

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



**April 21, 2020**

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

*In an effort to maintain transparency and accessibility while keeping accordance with the Governor's Executive Orders relating to COVID-19, the Town Council meeting limited in person attendance but the live broadcast was streamed and can be viewed at <https://cedarlakein.org/view-town-meetings/>. Questions and comments were accepted electronically and instructions can be found on the Public Meeting Agenda, a copy of which can be found at <https://cedarlakein.org/wp-content/uploads/2020/04/TOWN-COUNCIL-4.21.2020.pdf>*

**Roll Call:**

Present*	Robert H. Carnahan	Ward 1	Present*	Colleen Schieben	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, IAMC	
	Council Member			Clerk-Treasurer	
Present	Ralph Miller	Ward 4	Present*	Jill Murr, CPM, IAMC, MMC	
	Council Member			Town Administrator	
Present	Randell Niemeyer	Ward 5	Present	David Austgen	
	Council Member			Town Attorney	

*\*Town Administrator Murr and Council members Carnahan, Sharpe and Schieben participated remotely.*

**PUBLIC COMMENT – None**

**CONSENT AGENDA**

- 1. Minutes:** April 7, 2020
- 2. Claims:** All Town Funds: \$167,548.55; Wastewater Operating: \$97,269.85; Water Utility: \$37,398.12; Storm Water: \$3,808.43; and Payroll: ( April 16, 2020) \$167,679.65
- 3. Manual Journal Entries:** March 1-31, 2020

A motion to accept the consent agenda was made by Ralph Miller with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

**ORDINANCES & RESOLUTIONS**

**1. Ordinance No. 1351 – Waterworks Bond Ordinance**

Council Member Rivera read by title only. Town Attorney Austgen explained this is a water revenue bond authorization ordinance for up to \$5 million with an interest rate not to exceed 6%. This is part of the capital improvement plan, anticipated debt service and funding for east and west side improvements. Mr. Carnahan discussed sections of the ordinance and asked if the other water bonds listed in the documents were still outstanding. Clerk-Treasurer Sandberg answered in the affirmative. Mr. Austgen explained BAN, Bond Anticipation Note, as a temporary financing in advance of permanent financing.

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A motion to approve first reading was made by John Foreman with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

A motion to suspend rules to allow for second reading was made by John Foreman with second by Colleen Schieben. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

Mrs. Rivera read the ordinance by title only.

A motion to adopt Ordinance No. 1351 was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

**2. Ordinance No. 1352: Emergency Response Billing**

Mrs. Rivera read by title only. Mr. Austgen stated he has intimately reviewed the ordinance that he did not draft and finds it to be problematic. He stated the Town's financial advisor concurred. A lengthy discussion followed on lack of parameters such as the fee schedule, identification of services, definitions, billing process, compliance with the Indiana Home Rule Act, and the legality of the ordinance. Chief Wilkening stated the ordinance was written verbatim to Crown Point and Merrillville ordinances. The Chief's proposed fee schedule is the same as Crown Point's. Mrs. Murr and Chief Wilkening will work with the Town Attorney to produce an actionable item. Mr. Austgen will circulate his comments to everyone.

A motion to defer Ordinance No. 1352 until the second meeting in May was made by John Foreman with second by Colleen Schieben. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

**3. Ordinance No. 1353: Public Safety Board Establishment**

President Niemeyer stated a draft of the ordinance is not ready yet but left on the agenda as a point of discussion. They are looking into adding two members to the three member Police Commission to form a Public Safety Board for the Police and Fire Departments. Mr. Austgen discussed surrounding communities that have formed Public Safety Boards and are operating seamlessly; incorporating public safety functions into the jurisdictional oversight. Chief Fisher asked if the Public Safety Board's rules, regulations and responsibilities will be similar to the Police Commission's. Mr. Austgen replied in the affirmative. President Niemeyer asked Chief Wilkening if he has any questions or concerns. Chief Wilkening replied he would like two firemen on the board. Discussion followed on adding people with open minds and no preconceived notions. Chief Fisher stated the current members of the Police Commission expressed willingness to serve as members of the Public Safety Board. Mr. Austgen will continue drafting the ordinance.

**4. Resolution No. 1256 – Utility Waiver of Late Charge Fees**

Mrs. Rivera read by title only. President Niemeyer had asked Mr. Austgen draft the resolution to put into record the action taken at the last meeting to waive Utility late fees, March through June, in response to the COVID-19 situation. The negative side would be the number of people paying late. President Niemeyer asked if late payments were being tracked and if there is a noticeably increase. Clerk-Treasurer Sandberg stated running reports now wouldn't give an accurate account of late payments or reductions in revenues; another month is needed to get an idea of the effects.

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A motion to approve Resolution No. 1256 was made by Robert Carnahan with second by Colleen Schieben. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

**NEW BUSINESS**

**1. Utility Easement Agreement**

Mr. Austgen explained the agreement between Cedar Lake Commercial, LLC and the Town was discussed during the Utility Board Meeting for the extension of a water main between 125<sup>th</sup> Avenue and Wicker Avenue. Discussion followed on the location of the parcel.

A motion to approve the utility easement agreement was made by Ralph Miller with second by Julie Rivera. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7-0.

**2. CCMG 2020-1**

Mrs. Murr explained the Community Crossing Match Grant contract in the amount of \$671,459.32. The grant is approximately ½ the cost of the Hot in Place Construction Project. A brief discussion followed on the areas covered in the project. President Niemeyer asked if there were funds available to match the grant. Mrs. Murr replied some of the funds were identified under TIF, MVH Restricted and Storm Water to cover portions. Discussion followed on the effects of delayed property tax payments and the reduction of gas tax revenue.

