

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

**February 7, 2012  
Public Meeting & Work Session 7:00 PM at the Cedar Lake Town Hall  
Pledge of Allegiance & Moment of Silence**

**Roll Call:**

|         |                                      |        |         |                                    |        |
|---------|--------------------------------------|--------|---------|------------------------------------|--------|
| Absent  | Robert H. Carnahan<br>Council Member | Ward 1 | Present | Dale Poston<br>Vice-President      | Ward 3 |
| Present | John Foreman<br>Council Member       | Ward 2 | Present | Randell Niemeyer<br>President      | Ward 5 |
| Present | Ralph Miller<br>Council Member       | Ward 4 | Present | Amy J. Sund<br>Clerk-Treasurer     |        |
| Present | Patsy Casassa<br>Council Member      | Ward 6 | Present | Ian Nicolini<br>Town Administrator |        |
| Present | Greg Parker<br>Council Member        | Ward 7 | Present | David Austgen<br>Town Attorney     |        |

**PUBLIC MEETING ITEMS:**

1. **Police Department Personnel** – Randell Niemeyer read into the record a letter from the January 25, 2012 Police Commission meeting which approved the appointment of Jerry Smith to Chief of Police by a vote of 5 to 0. Motion by Dale Poston and seconded by John Foreman to appoint Sergeant Jerry Smith to Deputy Chief of Police.

**Roll Call Vote: 6 to 0**

|          |         |        |         |        |        |          |
|----------|---------|--------|---------|--------|--------|----------|
| Carnahan | Foreman | Miller | Casassa | Parker | Poston | Niemeyer |
| ABSENT   | YES     | YES    | YES     | YES    | YES    | YES      |

Discussions occurred on the pay increase and the dollar amount of this increase. Currently the salary is the same as a captain. It was requested to make the pay the same as a captain. This will require a salary ordinance amendment.

2. **Bid Award – Demolition of Unsafe Structure at 13212 Marquette Street**

Ian Nicolini distributed the bid opening report to Council. The lowest responsive and responsible bidder is Thornmeadow, LLC with a bid of \$7,987.00. Motion by Dale Poston and seconded by Ralph Miller to award the bid to Thornmeadow LLC for \$7.987.00.

**Roll Call Vote: 6 to 0**

|          |         |        |         |        |        |          |
|----------|---------|--------|---------|--------|--------|----------|
| Carnahan | Foreman | Miller | Casassa | Parker | Poston | Niemeyer |
| ABSENT   | YES     | YES    | YES     | YES    | YES    | YES      |

**CONSENT AGENDA**

1. Minutes of the Regular Public Meeting Minutes of January 17, 2012.  
2. Docket: Town Claims \$619,801.84; Wastewater Claims \$336,828.67; Storm Water Claims 137,064.72; Water Utility Claims \$33,077.67. Motion by Greg Parker and seconded by Patsy Casassa to accept and waive the reading of the Minutes, and to accept the Consent Agenda.

**Roll Call Vote: 6 to 0**

|          |         |        |         |        |        |          |
|----------|---------|--------|---------|--------|--------|----------|
| Carnahan | Foreman | Miller | Casassa | Parker | Poston | Niemeyer |
| ABSENT   | YES     | YES    | YES     | YES    | YES    | YES      |

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

The public meeting was adjourned at approximately 7:10 pm.

**WORK SESSION ITEMS:**

- I. **Appointment of Committee Chairs** – The following were recommended to be committee chairs. The recommendations will be ratified at the next Town Council meeting.
- A. Public Works and Safety – Dale Poston
  - B. Park and Recreation – Patsy Casassa
  - C. Redevelopment – John Foreman
  - D. Planning – Greg Parker
  - E. Council Affairs – Randell Niemeyer

Randell Niemeyer noted that a Wastewater Treatment Plant (WWTP) committee has been formed which consists of Greg Parker, Ralph Miller and Randell Niemeyer to work on joint efforts with Lowell regarding wastewater.

II. **Town Attorney Report**

- A. Cedar Lake Park Foundation Update - Attorney David Austgen gave a background on the formation of the Park Foundation. Attorney Adam Sworden gave a power point presentation on the Park Foundation. The park committee will met to discuss the appointments for the Park Foundation.
- B. All Other Items Brought Before the Council - there were no additional items. Randell Niemeyer dismissed Attorney David Austgen.

III. **Presentations**

- A. SummerFest 2012 – Carol Isen representing the Summerfest Committee expressed concerns with the contract and the timing in the contract; a two-year contract would be preferred versus a thirteen month contract. The Summerfest Committee will need someone to work with to keep the fire lane open as it encompasses the new parking area. The light pole needs repair.

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

The Park and Recreation committee will meet to discuss the concerns and develop recommendations. It was questioned who is responsible for the barge as it is in need of repair. It was discussed that Summerfest maintains it, but the Town insures it. The Park and Recreation Committee will work on clarifying the relationship of who owns what. An on-call electrician will be needed as well as working with the police and ambulance services. The next Summerfest Committee meeting is February 28, 2012; 7:00 pm at the American Legion.

