

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



May 5, 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/2020/05/TOWN-COUNCIL-05.05.2020.pdf>*

**Roll Call:**

Present	Robert H. Carnahan Council Member	Ward 1	Present	Colleen Schieben Council Member	Ward 6
Present	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	

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

**PUBLIC COMMENT** – None

**CONSENT AGENDA**

1. Minutes: April 21, 2020
2. Claims: All Town Funds: \$231,091.36; Wastewater Operating: \$71,178.25; Water Utility: \$62,621.17; Storm Water: 24,171.22; and Payroll: April 30, 2020 & May 01, 2020 \$184,386.21

A motion to accept the consent agenda was made by Ralph Miller with second by Richard Sharpe. Roll call vote: Carnahan – No, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 - 1.

*President Niemeyer amended the agenda to add an item.*

**POLICE COMMISSION RECOMMENDATION – NEW HIRE**

Chief Fisher, via Zoom, read a favorable letter of recommendation from the Police Commission for hiring Shaun E. Meyer as a Probationary Police Officer; three voted in favor with none opposed.

A motion to approve the new hire was made by John Foreman with second by Colleen Schieben. Mr. Carnahan asked if the officer was already certified or required training. Chief Fisher stated he only need field training. He’ll be on the road and training within the department right way. He anticipates eight to ten weeks of field training. Mr. Foreman stated this was not a new position but a replacement due to a vacancy within the department. Chief Fisher answered in the affirmative. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – No. Vote: 6 - 1.

**ORDINANCES & RESOLUTIONS**

**1. Ordinance No. 1352 – Emergency Response Billing**

Attorney Austgen commented on the continued review and development of the ordinance for the fee that will be legal, valid and constitutional. The process uncovered current ordinances and codes that will and may need revisions. It is unlikely the ordinance will be ready for the next meeting. Mrs. Murr and Chief Wilkening reported on the meeting with Mr. Austgen where ordinances in need of revision were discussed.

A motion to defer was made by Julie Rivera 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.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA  
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**2. Ordinance No. 1353 - Public Safety Board Establishment**

President Niemeyer stated the ordinance is not prepared yet but wants to keep it in the forefront. He was asked by the Hanover Trustee if it was permissible or advisable to appoint a member from an unincorporated area. Mr. Austgen commented statute does not talk about it, but clearly talks about the Town and the municipal boundaries, services and jurisdiction. Statute talks about the Town not beyond. We are constraint by our legal parameters. He will look at the question as his work continues on the ordinance.

A motion to defer was made by John Foreman 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.

**NEW BUSINESS**

**1. Stormwater Contractor**

Mrs. Murr stated in 2015 the Council approved a list of contractors for Stormwater on-call services. Rate sheets from seven contractors were solicited with four responsive. It is recommended to continue with B&D Sewer, Metro Excavating, PGX, and Ziese & Sons Excavating with their updated rates. This item was reviewed with the Town Attorney.

A motion to approve the contractor list for on-call services was made by Robert Carnahan with second by John Foreman. Roll call vote: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 7-0. President Niemeyer asked how they go through the list of contractors. Operations Director Kubiak reported it is based on availability and scope of work.

**2. Summerfest**

Gordon Dickson, Cedar Lake Summerfest President, announced the cancellation of the 2020 Summerfest due to Governor Holcomb's COVID-19 restrictions on fairs and festivals. The Summerfest committee is requesting an extension of this year's contract. The only change would be the dates of the event. Mr. Foreman commented most residents think the Summerfest is run by the Town. Mr. Carnahan explained the evolution of the Town running the Summerfest to the formation of a Committee to run the event. Discussion followed on the Town's involvement and benefits as well as the Summerfest's contributions to the community.

A motion to direct the attorney to prepare a replacement resolution for the contract 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. Operations During Covid-19 Emergency and all Matters Related**

Mrs. Murr explained the Town is planning for a phased re-opening. Town Hall meeting room public access will follow social gathering guidelines of no more than 10 people through May 10<sup>th</sup> ; and on or after May 11<sup>th</sup> no more than 25 people. Social distancing requirements will continue to be followed. Town Hall & Clerk-Treasurer offices will remain closed to the general public through May 17, 2020. Beginning Monday, May 18, 2020, in accordance with social distancing guidelines, a limit of two (2) customers will be allowed at any given time with a limit of one (1) for Utility/Clerk Office business and a limit of one (1) for Building Department business. Doors will continue to be locked and customers will be "buzzed" in. A re-opening guideline document is being created to distribute to staff after attorney's review.

A motion to approve the update to the COVID-19 Operations was made by John Foreman 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.

