July 22, 2019

Special Public Meeting Advertised for 6:30 PM Conducted at the Cedar Lake Town Hall Pledge of Allegiance & Moment of Silence



Roll Call:

Koli Cali;						
Present	Robert H. Carnahan	Ward 1	Present	Greg Parker	Ward 6	
	Council Member			Council Member		
Present	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7	
	Council Member			Council Member		
Present	Julie Rivera	Ward 3	Present	Jennifer N. Sandberg	g	
	Council Member			Clerk-Treasurer		
Present	Ralph Miller	Ward 4	Present	Jill Murr, CPM, IAN	AC, MMC	
	Council Member			Town Administrator		
Absent	Randell Niemeyer	Ward 5	Present	David Austgen		
	Council Member			Town Attorney		

PUBLIC COMMENT

Pete Blagojevich, 13820 Morse Street, asked what Ordinance No. 1341 was. President Foreman stated that new developments in the East Side Water District will now have a system development charge of \$2,556 per new home permit. This charge is on new construction only. Mr. Blagojevich commented that he thought the fee was cheap and they should look at other Towns. Mr. Foreman stated this had to go before the IURC and OUCC.

ORDINANCES

1. Ordinance No 1341: Water System Development Charge – East Side

Council Member Rivera read by title only. Town Administrator Murr stated this is the second reading. This item has gone through the IURC process and received their approval on the order. The Town received what was asked for. This is for new residences only in the East Side Water District. This will not affect current ratepayers. Mr. Carnahan asked Mrs. Murr to further explain some of the items discussed in the order. Mrs. Murr stated part of the order was to include and identify the tariffs in the East Side and West Side Districts. The rates are still the same as what was approved when the Town acquired the water system. The water tower is a sphere they are working on and part of these fees will go towards that project. Mr. Austgen stated the ordinance is an adoption of the order that was entered by the IURC and permits the Town to implement those charges and rates. Mr. Foreman added the Town is a part of the IURC because the east side water and Utilities Inc. (west side water) were privately owned. Cities and Town's in Indiana do not need to be part of the IURC. He stated they spent quite a bit of money to go to Indianapolis to hear the case and do the right thing. The body that sits up here could and should in the future be able to make those decisions.

A motion to adopt Ordinance No. 1341 was made by Greg Parker with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Sharpe – Yes, Rivera – Yes, Foreman – Yes. Vote: 6 - 0.

NEW BUSINESS

1. Lake Shore Drive at Cline Ave Intersection Project

John Tucker and Todd Rozycki with American Structurepoint gave an update on the project. Mr. Tucker stated the utility relocation work has taken longer than anticipated with the contract. They are here today to present options to still get the project done this year. One of those options is a full road closure of Lake Shore Drive and Cline Avenue. They met with the contract, Town staff, Police, and Fire last week to discuss how that closure would affect everyone. Four utilities had to relocate. Gas started in February and they took longer than what their timeframe was. That caused a domino effect with electric and the others. No work on the contractor's side has been able to begin due to the utility relocation delays. The contractor came up with various schedules. One was to phase it out the way it currently is. That timeframe wouldn't have them finish this year. The other with the complete closure, would have them accomplish most work not including the final surface coat. Mr. Foreman asked if Mr. Tucker has been out since day one. Mr. Tucker stated they haven't been on site each day but they have been monitoring utility coordination. Mr. Foreman stated someone should've known the project was going awry and should've been on NIPSCO and Comcast. Mr. Tucker stated they have had various utility meetings leading into the project with regular updates from the utilities. Pressing them each step of the way. He understands gas utilities had issues with the wet weather. Some other unforeseen issues also came up. That unfortunately is outside of their control.

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Electric utility started in April. Their timeframe was 60 days and they finished under. Comcast was scheduled for 90 days and the finished in 30 days. The gas utilities took the longest. They had a contractor that they had issues with. They were there to help along the way but their contract really begins when construction begins. Mr. Foreman discussed the project and contracts and asked what the reason is for this. Mr. Tucker stated this is just options for the Town. He stated they can do the job as is with the phasing. They work for the Town not the contractor. They can go with the original plan. They have a schedule and can get it maintained for the winter until they can complete the project. Mr. Foreman asked how they know they can't get it done. Mr. Tucker stated they have a chart/schedule for each step of the project. He stated Phase 1A was supposed to start before June 5th and be done with it prior to June 28th. That was to be the temporary roadway for one way traffic. An extension to the culvert by the Chamber was part of that phase as well. They were to shut down for the holiday and July 15th was the early start for Phase 1B. Phase II was to flip from one side to the other to complete the roadway with intermediate completion scheduled for November 25th. All the final grass or anything that would affect IDEM's notice of termination was the May completion date. Mr. Carnahan stated he was always told it was July 8th to begin construction. He asked when it changed. Mr. Tucker stated it was always July 15th per contract. When all the utility issues were happening that was a discussion that was had with INDOT and the Town. Comcast still wasn't done to accomplish that. Mr. Foreman asked about the large poles. Mr. Tucker stated it was part of the relocation plans. Mr. Foreman asked if the Town had to pay for those poles. Mr. Tucker stated the Town didn't pay for that. Two were added but one will be removed. The other will stay because it services those houses nearby. Mr. Foreman asked if they say no is Mr. Tucker able to go back to them and have the contractor adjust their schedule. Mr. Tucker stated all options are on the table. They will go back and push them. Right now the discussion was to try and vent all the options even if it isn't the most liked. Mr. Foreman voiced his displeasure with the options and costs. Mr. Tucker stated the road closure would be a cost savings. Approximate savings would be around \$200,000. To go through with current phasing there is the potential of additional costs. That's due to the winter and maintenance needed to the road and temporary traffic signals. Mr. Carnahan voiced his displeasure. He stated they've made him look like a liar. He told all the constituents they would have a single lane of traffic. A brief discussion continued on the added expenses due to the utility delays. Mrs. Murr explained some of the additional costs would be associated with maintenance for the solar powered lights as well as temporary asphalt and stone for safety of the intersection as it's brought through the winter. Mr. Kubiak added the phasing includes a three foot elevation in the lane changes. If that has to go through the winter with a three foot difference there is the same traffic safety concern. Its eight to twelve minutes to make it through the intersection with the temporary traffic light. That's if people are patient and wait for the light. It's a terrible situation no matter what. A brief discussion continued.

