<b>#0706 LOCAL ROAD &amp; STREET</b>	<b>2012 Budget Change</b>	<b>Approved 2011</b>	<b>Proposed 2012</b>
	Increase of \$23,378	\$124,497	\$147,875

#0708 MOTOR VEHICLE HWY	2012 Budget Change	Approved 2011	Proposed 2012
	Increase of \$43,510	\$284,885	\$328,395

<b>#2379 CUMULATIVE CAPITAL IMPROVEMENT</b>	<b>Approved 2011</b>	<b>Proposed 2012</b>
Increase of \$4,562	\$46,848	\$51,410

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Estimated improvements to software applications for more efficient workflow, electronic document archival, GIS mapping of properties, and to provide paperless billing, and online payment option to our interested customers. This fund is supported by cigarette tax collected from the State.

#2391 CUMULATIVE CAPITAL DEVELOPMENT	Approved 2011	Proposed 2012
Increase of \$39,024	\$350,000	\$389,024
Anticipated replacement of Public Works vehicles and Police fleet continued.		

#2430 REDEVELOPMENT DISTRICT GENERAL	Approved 2011	Proposed 2012
Increase of \$18,625	\$62,000	\$80,625
Proposed increase for RDC from discussion of hiring employee to concentrate on Tax Increment Financing District data and maintenance.		

#2482 NEW REDEVELOPMENT BOND	Approved 2011	Proposed 2012
2011 A and B Bonds at \$330,000 each.	\$0.00	\$660,000

#2487 REDEVELOPMENT AUTHORITY BOND	Approved 2011	Proposed 2012
Schedule increase of \$83,000	\$252,000	\$335,000

The following budgets are approved by the local legislative body, but require appropriation and must be included with advertisement.

Lake County Solid Waste	Increase of \$4,448	\$87,180	\$91,628
Casino Gaming	Decrease of \$3,764	\$203,764	\$200,000
Park Non-Reverting Operating	Decrease of \$4,300	\$35,480	\$31,180
Law Enforcement Cont Edu	Increase of \$1,600	\$37,000	\$38,600
Police Overtime Grants	Decrease of \$8,520	\$30,000	\$21,480
Tourism-Innkeeper's Tax	Decrease of \$75	\$5,075	\$5,000

Budgets fluctuate based on various criteria.

1. June 30 Ending Cash Balance  
Was there an unanticipated revenue increase or decrease?
2. Proposed Budget for 2012  
Tax-levied budgets are not final until we receive budget order from DLGF. Reductions may be required based on adjustments for NAV, State-supplied revenues, etc.
3. Remaining Appropriations for 2011  
Reductions may be required in order to provide a balanced budget for 2012.
4. Any Additional Appropriations  
This adds to your current appropriations, and may cause a decrease for next year's budget.
5. Any Appropriation Reductions  
This helps next year's budget from being reduced.
6. Debt Service Amortization Schedules  
Budget is based on the schedule to make timely payment of principal and interest.
7. Levy, tax rate, certified net value, circuit breaker adjustments and so on.

Submitted By: \_\_\_\_\_  
Clerk-Treasurer