

Town Council Public Meeting
August 4, 2020

ORDINANCES & RESOLUTIONS:

1. Ordinance No. 1358 – Job Description Amendment

P2-11

First Reading: July 21, 2020

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

2. Ordinance No. 1357 – 2020 Salary Ordinance Amendment

P12-13

First Reading: July 21, 2020

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

3. Ordinance No. 1359: Voluntary Annexation (Introductory Reading)

P14-17

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

4. Resolution 1263: Transfer Resolution

P18

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

BZA:

1. Boudreau – Expired Variance Extension Request

P19-23

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

PLAN:

1. Letter of Credit: Beacon Pointe Unit 1A

P24-26

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

2. Letter of Credit: Beacon Pointe Unit 2

P27-29

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

Town Council Public Meeting
August 4, 2020

NEW BUSINESS:

1. Award Bid for Community Crossing Grant 2020-01 Funding Project - Surface Treatment, Thin HMA Overlay

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

2. Ambulance Bid - Deferred from July 21, 2020

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

3. Fall Soccer Program

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

4. Carpere – Second Addendum

P30-34

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

5. Palmer – Use Extension of 10833 W 133rd Ave

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

6. Ratification of Walsh & Kelly Paving Proposal

P35

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

7. Request for Proposals

Motion: _____ 1st _____ 2nd

Robert H. Carnahan	John Foreman	Ralph Miller	Colleen Schieben	Richard Sharpe	Julie Rivera	Randell Niemeyer	Vote Tally
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

Town Council Public Meeting
August 4, 2020

REPORTS:

1. Town Council
 - a. Council Affairs Committee
 - b. Parks & Recreation Committee
 - c. Stormwater
 - d. Letter of Gratitude
2. Town Attorney
 - a. Ordinance No. 1352 – Reimbursement Fee
3. Clerk-Treasurer
4. Town Administrator
5. Director of Operations
6. Police Department
7. Fire Department

P36

WRITTEN COMMUNICATION:

1. Lingenfelter - Truman Circle
2. Christopher Burke Report

P37

P38-44

PUBLIC COMMENT:

ADJOURNMENT:

PRESS SESSION:

NEXT MEETING: Tuesday, August 18, 2020 at 7:00 pm

The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Cedar Lake Town Hall at (219) 374-7400.



August 4, 2020

ALL TOWN FUNDS	\$130,789.33
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WASTEWATER OPERATING	\$158,264.57
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WATER UTILITY	\$28,803.09
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STORM WATER	\$19,942.13
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PAYROLL 7/23/2020 & 7/31/2020	\$190,255.49
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TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

ORDINANCE NO.: 1358

AN ORDINANCE AMENDING TOWN ORDINANCE NO. 1150, BEING: “AN ORDINANCE ESTABLISHING JOB EMPLOYMENT DESCRIPTIONS FOR THE EMPLOYEES OF THE TOWN OF CEDAR LAKE, REPEALING ALL ORDINANCES AND TOWN CODE SECTIONS, OR PORTIONS THEREOF, IN CONFLICT HERewith, INCLUDING TOWN ORDINANCE NO. 1274; AND ALL MATTERS RELATED HERETO”, ADDING THE JOB DESCRIPTIONS OF UTILITY ACCOUNTING SPECIALIST AND TECHNOLOGY DIRECTOR JOB POSITIONS FOR THE TOWN, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter the “Town Council”), has previously adopted its Ordinance No. 1150 on February 21, 2012, establishing Job/Employment Descriptions for the Employees of the Town of Cedar Lake; and

WHEREAS, the Town Council has previously adopted its Ordinance No. 1274 on November 7, 2017, Amending Town Ordinance No. 1150, and establishing and amending certain Job/Employment Descriptions for the Town Employees of the Town of Cedar Lake; and

WHEREAS, the Town Council has reviewed the growth and staffing needs for the Town and specifically a Utility Accounting Specialist and a Technology Director; and

WHEREAS, the Town Council has determined after such review that the need to add Utility Accounting Specialist and Technology Director job descriptions exist; and

WHEREAS, the Town Council, upon its review, has determined it appropriate, advisable, and in the best interests of the residents of the Town, that Utility Accounting Specialist and Technology Director employment position job descriptions of Town should be added; and

WHEREAS, the Town Council has now determined it appropriate and advisable to add the Job Position Description of Utility Accounting Specialist and Technology Director for the benefit of the citizens and residents of the Town of Cedar Lake.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA:

SECTION ONE: That the Job Position Descriptions for a Utility Accounting Specialist and Technology Director, attached to this Amendatory Ordinance as Exhibit “A”, are hereby adopted and approved.

SECTION TWO: That all Ordinances and Town Code Sections, or parts thereof, in conflict with the provisions of this Amendatory Ordinance are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of Cedar Lake, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS ____ DAY OF _____ 2020, BY
THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA.

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

Randell C. Niemeyer, President

Julie A. Rivera, Vice-President

Robert H. Carnahan, Member

John C. Foreman, Member

Colleen Schieben, Member

Ralph Miller, Member

Richard Sharpe, Member

ATTEST:

Jennifer N. Sandberg, IAMC
Clerk-Treasurer

TOWN OF CEDAR LAKE
JOB DESCRIPTION
Utility Accounting Specialist

CLASS TITLE: Utility Accounting Specialist
LOCATION: Administration
DEPARTMENT: Administration
EMPLOYMENT LEVEL: Part-Time, Non-Exempt

GENERAL PURPOSE

The Utility Accounting Specialist performs specialized accounting review, analysis and reporting as directed by the Town Council, Utility Board and Stormwater Board for the Town's utilities with respect to wastewater, water, and Stormwater. This position is responsible for utility system accounting work and financial analysis.

SUPERVISION RECEIVED

Works under the direct supervision of the Town Council with assistance and support of the Town Administrator.

SUPERVISION EXERCISED

- This position exhibits no supervisory responsibilities;

ESSENTIAL DUTIES AND RESPONSIBILITIES

The essential functions of the position include, but are not limited to, the following:

- Provide cost analysis on utility revenues and expenses.
- Provide financial and statistical analysis on utility rates and charges.
- Provides recommendations on investment and cost saving measures for the Town's utilities.
- Consults with Town Administration, Elected Officials and Board members as directed.
- Assists the Town and Clerk-Treasurer with the prescribed State Board of Accounts audit, and any other audits that take place.
- Monitors, maintains and provides information as requested for the annual report and auditing purposes.
- Completes all applicable reports as directed and/or required by State, Federal and Local Laws as set forth by the Federal and State Government, State Board of Accounts, etc.

- Participates in analysis of current budgets and preparation of annual budgets.
- Reviews, monitors and maintains necessary records and information, analyzes data and compiles reports required by regulatory agencies and Town Administration.
- Assists in the development, facilitation and implementation of accounting policies and procedures.
- Researches and recommends programs and systems for utility services.
- Assists the Clerk-Treasurer with GASB-34 requirements concerning Town assets.
- Keeps abreast of legislative and regulatory developments, new administrative techniques, and current issues through continued education and professional growth. May attend conferences, workshops and seminars when appropriate and required.
- Performs related work as required, and any other duties as assigned by the Town Administrator.

DESIRED MINIMUM QUALIFICATIONS

□ Education and Experience:

- (a) Bachelor's degree in business administration, accounting or related field preferred; and
- (b) Three(3) to Five(5) years of related utility accounting experience; and
- (c) 2+ years of experience using Excel and databases including proficiency in exporting, importing and manipulating data to produce accurate and timely statistical reports; and
- (d) Experience with public utilities
- (e) Governmental or other fund accounting experience desirable;
- (f) Valid Indiana driver's license and acceptable motor vehicle record required.

□ Necessary Knowledge, Skills and Abilities:

- (A) Knowledge and understanding of Generally Accepted Accounting Principles, internal controls and audit compliance.
- (B) Analytical skill to articulate and solve complex problems and concepts.
- (C) Ability to sustain a high level of accuracy in preparing and reporting financial information.
- (D) Ability to balance and manage a varied workload with competing priorities requiring accuracy with minimal supervision in a fast-paced work environment and/or remotely.

