

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



October 15, 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
Present	Julie Rivera Council Member	Ward 3	Present	Jennifer N. Sandberg, IAMC 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:** October 1, 2019 & October 4, 2019
2. **Claims:** All Town Funds: \$128,874.59; Wastewater Operating: \$191,725.90; Water Utility: \$62,819.56 Storm Water: \$1,542.40; Payroll: 10/03/2019 \$248,590.56
3. **Manual Journal Entries:** September 1-30, 2019
4. **Usage request & fee waiver:** CLHA (December 8 @ Town Hall & February 6 @ Clubhouse)
Council Member Carnahan stated a motion to defer as the USACE Design agreement was in the last meeting minutes and he questioned why it isn't on the agenda. Town Administrator Murr responded the analysis wasn't completed.

A motion to accept and waive the reading of the Minutes and accept the Consent Agenda as listed was made by Rick Sharpe with second by Ralph Miller. Roll call vote: Carnahan – No, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes
Vote: 5 - 1.

ORDINANCES & RESOLUTIONS

1. **Ordinance No. 1343 - 2020 Budget**
Council Member Niemeyer read Ordinance Number 1343 by title only.

A motion to adopt Ordinance No. 1343 was made by Randy Niemeyer with second by Rick Sharpe. Roll call vote: Carnahan – No, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes
Vote: 5 - 1.
2. **Resolution No. 1247 - Y2020 Summerfest**
Council Member Niemeyer read Resolution No. 1247 by title only. Ms. Murr explained this is a draft resolution given to the attorney and Gordon Dickson for review. Mr. Austgen stated he has not reviewed the document.

A motion to defer was made by Randy Niemeyer with second by Greg Parker. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes
Vote: 6 - 0.

REPORTS

1. **Town Council** – Mr. Carnahan discussed a parking complaint letter from Larry Henderson. Mr. Henderson cited concerns with charging for parking, traffic violations and safety at the baseball fields. Mr. Niemeyer favorably commented on paying for parking if there is a public event tied to the use of the park. Discussion followed on special events permitting. Mr. Carnahan continued discussion on parking issues such as blocking driveways and mailboxes. Ms. Rivera suggested residents call the police. Ms. Murr was asked to reach out to the organizers of baseball and softball events to get communications started. Mr. Niemeyer reported his attendance at Jane Ball's Robotic Club. The lack of sidewalks was the main response to a survey the club conducted. The question and answer session dealt mainly with sidewalks and solution ideas. Mr. Niemeyer would like the Council to work with this group of fourth graders and give them ownership of this project. Mr. Carnahan discussed use of Safe Routes to School funds. Mr. Niemeyer reported on the Council's lack of input on the Town's insurance renewals. He suggested enlisting another broker to shop the marketplace. He would like to find

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ways to save the Town money before next year's policies are set. Ms. Murr explained the Town used two brokers last year and was able to save over \$110,000.00 in general liability insurance. Employees are currently updating data in FormFire which will be used to shop for lower rates for employee benefit insurance. Mr. Carnahan reported he is now on the Boys and Girls Club advisory board.

2. **Town Attorney** - Mr. Austgen dovetailed on Mr. Niemeyer's insurance comments. Insurance review is an intense, sophisticated, time consuming, focus oriented process. The perfect initiative would be to re-establish an insurance committee. The final plat application for Rose Garden Estates PUD Subdivision is on the next Plan Commission meeting's agenda. A \$6,067,696.25 letter of credit will accompany the application. Mr. Austgen asked Council to consider accepting the letter of credit tonight contingent on Plan Commission check off and engineer and attorney written approvals.

A motion to amend the agenda was made by Greg Parker with second by Ralph Miller. Mr. Austgen added there will be a loss of one month if not acted on. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes
Vote: 6 - 0.

A motion to accept Lennar Rose Garden Estates PUD \$6,067,696.25 letter of credit, contingent on Plan Commission and legal review was made by Randy Niemeyer with second by Greg Parker. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes
Vote: 6 - 0.

3. **Clerk-Treasurer** - Clerk-Treasurer Sandberg stated the approved 2020 budget will be uploaded in Gateway and we await DLGF's approval. Work will begin on the 2020 Salary Ordinance. Ms. Sandberg will be attending the ILMCT District Meeting next week.
4. **Town Administrator/Staff** – Ms. Murr reported Neil Simstad has been working on updating addresses for next year's census. Three hundred forty-eight anticipated subdivision developments have been reviewed. An update on the Cline Avenue Lake Shore Drive project is expected tomorrow. Police Chief Brittingham commented on the traffic and parking issues at the ball fields. No parking signs and stop signs have been placed in the area over the years; enforcement continues. Mr. Niemeyer discussed adopting a Special Events Ordinance. Chief Brittingham reported on September's call activity including 359 traffic calls, 223 warnings and 21 arrests.

WRITTEN COMMUNICATION

1. **Building Department** – Ms. Murr reported there were 152 new permits valued at over \$26.7 million and 402 alteration permits valued at over \$4.3 million.
2. **Christopher B. Burke Engineering Report** – 133rd Phase II project will be closed out after receipt of INDOT's Material Certification certificate. High Grove and South Shore Subdivision projects are near complete. The Town Club Ditch functioned as it was supposed to with that last major rain. They are awaiting the final waiver of lien and maintenance bond prior to paying the last pay application. Mr. Carnahan asked about 129th Avenue. The 129th Avenue Improvement Project is waiting on funding sources as well as applying for a future Community Crossing Grant. INDOT announced a 90/10 Railroad Crossing Safety Improvement funding with the average crossing costing around \$360,000.00. Mr. Carnahan asked Ms. Murr to follow-up on former Police Chief Coulson's effort to get gates put at the 141st Avenue railroad crossing. Mr. Carnahan asked for an update on Highland Subdivision. Ms. Murr stated NIPSCO has reached out and will need to relocate utilities. NIPSCO will need some easements in order to relocate some polls. The timeline they gave was six to eight months. That project will also involve storm improvements.

Mr. Parker commented on the previous Town Manager and Town attorney's discussions on Special Events permitting, stating the permit needs to be concise. Mr. Parker and Mr. Niemeyer continued with a lengthy discussion. Ms. Murr announced an anticipated one week closure of the railroad crossing between Parrish and 141st Avenue.

PUBLIC COMMENT

Lucy Griffin, 13704 Birch Street, voiced her displeasure with maintenance on Birch Street while Utopia roads were resurfaced. She questioned why subdivision streets are repaved while older ones are not. Ms. Griffin spoke of flooding on her street. Mr. Kubiak explained the resurfacing done in Utopia and on Constitution Avenue was an experimental asphalt preservation process. The process is expected to preserve asphalt that is in its mid-life, for another ten to fifteen years. The company performing the work chose the roads to treat. Ms. Griffin brought up recently

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completed streets that are starting to deteriorate already. She suggested using a different company to do the work. A brief discussion continued.

Gary Seng, American Legion Commander, offered Certificates of Appreciation to the Town Council, Police Department and Street Department, for participation in their Touch a Truck event.

ADJOURNMENT

Vice President Rivera called the meeting to adjournment at approximately 7:48 PM.

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, IAMC
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.