

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

**December 20, 2011
Public Meeting 7:00 PM at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence**

Roll Call:

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

John Foreman arrived at 7:30 pm

Police Commission members Greg Rambo, Chuck Kouder, Patsy King Casassa, and Ralph Miller were in attendance.

PUBLIC COMMENT: There were no comments.

TOWN COUNCIL/POLICE COMMISSTION JOINT ITEMS:

1. Police Department Personnel

Police Commissioner Greg Rambo stated that the selection process for a Chief of Police is complete. Motion by Patsy Casassa and seconded by Chuck Kouder to appoint Randall Mayersky to Chief of Police.

Roll Call Vote: 4 to 0

Miller	Casassa	Kouder	Rambo
YES	YES	YES	YES

Motion by Jerry Smith and seconded by Dale Poston to accept the recommendation to appoint Randall Mayersky to Chief of Police.

Roll Call Vote: 6 to 0

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

In the interest of allowing the new Chief of Police to reconstruct the department; motion by Patsy Casassa and seconded by Ralph Miller to return Deputy Chief Forsell to his merit rank.

Roll Call Vote: 4 to 0

Miller	Casassa	Kouder	Rambo
YES	YES	YES	YES

Motion by Randy Niemeyer and seconded by Dale Poston to accept the Police Commission's recommendation to return Deputy Chief Forsell to his merit rank of lieutenant.

Roll Call Vote: 6 to 0

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

Clerk Treasurer Amy Sund rendered the Oath of Office to Randall Mayersky.

CONSENT AGENDA

- Minutes of the Regular Public Meeting Minutes of December 13, 2011.
- Docket: Town Claims 69789 - 69872 for \$602,788.51; Wastewater Claims 27207 - 27216 for \$67,371.63; Storm Water Claims 69793 - 69795 for \$1,522.01; Water Utility Claims 80903 - 80906 for \$41,851.72. Motion by Greg Parker and seconded by Dale Poston to accept and waive the reading of the Minutes, 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

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1144 – 2012 Salary Ordinance

Clerk Treasurer Amy Sund read Ordinance No. 1144 by title only. She noted that it includes a \$500.00 bonus pay for full time employees; it does not include part-time, temporary, and seasonal employees or elected officials. There was a savings in group health that will be used to pay for this. There are no increases for 2012. Randy Niemeyer noted the hard work and continued dedication from all employees. Their work is representative of more work out of each employee. There have been no lay offs. Motion by Randy Niemeyer and seconded by Dale Poston to approve the first reading of Ordinance No. 1144.

Roll Call Vote: 6 to 0

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

Motion by Jerry Smith and seconded by Greg Parker to suspend the rules and have the second reading of Ordinance No. 1144 by title only.

Roll Call Vote: 6 to 0

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

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Clerk Treasurer Amy Sund read Ordinance No. 1144 by title only. Motion by Jerry Smith and seconded by Greg Parker to approve the second reading of Ordinance No. 1144.

Roll Call Vote: 6 to 0

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

2. Ordinance No. 1145 – EMS Non-Reverting Equipment Fund Amendment – 2nd Reading

Ordinance No. 1145 was read by title only. This reduces the transfer from 15% to 12% of the EMS collections to the EMS Non-Reverting Equipment Fund. Motion by Jerry Smith and seconded by Dale Poston to adopt Ordinance No. 1145.

Roll Call Vote: 6 to 0

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

3. Ordinance No. 1147 – Job Description Amendment – Building Commissioner

This item was deferred to the next meeting.

4. Resolution No. 1062 – 2011 Budget Reduction

Clerk-Treasurer Amy Sund read Resolution No. 1062 in its entirety. A copy is incorporated at the end of the minutes. Motion by Randy Niemeyer and seconded by Dale Poston to approve Resolution No. 1062.

Roll Call Vote: 6 to 0

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

5. Resolution No. 1063 – Transfer of Funds

Clerk-Treasurer Amy Sund read Resolution No. 1063 in its entirety which transfers \$30,000.00 in the General Fund Town Council budget from 121- Group Health to 125 Bonus Pay. This will be used for the bonus payout next year. Motion by Dale Poston and seconded by Jerry Smith to approve Resolution No. 1063.

Roll Call Vote: 6 to 0

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

PLANNING/ZONING & BZA:

1. Special Use Variance – Kocjan, 10501 W. 133rd Avenue, Lot 3C – Favorable Recommendation from the Board of Zoning Appeals to allow a metal fabrication shop and a maximum of six (6) trailers for outdoor storage.

The Board of Zoning Appeals sent a favorable recommendation for the requested special use variance to allow a metal fabrication shop and outdoor trailer storage, with the contingency that no more than six (6) trailers be stored on the property at any one time. Motion by Greg Parker and seconded by Jerry Smith to approve the special use variance.

Roll Call Vote: 6 to 0

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

UTILITY BUSINESS

New Business:

1. Wastewater Payment in Lieu of Taxes (PILT)

Clerk Treasurer Amy Sund stated that the financial consultants have reviewed the office rent that the wastewater utility pays the Town. This amount has been \$14,400.00 for a number of years and the amount has been recalculated. It is calculated to be \$52,124.00 for 2012. An Ordinance needs to be drafted to reflect this revision. Motion by Randy Niemeyer and seconded by Dale Poston to direct the attorney to prepare an Ordinance.

Roll Call Vote: 6 to 0

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

2. WWTP Special Fund Transfer

Clerk Treasurer Amy Sund stated that Ordinance No. 762 was adopted on January 25, 2000, to establish a “Cedar Lake Wastewater Treatment Plant (WWTP) Special Fund”. The amount calculated was \$6 per each bill and totaled \$26,111.00 monthly. This amount needed to be recalculated to better reflect our current customer base. London Witte Group has reviewed the figures and it has been determined that an additional \$17,431 should be going into the Special Fund. Motion by Dale Poston and seconded by Greg Parker to direct the attorney to prepare an Ordinance.

Roll Call Vote: 6 to 0

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

WRITTEN COMMUNICATIONS: None

Town Council: Randy Niemeyer thanked Robert Carnahan for his service as Town Council President this year. Dale Poston thanked Jerry Smith and Bill Landske for their service. Bill Landske stated that he enjoyed his eight years as a council member. Jerry Smith personally recognized everyone on Council, Ian Nicolini, Amy Sund and members of the audience.

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Town Administrator: There will be a Special Public Meeting on January 5, 2012, which will be a business only meeting with one agenda item.

Town Attorney: No report.

Clerk Treasurer Amy Sund requested Council approve her four year bond renewal. Motion by Dale Poston and seconded by Jerry Smith to approve the bond.

Roll Call Vote: 7 to 0

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

Robert Carnahan presented Bill Landske and Jerry Smith with appreciation plaques for their dedication of service.

PUBLIC COMMENT: There were no comments.

Adjournment: Motion by Greg Parker and seconded by Dale Poston to adjourn the meeting at approximately 7:35 pm.

Roll Call Vote: 6 to 1

Foreman	Poston	Smith	Niemeyer	Landske	Parker	Carnahan
YES	YES	NO	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 and personnel. Those in attendance were Robert Carnahan, Randy Niemeyer, Greg Parker, Dale Poston, Jerry Smith, William Landske, Ralph Miller and Patsy Casassa, Town Administrator Ian Nicolini, Clerk Treasurer Amy Sund, 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.