- (E) Knowledge of Federal and State of Indiana laws, and Town Codes related to the activities of the Town's Utilities.
- (F) Knowledge of legislative and regulatory developments and current industry issues.
- (G) Knowledge of management and organization theories and practices.
- (H) Skill in managing complex administrative processes for a diverse range of services.
- (I) Skill in maintaining public and confidential records according to statutory requirements.
- (J) Ability to conduct research and prepare comprehensive and accurate reports.
- (K) Ability to use office equipment and technology and the ability to master new technologies.
- (L) Ability to effectively communicate ideas and concepts orally and in writing and make presentation in a public setting.
- (M) Ability to establish and maintain effective working relationships and use good judgment, initiative and resourcefulness when dealing with the public, elected officials and other employees.
- (N) Ability to critically assess situations, develop recommendations, issue concise instructions, manage multiple tasks and work effectively under stress, within deadlines and with changes in work priority.
- (O) Ability to input data into a computer terminal, personal computer, or other keyboard device.

SPECIAL REQUIREMENTS

- (a) Must be eighteen (18) years or older at the time of employment;
- (b) No felony convictions or disqualifying criminal histories;
- (c) U.S. citizen;
- (d) Must be of good moral character and of temperate and industrious habits;

TOOLS AND EQUIPMENT USED

Phone; personal computer; copy machine; postage machine; fax machine; 10-key calculator.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle or grasp objects, tools, or controls; and reach with hands and arms. Ability to sit in front of a computer monitor and use keyboarding skills for significant periods of time is required.

The employee must occasionally lift and/or move up to fifty (50) pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus. Ability to operate a vehicle is required.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Remote work protocols may be permitted and utilized.

The noise level in the work environment is usually quiet, however, at times may be noisy with the sounds of sirens and the like.

SELECTION GUIDELINES

- Formal application, rating of education and experience; oral interview and reference check; job related tests may be required.
- The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.
- The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

Employee's signature is an acknowledgment that they have read and understand this job description.

Printed Employee Name

Employee Signature

Town Council President

Effective Date: _____

TOWN OF CEDAR LAKE POSITION DESCRIPTION TECHNOLOGY DIRECTOR

CLASS TITLE: Technology Director
LOCATION: Administration
DEPARTMENT: Police Department
EMPLOYMENT LEVEL: Salaried/Exempt

GENERAL PURPOSE

The Technology Director is a non-ranking civilian member of the Department's Administrative Team who works closely with the Chief of Police, Town Administrator, Director of Operations and Fire Chief of the Town of Cedar Lake to sustain and grow programs and services.

SUPERVISION RECEIVED

The Technology Director is an administrative position who works under the direct supervision of the Chief of Police.

SUPERVISION EXERCISED

None.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The essential duties and responsibilities contained herein shall serve as common examples; however, the following duties and responsibilities do not constitute an exhaustive list.

- ❑ Care for the information technology needs of the Town of Cedar Lake Public Facilities, including, but not limited to the Police Department, Fire Department, Town Hall, Public Works & Utilities and Clerk-Treasurer's office.
- ❑ Provide training, guidance and streamlining of processes.
- ❑ Works with Department Heads and supervisors to sustain and grow programs and services.
- ❑ Representative for the Cedar Lake Police on the Lake County Data Sharing Committee (Spillman Board).
- ❑ Technical liaison between the Cedar Lake Police & Fire and Southcom.
- ❑ Produce and maintain forms used by the Cedar Lake Police Department.

- ❑ Care for the plant operations of the Public Facilities and scheduling outside contractors for any work to be done.
- ❑ Care for, ordering and maintaining emergency equipment in vehicles (sirens, lights, etc.).
- ❑ Care for, ordering and maintaining communication equipment in vehicles, including MDT's Mobile Computers and radio systems.
- ❑ Care for CCT systems within the Cedar Lake Public Facilities.
- ❑ Design and implement cost saving procedures and protocols utilizing technology to replace paper.
- ❑ Help-Desk for individual concerns of employees in their day-to-day operations.
- ❑ Assist other Town department heads in various clerical duties.
- ❑ Operates a vehicle when necessary to travel for Town business matters.
- ❑ Attend seminars and workshops related to information technology or public safety duties and responsibilities.

DESIRED MINIMUM QUALIFICATIONS

Job Standards: Any combination of education and experience providing the required skill and knowledge is qualifying. Typical qualifications would be equivalent to:

- A. High school diploma or GED
- B. Five (5) years of increasingly responsible related experience or any equivalent combination of related education and experience

Skills:

- A. Ability to effectively meet and deal with public; ability to communicate effectively verbally and in writing; ability to handle stressful situations
- B. Ability to establish and maintain effective working relationships with employees, supervisors, other departments, officials and the public; ability to communicate effectively verbally and in writing
- C. Ability to utilize network termination tools, punch-downs, crimping tools and cable testing and verification equipment

- D. Ability to utilize vehicle electrical tools, crimping, soldering and test equipment

Knowledge:

- A. Proficiency with PCs, specifically mobile data units, computer software and applications
- B. General knowledge of office equipment, including fax machine, copier, telephone, calculator and shredder
- C. Knowledge of vehicle electronic systems
- D. Knowledge of computer network design and installation
- E. Knowledge of network cable installation in relation to building codes, NFPA and ANSI/TIA standards and requirements
- F. Knowledge and experience in facility management including electrical, plumbing and HVAC
- G. Knowledge and experience with CCTV and access control systems

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position.

While performing the duties of this job, the employee is frequently required to sit and talk or hear, use hands to finger, handle, feel or operate objects, tools, or controls; and reach with hands and arms.

Duties often require work outside of the traditional office environment including construction sites, parks, and nature areas.

The employee must occasionally lift and/or move up to twenty-five (25) pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions of the position.

The noise level in the work environment is usually quiet.

SELECTION GUIDELINES

The Technology Director is hired by the Town Council with the recommendation of the Chief of Police and Town Administrator.

Approval: _____
Supervisor

Approval: _____
Appointing Authority

Effective Date: _____

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

ORDINANCE NO. 1357

AN ORDINANCE AMENDING TOWN SALARY ORDINANCE NO. 1344 ESTABLISHING JOBS AND SALARIES TO BE PAID CERTAIN OFFICES, POSITIONS, AND JOBS WITHIN THE TOWN OF CEDAR LAKE FOR THE CALENDAR YEAR 2020, AND REPEALING ALL ORDINANCES, OR PARTS THEREOF, IN CONFLICT THEREWITH.

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana, has reviewed Town **Salary Ordinance No. 1344** establishing jobs and salaries to be paid certain offices, positions, and jobs within the Town of Cedar Lake for the year **2020**; and

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana, has been advised that modifications and amendments to Town **Salary Ordinance No. 1344** are necessary and appropriate based upon circumstances reported to the Town Council, and

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana, having reviewed the circumstances and considered all recommendations, and being duly advised, now concurs that it is advisable, necessary, appropriate, and in the best interests of the residents of the Town of Cedar Lake that Town **Salary Ordinance No. 1344** be amended to add/revise job positions, and salaries to be paid to such positions, and all related amendments.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the following assignments and compensation be amended and added to the Section entitled Town Administration and Fire Department in Town Ordinance No. 1344, as amended from time to time, to read and provide as follows:

Administration

Utility Accounting Specialist	Part-Time, Hourly	Not to exceed \$100.00 per hour payable 34/33/33 Wastewater/Water/Stormwater
Technology Director	Salaried, Exempt	Not to exceed \$2,500 bi-weekly payable 25/25/25/25 General/Wastewater/Water/Stormwater

Fire Department

Fire Chief	Salaried, Exempt	Not to exceed \$2,692.31 bi-weekly payable 100 General
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SECTION TWO: That this amendment shall be for the pay period beginning July 5, 2020.

SECTION THREE: That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION FOUR: If any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FIVE: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Cedar Lake, Lake County, Indiana.

