

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



March 17, 2020

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

Roll Call:

Absent	Robert H. Carnahan Council Member	Ward 1	Present	Colleen Schieben 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	

President Niemeyer gave the floor to Town Administrator Murr to give an action report and update on the current health crisis and steps taken to comply with gubernatorial and federal directives. Mrs. Murr stated actions are being taken to live stream all public meetings. The Building Department is encouraging builders to communicate via phone and email to set up meetings. Forms are available online. It is recommended to cancel the Easter egg hunt and mail a gift of sorts to all current registrants. Soccer registrations continue with recommendation to register by mail or use the drop box. Many options are available for paying Utility bills such as online, mail, Demotte State Bank, auto withdrawal and use of the drop box. The smaller utility windows are being utilized to minimize face to face contact. The public restrooms will be closed. Republic will continue with their current garbage pickup schedule. Clubhouse rentals have been suspended. Current rentals can be rescheduled or rental fees refunded. A motion for ratification of items as listed was made by Richard Sharpe with second by Ralph Miller. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 5-0. **A copy of the listed items can be found at the end of the minutes.*

President Niemeyer discussed some of the current directives from the Governor’s office and the CDC. President Niemeyer asked if there was a motion to waive March and April late fees for utility accounts and suspend water shutoffs for the same period. A motion was made by Julie Rivera with second by Colleen Schieben. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 5-0.

PUBLIC HEARING

1. Ordinance No. 1347 – Ravens Public Way Vacation

- a. Attorney’s Review of Legals – All legals are in order.
- b. Opening Remarks – Mark Anderson with CL Leasing along with owner/petitioner Mr. Ravens discussed the proposed vacation of unimproved 125th Avenue immediately west of Wicker Avenue and immediately north of CL Leasing’s property. Mr. Anderson explained many of the reasons for vacating the area. Mr. Ravens spoke of his reasons for vacating are mainly for safety. Further information was shared with the Council and a lengthy discussion continued.
- c. Reading of Ordinance No. 1347 – Mrs. Rivera read by title only. Mr. Austgen explained this is a standard procedure but noted it’s unique. He mentioned Mr. Anderson’s lack of citing legal authority. The law is that the division of the property is divided half and half. This is a business transaction that is twofold, the property is already being used by Mr. Ravens and there is a commercial gain to be had from vacation of this public way. This is unlike what is normally seen with public way vacations. Discussion continued on the property transaction.
- d. Remonstrators – None
- e. Town Council Discussion – Mr. Miller asked who owns the property on the other side. Mr. Anderson named the two property owners as Olthof/Hanover and Henn. A brief discussion continued on the property and the adjacent owners. President Niemeyer asked if this was more of a real estate sale. Mr. Austgen stated yes. The Town would be donating the property. A very lengthy discussion occurred on dimensions, property value, other commercial vacations, Town boundaries and access to Olthof subdivision and safety. Mr. Austgen recommended deferring and to continue the public hearing. A brief discussion continued on the requested vacation and legalities. A motion to defer was made by Ralph Miller with second by Colleen Schieben. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – No. Vote: 4-1.

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PRESENTATION

Gary Seng, American Legion Commander, announced another Touch a Truck activity is planned for August 01, 2020 and asked for the Town to provide vehicles for the event. Fire Chief Wilkening stated he would provide vehicles on the understanding there may be calls to respond to. Jim Johnson, American Legion Riders Director, announced the annual motorcycle rally June 25th through the 28th hosted by the Cedar Lake American Legion. This event is for statewide Legion riders only. Chief Fisher offered his department's assistance in getting the riders on and off the road. Discussion followed on noise ordinance regulations, riders' commendations, routing, number of riders and traffic control. A motion to support the American Legion events and direct Town's staff to participate was made by Julie Rivera with second by Colleen Schieben. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 5-0.

PUBLIC COMMENT

Kevin Toth, 9725 W 129th Place, commented he would like for copies of ordinances and resolutions on the agenda to be available to the public before a meeting. It is difficult to comment those items if they are not available for the public to read. Mr. Niemeyer found no problem with putting those items out on meeting nights. Mr. Toth discussed steps his office is taking in light of the current health crisis. His office is open for assistance to anyone in need.