- B. Cedar Lake Fraternal Order of Police (FOP) – Jeremy Allen, FOP President; and Bill Fisher, FOP Secretary/Treasurer, disbursed a proposal to Council. Randell Niemeyer read the proposal into the record which requested allowing the FOP to utilize the property at 9800 129<sup>th</sup> Avenue, Monastery Clubhouse, as their lodge. They would maintain the property and complete the repairs. It would still be community oriented and accommodate events. Their ultimate goal is to lease the property from the Town and work with the Park Foundation. The FOP has joined with the Boys & Girls Club for a robotics program. There will be a pancake breakfast fundraiser on Sunday, February 19, 2012 at the Knights of Columbus.
- C. Cedar Lake Chamber of Commerce – Business Expo – Dina Sulton, Chairperson, discussed the Business Expo event which will be on March 17, 2012 from 11 am to 3 pm. She requested the Town's participation, cooperation and support. The Council Affairs committee will review this information. It was suggested that a schedule of services and programs could be available, such as Town Clean-Up dates. There is a financial requirement for participation; this will be on the next Town Council meeting agenda.

**IV. Department Head Reports**

- A. **Parks and Recreation** – Mary Joan Dickson reported on the following:
  - i. 2011 Annual Report - The annual report was distributed to Council prior to the meeting. The report was complimented by Council.
  - ii. All Other Items Brought Before the Council – Mary Joan Dickson spoke on the interactive programs with the Boy Scouts; the adventure committee is looking for a place to host their meetings. This is a high school age program which is held on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday's of the month at 7:00 pm. The next agenda will have the meeting place for the Adventure Club on it.
- B. **Planning and Zoning**
  - i. 2011 Annual Report – The report was distributed to Council. Ian Nicolini complimented the work of Jenn Montgomery and Michelle Bakker on this report.
  - ii. All Other Items Brought Before the Council – there were no additional items.
- C. **Police Department** – Chief Randall Mayersky reported on the following:
  - i. Departments Staffing and Training – Direction was sought from Council on hiring a new officer. One was hired with the COPS grant. Direction was given for the Public Safety Committee to meet with the Clerk-Treasurer for a long-term outlook for the funding and two additional cars that would be needed. Bill Fisher is the training coordinator. He is working on updating training records to determine who needs what.
  - ii. Retiree Benefit – Handgun Ordinance – The Public Works & Safety Committee was directed to attend the Police Commission meeting to decide on this. The ordinance would allow a retired officer with 20 years or more of service to keep their handgun.
  - iii. All Other Items Brought Before the Council – there were no additional items.
- D. **Public Works** – Jim Cornett reported on the following:
  - i. New Equipment Status – The three new dump trucks are in. The vac truck has an expected completion date of March 8, 2012 and will come with training. The new dump trucks have assigned drivers to maintain accountability.
  - ii. Demolition of 13513 Dewey Street – This project took two days to complete with one man and one machine. Eight dumpsters were used. Reseeding will take place in the spring.
  - iii. Staffing Considerations
    - a. Crew Leader – promote Jack Granger
    - b. Crew Worker – promote Ed Alvarez to full-timeThe Public Works & Safety Committee will meet to discuss a funding strategy and develop this with the Clerk-Treasurer. This will be presented at the next work session with a vote at the meeting after that.
  - iv. Radio Equipment – quotes are being obtained. The FCC is changing BANS as the base station will need to be changed out prior to 2013.
  - v. Customer Relations Management/Work Order Software – This would be a useful tool digitalize work orders. Citizens would be able to go on the website to type a request. It would be a true live data base which will allow duties to be assigned and performance management to be quantified.
  - vi. All Other Items Brought Before the Council
- E. **Water Utility** – Michael Schaller updated Council on the following:
  - i. Lincoln Plaza Well Decommissioning Status – The by pass was completed by Reichelt Plumbing; the building was demolished in house and Sheehy Well will be decommissioning the well.
  - ii. IDEM Audit Results – There were no reportable violations in the audit of Robin's Nest by IDEM.
  - iii. Robin's Nest Security Fence – The fence is being installed by D&C Fence.

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

- iv. Monastery Woods Well Registration – A well permit has been applied for. This will have similar testing as to the Town's private well. There is adequate well capacity; the well is over 300 feet deep.
- v. DNR Water Usage Report – The report has been completed on usage at Robin's Nest, Cedar Lake Utility and Havenwood.
- vi. All Other Items Brought Before the Council – The furnace at Havenwood will need to be replaced next year.