**ALL OF WHICH IS PASSED AND ADOPTED THIS ____ DAY OF _____ 2020, BY
THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA.**

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

Randell C. Niemeyer, President

Julie A. Rivera, Vice-President

Robert H. Carnahan, Member

John C. Foreman, Member

Coleen Schieben, Member

Ralph Miller, Member

Richard Sharpe, Member

ATTEST:

Jennifer N. Sandberg, IAMC
Clerk-Treasurer

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

ORDINANCE NO: _____

AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS LAND TO THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter, the "Town Council"), has received a Petition for Voluntary Annexation to the Town of Cedar Lake; and

WHEREAS, the Town Council has reviewed the Petition for Annexation to the Town of Cedar Lake for annexation of approximately 21.25 acres of land into the Town; and

WHEREAS, the Town Council seeks to annex certain contiguous territories and property to the Town of Cedar Lake, pursuant to the applicable provisions of I.C. §36-4-3, *et seq.*, as amended from time to time, and more particularly, I.C. §36-4-3-5.1, concerning Voluntary Annexation; and

WHEREAS, the Town Council has deemed it to be necessary and appropriate for the future development of the Town of Cedar Lake that said subject parcels for which annexation is sought be annexed do provide for the continued and coherent planned growth and development of the Town; and

WHEREAS, the Town Council has duly considered said annexation petition and has determined said annexation to be in the best interests of the health, safety and welfare of the Town of Cedar Lake as the annexation of the subject parcel is necessary for the present and future planned coherent growth of the Town; and

WHEREAS, the Town Council has determined that the subject parcel sought to be annexed, well within the prescribed time limits, shall be provided with governmental and proprietary services by the Town in the same manner as those services are provided to areas within the municipal corporate boundaries that have similar topography, patterns of land use, and population density consistent with applicable federal, state and local laws, procedures and planning criteria; and

WHEREAS, the Town Council has established a Fiscal Plan by its approval of Resolution No. _____ evidencing a definite policy showing:

1. The cost estimate of planned services to the subject parcel to be annexed.
2. The methods of financing the planned services.
3. The plan for the organization and extension of the services.
4. The furnishing of services of a non-capital nature, including police protection, fire protection, and street and road maintenance to the territory within one (1) year from the effective date of the annexation, which service shall be in a manner equivalent in standard and scope to those non-capital services provided to areas within the Town

of Cedar Lake.

5. The furnishing of services of a capital nature, including, but not limited to, street construction, street lighting, sewer facilities, water facilities, lighting, and stormwater drainage facilities, in the same manner as is available to other parcels and properties in the vicinity, which services and facilities will be provided at the cost of the Petitioner, to the annexed territory within three (3) years after the effective date of annexation in the manner as those services are provided to areas within the municipal corporate boundaries of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the subject parcel(s) described on the attached Exhibit "A", which are deemed contiguous to the Town of Cedar Lake, be, and the same hereby are annexed to, and made part of, the Town of Cedar Lake, Lake County, Indiana.

SECTION TWO: That subject to the terms and provisions herein, this Annexation Ordinance shall become final thirty (30) days after adoption, filing, recordation and publication thereof, and the effective date of the annexation shall be in conformance with applicable law.

SECTION THREE: That the subject parcel(s), as set forth on the attached Exhibit "A", shall be annexed with an Agricultural Zoning District Classification for the parcel and property.

SECTION FOUR: That the parcel of real estate sought to be annexed will be assigned to Ward 5 as a voting district in the Town of Cedar Lake, Lake County, Indiana, pursuant to the provisions of I.C. §36-4-3-4(g), as amended.

SECTION FIVE: That the Clerk-Treasurer of the Town is hereby directed to cause this Voluntary Annexation Ordinance to be published one (1) time, within thirty (30) days from the date of the adoption of this Ordinance, in conformance with applicable law, as amended from time to time.

SECTION SIX: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION SEVEN: That if any section, clause, provision or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION EIGHT: That this Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of Cedar Lake, Lake County, Indiana, and publication in conformance with applicable law, subject expressly upon the conditions precedent set forth herein, as well as in the Petition for Voluntary Annexation and Fiscal Policy approved in this proceeding upon which this Ordinance adoption is premised.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2020, BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA.

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

Randell C. Niemeyer, President

Julie A. Rivera, Vice-President

Robert H. Carnahan, Member

John C. Foreman, Member

Ralph Miller, Member

Colleen Schieben, Member

Richard Sharpe, Member

ATTEST:

Jennifer N. Sandberg, IAMC,
Clerk-Treasurer

EXHIBT "A"

The North 21.25 acres of the Northwest Quarter of the Southwest Quarter of Section 33, Township 34 North, Range 9 West of the Second Principal Meridian, in Lake County, Indiana, being more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of said Section 33; thence South $89^{\circ} 14' 33''$ East along the North line of said Southwest Quarter, 1330.02 feet to the Northeast corner of the Northwest Quarter of the Southwest Quarter of said Section 33; thence South $00^{\circ} 08' 59''$ West along the East line of said Northwest Quarter, 696.50 feet; thence North $89^{\circ} 14' 33''$ West parallel to the North line of the Southwest Quarter of said Section 33, 1329.36 feet more or less, to the West line of said Section 33; thence North $00^{\circ} 05' 45''$ East along said West line 696.51 feet, to the Point of Beginning. Containing 21.25 acres more or less.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

RESOLUTION NO. 1263

A RESOLUTION AUTHORIZING APPROPRIATION TRANSFERS BY THE CLERK-TREASURER FOR THE FOLLOWING FUND DURING BUDGET YEAR 2020

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana does find that a condition exists at this time, and that it is indispensably necessary to expend certain sums of money by the proper legal officers of the Town of Cedar Lake, Lake County, Indiana by way of transfer of funds within the categories of appropriations.

NOW THEREFORE, be it resolved by the Town Council of the Town of Cedar Lake, Lake County, Indiana, that the following transfers were made in the specified funds between major budget categories;

GENERAL FUND TOTAL \$5,710.00

Fire Department 005

\$ 2,410.00	From: 351 – NIPSCO	To: 111 – CHIEF
\$ 2,300.00	From: 351 – NIPSCO	To: 122 – FICA/MED
\$ 1,000.00	From: 351 – NIPSCO	To: 241 – MISC SUPPLIES

ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA THIS 4th DAY OF AUGUST, 2020.

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

Dear Cedar Lake council members,

I am writing this letter to request the extension on my variance and permits for my proposed out building. Due to the pandemic circumstances at the beginning of 2020 I did not realize it had been over 1 year since my variance approval. I have since paid the variance dues and I am looking for the permitting process to begin. I do apologize about not meeting the 1 year required deadline but there were some changes to the building size after having boring samples done. Also the size of the building changed so I had to have Professional engineered drawing re issued which took longer than expected. The new building size is 40ft by 60 ft with a 16ft high wall. 2400sq ft gravel bed with concrete columns for support. This is smaller than the building that was variance approved at 3500sq/ft. Due to the boring samples I was not able to fit the size of the building on the pad originally proposed thus shrinking the building to be on suitable bearing soil.

I ask of the council to please approve an extension to the variance approval as I have put in a lot of time and effort on this project to make sure everything is done in a professional manor. To start over at this point would be very difficult and would be very costly to me.

Thank you for your time and look forward to joining you at Thursday August 4th meeting to answer any questions about this project.

Have a great day.

Steve Boudreau

8311 W 147th ave

Cedar Lake, IN 46303



TOWN OF CEDAR LAKE

Office of the Town Administrator

7408 Constitution Avenue, P.O. Box 707, Cedar Lake, IN 46303

Tel: (219) 374-7400

Fax: (219) 374-8588

May 13, 2019

Steve Boudreau
8311 W. 147th Ave.
Cedar Lake, IN 46303

RE: Developmental Variance request for property located at 8311 W. 147th Ave., Cedar Lake, IN 46303

Dear Mr. Boudreau:

At the May 9, Board of Zoning Appeals Public Meeting, your Developmental Variance was granted to allow the Petitioner to build a three thousand four hundred fifty-six sq. ft. (3,456 sq. ft.) pole barn with a height of seventeen ft. six inches (17'6") and wall height of fourteen ft. (14') in the front yard.

In accordance with Zoning Ordinance No. 496, Title XXX, Section 2: Board of Zoning Appeals, I: Procedures in Appeals for Variances, Section 6:

"Any approved Variance shall become void if:

The Variance is not exercised within one (1) year after being granted;"

You will need to apply for a building permit within one year of your approval. The Developmental Variance granted does not allow you to build without a building permit.

Please feel free to contact me should you have any questions.