A motion to approve the CCMG 2020-1 Grant was made by Robert Carnahan with second by Ralph Miller. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

**3. American Structure Point Change Order No. 4 (R-35975)**

Mrs. Murr explained the change order in the amount of \$17,760 for top soil. INDOT will cover 80% of the cost. The Town will be responsible for the other 20%.

A motion to accept Change Order No. 4 was made by Julie Rivers with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

**4. Operations During Covid-19 Emergency and all Matters Related**

President Niemeyer stated actions are ongoing in compliance with the governor's Covid-19 executive orders. *A copy of the updates can be found at the end of the minutes.*

A motion to acknowledge was made by Robert Carnahan with second by Julie Rivera. Mr. Miller discussed the election moving from May to June. President Niemeyer added early voting has been condensed to one week, May 25th through June 1st. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7 - 0.

**REPORTS**

1. Town Council – Mr. Foreman brought up last meeting's discussion on Fire Department raises asking Clerk-Treasurer Sandberg to keep that on the forefront. President Niemeyer discussed the urgency to find anticipated budget shortfalls due to reduced revenues and how it affects operations. He requested a meeting of the Council Affairs Committee, financial advisors, Town Attorney, Town Administrator and Clerk-Treasurer to formulate

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projections. Discussion followed on qualification for bowring from the Indiana Bond Bank, availability of Federal Financing, engaging staff to gather data and needing a management strategy. A robust report is expected after the committee meeting to circulate to Council. Mr. Niemeyer stated delaying the opening of the economy may cause a collapse in food supply. Unused processing capabilities could be used to process excessive agricultural products. Mr. Niemeyer stated the economy needs to start opening.

2. Town Attorney – No report.
3. Clerk-Treasurer – No report.
4. Town Administrator/Staff – Mrs. Murr thanked Police, Fire and Public Works for keeping Town facilities and the community safe.
5. Police Department – Chief Fisher reported via Zoom, the department’s March Incident Report. There were 638 calls in March bring the year’s total to 2,285. Domestic calls have not increased. The department received KN95 masks that have an EAU rating. They will be used as backup to their N95 masks.
6. Fire Department
  - a. Ambulance Bid Specifications - Chief Wilkening reported via Zoom, that the ambulance specs were distributed to the Town Administrator, Town Attorney and Clerk-Treasurer. Discussion on donating the old ladder truck to the training academy due to lack of interested buyers ensued. President Niemeyer asked for the donation of the truck to be on the next agenda.
  - b. Hydrant Fee/Tax – President Niemeyer reported Mr. Austgen has been researching administration of fees and should have a report shortly.

Mr. Carnahan commented on the positive response to the Easter Bunny being driven through neighborhoods. He noticed the excellent job of crack sealing in Havenwood subdivision stating the Town should do the same. Mr. Carnahan spoke with the Operations Director about crack sealing. Chief Fisher asked to move forward with obtaining bids toward vehicle purchases. President Niemeyer replied is it always good to be prepared with specifications on hand.

**PUBLIC COMMENT - None**

**ADJOURNMENT** Council President Niemeyer called the meeting to adjournment at approximately 8:40 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

# TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

## MINUTES OF THE TOWN COUNCIL

### **TOWN OF CEDAR LAKE**

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



April 19, 2020

#### Town of Cedar Lake

#### Updates on 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 updated and modified our 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.

As a result of the evolving Coronavirus (COVID-19) situation, and in compliance with Indiana Governor's Executive Orders including and through Executive Order 20-22 issued April 19, 2020, the Town of Cedar Lake is continuing its social distance practices for its buildings, departments and facilities.

The following new practices have occurred and/or will become effective immediately:

Access to Town Hall, Public Works, and Cedar Lake Clubhouse will continue to be closed to the public. Staff will be working and available by telephone and email during normal business hours. We have suspended all in-person services.

#### Changes due to change in Primary Election Day to June 2, 2020:

Amend 2020 Town Council meeting schedule to reflect the change to having a meeting on May 5, 2020 and no meeting on June 2, 2020. Allow the change in date for the use of the Town Hall facility for the Primary Election on June 2, 2020. The Lake County Election Board shall provide all their own cleaning supplies, sanitizer, and meet social distancing requirements.

#### Tag Dates

Tag dates will comply with the Governor's stay at home executive orders. Dates will be rescheduled.

#### Parks

Public parks are open, for outdoor activity provided that there is compliance with Social Distancing Requirements. As per the Indiana Governor's Executive Order, public access to playgrounds may increase the spread of COVID-19 and are closed. Public Restrooms on the town grounds will continue to be closed.

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. All rentals scheduled through May 15, 2020 have been cancelled and refunds will be issued.

Staffing – Extension alternate work day scheduling for all clerical staff Town Hall Administration and Building Department, Police Department Fire Department, Public Works and Clerk-Treasurer staff through and including May 1, 2020. Town Administrator and staff are working on a roll out plan to ensure safety.

#### Meetings:

Meetings will be held in compliance with the Indiana Governors Order and Open Door Law. The link to the live broadcast is <https://cedarlakein.org/view-town-meetings/>.

#### Public Works & Utility

Public Access to the facility is closed. All dumpster access/drop off of electronics and tires are suspended until further notice. Saturday "Clean Up" date for May is cancelled. Please call (219) 374-7478. Utility staff will not enter residences to read or change meters unless in an emergency. Dumpsters are located around town for residential use.

These practices will not only protect our residents and employees, but hopefully reduce the impact of COVID-19 yet continue to remain available for the public. As circumstances evolve, so too will our response.

Updated 04/19/2020