**V. Town Administrator Report – Ian Nicolini reported on the following:**

- A. Community Development Block Grant Project – Lynnsway Park – additional information has been sent to DNR. Park equipment will be bid out. The Park and Recreation committee is aware of the conceptual idea.
- B. Safe Routes to School Status Report – bureaucratic steps are being finalized. The right of way will need to be discussed in committee for direction on the project. The current right-of-way needed outpaces the sidewalks being installed. This is still being vetted with the Redevelopment Committee.
- C. Strack and Van Til Demolition/Economic Development Agreement – the building is demolished and the remains are pending approval to be crushed. There are a few items need for preliminary plat approval including the reciprocal agreement with the hardware store. And the parcel on the northwest corner. The proposed economical development agreement pledges property taxes to satisfy bonds. The process was explained.
- D. 133<sup>rd</sup> Avenue Phase II – approval has not been received from INDOT on the environmental documents; this could impact the construction start date.
- E. Congestion Mitigation and Air Quality (CMAQ) – The Town was awarded a CMAQ grant for an E-85 fuel tank and three (3) years of federally subsidized E-85 fuel. There are six (6) E-85 vehicles in the police fleet.
- F. Cedar Point Park and Shades Subdivision Reconstruction Projects – Reports were distributed Weather has delayed work as the ground is not frozen. It will take four weeks to cut Lake Shore Drive and install the drainage before paving can be done.
- G. Lincoln Plaza Pond Improvements – Christophe B. Burke Engineering submitted an estimate and draft design with a cost of \$130,000.00. It has been determined that this could be done in house with a sizeable cost savings including the rental of equipment. This is for flood and erosion control.
- H. East Side Water Main Extension – preliminary design with developer financing for the new commercial development has been approved. The Redevelopment Commission has approved a \$90,000.00 TIF investment from the site for the site. This will allow for installation of a water main without any public money being utilized. The town will assist with the process.
- I. Guaranteed Energy Savings Project Financing – IC 36-1-12-5 allows for guaranteed energy savings projects to be financed from the potential savings benefits. Projects have been discussed and public works and safety staff have meet with firms to discuss potential projects.

**VI. Clerk Treasurer Report – Amy Sund reported that utility bills are delayed to upgrading of software. The new integrated system will allow for greater transparency. More options for payments and bill delivery will be available. She requested that on the next agenda Council waive the late payment penalty as the billing was delayed. The annual report has been submitted to the State Board of Accounts. Debt reporting to the Department of Local Government Finance is being completed and will be reported by the end of February. Innkeeper's tax was not received for 2011; there is an issue with Lake County and the Lake County Visitor's Bureau.**

Ian Nicolini recognized Amy Sund's leadership with the new software. More options for the residents and more reporting options will be available. Ian Nicolini reported that he met with the Lake County Auditor regarding TIF parcels. There was a computer error and 160 parcels were left off which will now be collected on.

**VII. Town Council Reports – Dale Poston reported for the Public Works & Safety Committee. The issue of the ambulance repair in the amount of \$489.49 from the wrong fuel being put into the ambulance will be paid for by the Town from the non-reverting equipment fund. Amy Sund noted that this could not be paid from the capital fund. There is a general fund for equipment repairs and the claim for this payment was already approved. There will be monthly meetings with the fire department. It was requested by the fire department to use the park garage for a fire vehicle to allow for quicker response times; this will be discussed with the park director. Dale Poston read the Fire/Ems committee report from the January 21, 2012 meeting. Ralph Miller reported for the Park and Recreation Committee. The Historical Association would like to move Woody's Barber Shop to the Town Grounds to be part of the museum. The basement windows in the museum were discussed. There was a Summerfest meeting to discuss funding. Mary Joan Dickson reported that she spoke with the Lake County Auditor and that the Innkeeper's Tax was held up by the tourism committee and \$4,700.00 should be coming; distributions were changed. The Redevelopment Committee had no report. The Stormwater Board has new members. The Plan Committee is receiving feedback on changes to the subdivision control ordinance which will remove barriers in the process. The Council Affairs Committee is working on personnel policy updates.**

**VIII. Written Communications**

- A. Hanover Community School Corporation – a response was received to the Town Council's request for a meeting. The Superintendent denied the request. Discussion occurred on the

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

possibility of working something out regarding the fencing. Ian Nicolini to send information to the school board.

**PUBLIC COMMENT:** Carol Isen noted her confusion with the Town Council and who does what. An organizational chart is available. John Foreman inquired if the Public Works and Safety Committee could consider a warning sign with lights around 101<sup>st</sup> and Cline, this is a dangerous area going north and south.

**ADJOURNMENT:** Randell Niemeyer adjourned the meeting at approximately 9:01 pm

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 Patsy Casassa, John Foreman, Ralph Miller, Randy Niemeyer, Greg Parker, Dale Poston, and Town Administrator Ian Nicolini, Clerk Treasurer Amy Sund, and Town Attorney David Austgen and Attorney Adam Sworden.

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

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Randell Niemeyer, President, Ward 5

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Dale Poston, Vice-President, Ward 3

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Robert H. Carnahan, Ward 1

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John Foreman, Ward 2

\_\_\_\_\_  
Ralph Miller, Ward 4

\_\_\_\_\_  
Patsy Casassa, Ward 6

ATTEST:

\_\_\_\_\_  
Greg Parker, Ward 7

\_\_\_\_\_  
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.