Sincerely,

Tammy L. Bilgri
Building Coordinator

cc: Building Administrator



Town of Cedar Lake

Department of Planning, Zoning and Building
7408 Constitution Avenue, P.O. Box 707, Cedar Lake, IN 46303
Tel: (219) 374-7400 Fax: (219) 374-8588

*PERMIT # _____

BUILDING PERMIT APPLICATION

TYPE OF IMPROVEMENT Out Building TOWNSHIP Cedar Lake
ADDRESS 8311 W 147th Ave TAX KEY# _____

LOT N/A SUBDIVISION N/A CONSTRUCTION VALUE \$ _____

Owner Steve Boudreau Phone 630-297-3148 E-mail Steve.Boudreau13@gmail.com

Contractor: Olympia Steel Buildings Address 400 Island Ave, McKees Rocks PA 15136

Phone 412-348-0560 E-mail Address anewt2@factoryusa.com

IMPROVEMENT DETAILS:

Flood Plain _____

Structure Dimensions: Width 40' Length 60' Height 16'

Building Setbacks: Front _____ Right _____ Left _____ Rear _____

Size (Sq Ft): Building _____ Garage 2400 No. of Beds _____ No. of Baths _____

Basement (Sq Ft): Finished _____ Unfinished _____ ☐ Walkout ☐ Slab ☐ Crawlspace

ELECTRICAL WORK: AMP N/A Temp Pole _____ Upgrade _____ Service Turn On _____

PLUMBING WORK: No. of Fixtures N/A Basement Rough Y/N Water Line Size _____ Meter Size _____ Well _____

MECHANICAL WORK: No. of Furnaces N/A No. of A/C Units _____ **MISC:** Deck (Sq Ft) _____

Shed (Sq Ft)/Material: _____ Fence Height/Material: _____ Sign (Sq Ft) _____ Pool _____

REQUIREMENTS FOR CONSTRUCTION:

1. Plat of Survey showing; Location of existing & proposed structures, all setbacks, existing & proposed grades.
2. Two (2) Sets of Drawings showing: Floor Plans, Foundation, Elevations, Electrical Plans, Wall cross sections, etc.
3. New Homes require Energy Documents and Truss Certifications. An As-Built survey is required at final inspection.
4. All contractors shall be licensed with the Town of Cedar Lake. Erosion Control is required.

I hereby certify the above has been reviewed and all information is true and correct.

[Signature] Date 7-27-2020
Signature of Owner/Contractor

***OFFICE USE ONLY**-Updated 1/15/2020

Date Application Received: _____

BZA/Plan Approval _____

Approved By: _____ Date _____

Building Commissioner

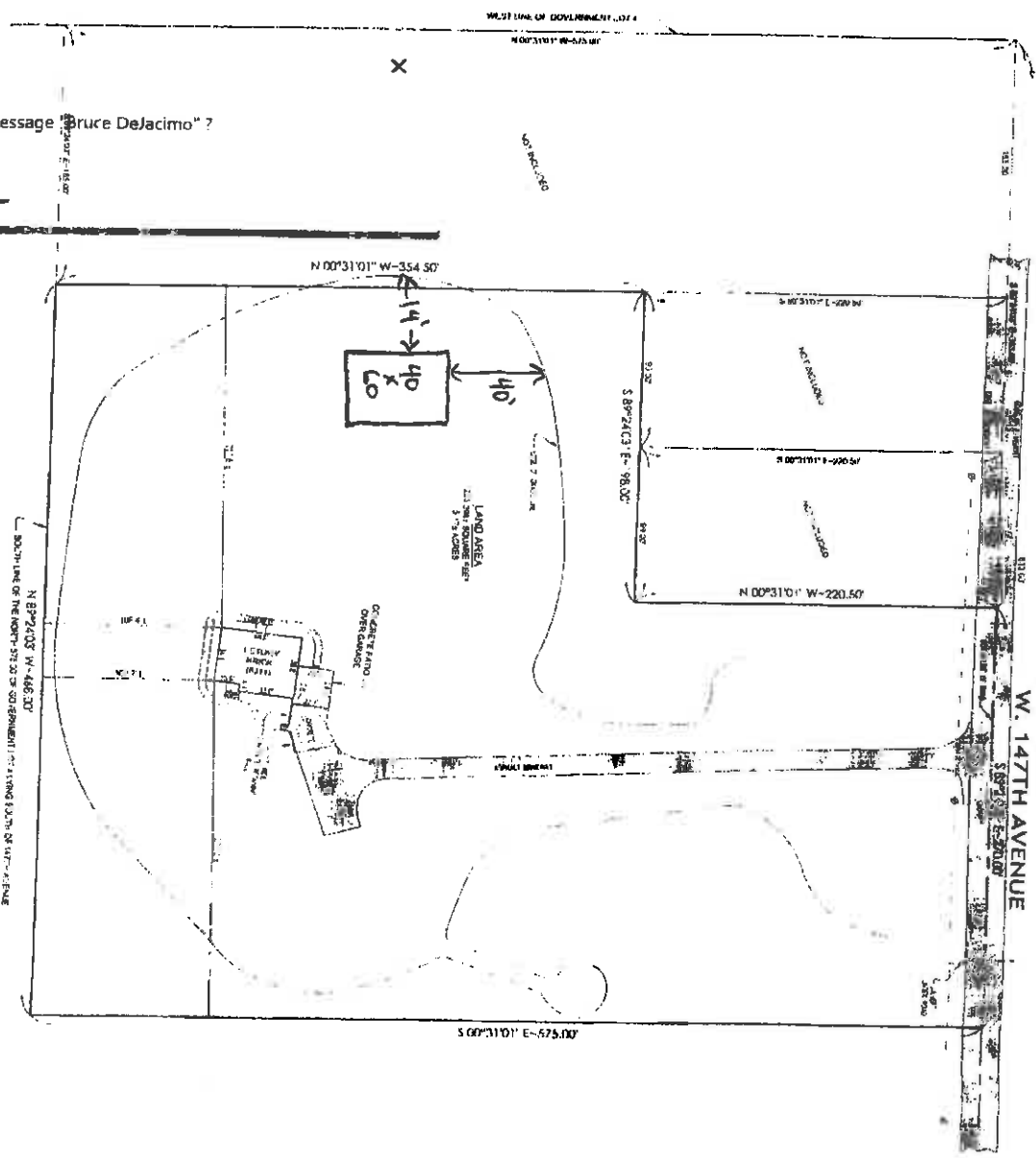
Remarks: _____

Zoning Fee _____
Building Fee _____
Sewer Tap Fee _____
Sewer Dev. Fee _____
Water Tap Fee _____
Water Dev. Fee _____
Park Impact Fee _____
Electric Fee _____
Total \$ _____
Receipt# _____
Date Paid _____
Released By _____



SURVEYOR LOCATION REPORT

LOCAL DESCRIPTION: The West 331.00 feet of the North 575.00 feet of that part of Government Lot 4, being South of the East 1/2 of Section 34, Township 34 North, Range 3 West of the 2nd P.M., in Adams County, Indiana, except West 165.00 feet and the East 158.00 feet of the West 363.00 feet of the North 273.50 feet thereof.



CLIENT: OREGON & FALCONER, PC
DATE: 08/24/2011
SECTION: B-125

SURVEYOR LOCATION REPORT
PART OF GOVERNMENT LOT 4

331 N. 17TH AVENUE
CEDAR LAKE, INDIANA

TORRENGA SURVEYING, LLC
PROFESSIONAL LAND SURVEYORS
907 RIDGE ROAD, MUNSTER, INDIANA 46321



Absent	Yes	Yes	Yes	Yes	4-0
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8. Boudreau - Developmental Variance

Owner/Petitioner: Steve Boudreau, 8311 W. 147th Ave., Cedar Lake, IN 46303
 Vicinity: 8311 W. 147th Ave., Cedar Lake, IN 46303
 Legal Description: W.633ft of N.575ft of Gov. Lot 4 Ly'ng S. of Rd. S.34 T.34 R.9 Ex. W.165ft & Ex. E.198ft of W.363ft of N.220.5ft 5.0Ac
 Tax Key Number(s): 45-15-34-476-001.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title XXIII-Accessory Regulations: Section 1: A. 2) Exterior wall height shall not exceed ten (10') feet from the finish floor surface. Section 4) No accessory buildings shall be allowed in the front yard of any residential lot.

