

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

March 19, 2013  
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	Present	Ralph Miller Vice President	Ward 4
Present	John Foreman Council Member	Ward 2	Present	Randell Niemeyer President	Ward 5
Present	Gregory L.Wornhoff Council Member	Ward 3	Present	Amy J. Gross Clerk-Treasurer	
Present	Patsy Casassa Council Member	Ward 6	Present	Ian Nicolini Town Manager	
Present	Greg Parker Council Member	Ward 7	Present	David Austgen Town Attorney	

PUBLIC HEARING

Additional Appropriation – Casino Gaming

- a. **Town Attorney’s Comments** – Attorney David Austgen had no comments.
- b. **Clerk Treasurer’s Comments** – Clerk Treasurer Amy Gross stated that the publication on March 7, 2013, was timely for this public hearing.
- c. **Town Manager’s Comments** – Town Manager Ian Nicolini stated that this was to restore \$200,000.00 to the Casino Gaming Fund.
- d. **Reading of Resolution No. 1089 – Additional Appropriation – Casino Gaming** – Council President Randell Niemeyer read Resolution No. 1089 in its entirety which appropriates \$20,000.00 to 105-001-313 Sidewalk Engineer and \$180,000.00 to 105-001-449 Other Capital Outlay.
- e. **Remonstrators** – There were no remonstrators.
- f. **Council Discussion** – There was no discussion.
- g. **Council Decision – Motion by Robert Carnahan** and seconded by Ralph Miller to approve Resolution No. 1089.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

WORK SESSION ITEMS

- 1. **Water Utility Master Plan** – Neil Simstad of NIES Engineering reported on the Cedar Lake Water Master Plan Update of March 2013. A copy of the report is incorporated at the end of the minutes. Discussions during the report included combining the water systems, updating of the PER report with SRF, water map updates, and the looping of the systems. April 2, 2013 there will be a Town Council Work Session for citizen input on the water utility.

**PUBLIC COMMENT:** Darlene Gardner of 7016 W. 127<sup>th</sup> Place inquired on road repairs in High Grove Subdivision. Robert Carnahan gave a history of the roads in this area. Greg Parker stated that Council had developed a road priority list prioritizing work from the lake outward. Discussions on repairing the roads by chip sealing and/or using our paving equipment occurred. Estimates on supplies to do the road work are going to be obtained.

CONSENT AGENDA:

- 1. **Minutes:** February 19, 2013 Public Meeting.
- 2. **Claims:** Town Claims \$230,791.03, Wastewater Claims \$156,424.56, Wastewater Sinking Claims \$383,066.25, Storm Drainage Claim \$4,949.14, Water Claims \$10,617.32, Payroll #49, #50 & #51 Claims \$260,118.04.
- 3. **Tag Day Approvals:** Amvets Post 15, July 27<sup>th</sup> with a rain date of August 3<sup>rd</sup>
- 4. **Donations**
  - a. Gateway Triangle Corp., Luke Oil - \$1,000.00 Police Non-Reverting Equipment Fund
  - b. Anonymous – \$34,241.63 – 2013 Dodge Ram 1500 4x4 - VIPS
  - c. DARE Donations - \$1,350.00
- 5. **Chamber of Commerce** - Banners on Light poles
- 6. **Police Commission Monthly Meeting Change** – meetings will be on the second (2<sup>nd</sup>) Wednesday of each month.
- 7. **Boy Scouts – Use of Town Complex** – April 12, 2013 for annual camping event.

**Motion to accept and waive the reading of the Minutes, accept the Consent Agenda as listed.**

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

ORDINANCES & RESOLUTIONS

- 1. **Ordinance No. 1170 - EMS Amendatory Rates – 2<sup>nd</sup> Reading** – *first reading was approved December 4, 2012*  
Ordinance No. 1170 was read by title only. Clerk Treasurer Amy Gross reported on the changes to the Ordinance which included addition of charging non residents a separate fee for services, addition of Advance Life Support Level 2 service, oxygen fee was eliminated, mileage was increased for residents and non residents, treatment/no transport cost was reduced; lift assist charge was eliminated; reasonable administrative fees were added and the penalty stipulation was redefined. Motion by Gregory Wornhoff and seconded by Greg Parker to adopt Ordinance No. 1170.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

Clerk Treasurer Amy Gross stated that based upon information from Attorney David Austgen the rates will go into immediate effect. Attorney David Austgen is to publish the Ordinance.

2. **Ordinance No. 1171 – Claim and Disbursement Prepayment Authorization – first reading**  
Ordinance No. 1171 was read by title only. Clerk Treasurer Amy Gross noted the items in Section Two. This Ordinance will allow for the timely payment of invoices to our vendors, expedites payment to personnel for reimbursements, and allow time for mailing payments. This will allow for more effective organization with keeping the transparency of the accounts payables the same. Motion by John Foreman and seconded by Patsy Casassa to approve the first reading of Ordinance No. 1171.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Motion by John Foreman and seconded by Robert Carnahan to suspend the rules and have the second reading of Ordinance No. 1171.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Ordinance No. 1171 was read by title only. Motion by Ralph Miller and seconded by John Foreman to adopt Ordinance No. 1171.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

3. **Ordinance No. 1172 – Town Code – S-25 - includes Ordinance No. 1155 - 1172**  
Ordinance No. 1172 was read by title only. This Ordinance will codify Ordinances 1155 to 1172. Motion by Gregory Wornhoff and seconded by Greg Parker to approve the first reading of Ordinance No. 1172.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Motion by Robert Carnahan and seconded by Greg Parker to suspend the rules and have the second reading of Ordinance No. 1172.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Ordinance No. 1172 was read by title only. Motion by Greg Parker and seconded by Patsy Casassa to adopt Ordinance No. 1172.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