**REPORTS**

**1. Town Council**

**a. Council Affairs Committee**

Mr. Sharpe reported on the productive meeting with members of London Witte group (LWG). Discussion centered on the effect of Covid-19 on revenues. Mr. Miller mentioned the estimated shortfalls that were discussed. Mr. Niemeyer discussed topics of the meeting including the impact of lessened property tax and miscellaneous revenue collections. The draft from LWG projects an estimated negative impact on the general fund of \$420,912. Options to help negate the shortfall included the legal use of CCD funds, borrowing from the Indiana Bond Bank and TIF revenue use. The governor announced \$300 million will be disbursed to Cities and Towns based on population. Mr. Carnahan commented on the lower than anticipated Census response.

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

- b. Public Safety Committee  
Mrs. Rivera reported discussions included ways to increase fire department salaries, increasing the Chief's salary, hydrant fees and ambulance billing. Mr. Miller added the Fire Billing Ordinance the attorney is preparing was discussed. Chief Wilkening commented that the department's shortfalls are two-fold due to the loss of personnel in the last few years and something has to be done. A fire territory would help. Mr. Niemeyer will be contacting Crown Point's mayor to set up a meeting with interested parties to discuss a fire territory.
2. Town Attorney – No report
3. Clerk-Treasurer – Clerk-Treasurer Sandberg reported on continuing work with financial advisors. She has applied for a tax advance from Lake County. She is anticipating some smaller temporary loans for operational expenses. She'll update them as she learns more. Mr. Carnahan commented he hasn't received a sewer bill yet. Ms. Sandberg stated the water department had technical issues while reading the meters. Information was late getting to the billing department and the billing went out a few days later than normal. She anticipated a delay of only a few days.
4. Town Administrator/Staff - Mrs. Murr reported the roundabout currently has a partial closure. A conference call occurred early about opening the roundabout during weekends. The full closure is anticipated for May 13<sup>th</sup>. This is anticipated to last for two weeks. They will still open on the weekends. Mid-June is the anticipated completion date. All businesses will remain open. Mr. Carnahan mentioned the sprinkler system repair and reinstallation of the guardrail should be on the punch list. Mrs. Murr verified they were on the list. She asked them to consider having the Street Committee participate in the walk through at the end of the project. Facebook, Code Red and the Town's website will be used for roundabout notifications. A lengthy discussion continued on the businesses impacted by the roundabout project. Mrs. Murr stated the Clerk-Treasurer will have the requested reports on waived utility late fees at the next meeting. Mr. Foreman complimented Mrs. Murr on the monthly newsletter.
5. Police Department - Chief Fisher via Zoom asked if all are going to be involved in Public Safety meetings. He was unaware of the last meeting. President Niemeyer replied the last meeting focused on the Fire Department. There will be times when things are separated out. The Chief may request a meeting at any time if needed. Probationary Patrolman Meyer will start work on May 11<sup>th</sup>. Chief Fisher reported working with the Hanover Superintendent, Fire Department and Boys and Girls Club to have a parade, when COVID-19 allows, honoring seniors.
6. Fire Department - Chief Wilkening reported via Zoom. The department can no longer accept requests for birthday parades due to the large number of requests and the increase in call volumes. Businesses starting to reopen are cautioned not to modify anything that would cause a fire code violation. Owners may contact the Fire Department with questions and for guidance. Chief Fisher added he sent a letter to the Chamber on governmental guidelines and strategies for reopening businesses.
  - a. Ambulance Bid Specifications  
Mr. Austgen reviewed the bid specifications, invitation to bidders has been prepared and it can go to publication this week.
  - b. Hydrant Fee/Tax  
Mr. Austgen reported the Fire Department cannot have water money from hydrants that are within the Water Utility, collected for the utility. Discussion followed on hydrant acquisition, usage and current consumer hydrant fees. Any change in fees is jurisdictional to the IURC.

**PUBLIC COMMENT**

Mrs. Murr received two emails from Kathy Broomhead. The first email asked if the Farmer's Market was going to be opened on May 27<sup>th</sup>. Mrs. Murr will discuss social distancing logistics with Kelly Dykstra and report back to Council. The second email asked if the fire and police departments are going to be a public safety facility. Mr. Niemeyer discussed the estimated costs and the ad hoc committee that was formed to discuss the possibility of future police and fire facilities. Nothing is planned in the near future. See attachments below.

**ADJOURNMENT** Council President Niemeyer called the meeting to adjournment at approximately 8:30 PM.

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

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Randell Niemeyer, President

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Julie Rivera, Vice President

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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

May 5, 2020



#### Town of Cedar Lake Proposed Phased Re-Opening Plan

The Town of Cedar Lake, in response to the Coronavirus (Covid-19) pandemic, continues to update and modify the measures being taken to ensure continuity of 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 20-26 issued May 1, 2020, the Town of Cedar Lake is continuing its social distance practices for its buildings, departments and facilities.

The Town of Cedar Lake is planning for a phased re-opening. Current operations and a re-opening plan is outlined in accordance with Governor Eric Holcomb's Executive Orders.