This Developmental Variance is to allow the Petitioner to build a three thousand four hundred fifty-six sq. ft. (3,456 sq. ft.) pole barn with a height of seventeen ft. point six (17'.6") and wall height of fourteen ft. (14') in the front yard

- a) Attorney to Review Legals: David Austgen stated the legals are in order.
- b) Petitioner's Comments: Steve Boudreau, 8311 W. 147th Ave., Cedar Lake. The front yard is only between the house and road and my driveway is three hundred and fifty (350) ft. long. The building will be behind the moat and trees. The reason for the building is because owns four (4) vehicles, and all different equipment, owns nine (9) acres to take care of there and an additional forty-five (45) acres, would like to protect his investments and keep all tractors and equipment inside. Is a professional built building. Has had geological test done because of the swamp area. That is pending.
- c) Remonstrators: None
- d) Building Department's Comments: Tim Kubiak stated his concern is the fourteen (14) ft. sidewall. This is an issue within Town buildings, could turn into a commercial business in the future. Mr. Boudreau would be a personal use just storing equipment and wood working. Discussion on the size of the building ensued.
- e) Board's Discussion: The Board discussed location of the building and effect on neighbors. Concern for future use if property is sold. There is plenty of space for this size building.

A motion was made by Jerry Wilkening and seconded by John Kiepura to approve the Developmental Variance as presented and to include the findings of fact.

Nick Recupito	Jerry Wilkening	John Kiepura	Jeff Bunge	Jeremy Kuiper	Vote
Absent	Yes	Yes	No	Yes	3-1

9. Polito - Developmental Variance

Owner/Petitioner: Edward & Marianne Polito, 9725 W. 130th Ln., Unit B, Cedar Lake, IN 46303
 Vicinity: 9725 W. 130th Ln., Unit B, Cedar Lake, IN 46303
 Legal Description: Monastery Woods Phase 2 lot 242 Ex. E.46.13ft
 Tax Key Number(s): 45-15-21-433-019.000-014

Request: Petitioner is requesting a Developmental Variance from Zoning Ordinance No. 496, Title VIII-Residential (R-2) Zoning District: Section 4: D. Rear Yard: there shall be a rear yard on not less than twenty-five percent (25%) of the depth of the lot.

This Developmental Variance is to allow the Petitioner to have a twelve ft. x twelve ft. (12'x12') covered porch with a twenty-five ft. (25') rear yard setback

- a) Attorney to Review Legals: David Austgen stated the legals are in order.



Loan Center
9204 Columbia Avenue • Munster, Indiana 46321
219.853.7500 • fax 219.836.8061
ibankpeoples.com

August 5, 2020

Town Council
Town of Cedar Lake
Town Hall
7408 Constitution Ave.
Cedar Lake, Indiana 46303

Gentlemen:

Peoples Bank SB, at the request of Beacon Pointe of Cedar Lake, LLC, has provided its Irrevocable Standby Letter of Credit No. CL7556LC, (as amended from time to time, hereinafter referred to as the "Credit") for Unit 1A, which is attached hereto in the amount of Twenty Five Thousand Two Hundred and Nine Dollars and 17/100 Cents (\$25,209.17), dated August 5, 2020 in your favor. This will certify that Paul Rodriguez, AVP, Business Banker, is authorized to provide and execute the attached Credit, that the signature appearing on said Credit is authentic, and that the Bank has complied with all banking laws and requirements and other laws in connection with the issuance of such Credit.

Sincerely,

Todd Scheub, EVP
Chief Banking Officer

Attachment: Letter of Credit No. CL7556C

TS/ns



IRREVOCABLE STANDBY LETTER OF CREDIT No. CL7556LC

Amount \$25,209.17

Expiration Date: August 5, 2023

Date: August 5, 2020

Town Council
Town of Cedar Lake
Town Hall
7408 Constitution Ave.
Cedar Lake, IN 46303

RE: Beacon Pointe of Cedar Lake LLC

Gentlemen:

Please be advised that Peoples Bank SB (Issuer) has established a Twenty Five Thousand Two Hundred and Nine Dollars and 17/100 Cents (\$25,209.17), Irrevocable Standby Letter of Credit ("Credit") for Beacon Pointe of Cedar Lake, LLC ("Developer") for The Town of Cedar Lake, IN, (hereinafter referred to as "Beneficiary") for purpose of insuring proper maintenance of the improvements ("Improvements") required by the Town of Cedar Lake.

In the event the Developer defaults in its obligation to maintain the Improvements, and it becomes necessary for the Beneficiary to make repairs, Peoples Bank SB will pay any sight drafts up to but not exceeding in the aggregate the amount available under this credit, presented to it prior to the Beneficiaries' final acceptance of said Improvements or 12:00 P.M. August 5, 2023, whichever is first, for the payment of said Improvements.

All drafts drawn hereunder must be identified as "drawn under Peoples Bank SB Irrevocable Standby Letter of Credit No. CL7556LC, dated August 5, 2020." This Credit is restricted to the undersigned by the Beneficiary and payment of said drafts is subject to failure of the maintenance of Improvements for Beacon Pointe Unit 1A. Drafts must be accompanied by the following documentation:

1. This letter, so that any payment made pursuant to it may be recorded thereon;
2. A signed statement from an authorized Officer of Cedar Lake's Town Council stating that the Developer has failed to maintain the Improvements or make necessary required repairs to the Improvements together with estimated costs to provide for the required maintenance or complete require repairs, which explanation must be certified by the Town of Cedar Lake's Town Council, or some other registered professional engineer acceptable to both The Town of Cedar Lake and Peoples Bank SB.

Any amendments to the terms of this Credit must be in writing over authorized signature of an officer of Peoples Bank SB. All draws must be received by 12:00 p.m., August 5, 2023. If the full amount of the credit is negotiated, the original Letter of Credit must accompany the final draft.

This Credit is governed by the laws of the State of Indiana and is issued subject to the International Standby Practices 1998 (ISP98), International Chamber of Commerce Publication No. 590. Any amendments to the terms of this credit must be in writing over authorized signature of an officer of Peoples Bank SB.

Sincerely,

Paul Rodriguez

Paul Rodriguez, AVP
Business Banker

PR/ns

ACCEPTED according to its terms this _____ day of _____.

TOWN COUNCIL
TOWN OF CEDAR LAKE, INDIANA

By _____

ATTEST:

Clerk/Treasurer



Loan Center
9204 Columbia Avenue • Munster, Indiana 46321
219.853.7500 • fax 219.836.8061
ibankpeoples.com

August 6, 2020

Town Council
Town of Cedar Lake
Town Hall
7408 Constitution Ave.
Cedar Lake, Indiana 46303

Gentlemen:

Peoples Bank SB, at the request of Beacon Pointe of Cedar Lake, LLC, has provided its Irrevocable Standby Letter of Credit No. CL7557LC, (as amended from time to time, hereinafter referred to as the "Credit") for Phase 2, which is attached hereto in the amount of One Hundred Fifty One Thousand Four Hundred Fifty Two Dollars and 32/100 Cents (\$151,452.32), dated August 6, 2020 in your favor. This will certify that Paul Rodriguez, AVP, Business Banker, is authorized to provide and execute the attached Credit, that the signature appearing on said Credit is authentic, and that the Bank has complied with all banking laws and requirements and other laws in connection with the issuance of such Credit.

Sincerely,

Todd Scheub, EVP
Chief Banking Officer

Attachment: Letter of Credit No. CL7557LC

TS/ns



IRREVOCABLE STANDBY LETTER OF CREDIT No. CL7557LC

Amount \$151,452.32

Expiration Date: August 6, 2023

Date: August 6, 2020

Town Council
Town of Cedar Lake
Town Hall
7408 Constitution Ave.
Cedar Lake, IN 46303

Re: Beacon Pointe of Cedar Lake, LLC

Gentlemen:

Please be advised that Peoples Bank SB (Issuer) has established a One Hundred Fifty One Thousand Four Hundred Fifty Two Dollars and 32/100 Cents (\$151,452.32), Irrevocable Standby Letter of Credit ("Credit") for Beacon Pointe of Cedar Lake, LLC ("Developer") for The Town of Cedar Lake, IN, (hereinafter referred to as "Beneficiary") for purpose of insuring proper maintenance of the improvements ("Improvements") required by the Town of Cedar Lake.

