

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

**September 2, 2014**

**Public Meeting Advertised for 7:00 PM  
Conducted at the Cedar Lake Town Hall  
Pledge of Allegiance & Moment of Silence**

**Roll Call:**

Present	Robert H. Carnahan Council Member	Ward 1	Present	Patsy Casassa Vice President	Ward 6
Present	John Foreman Council Member	Ward 2	Present	Randell Niemeyer President	Ward 5
Absent	Gregory L. Wornhoff Council Member	Ward 3	Absent*	Amy J. Gross, IAMC, MMC Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	David Austgen Town Attorney	
Absent	Greg Parker Council Member	Ward 7			

*\*Chief Deputy Clerk Jill Murr was in attendance*

**PUBLIC COMMENT**

There were no public comments.

**CONSENT AGENDA**

**Minutes:** August 19, 2014 Public Meeting

<b>Claims:</b>	All Town Funds:	\$50,632.63	Wastewater:	\$30,313.40
	Waterworks:	\$10,943.90	Storm Water:	\$4,414.57
	Payroll #106 & 107:	\$139,24.75		

**Donations:**

VIPS:

- a. \$250.00 – Cedar Lake Chamber of Commerce
- b. \$100.00 – Burdans Funeral Home, Inc.
- c. \$350.00 – Cedar Lake Summerfest Committee, Inc.

Motion to accept and waive the reading of the Minutes, and to accept the Consent Agenda as listed. Mr. Carnahan noted the claim for the hotel for Ralph Miller and himself for the IACT Annual Conference.

**Motion: Ralph Miller                      Second: John Foreman                      Roll Call Vote: 5 to 0**

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

**NEW BUSINESS**

**1. Rebuilding Together South Lake County – Building Permit Waiver Request**

President Niemeyer read the memo from Tim Kubiak, Building Commissioner, regarding Rebuilding Together Permit Fee Waiver Request. Rebuilding Together South Lake County submitted three (3) permit applications for their upcoming project in Cedar Lake. The permit numbers and associated fees are:

Permit #14-320 \$ 75.00  
Permit #14-321 \$ 75.00  
Permit #14-322 \$ 150.00

Motion to waive the building permit fees in a total amount of \$300.00.

**Motion: Robert Carnahan                      Second: John Foreman                      Roll Call Vote: 5 to 0**

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

**WORK SESSION ITEMS**

**1. 2015 Budget**

President Niemeyer stated that the Council Affairs Committee, Clerk Treasurer Gross and department heads met to discuss the 2015 budget needs. Departments will be presenting their budget proposals this evening.

**Police Department** – Police Commissioner Taborski and Deputy Chief Brittingham read the memo regarding the 2015 budget items. Their requests included the addition of one full-time officer, pay rate and longevity increases, and additions to maintenance agreements and miscellaneous services. A copy of the memo is incorporated at the end of the minutes. An item for the creation of awards/stipends for those officers who take on additional responsibilities outside of their normal job duties was requested. The budget requested was for \$1,884,211.00. Discussion occurred on consolidated dispatch. It was noted that if Schererville, Cedar Lake and St. John consolidate; St. John would be the most likely location as they are the most equipped. Mr. Carnahan read the department's annual salaries by rank and job title. President Niemeyer stated that the department's original proposal was for three (3) additional officers and there were no increases initially. Discussions were had on officers looking elsewhere for employment; the cost of retention and losses. The pay increases will be utilized to make the officers' pay more competitive with surrounding communities.

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

Commissioner Taborski requested approval to hire the additional officer for 2014 which was part of the 2014 budget. He stated that they hope to have this filled before October. Motion to start the hiring process.

Motion: Robert Carnahan		Second: Ralph Miller		Roll Call Vote: 5 to 0		
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	ABSENT	YES	ABSENT	YES	YES

President Niemeyer requested clarification on the two (2) requests in their memo for increase in Line Item 119 (PTO Payout); one increasing it by \$5,000.00 and the other by \$33,755.00. Deputy Chief Brittingham clarified that the second item is to eliminate six (6) personal days per year, but pay out for them. He explained that officers receive thirteen (13) personal days per year, but do not receive any paid holidays. This change would allow for eight hundred sixty-four (864) additional man hours on the street. The first item is to buy back hours if officers wish to have a buyout instead of utilizing their vacation, personal or incentive days. President Niemeyer requested that Chief Smith clarify these requests with the Clerk-Treasurer.

