



January 5, 2021

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

Roll Call:

Present	Robert H. Carnahan Council Member	Ward 1	Present	Colleen Schieben Council Member	Ward 6
Absent	John Foreman Council Member	Ward 2	Present	Richard Sharpe Council Member	Ward 7
Present	Julie Rivera Council Member	Ward 3	Present	Jennifer N. Sandberg, IAMC Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	Rick Eberly Town Manager	
Present	Randell Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

NEW BUSINESS – ELECTIONS & APPOINTMENTS

1. Town Council President and Vice-President

Clerk-Treasurer Sandberg called for nominations for Town Council President. Richard Sharpe nominated Randy Niemeyer. A second was made by Colleen Schieben. No other nominations were made. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

President Niemeyer called for nominations for Town Council Vice-President. Julie Rivera nominated Richard Sharpe. A second was made by Colleen Schieben. No other nominations were made. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

2. Town Council Liaisons, Appointments, & Committees -

President Niemeyer read the list of Town Council Liaisons and Committees as follows:

Redevelopment Commission: Robert Carnahan
Plan Commission: Robert Carnahan, John Foreman, Richard Sharpe
Board of Safety: Ralph Miller
Unsafe Building: Colleen Schieben
Stormwater Board: Robert Carnahan
Joint Management Oversight Board (JMOB): Ralph Miller, Richard Sharpe
Northwest Indiana Regional Planning Commission (NIRPC): Robert Carnahan
Lake County Solid Waste (LCSW): Robert Carnahan
Lake County Community Services: Ralph Miller
Ecosystem Restoration Committee: Julie Rivera, John Foreman, Ralph Miller
Public Works & Safety: Randy Niemeyer, Julie Rivera, Ralph Miller
Park & Recreation: Colleen Schieben, Richard Sharpe, Ralph Miller
Council Affairs: Randy Niemeyer, Ralph Miller, Richard Sharpe
Streets: Robert Carnahan, John Foreman, Richard Sharpe
Planning Committee: Robert Carnahan, John Foreman, Richard Sharpe

A motion to approve as listed was made by Ralph Miller with second by Richard Sharpe. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

President Niemeyer read the list of Boards and Commissions as follows:

Board of Safety: A motion to appoint Norman Stick and James Olthoff was made by Ralph Miller. A second was made by Richard Sharpe. No other nominations were made. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

Board of Zoning Appeals: A motion to appoint Nick Recupito was made by Julie Rivera. A second was made by Colleen Schieben. No other nominations were made. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

Plan Commission: Heather Dessauer (Approved December 15, 2020)

Redevelopment Commission: A motion to appoint Eric Burnham, Jolie Covaciu, Doug Spencer, Nathan Vis, and Randy Niemeyer was made by Richard Sharpe. A second was

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made by Julie Rivera. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

Storm Water Board: A motion to appoint Dan Enright was made by Julie Rivera. A second was made by Colleen Schieben. No other nominations were made. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

Unsafe Building: A motion to appoint Jim Lubelow was made by Ralph Miller. A second was made by Robert Carnahan. A motion to appoint Denny Wilkening was made by Colleen Schieben. A second was made by Julie Rivera.

Roll Call Vote for Jim Lubelow: Carnahan – Yes, Miller – Yes, Schieben – No, Sharpe – No, Rivera – No, Niemeyer – No. Vote: 2 – 4. Motion fails.

Roll Call Vote for Denny Wilkening: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

Council Appointment to the BZA: A motion to appoint Jerry Wilkening was made by Richard Sharpe. A second was made by Julie Rivera. No other nominations were made. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

Council Appointment to Unsafe: A motion to appoint Colleen Schieben was made by Julie Rivera. A second was made by Richard Sharpe. No other nominations were made. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: December 29, 2020

Claims: All Town Funds \$1,827,604.80, Wastewater Operating \$47,574.30, Water Utility \$11,959.07, Storm Water \$143,982.49, Payroll December 23 and December 31, 2020 \$234,838.06

Clerk-Treasurer's Bond

Manual Journal Entries: December 1-31, 2020

Donations: Kubal's Holiday, Inc – \$250.00 - Donation for Police UTV Equipment Purchase, Schilling Brothers Lumber – \$400.00 - Donation for Police Equipment Purchase, Crown Point Community Foundation - \$12,000 – Donation for Fire for Purchase of Jaws of Life Unit, Crown Point Community Foundation - \$10,000 – Donation for Police for Purchase of Digital Camera Units for evidence collection and other high priority needs