In the event the Developer defaults in its obligation to maintain the Improvements, and it becomes necessary for the Beneficiary to make repairs, Peoples Bank SB will pay any sight drafts up to but not exceeding in the aggregate the amount available under this credit, presented to it prior to the Beneficiaries' final acceptance of said Improvements or 12:00 P.M. August 6, 2023, whichever is first, for the payment of said Improvements.

All drafts drawn hereunder must be identified as "drawn under Peoples Bank SB Irrevocable Standby Letter of Credit No. CL7557, dated August 6, 2020." This Credit is restricted to the undersigned by the Beneficiary and payment of said drafts is subject to failure of the maintenance of Improvements for Beacon Pointe Unit 2. Drafts must be accompanied by the following documentation:

1. This letter, so that any payment made pursuant to it may be recorded thereon;
2. A signed statement from an authorized Officer of Cedar Lake's Town Council stating that the Developer has failed to maintain the Improvements or make necessary required repairs to the Improvements together with estimated costs to provide for the required maintenance or complete require repairs, which explanation must be certified by the Town of Cedar Lake's Town Council, or some other registered professional engineer acceptable to both The Town of Cedar Lake and Peoples Bank SB.

Any amendments to the terms of this credit must be in writing over authorized signature of an officer of Peoples Bank SB. All draws must be received by 12:00 p.m., August 6, 2023. If the full amount of the credit is negotiated, the original Letter of Credit must accompany the final draft.

This Credit is governed by the laws of the State of Indiana and is issued subject to the International Standby Practices 1998 (ISP98), International Chamber of Commerce Publication No. 590. Any amendments to the terms of this credit must be in writing over authorized signature of an officer of Peoples Bank SB.

Sincerely,

Paul Rodriguez

Paul Rodriguez, AVP
Business Banker

PR/ns

ACCEPTED according to its terms this _____ day of _____.

TOWN COUNCIL
TOWN OF CEDAR LAKE, INDIANA

By _____

ATTEST:

Clerk/Treasurer

SECOND ADDENDUM TO OPTION AGREEMENT

This Second Addendum on Option Agreement("Second Addendum") is made a part of the Option Agreement("Agreement") dated as of March 3,2020,by and between **Town of Cedar Lake, Lake County, Indiana, an Indiana Municipal Corporation** (hereinafter "TOWN") and **Carpere Canada Industrial Park Corporation** (hereinafter "OPTIONEE") (hereinafter "agreement") for property located at 9210 W.155th Avenue, Cedar Lake, Lake County, Indiana, and 1210 Woodland, Cedar Lake, Lake County, Indiana.

The TOWN and OPTIONEE further agree:

1. That Section **1.2.b** of the Agreement shall be amended to read and provide hereafter as follows, namely:

"1.2.b, On or before **December 31st**, 2020, Carpere shall provide the Town with:

1.2.b.1. Project Preliminary Pro Forma with financial feasibility analysis."

2. That Section **1.2.d** of the Agreement shall be amended to read and provide hereafter as follows, namely:

"1.2.d. Upon receipt of acceptable documentation, the Town and Carpere will have up to ninety (90) days or the balance of the **365-day** due diligence period (whichever is less), to negotiate a required Purchase and Sale Agreement, economic Development Agreement, and any other ancillary agreements required to successfully execute the project. The form and content of such Agreements must be agreed upon by the Parties in writing."

3. That Section **2.1** of the Agreement shall be amended to read and provide hereafter as follows, namely:

"2.1. Generally. As partial consideration for the Town's granting of this Option, Optionee has, upon the execution of this Agreement, delivered to the Town the sum of Ten Thousand Dollars (\$10,000.00) (the "Initial Option Price"), and other good and valuable consideration, the receipt of which is hereby acknowledged by the Town, which sum shall be credited against the Purchase Price at the time of closing in the event that the Optionee exercises the Option. The term of the Option (the "Initial Option Term") shall commence on the date of this Agreement and shall continue for a period of **Twenty (20) months** from the above date; however, the time period shall be reduced by the schedule in the calendar and schedule set forth in Section 1.2. hereinabove, as specified, unless waived in writing by the Parties. The Option Price shall be credited against the Purchase Price at the time of closing. At the end of the Option Term herein, if there has been no Sale and Purchase, as well as Economic Agreement, the Option Price shall be released and authorized to be paid to the Town for its benefit herein of these Agreement matters. "

4. All other terms and conditions of the Option Agreement shall remain unchanged.

5. Carpere Canada Industrial Park Corporation Entity Authorization.

It is expressly acknowledged and stated that this First Addendum is entered into by Carpere Canada Industrial Park Corporation, after appropriate action of the Board of Directors and/or authorized Officers or Representatives. The undersigned representatives of Carpere Canada are duly authorized representatives to enter and make this Agreement.

6. Town Public Meeting Action.

It is expressly acknowledged and stated that this First Addendum is made and entered into by the Town of Cedar Lake, Lake County, Indiana, after action at a duly noticed Public Meeting of the Town Council of the Town on the :}_day of April, 2020, wherein by a vote of in favor, and _ opposed, the Town Council President and Town Clerk-Treasurer, respectively, were directed to execute and attest the same, and deliver this First Addendum herein.

By signature below, the Parties verify that they understand and approve of the Agreement, as amended and modified by this First Addendum, and acknowledge receipt of a signed copy of the same.

IN WITNESS WHEREOF, the Parties have hereto executed this first Addendum to Option Agreement the last day signed below the signatures.

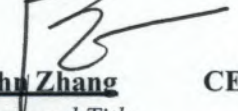
TOWN: Town of Cedar Lake, Lake County, Indiana.
an Indiana Municipal Corporation

By
Randell C. Niemeyer, Town Council President
Printed Name and Title

Jennifer N. Sandberg, IAMC
Clerk-Treasurer
Dated:

IN WITNESS WHEREOF, the Parties have hereto executed this first Addendum to Option Agreement the last day signed below the signatures.

OPTIONEE: Carpere Canada Industrial Park Corporation

By: 
Title: John Zhang CEO
Printed Name and Title

Date

27th July, 2020 .



Carpere Canada

1005 - 8400 West Road, Richmond, V6X 0S7

| carpere.ca | T 888.377.1999 | info@carpere.ca |

July 27th, 2020

Town of Cedar Lake
7408 Constitution Ave-PO Box 707-Cedar Lake, IN 46303

RE: Carpere Industrial Park Land Option Agreement Second Addendum

Dear Randy,

Carpere Canada has been closely working with multiple agencies in Indiana State since March this year with our vision of delivering a successful industrial park in the near future. Our endeavor includes regular coordination with Town's representative Veridus Group, business development meetings and calls with local, regional and international business organizations and governmental agencies to expose Town of Cedar Lake and our proposed Industrial Park, studies and research by Carpere and our consultants on a variety of information in support of business attraction activities.

Unfortunately, A new wave of global pandemic COVID-19 hits US and Canada as well as many countries, travel restrictions, social distancing rules and other impacts do significantly delaying many planned activities for the vision. Although we had managed to reduce such impact to minimal, we still facing challenge on providing more concrete leads for business to be located in our proposed parks. Some items such as financial feasibility study based on the future proposed tenants and business therefore cannot be accurately assessed at this moment.

Based on such challenges and difficulties we are facing; we respectfully request the town of Cedar Lake to extend the due date of submission of the financial feasibility data as due diligence to the end of the year. (See attached Second Addendum). This extension will allow us more time for our due diligence and business attraction activities. We are certainly still stand on our goals and commitment to make the proposed industrial park a successful case in Northwest Indiana.



Carpere Canada

1005 - 8400 West Road, Richmond, V6X 0S7

| carpere.ca | T 888.377.1999 | info@carpere.ca |

We are looking forward to receiving an positive response from you, should you be agreeable with such request, please proceed with the second addendum attached. Such extension will greatly be appreciated, and we believe it will benefit our project eventually.