**Fire Department** – Fire Chief Wilkening stated that his budget includes an additional fire fighter/EMT for 2015. There is a volunteer pool and a new hiring process in place to put together a list of potential candidates. There are some equipment needs for the upcoming year; some costs will be offset with grants. The ladder truck was discussed. It is a 1992 model; a new one will need to be planned for, it is a million dollar investment. President Niemeyer stated that this will be one of the next big projects for the department. Mr. Carnahan read the department's annual salaries by rank and job title. President Niemeyer stated that additional funding will come from the Hanover Trustee contract and Local Option Income Tax (LOIT) funding. As the Town moves forward, there is a need for additional personnel. The budget total is \$780,930.00.

**Public Works** – Jim Cornett, Public Works Superintendent, thanked Council for the equipment purchased this year which includes two (2) leaf vacs, generators and bids are being prepared for two (2) heavy duty (HD) trucks. There have been problems with the chippers this year and one will need to be replaced soon. The department will be researching grants for this. There have been cuts to the Lake County Solid Waste funding which will affect the 2014 and 2015 budgets. Street striping will need to be budgeted for. Staffing was discussed. Over that past several years, the department has had a reduction in crew while the Town continues to grow. Applications are currently being reviewed for an increase of two (2) additional crew workers to bring the total to eleven (11) full-time crew members. President Niemeyer stated that this is part of the town moving forward. Mr. Carnahan read the department's annual salaries by job title. The department's budgets include \$67,770.00 – Public Works – General Fund; \$481,405.00 – Motor Vehicle Highway; and \$177,912.00 – Local Roads & Streets. Other funds which include Cumulative Capital Development, Cumulative Capital Improvement and the various utilities are a portion of the department's budgets as well.

**Building Department** – Tim Kubiak, Building Commissioner; requested an increase for the Building Coordinator position. This would increase her pay rate to \$16.79 per hour. This position is responsible for the office duties of the building department and took the responsibility when there was not a building commissioner on staff. This will make the position equivalent with other office staff. Mr. Carnahan read the department's annual salaries by job title. The department's budget is for \$117,340.00.

Tim Kubiak updated Council on the salt building/storage for public works. The current barriers will be utilized to minimize the number that need to be purchased, a concrete pad will be poured and storage will be utilized around the structure to increase organization of materials. He noted that this structure would be mobile should the department's location ever change. This will address one of the largest MS4 violations that the Town currently has with IDEM. Upgrades to the Town Hall meeting room were discussed. A grading plan was reviewed by Council for the public works facility. Currently, when there are any water issues, the public works building floods. Christopher B. Burke Engineering (CBBEL) drew the plans to re-establish the grade; an excavator will be hired to re-establish the grade and create the swale; the stone and paving will be done by Town personnel. This will be done from Lake Shore Drive to the public works buildings.

**Parks & Recreation** – there will be a presentation by GenMove at the September 16, 2014, meeting for the 2015 proposal. Mr. Carnahan noted his displeasure with sending Indiana tax dollars to a company in South Carolina for this service. He believes that there could be a company in the state of Indiana to provide these services.

**General Fund** – President Niemeyer reported that the proposed budget for 2015 – General Fund is \$4,274,892.00 which includes \$1,082,170.00 – Town Council & Administration. Mr. Carnahan referred to the decrease in the streetlight budget. There are areas around town that could use streetlights. Mr. Carnahan read the council members' annual salaries.

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

**LOIT Public Safety** – This is a new budget based on monthly distributions from the Lake County Auditor. The funds must be used for public safety. A budget has been established for a new police officer and a new firefighter. The portable radios have been included for an annual lease payment. The police chief requested \$30,000.00 for needed equipment, and the Clerk-Treasurer added a line for the fire department as well. If needed, an additional appropriation could be done next year as this is our first budget established for this fund. Preferably, it would be recommended to have cash reserves for an emergency and never budget the entire revenue stream. This budget is for \$254,615.00.