UpCycle Rain Barrel Event (sales February 22-April 15, 2021; pick up April 22 from 2-5pm)

A motion to accept and waive the reading of the minutes and accept the consent agenda as listed was made by Colleen Schieben with second by Richard Sharpe. Mr. Carnahan commented on the missing items under the consent agenda. Clerk-Treasurer Sandberg previously emailed that those items were moved to the January 19th agenda. Mr. Carnahan spoke about the 2020 ending cash balances. A brief discussion ensued. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

President Niemeyer amended the agenda and added an item under Town Manager Reports. The item will be on project submittal for the new round of Community Crossing Grants.

PLAN:

1. Performance Letter of Credit – Summer Winds Development LLC, Unit 2

Mr. Eberly stated this performance letter of credit has been reviewed by the attorney and engineer. This letter of credit is in an amount of \$279,817.13.

A motion to approve was made by Richard Sharpe with second by Colleen Schieben. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

2. Performance Letter of Credit – Summer Winds Development LLC, Unit 3

Mr. Eberly stated this performance letter of credit has been reviewed by the attorney and engineer. This letter of credit is in an amount of \$14,575.48.

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A motion to approve was made by Julie Rivera with second by Colleen Schieben. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

3. Performance Letter of Credit – Lennar Homes of Indiana Inc – Rose Garden Estates, Unit 2

Mr. Austgen stated this is an amount of \$1,685,193.13 for Unit 2. It has been reviewed.

A motion to approve was made by Richard Sharpe with second by Colleen Schieben. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

NEW BUSINESS:

1. CBBEL Master Services Agreement

Mr. Niemeyer reported this is for the annual services agreement for engineering. There looks to be minor increases from last year. A copy of the cost listing can be requested from the Office of the Clerk-Treasurer.

A motion to approve was made by Robert Carnahan with a second by Julie Rivera. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

Mr. Niemeyer stated he wants to send an email to the firms that were being vetted for financial services. If no one objects, he would like to send an email to Mr. Krohn soliciting the same sort of master services agreement for the Council to consider at the next meeting. He will solicit that for the next agenda. They've done a great job for the Town. Mr. Austgen asked if this would include services for capital financing. Mr. Niemeyer stated this would be a general services agreement. Crowe, LLC would be used for larger financing items. Krohn would be for general financial services.

2. Cline/Lake Shore Drive Temporary Easement Agreement Releases

Mr. Eberly stated there are approximately a dozen temporary easement agreements that were acquired for construction of the roundabout. It is time to release them back to the property owners. These releases require Randy and Jen's signatures. A brief discussion continued on the witness and notary signature pages.

A motion to approve was made by Colleen Schieben with second by Richard Sharpe. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

REPORT

- 1. Town Council** – Mr. Carnahan stated he would like to see a thank you letter sent to the Crown Point Community Foundation from the Council for the grants the Police and Fire Departments received. Mr. Niemeyer asked for the signature of the Chief's as well. Chief Fisher stated they already have prepared a thank you letter. A brief discussion continued on the grants received. Mr. Niemeyer thanked his fellow Council members for the re-appointment as Town Council President. He hopes to continue doing a good job. He stated he doesn't want to be Council President next year because he hopes to run for political office. He appreciates the opportunity to serve again this year.
- 2. Town Attorney** – No report.
- 3. Clerk-Treasurer** – Clerk-Treasurer Sandberg reported they have received the 1782 Notice from the DLGF. The 2021 budget was approved as submitted. It has been entered in the ledger system and department heads have received a copy of their budgets.
- 4. Town Manager**
 - a. CCMG Project for Submittal** – Mr. Eberly stated they learned the new round of community crossing matching grants is open. Applications are due by the 29th of January. He asked for direction from the street committee to recommend to the Town Council that they apply for Parrish Avenue from 133rd to 137th. This project was planned to come out of local dollars but this is an opportunity to get a 50/50 match. Mr. Carnahan made that recommendation as a member of the street committee. A second to that recommendation was made by Richard Sharpe. A motion to approve the recommendation and apply for the grant was made by Julie Rivera with second by Colleen Schieben. Mr. Niemeyer noted that as more availability comes, Fairbanks needs to be added to the list. Fairbanks has been heavily used during several construction seasons. Mr. Carnahan reported that MacArthur School will undergo construction to increase capacity. More traffic will travel along that road. Roll call: Carnahan – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Rivera – Yes, Niemeyer – Yes. Vote: 6 – 0.