John Zhang, CEO
Carpere Canada Industrial Park Corp
1005-8400 West Road, Richmond
British Columbia, Canada



**Walsh &
Kelly** Inc.

PROPOSAL & CONTRACT

1700 E. MAIN STREET
GRIFFITH, IN 46319
(219) 924-5900
(219) 924-8768 (FAX)

To: Town of Cedar Lake

Attn: Don Oliphant doliphant@cbbel.com

Cell: 219-663-3410

Project: Cedar Lake-Noble Oaks Subdivision

Date: July 27, 2020

Estimate No.: 20-7-80

Office No.: 219-944-0283

Estimator: Keith A Gardina

Area: See Below

Description of Work:

Road Paving

1	Mobilization	1 LS	\$2,000.00	\$2,000.00
2	Maint. Erosion Control	1 LS	\$1,700.00	\$1,700.00
3	HMA Wedge & Level	70 Ton	\$76.00	\$5,320.00
4	HMA Surface - 2"	700 Ton	\$72.00	\$50,400.00
5	Asphalt For Tack	6250 SY	\$0.35	\$2,187.50
6	Traffic Control	1 LS	\$2,200.00	\$2,200.00
			Subtotal=	\$63,807.50

Notes

- Does not include; excavation, subgrade to $\pm 0.1'$ by others, erosion control, permits, utilities, geogrid, layout, testing, milling, unsuitable soils, prime, landscaping, signs, striping, lighting, fencing, curbs, or sidewalk. Invoice will be based on field measured quantities.

Walsh & Kelly, Inc. appreciates the opportunity of submitting this proposal and looks forward to working with you on this project.

ATTACHED CONDITIONS APPLY TO ALL WORK

MECHANIC'S LIEN RIGHTS WILL BE ENFORCED IF PAYMENT TERMS ARE NOT MET.

Payment due upon 30 days of intermediate paving if surface to be applied at a later date.

Payment due upon 30 days of completion of work.

All amounts due and unpaid under this contract shall draw interest at the rate of 18% per annum compounded monthly from date until fully paid.

Proposal and Contract includes terms and conditions on reverse side.

Keith A Gardina

Estimator/Project Manager

kgardina@walshkelly.com

Acceptance Of Proposal

The price, specifications and conditions as set out above and attached are satisfactory and are hereby accepted. You are authorized to do this work as specified. Payment will be made as outlined above.

Accepted:

Date: _____

Signature: _____



Cedar Lake Police

7408 Constitution • P.O. Box 305
Cedar Lake, IN 46303
(219) 374-5416 FAX (219) 374-9231

Chief William T. Fisher



OFFICE OF CHIEF OF POLICE

www.cedarlakein.org

July 29, 2020

Tim Kubiak
Director of Operations

Tom Stevens
Superintendent Cedar Lake Public Works

Dear Mr. Kubiak and Mr. Stevens,

The past weekend, we had an event that took place within the Town of Cedar Lake. This event, known as the Trump Parade 2020, was taking place on a Saturday afternoon. Upon notification of this event and the possibility of protests, we began to plan. Many Departments were notified including Cedar Lake Town Council, Cedar Lake Fire Department, Lake County Sheriff's Department, Indiana Department of Natural Resources, Northwest Regional SWAT Commander, Business Owner's within the Town and the Cedar Lake Public Works Department.

We set up to be prepared for unknown protests that may or may not happen around the Lake. I wanted to personally thank you both and your Department for being there and available during this event. You both have been a staple to our Public Works for several years. Your caring and love for our community shines each and every time the Police Department is in need of your assistance. Neither of you have ever said "no" and always work with us to complete the task at hand, to make our community better, safer and following the mission of Town of Cedar Lake.

Please accept this letter of gratitude for your support last Saturday, you're continue support any time the Cedar Lake Police Department is in need and your continued work ethic that we see on the Streets of the Town of Cedar Lake each and every day. I can only pray that those values are passed on to other workers which will continue the great relationship we have between our two Departments. God Bless.

Respectfully and Honorably,

William T Fisher
Chief of Police
Cedar Lake Police Department

Cc: Randy Niemeyer, President Cedar Lake Town Council, Jill Murr, Town Administrator

Please read at the Council Meeting, 7-24-2020

I wanted to take the time to Thank Tom Stevens for the outstanding Job he did on Truman Circle. The Town Manager, Tim + some Board Members are aware of the Truman Circle project. Damage to property - mailboxes, exterior air conditioner, home siding, & windows + the list goes on.

The problem is the cul-de-sac is way too small for a Truck or a car with a Trailer to be able to turn around. Tom has actually taken the time to listen to what all of us (in the neighborhood) had

to say about possible solutions. He took everyone's option into consideration. Plus - he made sure the Job was done right. I could see he was always double checking on the progress that was done for the day.

I know the Board has to hear Complaint after Complaint! I want the Town to know what a outstanding Job Tom + his crew did on Truman Circle!!

It is truly appreciated!

Jane Ringenbeller

219-613-3381

13217 Truman Circle
Cedar Lake, IN 46505



July 30, 2020

Town Council
Town of Cedar Lake
7408 Constitution Avenue
P. O. Box 707
Cedar Lake, Indiana 46303

Attention: Jill Murr – Town Administrator

Re: Town Engineer Report for August 4, 2020 Town Council Meeting
(CBBEL Project No.: 060015.00001)

Dear Council Members:

This letter summarizes Christopher B. Burke Engineering, LLC (CBBEL) Town Engineer activities for reporting and action (as necessary) for the August 4, 2020 Town Council Meeting. This report covers activities for the period of July 2, 2020 through July 30, 2020.

1) Aquatic Ecosystem Restoration Cedar Lake Project, Section 206

At the recommendation of the Town Council Committee, the Town Council approved an engineering agreement with CBBEL on July 13, 2020 for preparation of preliminary design for an ecosystem restoration project. The professional services agreement includes tasks to update portions of the testing data prepared by the Corps that are now 10 to 15 years old. The Committee will have a Kick-off meeting soon. Much of the data collection portion of the work will be starting up so that the appropriate seasonal data can be collected.

2) MS4 Coordination

No change from prior report. CBBEL has prepared a Fact Sheet for the local construction sector that summarizes the regulations and practices related to the management and handling of spoils and fill associated with land disturbance activities. The Fact Sheet was forwarded to Town staff today.

CBBEL is still waiting for consecutive days without precipitation to complete outfall screening in accordance with the Town's NPDES Phase II Stormwater/MS4 Permit.

3) 133rd Avenue Phase 2 – Construction Services

CBBEL received the INDOT material certification letter from INDOT on July 30th. LGS now must sign-off on the final quantities. Typically, INDOT projects are closed soon after this certification is received.

4) High Grove Subdivision Improvements

Grimmer has agreed to hydroseed the laydown yard at Vermillion. It is our understanding that this last requirement has not occurred yet. After this has been completed, the project will be closed-out.

5) 129th Avenue (Parrish Avenue to US-41) Improvements

No change from prior report. Project design has been completed for this project. This project will be presented in the second Community Crossing Grant period of 2020. This period has been pushed to September. See below for further information.

6) NIRPC/State Legislature/INDOT/IDNR Updates

The NIRPC TPC Transportation Improvement Program Continuous Working Group has been working on a revised equitable application for a Fall 2020 Notice of Funding Availability (NOFA) call. The schedule for this NOFA was announced at the Transportation Resources Oversight Committee as a call for projects on September 11th, a workshop on September 29th and a closing date of October 21st. One-on-one meetings will be held with NIRPC staff prior to October 16th. Selected projects will be presented to the TPC in February 2021.

NIRPC issued notice of funds available through the U.S Economic Development Administration. These funds are related to the Public Works and Economic Adjustment Assistance Programs. These are revolving programs that don't have closing dates and are typically 50/50 matching between \$100,000 and \$3,000,000. The NIRPC summary sheet is attached to this letter. These programs have been partially funded when Congress appropriated \$1.5 billion via the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

Applications for the INDOT Railroad Grade Crossing Fund are due by August 7th. This deadline was pushed back from July 31st. This is a 50/50 match program up to \$45,000. An application is being completed to include all railroad related striping throughout the Town.

7) Other Funding Opportunities

- **Community Crossing Matching Grant, INDOT:** The HIP project was advertised for public bid on July 17th and 24th through the Northwest Indiana Times and Post

Tribune newspapers. A project addendum was issued on July 29th to all Contractors and bids are due on August 3rd at 10:00am. It is our intent to award this project at the August 4th Town Council meeting pending bid tabulation and bid review.