**CEDIT** – This is a new budget for 2015.

Debt Service includes 2007 Redevelopment Authority Bonds - \$349,500.00 and 2011 A&B Redevelopment Bonds - \$660,000.00.

Mr. Carnahan read the Town Manager and Administrative Assistant Salaries. President Niemeyer directed Deputy Clerk-Treasurer to formulate an advertisement for the Town Administrator position to be listed with IACT, IMMA and locally to solicit applicants.

2. **Lake Dredging Fund** – Mr. Foreman requested starting a fund with a percentage of CEDIT and/or other funds be utilized for the lake dredging. He stated that the funds that were going to be put towards the rail expansion could be put aside for the lake dredging project. This fund would set aside funds for the future. He suggested 25% of the CEDIT funds moving forward be put aside for the lake dredging project, which would be \$50,000 per year. Based upon current timelines, this project would not be completed until the year 2020. Over the next six years, that would be \$300,000 set aside not including the two million (\$2M) in local matches such as land purchases and tributary improvements. When the project moves forward, the Town would only need to go to referendum or bond for the difference. President Niemeyer noted that CEDIT funds could be used for paving. In the past it was a complete overhaul or nothing. Roads need to be reviewed to see if they can be milled and resurfaced versus a complete overhaul. Road conditions need to be addressed. Crack sealing needs to be completed as well. Mr. Carnahan read an article regarding the ecosystem restoration and the timelines with the Army Corp. Mr. Foreman will coordinate with Kay Whitlock for a committee meeting regarding the project. Attorney Austgen was directed to draft an ordinance for the next council meeting for this transfer.

## **COMMITTEE & TOWN COUNCIL REPORTS**

### **Town Council:**

Ms. Casassa reported that the Historical Association would like to have a joint meeting with Council to discuss the lease which is coming due in October. She will get details on the lease for review. It was recommended to have the Historical Association present the proposal to the entire Council.

Mr. Carnahan and Mr. Cornett discussed the storm water issues in Wicker Meadows. There are issues with limited/no access and/or easements. The swale was discussed and the issues at Ms. Govert's. Locates will be done and reviewed. Water needs to be redirected to the infrastructure. Mark Kaiser of CBBEL will research the easements and locates. Motion to ratify the direction to have the Town Engineer create specifications; the Town Attorney for research and discovery of easements; and Public Works to work with Mark Kaiser (CBBEL) to get the proper grade and trench to redirect the water.

<b>Motion: Robert Carnahan</b>		<b>Second: Patsy Casassa</b>			<b>Roll Call Vote: 5 to 0</b>	
Carnahan	Foreman	Wornhoff	Miller	Parker	Casassa	Niemeyer
YES	YES	ABSENT	YES	ABSENT	YES	YES

Ms. Casassa stated that Mr. Kubiak needs further direction. A neighbor is dumping scrap and concrete in his back yard and he has been red tagged twice. There is no one around when Mr. Kubiak goes out there. Mr. Kubiak will work with the police department for compliance versus just ticketing.

**Town Attorney:** No Report.  
**Clerk Treasurer:** No Report

### **Staff:**

Mr. Cornett reported that they are working with the Lake Enhancement Association doing grubbing and tree removal along 142<sup>nd</sup> to the lake to reestablish the ditch and small retention pond. This is in-kind work. Mr. Cornett was directed to keep track of the hours for the ecosystem restoration in-kind work. Paving will be done on Woodland off of Parrish. Chip sealing and paving will be done from Washington Street to Truman Circle. Council inquired on the number of miles of paving completed last year; Mr. Cornett is to research this.

Mr. Foreman inquired on parking on Town streets; specifically Oak Street. It is allowed as long as it is not posted and it is not obstructing the flow of traffic.