4. **Resolution No. 1090 – Lease-Purchase for Fire/EMS Airpacks – purchase approved at the January 22, 2013 meeting**  
Resolution No. 1090 was read by title only. Attorney David Austgen inquired on who the owner of the airpacks would be. Fire Chief Todd Wilkening stated that the Town would own them; he will provide a letter/statement to the Town stating that the Town is the owner of the airpacks. Motion by Robert Carnahan and seconded by Greg Parker to approve Resolution No. 1090 subject to the receipt of the statement from the fire department.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

NEW BUSINESS

1. **Sewer Billing Elimination – 13133 Polk Street – retroactive to March 1, 2013**  
The building was demolished and the sewer was capped and inspected. Motion by Greg Parker and seconded by Ralph Miller to eliminate the sewer billing retroactive to March 1, 2013.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

2. **Bid Award – Demolition – 7324 W. 136<sup>th</sup> Lane**  
The Building Commissioner recommended accepting the bid submitted by B & D Sewer of Schererville for the demotion of 7324 W. 136<sup>th</sup> Lane. B & D Sewer was the lowest responsive and responsible bidder. A lower bid was received, but was considered “non responsive” and not meeting the specifications due to a disclaimer in their bid.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

3. **Purchasing Requirement Waiver – VIPS Truck Grant**  
Town Manager Ian Nicolini stated that it is the policy of the Town to obtain three quotes for equipment, however due to a grant received from an anonymous donor which was made with specifications, it is requested to waive the normal purchasing requirement. Motion by Robert Carnahan and seconded by Greg parker to waive the purchasing requirement and accept the terms of the grant.

**Roll Call Vote: 7 to 0**

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

- 4. Cedar Lake Chamber of Commerce – Northwest Indiana Symphony Orchestra
  - a. Financial Support
  - b. Use of Town Grounds
  - c. Allow alcohol at the event

The Town has given consistent support of \$7,500.00 for the event for the past three years from the Town Council's general fund promotion budget. It was noted that the Northwest Indiana Symphony limited this event to only four towns this year and Cedar Lake is one of them. Motion by Ralph Miller and seconded by Patsy Casassa to approve financial support of \$7,500.00, allow the use of Town Grounds and to allow alcohol at the event.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

TOWN COUNCIL REPORTS

- 1. Town Council

Motion by Robert Carnahan and seconded by Ralph Miller to ratify and affirm Council's signatures on a letter send to the 911 Commission.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Motion by John Foreman and seconded by Patsy Casassa to allow the purchase of the property on 13212 Marquette Street and authorize staff and legal counsel to finalize negotiations on the property. This property has been on the unsafe building list and is located in front of a Civil War era cemetery. This area will serve a public purpose; this will be the enhancement and preservation of a cemetery area as there is limited ingress and egress to the cemetery.

Roll Call Vote: 7 to 0

Carnahan	Foreman	Wornhoff	Casassa	Parker	Miller	Niemeyer
YES	YES	YES	YES	YES	YES	YES

Robert Carnahan stated that there is a Cedar Lake Chamber luncheon at Zuni's on Thursday at noon, Ian Nicolini will be the speaker.

- 2. Town Attorney - Attorney David Austgen had no report.

- 3. Clerk-Treasurer

Clerk Treasurer Amy Gross reported that she will have a resolution at the next public meeting for budget reductions. The general fund budget needs to be cut by \$202,009.00. There was a reduction in assessed value by 3.3%, the tax rate was decreased and the levy was reduced to 17.4%. The 2012 circuit breaker tax caps caused a \$117,000.00 loss. The Town is conservative. The TIF audit netted sixty (60) parcels that were moved from the general tax base to the TIF area.

- 4. Town Manager Ian Nicolini had no report

Town Manager Ian Nicolini stated that the Redevelopment Commission requested Council join them on April 8, 2013 at 6:00 pm for a joint work session. This will be advertised as a joint meeting.

WRITTEN COMMUNICATION:

- 1. Town of Cedar Lake Blood Drive with Heartland Blood Centers, March 20, 2013 from 10 am – 2 pm
- 2. Hanover Community School – letter dated March 3, 2013 from Richard G. Cook, Interim Superintendent – Ian Nicolini stated that there is potential utility recapture; discussion will be had at the staff level and brought back to Council.

PUBLIC COMMENT: There were no comments.

Town Council Work Session – Tuesday, April 2<sup>nd</sup> at 7:00 pm  
Joint Town council & RDC Work Session – Monday, April 8<sup>th</sup> at 6:00 pm  
Town Council Public Meeting – Tuesday, April 16<sup>th</sup> at 7:00 pm  
Park Department – Roadside Clean Up – Saturday, April 20<sup>th</sup> 10 am to noon

ADJOURNMENT: Randy Niemeyer adjourned the meeting at approximately 8:32 pm

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

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, John Foreman, Patsy Casassa, Ralph Miller, Randell Niemeyer, Greg Parker, Gregory L. Wornhoff, Amy J. Gross, Clerk-Treasurer, Ian Nicolini, Town Manager, and Town Attorney David Austgen.

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

\_\_\_\_\_  
Randell Niemeyer, President, Ward 5

\_\_\_\_\_  
Ralph Miller, Vice President, Ward 4

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Robert H. Carnahan, Ward 1

\_\_\_\_\_  
John Foreman, Ward 2

\_\_\_\_\_  
Gregory L. Wornhoff, Ward 3

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

ATTEST:

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

\_\_\_\_\_  
Amy J. Gross, 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.