

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

February 21, 2012
Public Meeting 7:00 PM at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence

Roll Call:

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

PUBLIC COMMENT: There were no comments.

CONSENT AGENDA

- Minutes of the Regular Public Meeting & Work Session of February 7, 2012.
- Docket: Town Claims \$152,409.82; Wastewater Claims \$23,900.86; Storm Water Claims \$12,274.88; Water Utility Claims \$31,331.35 and Payroll #1, 2, & 3 Claims \$257,436.45. Motion by Ralph Miller 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
YES	YES	YES	YES	YES	ABSENT	YES

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1149 – Wastewater Treatment Plant Special Fund Transfer

Ordinance No. 1149 was read by title only. Clerk-Treasurer Amy Sund EXPLAINED THE HISTORY OF THE Ordinance. This is a special fund for future plant or capital improvements. As there are more customers now than in 1998 when the Ordinance was originally adopted; there is a need to increase the funding. This should be analyzed annually. Motion by Patsy Casassa and seconded by Ralph Miller to adopt Ordinance No. 1149.

Roll Call Vote: 6 to 0

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

2. Ordinance No. 1150 – Job Descriptions – 2nd Reading

Ordinance No. 1150 was read by title only. This Ordinance includes the new Building Commissioner position. Motion by John Foreman and seconded by Greg Parker to approve Ordinance No. 1150.

Roll Call Vote: 6 to 0

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

Ian Nicolini was directed to advertise for the Building Commissioner position.

3. Resolution No. 1064 – Transfer Lake County Solid Waste

Resolution No. 1064 was read in its entirety transferring \$1,081.00 from 231 Repair Parts to 361 Equipment Repairs in the Lake County Solid Waste Fund. This is for leaf vac equipment repairs that can not be done in house. Motion by John Foreman and seconded by Patsy Casassa to approve Resolution No. 1064.

Roll Call Vote: 6 to 0

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

PLANNING/ZONING & BZA

1. Variance of Use – Bunge – 9708 Lincoln Plaza Way – Favorable Recommendation from the Board of Zoning Appeals to allow permanent outdoor sales

The Board of Zoning Appeals sent a Favorable Recommendation to allow permanent outdoor sales, with the contingency that no more than thirty (30) pallets of merchandise are allowed on the western edge of the parking lot at any time by a vote of 3 in favor and 0 against. Al Bunge, True Value, requested more pallets be allowed. It was noted that depending on the time of year, there may be a variety of products outside such as salt, landscape materials and other items. Motion by Ralph Miller and seconded by Robert Carnahan to accept the Variance of Use without limitations on the number of pallets.

Roll Call Vote: 6 to 0

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

NEW BUSINESS

1. Council Committee Chair Appointments

Appointments were read as follows:

Public Works & Safety Committee:	Dale Poston
Parks & Recreation:	Patsy Casassa
Redevelopment:	John Foreman
Planning:	Greg Parker
Council Affairs:	Randell Niemeyer

Motion by Ralph Miller and seconded by Greg Parker to ratify the committee chair appointments.

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Roll Call Vote: 6 to 0

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

2. Public Works Employees – Promotions

This is to promote a part-time crew worker to full-time and promote a full-time crew worker to crew leader. There is a new person running the department and is doing a good job. Discussions occurred on new software. It was suggested to defer this until the internal work with the software and tasks is completed. Any Council members who would like to view the webinar should contact Ian Nicolini. Motion by John Foreman and seconded by Greg Parker to defer this. This will be an item for the work session.

Roll Call Vote: 5 to 1

Carnahan	Foreman	Miller	Casassa	Parker	Poston	Niemeyer
NO	YES	YES	YES	YES	ABSENT	YES

3. Authorization for Hiring of Additional Police Officer

The Public Works & Safety Committee members and the Police Commission has recommended the hiring of a 1st Class Patrolman. John Foreman noted that there was a new Chief of Police brought in recently and suggested not bringing in the additional officer until the fourth quarter. Robert Carnahan inquired of the Clerk-Treasurer on the finances for an officer noting that an officer was brought in last year with the COPS grant, but the Town will have to pay for that officer in the fourth (4th) year: Amy Sund agreed. He noted that instead of pay raises, the Town gave bonuses. Amy Sund stated that there are funds to do this and the committee has reviewed this item. Patsy Casassa stated that the committee discussed this and reviewed the budget's salary line item which would allow for an additional officer. Motion by John Foreman and seconded by Ralph Miller to allow the hiring of an additional officer after September 1, 2012 in the fourth (4th) quarter.

Roll Call Vote: 6 to 0

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

4. Chamber Business & Organization Showcase

There was a presentation on this at the work session. John Foreman will spearhead this project and work with public works on making a portable display. It was suggested that Council Members attend this event. Motion by John Foreman and seconded by Ralph Miller to approve participation with an amount not to exceed \$400.00

Roll Call Vote: 6 to 0

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

5. Chamber of Commerce – Northwest Indiana Symphony Orchestra

The Chamber of Commerce requested \$7,500.00 for the Northwest Indiana Symphony which is tentatively scheduled for July 21, 2012. Motion by Ralph Miller and seconded by Patsy Casassa to approve the funding of \$7,500.00, grant the use of Town Grounds and allow alcohol at the event.