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

**WRITTEN COMMUNICATIONS**

Christopher B. Burke Engineering Report – provided to Town Council for review. Mark Kaiser reported on the 133<sup>rd</sup> Westside project. He is working with INDOT and the utilities, particularly Comcast, which is holding up the railroad crew. He is attempting to coordinate a meeting with INDOT this week to bring them up to date and on board with project issues. There has been a change in the INDOT personnel on the project. Before winter, temporary pavement lanes should be in place which will be four (4) inches thick and twelve (12) feet wide with water and storm water utility work in the middle lane/open area. 133<sup>rd</sup> Eastside – asphalt is going down. Curbs on the north side are in place; once set, pavement will be place. There is a soil contaminations issue along CITGO; approval is needed to remove the contaminated soil. Gatlin Engineering is working on installing the storm sewers, Rex Sherrard of Attorney Austgen's office is working with Superior Environmental on removal and testing costs and Material Transfer Inc will do the trucking. Upon approval, contaminated soil should be removed by Thursday. Current costs include \$3,900.00 for Superior Environmental and an estimated 205 Tons of soil is to be removed and disposed of at \$38.05 per Ton for an estimated total of \$14,503.00 for excavation and monitoring and trucking at \$110.00 per hour which is approximately \$1,200.00 per day. Motion to approve contaminated soil removal at a cost of \$18,403.75. Dump fees are not known at this time. We should go after any insurance companies to recoup these fees.

**Motion: Robert Carnahan      Second: John Foreman      Roll Call Vote: 5 to 0**

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

Attorney Austgen suggested Council prepare a strongly worded letter to the LaPorte office of INDOT to have them expedite the process of assigning a project manager, getting them on-site and getting this matter addressed. The questions asked regarding the condition, winterization and processes is critical. Additionally, Attorney Austgen suggested sending a strongly worded notification to the utility that is blowing the project off the calendar by not meeting timelines and deadlines. The Town faces potential delay claims from the prime contractor as a consequence. Fortunately, LGS Plumbing knows how to work in the winter, but doesn't help with the back and forth of vehicles in the winter. The contractor is working around everything they can. Council directed the town attorney in partnership with the town engineer and Mr. Sherrard to compile the letters with Mr. Niemeyer as the Council Liaison.

**Motion: John Foreman      Second: Ralph Miller      Roll Call Vote: 5 to 0**

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

Mark Kaiser is working on coordinating a meeting on the west side project and requested a LPA representative be in attendance. Town Council, especially Mr. Carnahan, are to be notified of the meeting date and time.

**PUBLIC COMMENT**

**Todd Wilkening** - commented on the garage/house fire at Mr. Schultz residence, a firefighter. The family is doing okay. No one is free from this type of devastation. The fire investigation will be conducted by Lake County District One Task Force with the State Fire Marshall's office. They will take lead on this. A fund is going to be established for the family. There was another large fire in Hanover Township. Mr. Wilkening reported on Gary, Northlake Methodist Hospital will be a Level 3 Trauma Center. Chief Wilkening explained the particulars of transporting patients including the 45 minute window and the need for staffing as transporting patients to Gary Northlake could take over three (3) hours per patient. This would be applicable for ambulance patients north of 133<sup>rd</sup> Avenue. The department is working on a coverage plan with surrounding communities. President Niemeyer and Chief Wilkening discussed water possibilities for the fire department in the Brunswick area.

Mr. Carnahan stated that he was selected to do the ALS ice bucket challenge. He said he would do this at Hometown Fest in September and asked for contributions to the Project Love Food Pantry.

President Niemeyer read the **2015 Budget Deadlines & Scheduled dates:**

Sep 04 – Deadline to submit Form 3 Notice to Taxpayers to Star Newspapers  
Sep 11 – First Publication appears for 2015 budget in Cedar Lake-Lowell Star and Crown Point Star  
Sep 12 – Deadline to submit electronic Form 3 to DLGF through Gateway. This will be published on their site. Next year, we no longer need to advertise in papers per new law.  
Sep 18 – Second Publication appears for 2015 budget in Cedar Lake-Lowell Star and Crown Point Star  
Oct 7 – Town holds hearing on 2015 budget at public meeting.  
Oct 21 – Town adopts budget at public meeting.  
Nov 3 – Deadline to submit budget electronically through Gateway to DLGF

Next meeting September 16, 2014 at 7:00 PM.

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

**ADJOURNMENT:** Approximately 8:40 PM President Niemeyer called the meeting to adjournment.

An Executive Session was advertised and conducted before the Public Meeting at 6:00 PM pursuant to IC 5-14-1.5-6.1(b). Refer to Memorandum of Meeting for topics discussed and those in attendance.

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

---