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5. **Director of Operations** – No report.
6. **Police Department** – No report.
7. **Fire Department** – Chief Wilkening stated the department has hit a new record of calls. They've responded to 1525 calls with a three month revolving calls due to COVID. If not for COVID they estimate they would've hit 1900 calls. He discussed the raises approved for the department this year and asked the Council to consider another substantial raise. They are getting ready to lose more people. He would ask them to look at an additional boost this year for the department. This will help them be more competitive with surrounding departments. He suggested another \$5,000 per person. He asked for this to be looked at soon. He has one person for sure leaving. They will potentially lose three others. They have advertised for an emergency hire. He's been working with the Township Trustee on purchasing another truck. They are discussing a tanker versus a pumper. He will have the year-end report at the next meeting. Mr. Niemeyer discussed the sustainability plan they are working on as it relates to sustaining public safety and proper staffing and wages. A brief discussion continued.

WORK SESSION

1. **Park Impact Fees** - Mr. Eberly introduced Taghi Arshami with the Arsh Group. Mr. Arshami gave a brief presentation on the Park Impact Fee update. He talked about where they are in the process as well as the analysis of assets and total households. The current fee is \$1,215 and the suggested increase is to \$1,762. This will be going to the Plan Commission tomorrow for their approval. If approved it will make its way back to the Town Council agenda for ordinance approval at the next meeting. Mr. Niemeyer discussed the improvements with the park impact fee. He discussed Bartlett/Wahlberg Park and a future picnic shelter. A recreational trail has also been discussed. He discussed putting together an action plan. He wants everyone engaged in executing plans. A brief discussion continued on the housing increase.
2. **Town Email Addresses**
Mr. Eberly stated this was brought up a few meetings ago. The recommendation was for all board and commission members to have a Town email. Mr. Wroe put together a proposal with anticipated costs for the additional email addresses. Mr. Niemeyer stated this is for transparency. It's better for the public servants and the public. It makes a clean and simple process for any record requests. Mr. Austgen asked if a policy would be established to remain folks the proper usage of these emails and how they should be used for Town business only. Mr. Eberly reported on the personnel policy and having it updated. Mr. Niemeyer asked for this to be updated and placed on the next agenda.

WRITTEN COMMUNICATION

None

PUBLIC COMMENT

Mary Joan Dickson, 8711 W. 132nd Place, discussed maybe one of the priorities for parks could be an athletic complex. She discussed previous complaints received on fields, traffic and usage. Mr. Niemeyer talked about a previous Redevelopment meeting and possibly partnering with a commercial development that would help to expand a possible athletic facility. It is something being discussed. Ms. Dickson asked if it would be in partnership with existing programs. Mr. Niemeyer stated he thinks it would have to. This would be a collaborative effort.

Chief Wilkening thanked everyone for their support after the passing of his sister in law. He discussed receiving the COVID vaccine. He encouraged everyone to make a good choice and really think about receiving the vaccine. He discussed his sister in law's battle with COVID and the impact on his family.

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:10 PM

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

Randell Niemeyer, President, Ward 5

Richard Sharpe, Vice President, Ward 7

Robert H. Carnahan, Ward 1

John Foreman, Ward 2

Julie Rivera, Ward 3

Ralph Miller, Ward 4

ATTEST:

Colleen Schieben, Ward 6

Jennifer N. Sandberg, IAMC
Clerk-Treasurer

The Minutes of the Cedar Lake Town Council are transcribed pursuant to IC 5-14-1.5-4(b), which states:

- (b) As the meeting progresses, the following *memoranda* shall be kept:
- (1) The date, time and place of the meeting.
 - (2) The members of the governing body recorded as either present or absent.
 - (3) The general substance of all matters proposed, discussed, or decided.
 - (4) A record of all votes taken, by individual members if there is a roll call.
 - (5) Any additional information required under IC 5-1.5-2-2.5.