At this time President Foreman opened up the floor to public comment.

Melissa Erickson, 12620 Sunnyside Pl., voiced concerns with shutting down Cline and problems with rerouting busses on narrow streets. Mr. Foreman explained the detour route. Ms. Murr and Mr. Foreman concurred that Hanover and Crown Point school transportation departments were invited to the May public meeting when the traffic impact was discussed. Abundant discussion followed on traffic concerns.

Elizabeth Williams, 8337 W. 128th Pl., voiced concerns with the bus stop at Foster and 128th, increased traffic, the need for more speed bumps in the area and the narrow width of the roads. Ms. Williams has had previous conversations with the Police Department on traffic volume and speeders in the area. Another concern is the exposed gas line on 128th Avenue due to storm drainage.

Pete Blagojevic, 13820 Morse St., agreed with everyone; asked if there was a contract for this job with start and end dates and fines in place for not finishing on time. Weather should not be an excuse for not finishing on time. Additional concerns are truck routes and viaduct heights. Mr. Kubiak discussed a back route through Havenwood Subdivision as a possible emergency route to get back on to Lake Shore Drive. Multiple overlapping conversations followed.

Charlie and Marilyn Kaper representing Cedar Lake Florist, 8600 Lake Shore Drive, discussed the adverse consequences for businesses affected by complete closures. They would not have ordered so much Christmas product had they known of the complete closure. A decline in sales is projected. Marilyn asked about consequences for not meeting the contract, bringing up Comcast delaying the 133rd Avenue project. Mr. Carnahan replied he had reached out to INDOT and was told nothing could be done. Further discussion followed on contracts and consequences. Mr. Kubiak clarified it was NIPSCO that delayed the utility relocate for the roundabout.

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Melissa Erickson asked about the bus route detours again. Police Chief Coulson discussed the possible use of smaller busses or talking with transportation departments for other solutions.

Amy, 13033 Polk St., voiced concerns as a bus driver. Mrs. Rivera asked both chiefs their opinions. Chief Wilkening talked about the cost of repositioning equipment and staff on the East side of the lake. He is not in favor of shutting down the road completely but it would be a bigger nightmare if it was drawn out through the whole winter instead of November. Chief Coulson agreed.

Pamela Davenport, 13025 Schubert St., voiced concerns with emergency vehicles and mutual aid response time. Chief Wilkening discussed routing. Mr. Parker opined the way we are cramming people into this community, the roundabout is probably obsolete. He commented on the lack of planning road widening around the lake.

John Schutz, 13523 Schneider, asked where Lake Shore Drive would be closed. Discussion continued on the closure area.

Mr. Carnahan thanked the Cedar Lake Fire Department and all other departments that responded to the recent business structure fire.

Mr. Parker asked if they were voting tonight. Mr. Miller suggested deferring the vote. Discussion followed on options of closing the road or using traffic lights for lane closures in phases. Mr. Kubiak discussed any delay costs would be the Town's responsibility according to INDOT. A lengthy discussion ensued on delay costs and the contract. Mr. Austgen commented that the best option is to follow the contract that was agreed upon. Mr. Kubiak suggested having an emergency lane available during the closure. A lengthy discussion continued.

A motion to continue with the original plan was made by Robert Carnahan with second by Greg Parker. Discussion continued on this being a no win situation. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – No, Sharpe – No, Rivera – Yes, Foreman – Yes. Vote: 4 - 2.

Mr. Austgen advised insisting on a meeting within the next day or two with American Structurepoint and key personnel to discuss regular reporting and monitoring procedures. Mr. Tucker agreed to the meeting. Ms. Murr discussed meeting options. Chief Wilkening revisited the possibility of relocating some personnel and equipment to the East side of the Lake and the cost involved. Mr. Foreman asked Chief to look into various options and present a plan.

ADJOURNMENT Council President Foreman called the meeting to adjournment at approximately 7:50 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		
Iennifer N. Sandherg			

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.