Roll Call Vote: 6 to 0

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

6. Chamber of Commerce – Summerfest Beer Garden

Motion by Greg Parker and seconded by Ralph Miller to allow the Beer Garden at Summerfest from July 4th through July 8th.

Roll Call Vote: 6 to 0

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

7. 2012 Tag Day Requests

Clerk Treasurer Amy Sund stated that all Tag Day requests received to date are on the list. Only one date does not have a rain date. A new process was implemented this year for a uniform request process. All organizations who have requested a date have submitted a certificate of insurance for their organization. Motion by Robert Carnahan and seconded by Greg Parker to approve the Tag Day Requests.

Roll Call Vote: 6 to 0

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

8. Outstanding Checks

Clerk-Treasurer Amy Sund stated the pursuant to IC 5-11-10-.5 all checks outstanding and unpaid for a period of two years as of December 31st of each year shall be declared cancelled. She requested check number 24134 issued January 28, 2009 payable to Staples Business Advantage from the General Fund #101 in the amount of \$44.96 be cancelled. Motion by John Foreman and seconded by Robert Carnahan to approve cancelling the check in the amount of \$44.96 from the General Fund.

Roll Call Vote: 6 to 0

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

9. Wastewater (Utility) Adjustments

Clerk-Treasurer Amy Sund stated that annually, per Town Code, utility adjustments need to be approved. She explained the various types of adjustments. The adjustments for 2011 are \$28,539.46. Motion by John Foreman and seconded by Greg Parker to approve the 2011 adjustments. It was

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requested that this ordinance be modernized for the committee and allow Clerk-Treasurer Amy Sund to confer with the attorney on this.

Roll Call Vote: 6 to 0

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

10. Waiver of Utility Bill Penalties – February 2012

Per the February 7, 2012 work session, it was requested to waive utility penalties for February due to software upgrades and late billing. Motion by Ralph Miller and seconded by Greg Parker to approve the waiver of utility bill penalties for February 2012.

Roll Call Vote: 6 to 0

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

11. Rescind Demolition Bids – 13212 Marquette Street

After the bid process, it was discovered that the property was been purchased on tax sale and has a new owner. The new owner is submitting a schedule for upgrades and improvements. Motion by Ralph Miller and seconded by John Foreman to rescind the demolition bids for 13212 Marquette Street.

Roll Call Vote: 6 to 0

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

12. Resignation Acceptance – Helen Johns – Redevelopment Commission

Randell Niemeyer read Helen Johns letter of resignation into the record. David Austgen gave a history of Helen John's involvement with the Town and schools. Ian Nicolini is to send a thank you letter to her. The position opening needs to be advertised with a recommendation for the next public meeting as well as nominees for the Economic Development Committee. Motion by John Foreman and seconded by Patsy Casassa to accept the resignation of Helen Johns.

Roll Call Vote: 6 to 0

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

13. Donation Acceptance – VIPS

a. Received from Emerald Towing

Emerald Towing donated town (2) LED arrow sticks with controllers valued at \$400.00 to VIPS. Motion by Robert Carnahan and seconded by Greg Parker to accept the donation.

Roll Call Vote: 6 to 0

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

WRITTEN COMMUNICATION:

1. Use of Town Facilities on Election Day

Motion by Greg Parker and seconded by John Foreman to allow the use of the facility on Election Day, May 8, 2012.

Roll Call Vote: 6 to 0

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

TOWN COUNCIL REPORTS:

Town Council: Robert Carnahan reported on the South Lake County Community Services (SLCCS) meeting. There has been a recommendation to close the nutrition site in Cedar Lake. The position of Chief Deputy of Police needs to be changed in the salary ordinance to make the pay the same as captains. Attorney Austgen to draft the Ordinance retroactive to the date the appointment was approved by Council.

Town Attorney: Attorney David Austgen had no comments.

Clerk-Treasurer: Clerk-Treasurer Amy Sund reported to the post office and the Town's mailings being sent out of Munster. She expressed her concerns with the service of the local post office. The processes in her office are becoming more efficient to meet the demands of the residents to allow more payment opportunities. Robert Carnahan reported that the Cedar Lake post office is number twenty on the closing list. If they do not turn around their business, the routes will go to other Towns; it is a what-if. The east side post office is a contracted post office and could remain open. Amy Sund stated that mail items go to Gary to be processed and then come back to Cedar Lake; we will not be the demise of the United States Post Office.

Town Administrator: Ian Nicolini noted that the 2011 Annual Park Department report needs to be accepted at a public meeting. This will be on the second agenda in March.

PUBLIC COMMENT: Attorney David Austgen noted the success of the local schools, Hanover and Crown Point, in wrestling.

Adjournment: Randell Niemeyer adjourned the meeting at approximately 7:52 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

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Foreman, Ralph Miller, Randy Niemeyer, Greg Parker, and Town Administrator Ian Nicolini, Clerk
Treasurer Amy Sund, and Town Attorney David Austgen.

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

Randell Niemeyer, President, Ward 5

Dale Poston, Vice-President, Ward 3

Robert H. Carnahan, Ward 1

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.