

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



June 04, 2019

**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	Greg Parker Council Member	Ward 6
Absent	John Foreman Council Member	Ward 2	Present	Richard Sharpe Council Member	Ward 7
Absent	Julie Rivera Council Member	Ward 3	Present	Jennifer N. Sandberg Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	Jill Murr, CPM, IAMC, MMC Town Administrator	
Present	Randell Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

PUBLIC COMMENT

None

CONSENT AGENDA:

1. Minutes: May 21, 2019

2. Claims: All Town Funds: \$82,450.41; Wastewater Operating: \$274,367.19; Water Utility: \$15,067.34; Storm Water: \$7,360.04; Payroll: May 30, 2019 and May 31, 2019 - \$179,266.50.

A motion to accept and waive the reading of Minutes and accept the consent agenda was made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Vote: 5 to 0.

ORDINANCES

1. Ordinance No. 1335 – Rietveld Public Way Vacation

Council Member Sharpe read Ordinance No. 1335 by title only. Attorney Austgen stated this is a standard public way vacation application. The property is located in the 13900 block of Huseman Street and has no public access.

A motion to adopt Ordinance No. 1335 was made by Richard Sharpe with second by Ralph Miller. Roll call vote: Carnahan – No, Parker – No, Miller – Yes, Niemeyer – Yes, Sharpe – Yes. Vote: 3 to 2. Motion failed. This item will be on the next agenda.

2. Ordinance No. 1339 – Oakwood Rezone to PUD

Council Member Sharpe read Ordinance No. 1339 by title only. The owner of the property filed a petition with the Plan Commission for rezoning from (R-1) Residential and (B-2) Business to 2019 Oakwood Residential PUD. The Plan Commission held a Public Hearing on April 17, 2019 that was deferred to May 15, 2019. Attorney Austgen stated the Plan Commission offered a favorable recommendation with imposed conditions that are very stringent and detailed.

A motion to adopt Ordinance No. 1339 was made by Robert Carnahan with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes. Vote: 5 to 0.

REPORTS

- 1. Town Council** – Mr. Carnahan reported that LCSW is shutting down their recycling program at Public Works due to the large amount of contamination. Attorney Austgen asked for and received affirmation that LCSW is a taxing body. He asked if the Town was contacted and informed as to what their plan is for the money collected. Discussion followed on LCSW grant implications, past recycling requirements, and the future of recycling. Mr. Carnahan announced a Flag Day service will be held at the American Legion on Friday June 14th at 6:00 pm. They will be retiring old flags that evening.
- 2. Town Attorney** – None
- 3. Clerk-Treasurer** – None
- 4. Town Administrator/Staff** – Town Administrator Murr asked if Council would consider putting the current ladder truck up for sale this evening. Mr. Niemeyer suggested reaching out to some of the smaller fire departments in the south and south-east that can't afford newer equipment. Chief Wilkening stated Brindle Lee Mountain Fire Apparatus is a broker out of Louisiana that could handle the sale. He has already reached out to them about selling the truck.

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A motion to approve setting up the sale of the ladder truck was made by Robert Carnahan with second by Greg Parker. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes. Vote: 5 to 0.

Town Administrator Murr reported that she and Attorney Austgen were working on modernization of the Weed Abatement Ordinance to present at an upcoming Council meeting. The Storm Board Meeting had several items. Due to the timing of that meeting, the report will be available for the next meeting.

Mr. Parker asked for them to consider the suspension of the weed abatement ordinance until it dries up. Discussion followed on the inability to mow because of standing water due to rainfall.

A motion to suspend the Weed Abatement Ordinance for two weeks pending dry weather for people to get caught up on cutting grass was made by Greg Parker with second by Rick Sharpe. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes. Vote: 5 to 0.

WRITTEN COMMUNICATION

1. **Christopher B. Burke Engineering Report** – Town Administrator Murr reported Redbud Landscaping began seeding the Town Club Ditch corridor. Mr. Oliphant is working on a site survey proposal to see what can be done to address drainage issues in Noble Oaks Subdivision and Butternut Street.

PUBLIC COMMENT

Rich Thiel, Midwest PGM, 13513 Industrial Drive, commented on LCSW closing their drop-off recycling facility. He talked with the Public Works secretary to affirm that Public Works is still taking recycling items from citizens. Mr. Thiel commented on better communication.

Jim Lameka, 12712 Meadowlark Lane, commented a fire hydrant broke on his block almost three years ago. The water went underneath sidewalks. After two years of trying to get answers he was unable to. He received an estimate of \$7,500.00 for sidewalk and driveway repairs. He stated the Town's insurance company was no help. Mr. Austgen commented that insurance companies cover torts or wrongs, not infrastructure. Mr. Niemeyer asked what the process for assessing damage is. Discussion followed on procedure. Mr. Austgen asked to see the file on the claim. A lengthy discussion continued.

ADJOURNMENT Council Member Niemeyer called the meeting to adjournment at approximately 7:37 PM.

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

John Foreman, President

Julie Rivera, Vice President

Robert H. Carnahan

Ralph Miller

Randell Niemeyer

Greg Parker

ATTEST:

Richard Sharpe

Jennifer N. Sandberg
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.