Town Council, Board & Commission meetings will be held at their normally scheduled date and time unless otherwise posted; these meetings will continue to be held in compliance with the Indiana Governors Orders and Open Door Law. The meetings will be live streamed/broadcast with access via <https://cedarlakein.org/view-town-meetings/> with video conferencing, Public Access and opportunity for public comment will be on each meeting agenda. Town Hall meeting room public access will follow social gathering guidelines of no more than 10 people through May 10<sup>th</sup>; and on or after May 11<sup>th</sup> no more than 25 people. Social distancing requirements will continue to be followed.

#### Town Buildings:

Town Hall & Clerk-Treasurer offices will remain closed to the general public through May 17, 2020. Beginning Monday, May 18, 2020, in accordance with social distancing guidelines, a limit of two (2) customers will be allowed at any given time with a limit of one (1) for Utility/Clerk Office business and a limit of one (1) for Building Department business. Doors will continue to be locked and customers will be "buzzed" in. After each customer, all contact surfaces will be cleaned prior to another customer entering.

Building Department will continue to encourage builders to communicate with the Building Department via telephone or email. Building permit forms and Contractor License applications are available online. Schedule appointments for building permit transactions and inspections by calling (219) 374-7400. A no-contact box has been placed in the Town Hall entryway and will continue to be utilized.

#### Clerk-Treasurer's Office

##### Utility Bills

Payment options:

- US mail, Drop Box at Town Hall or Demotte State Bank in Cedar Lake. Payments should be securely sealed in an envelope. Cash payments are discouraged.
- Online – [www.cedarlakein.org](http://www.cedarlakein.org); by phone at (855) 246-9327 with a credit card, however, there is a processing fee;



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

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

The Cedar Lake Town Council approved Resolution No. 1256 on April 21, 2020 which waived utility late fees and charges on the monthly utility billing cycles of March, April, May and June 2020. Utility shut-offs continue to be suspended per the Governor's executive orders.

Alarm Permits: By mail or drop box only.

Dog Tags: By mail or drop box only, extend due date extension to May 29, 2020, after that price increases.

Meetings with Town staff will be by appointment only and will follow social distancing guidelines.

Public Works buildings 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. Dumpster access will be available on Saturday's through the month of May from 9a to 1 p. Utility staff will not enter residences to read or change meters unless in an emergency.

Tag Dates: will comply with the Governor's stay at home executive orders and social distancing guidelines. Tag Dates scheduled through May 23<sup>rd</sup> have been 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 is closed. Playgrounds will tentatively open Sunday, May 24, 2020. Public Restrooms on the town grounds will continue to be closed with a tentative re-opening on Sunday, May 24, 2020.

Clubhouse & Shelter rentals: public rental for town-owned facilities will tentatively begin July 1, 2020. Following State Guidelines:

Social gatherings in Stage 2 - May 11<sup>th</sup> – 23<sup>rd</sup>, 2020, are limited to no more than twenty-five (25) people; in Stage 3 – May 24<sup>th</sup> – June 13<sup>th</sup>, 2020 are limited to no more than one hundred (100) people.

All clubhouse rentals May 11<sup>th</sup> – 23<sup>rd</sup> shall have no more than twenty-five people; May 24<sup>th</sup> through and including June 13, 2020 rentals will be limited to no more than 50% capacity which is 83 for Clubhouse. All rentals shall follow the CDC social distancing guidelines. Those who have dates in 2020 may request a transfer to a future date or request a refund. All rentals scheduled through May 16<sup>th</sup> have been cancelled and refunds will be issued. Upcoming rentals will be reviewed by Town staff to ensure compliance with social gathering standards per executive orders and CDC guidelines.

Staffing: Clerical staff: Town Hall Administration and Building Department, Police Department, Fire Department, Public Works and Clerk-Treasurer staff will start to return to offices on Monday, May 11, 2020. In compliance with the Governor's orders, there will be a return to work plan.

Primary Election Day June 2, 2020: Open Town Hall offices at 10 am on Wednesday, June 3, 2020 to allow for cleaning of the facility after the Primary Election.

Parades: The Town will follow the Indiana Governors Orders that there shall be no parades until Stage 5, which begins July 4, 2020 and beyond. Social distancing guidelines should be maintained.

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 05/05/2020

### PUBLIC COMMENT VIA EMAIL:

**Jill Murr**

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**From:** Kathy Broomhead <kathybroomhead66@gmail.com>  
**Sent:** Tuesday, May 05, 2020 8:03 PM  
**To:** Jill Murr

Is the Farmers market is going on for may 27th?

**Jill Murr**

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**From:** Kathy Broomhead <kathybroomhead66@gmail.com>  
**Sent:** Tuesday, May 05, 2020 8:08 PM  
**To:** Jill Murr

Is the fire dept and the police dept going to be a public safety facility?