CONSENT AGENDA

- 1. Claims:** All Town Funds: \$26,113.81; Wastewater Operating: \$190,506.17; Water Utility: \$55,966.52; Storm Water: \$30,435.40; and Payroll: March 03, 2020 \$235,910.10
- 2. Manual Journal Entries:** February 1-29, 2020
- 3. Tag Day Requests:** April 4 - October 24, 2020
- 4. Town Grounds Request:** Meals on Wheels – June 7, 2020

A motion to accept the consent agenda was made by Ralph Miller with second by Julie Rivera. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 5-0. President Niemeyer reminded everyone, on behalf of Bob Carnahan, to fill out the census form.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1348: Water Rates

Council Member Rivera read by title only. President Niemeyer explained this was to move the water rates forward to get the same rate for all water utility customers. A petition to raise the rates will be sent to Indiana Utility Regulatory Commission upon passage of this ordinance.

A motion to adopt Ordinance No. 1348 was made by Richard Sharpe with second by Julie Rivera. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote 5-0.

2. Ordinance No. 1349: Job Description Amendment

Council Member Rivera read by title only. Mrs. Murr stated this was a change of job title from Assistant Fire Chief to Deputy Fire Chief making it a salaried position and would be considered a promotion. Mr. Niemeyer explained the discussion and process that led to the change. A motion to approve Ordinance No. 1349 was made by Ralph Miller with second by Coleen Schieben. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 5-0.

3. Ordinance No. 1350: 2020 Salary Ordinance Amendment

Council Member Rivera read by title only. Mrs. Murr explained it would reflect the Police Department raises, add a Deputy Fire Chief position, set observed Fire Department holidays, and allow holiday pay for part-time firefighters.

A motion to approve first reading Ordinance No. 1350 was made by Julie Rivera with second by Richard Sharpe. Mr. Niemeyer stated he prefers a more patient approach and waiting for our in-house financial analysis. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – No. Vote: 4-1.

4. Resolution No. 1255: Rainy Day Transfer

Council Member Rivera read by title only. Clerk-Treasurer Sandberg recommended a transfer of \$30,000.00 from the General Fund to the Rainy Day Fund. This is based upon unencumbered funds remaining from 2019.

A motion to approve Resolution No. 1255 was made by Richard Sharpe with second by Ralph Miller. Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 5-0.

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NEW BUSINESS

1. Christopher B Burke Proposal - Subdivision Roadway Plan Update

Mrs. Murr explained this will update the Road Plan, adding various sections including Noble Oaks and to bring them up to a twenty percent completion rate. Seven sections have been completed and three have rolled to a new plan. The direct cost is \$137,150. Discussion occurred on the Street Committee meeting that led to updating the plan and the street listing followed. President Niemeyer would like Birch Street added to the plan.

A motion to approve the proposal was made by Julie Rivera with second by Richard Sharpe.

Roll call vote: Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes.

Vote: 5-0.

REPORTS

1. Town Council - Mr. Niemeyer asks everyone to stay calm, be diligent, be a good neighbor and use common sense. It is upsetting when government oversteps peoples' Constitutional rights.

2. Town Attorney – No report

3. Clerk-Treasurer – No report

4. Town Administrator – Mrs. Murr reported the JMOB joint council meeting has been moved to March 30th.

5. Director of Operations – Mr. Kubiak is absent.

6. Police Department – Mrs. Murr reported the Fire and Police Departments have directives to protect our public safety members. Mr. Niemeyer asked the directives be posted on our website and Facebook. Chief Fisher met with Mr. Valentin regarding speeding complaints in Centennial. Two temporary stop signs have been installed in the subdivision as well as a speed sign.

7. Fire Department – Nothing other than their directive.

WRITTEN COMMUNICATION

1. Hanover Community School Corporation – Resource Officer Training – Ms. Murr reported the Corporation sent a thank you letter for use of the Clubhouse for their training.