The second Call for Projects was due to open on July 6th; however, due to the pandemic and potential state budgetary shortfalls, INDOT and the State Budget Agency have held the opening until further notice. The state budgets will be re-evaluated in September when additional revenue forecasts are provided. This will NOT affect awarded funds under the first 2020 Call for Projects.

8) Highland Subdivision (High Grove, Phase 2)

CBBEL and the Town were notified by NIPSCO on July 9th that they would not be meeting their schedule to have all ROW procured by August 31st. We need to schedule a conference call with NIPSCO to establish a new schedule for ROW procurement and utility relocation.

9) Town Road Committee

No change from prior report. CBBEL completed a field check on June 12th for Noble Oaks. Preliminary design is continuing for this subdivision. A field check will be made for the Shades Subdivision once the Noble Oaks design has been completed.

10) Redevelopment Commission

CBBEL is completing the following projects for the Redevelopment Commission:

- 133rd Avenue/King Drive Intersection Safety Improvements (DES No. 2000023): The Stage 3 submittal was made to INDOT on July 24th and we are awaiting comments.
- Morse Street Corridor Pedestrian Path: CBBEL provided a preliminary cost estimate to provide a walking path on one side of Morse Street from 133rd Avenue to 145th Avenue. RDC directed CBBEL to provide a concept level plan for a walking path and other improvements along this corridor at the July 20th meeting. CBBEL will provide a typical section and plan view concept at the September meeting.
- Midway Gardens: Three conceptual alternatives and cost estimates for the relocation of Lake Shore Drive were provided to the RDC on August 19th. It is our understanding this information is currently being evaluated. **No Change.**
- Lake Shore Drive Retaining Wall: The RDC has re-visited an evaluation completed by CBBEL in 2013 regarding the railroad tie retaining wall located along Lake Shore Drive adjacent to Bartlett-Wahlberg Park. CBBEL recommend a slope-stability analysis be completed prior to any repairs being considered. This wall is also most likely located on private property. **No Change.**

11) Plan Commission

CBBEL has been completing civil review and coordination activities for the following proposed developments:

- Henn (former King Medical Building along Broadway): CBBEL issued a letter to the Applicant on July 17th to address continued site plan issues regarding drainage along the southern property boundary.
- Beacon East: This project received contingent preliminary plat approval at the July 15th meeting pending the satisfactory completion of remaining engineering comments.
- Monastery Woods, South Letter of Credit Project: This project was sent to Contractor's for quotes on July 23rd. Quotes are due to the Town on August 5th at 10:00am.
- Development Standards Manual Update: CBBEL has begun updates to the DSM. This work will continue throughout the summer and winter. **No Change.**

12) Stormwater Management Board

Oaks/Shades Wilson Ditch: CBBEL has completed engineering plans and contract documents for this project. We are awaiting easement acquisition. CBBEL and Town staff met with the affected homeowners on February 5th. As a result of this meeting, CBBEL completed a site visit to evaluate upstream drainage issues related to Havenwood Subdivision. The larger upstream drainage issue may be addressed with a future project. **No Change.**

13437 Bluebird Lane, Robin's Nest: This is a rear yard drainage issue likely caused by a downstream property owner raising grades within a designated public utility and drainage easement. Town staff was directed to get a legal opinion on the removal of fences within easements to gain access to the area. **Update: It is our understanding that Town staff is contacting the homeowner to discuss the requirements for a permanent easement to Bluebird Lane. No Change.**

Woods of Cedar Creek: CBBEL presented a proposed grading plan to Storm Board members for Lots 4 and 5. CBBEL is also preparing revised temporary easement documents for the new disturbance limits. **Update: This project was sent to Contractor's for quotes on July 24th. Quotes are due to the Town on August 11th at 10:00am.**

Stormwater Master Plan: CBBEL is preparing a proposal for the completion of a Town-wide Stormwater Master Plan. This plan would include mapping of the Town's entire storm sewer network, identification of system problem areas, hydrologic/hydraulic modeling of specific areas, public participation meetings, and a final plan report detailing future projects and cost estimates. **This proposal will be presented to the Town later in the summer.**

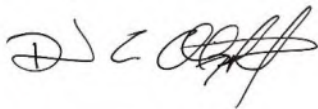
13) Building Department

CBBEL completed as-built reviews for 29 lots in July 2020. CBBEL has also been completing on-going development reviews in the following subdivisions/projects: Summer Winds, Summer Winds Plaza, Birchwood Farms, Rose Garden Estates, LedgeStone, Centennial, Beacon Pointe, Lakeside, and Offshore Estates.

Zoning Map: CBBEL has completed the new zoning map for Town use. We are also finalizing a method to interactively view the zoning map on ESRI ArcReader software at Town Hall or even embedding a link on the Town's website for public viewing (if desirable). The ESRI ArcReader software is free and not licensed. This information has been conveyed to Town staff for a decision. **No Change.**

Thank you for allowing us to provide you with these Town's engineering services. If you have any questions or concerns, please do not hesitate to call.

Sincerely,



Donald C. Oliphant, PE, CFM, CPESC, CPMSM
Civil Engineer

L060015 Council Report 073020.docx

CC: Director of Operations
Building Administrator
Town Attorney

Attachments: Project Status Report
All Projects Schedule

Town of Cedar Lake – Project Status Report

Christopher B. Burke Engineering, LLC

updated 07/30/20

Job No.	Description	Budget	Deliverable(s)	Status	Deadline(s)
060015.00001	Town Council	n/a	Town Council Report for 08/04/20 meeting	Completed	07/30/20
060015.00002	Plan Commission	n/a	Plan Reviews & LOC Inspections	Plan Commission Meetings and Review of Plan Applications. See letter for details.	ongoing
060015.00003	Stormwater Management Board	n/a	Review and reporting concerning agenda action items	Reviewing items as requested and reporting status to Storm Board. See letter for details.	ongoing, as requested
060015.00006	Stormwater Cost of Services Study	n/a	ERU calculation review	Ongoing review of ERU calculations for parcels requested by Town.	ongoing, as requested
060015.00012	206 - Ecosystem Restoration	n/a	Re-Draft Final Feasibility Study Report	At the recommendation of the Town Council Committee, the Town Council approved an engineering agreement with CBBEL on July 13, 2020 for preparation of preliminary design for an ecosystem restoration project. The professional services agreement includes tasks to update portions of the testing data prepared by the Corps that are now 10 to 15 years old. The Committee will have a Kick-off meeting soon. Much of the data collection portion of the work will be starting up so that the appropriate seasonal data can be collected. – see 07/30/20 Council Report for details.	ongoing
090043	MS4 Coordination	\$19,400	MS4 Coordination Services & Development SESC/Rule 5 Inspections	<i>No change from last report.</i> CBBEL has prepared a Fact Sheet for the local construction sector that summarizes the regulations and practices related to the management and handling of spoils and fill associated with land disturbance activities. The Fact Sheet was forwarded to Town staff today. CBBEL is still waiting for consecutive days without precipitation and above freezing temperatures to complete outfall screening in accordance with the Town's NPDES Phase II Stormwater/MS4 Permit. – see 07/30/20 Council Report for details	ongoing
1300022.00000 (INDOT) & 1300022.00002 (Local)	133 rd Avenue (Phase 2) – Construction Services	\$359,869 & \$54,923	Construction Activities (To Substantial Completion)	CBBEL received the INDOT material certification letter from INDOT on July 30 th . LGS now must sign-off on the final quantities. Typically, INDOT projects are closed soon after this certification is received. – see 07/30/20 Council Report for details	ongoing

170332	High Grove Subdivision Improvements	\$261,000	Construction Observation	Grimmer has agreed to hydroseed the laydown yard at Vermillion. It is our understanding that this last requirement has not occurred yet. After this has been completed, the project will be closed-out. – see 07/30/20 Council Report for details	ongoing
190104	Highland Subdivision Design	\$59,950	Design Services, Permitting, Bidding Services	CBBEL and the Town were notified by NIPSCO on July 9 th that they would not be meeting their schedule to have all ROW procured by August 31 st . We need to schedule a conference call with NIPSCO to establish a new schedule for ROW procurement and utility relocation. – see 07/30/20 Council Report for details	ongoing