2. Building Department Permits – Year to date there are 16 new permits valued at just over \$2.4 million and 64 alteration permits valued at just under \$850,000.00.

PUBLIC COMMENT

Nick Werley, 7000 W. 137th Pl., Apt A, stated there are signs and flags being put up along Morse Street. There are two houses that need to be demolished two blocks over. Mr. Sharpe said addresses are needed. The white lines on the road are hard to see when walking; the lines need to be wider. The Council thanked Mr. Werley for his help in addressing these matters.

Antonio Daggett introduced himself to the council as a Northwest Indiana resident of 21 years. He retired after 36 years of military service. He is a candidate for District 1 of the US Congress. He and his wife are interested in the needs and concerns of Cedar Lake. Various Council members thanked Mr. Daggett for his service and wished him well.

Mr. Valentine thanked the council for putting up the temporary stop signs in his subdivision but reported people are still speeding and running the stop signs. Mr. Valentine feels speed bumps would do more than stop signs. He has video of violations. Discussion followed on speed bumps vs. speed humps. President Niemeyer directed Mrs. Murr to contact Public Works to get pricing for speed humps as well as contacting the Streets Committee. President Niemeyer also reminded her to follow-up with on the Jane Ball students and a potential project. Chief Fisher asked for copies of the video for the department to review. Chief Fisher asked about the stop sign placement process. President Niemeyer told Chief to place the signs where needed, the map would be updated and then codified. Mrs. Schieben stated she has had speeding complaints from the South Shore Subdivision.

ADJOURNMENT Council President Niemeyer called the meeting to adjournment at approximately 8:45 PM.

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

Randell Niemeyer, President

Julie Rivera, Vice President

Robert H. Carnahan

John Foreman

Ralph Miller

Colleen Schieben

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.

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MINUTES OF THE TOWN COUNCIL

TOWN OF CEDAR LAKE

Office of the Town Administration

7408 Constitution Ave – PO Box 707 – Cedar Lake, IN 46303
Tel (219) 374-7400 – Fax (219) 374-8588



Town of Cedar Lake Announces Steps to Slow the Spread of COVID-19

The Town of Cedar Lake in an effort to slow the spread of novel coronavirus (COVID-19) has announced the following proactive efforts. The measures being taken are not to limit or halt any of the governmental services the Town provides to our citizens. We will continue to provide quality services and have available personnel to assist you with any issues you are having.

Meetings are open to the public, but will be live streamed on YouTube. The link to the live broadcast is <https://cedarlakein.org/view-town-meetings/>. The Cedar Lake Town Council as well as Board & Commission meetings scheduled for 2020 at this time are still going to occur. Steps are being taken to live stream all public meetings.

Town Hall & Administration

Building Department - encourage builders to communicate with the building department via telephone or email. Building permit forms are available online. Schedule appointments for building permit transactions. (219) 374-7400

Recreation Programs – Easter Egg Hunt scheduled for April 3, 2020 is cancelled. An alternative for those registered will receive a gift via mail. Soccer registration will continue, we encourage registration via US mail or drop box at the Town Hall; questions or if an appointment is needed - email events@cedarlakein.org or call (219) 374-7400 x119.

Clerk-Treasurer's office

Utility Bills – payment options:

US mail, Drop Box at Town Hall or Demotte State Bank in Cedar Lake.

Online – www.cedarlakein.org; by phone at (855) 246-9327 with a credit card, however, there is a processing fee;

Sign up for Automatic Withdrawal – the form is available on the website or call the utility department at (219) 374-7000.

Park Restrooms on the town grounds will be closed.

Face-to-Face meetings will be limited utilizing conference calls or streaming when possible. Utilize social distancing when meeting.

Clubhouse & Shelter rentals – no future rentals are being taken at this time. Those who have upcoming dates may request a transfer to a future date or request a refund.

Public Works –Saturday “Clean Up” dates are cancelled for March and April. Building and dumpster access will be by appointment only. Please call (219) 374-7478.

Republic has stated that trash collection will continue for the town's residential routes and contracted services.

Updated 03/18/2020