

TOWN COUNCIL PUBLIC MEETING AGENDA

March 16, 2021 - 7:00 PM

Town Council Public Meeting

March 16, 2021

ORDINANCES & RESOLUTIONS:

1. Ordinance No. 1379 – 2021 Salary Ordinance Amendment:

Motion: _____ 1st _____ 2nd

Carnahan	Foreman	Rivera	Miller	Schieben	Sharpe	Niemeyer	Vote
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

NEW BUSINESS:

1. Woods of Cedar Creek Storm Water Project – Change Order No. 1

Motion: _____ 1st _____ 2nd

Carnahan	Foreman	Rivera	Miller	Schieben	Sharpe	Niemeyer	Vote
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

2. 2021 Garbage and Recycling Discussion

Motion: _____ 1st _____ 2nd

Carnahan	Foreman	Rivera	Miller	Schieben	Sharpe	Niemeyer	Vote
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

3. American Rescue Plan Discussion

Motion: _____ 1st _____ 2nd

Carnahan	Foreman	Rivera	Miller	Schieben	Sharpe	Niemeyer	Vote
Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	Yes No	-

REPORTS:

1. Town Council
2. Town Attorney
3. Clerk-Treasurer
4. Town Manager
5. Director of Operations
6. Police Department (142nd Place and Fairbanks - Street Lighting)
7. Fire Department

WRITTEN COMMUNICATION:

1. Building Department Report
2. Christopher B. Burke Report

PUBLIC COMMENT:

ADJOURNMENT:

PRESS SESSION:

NEXT MEETING: Tuesday, April 6, 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.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

ORDINANCE NO. 1378

AN ORDINANCE RE-ESTABLISHING AND CONTINUING A CUMULATIVE CAPITAL DEVELOPMENT FUND (CCDF) FOR THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AND ALL MATTERS RELATED THERETO.

BE IT RESOLVED, by the Town Council of the Town of Cedar Lake, Lake County, Indiana that a need now exists for the re-establishment of a Cumulative Capital Development Fund as permitted by the provisions of Indiana Code §36-9-15.5, namely:

1. To construct such streets, alleys, sidewalks, or thoroughfares as required and to maintain the same, and further, to fund any and all related purposes consistent thereto.
2. To purchase, lease, or pay all or part of the purchase price of motor vehicles for use of the Police and Fire Department, or both, including ambulance and fire-fighting vehicles with all necessary equipment.
3. Any and all other purposes allowed by I.C. §36-9-15.5-2, as the same may be amended from time to time.

BE IT FURTHER RESOLVED, that this Town Council will adhere to the provisions of Indiana Code §36-9-15.5. The proposed fund will not exceed **\$0.05 on each \$100.00** of assessed valuation. Said tax rate will be levied beginning with taxes for 2021 payable 2022.

BE IT FURTHER RESOLVED, that proofs of publication of the public hearing held on the 16th day of March, 2021, and a certified copy of this ordinance, shall be submitted to the Department of Local Government Finance of the State of Indiana as provided by law. This Cumulative Fund is subject to the approval of the Department of Local Government Finance.

ALL OF WHICH IS APPROVED AND ADOPTED, THIS 16TH DAY OF MARCH, 2021, BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

Randell Niemeyer, President

Richard Sharpe, Vice President

Robert H. Carnahan

John Foreman

Julie Rivera

Ralph Miller

ATTEST:

Colleen Schieben

_____, Fiscal Officer
Jennifer N. Sandberg, IAMC
Clerk-Treasurer

March 16, 2021

ALL TOWN FUNDS	\$277,605.31
----------------	--------------

WASTEWATER OPERATING	\$196,433.76
----------------------	--------------

WATER UTILITY	\$1,224.00
---------------	------------

STORM WATER	\$9,016.69
-------------	------------

PAYROLL 3/1 , 3/4/2021	\$322,236.96
------------------------	--------------

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

ORDINANCE NO. 1379

AN ORDINANCE AMENDING TOWN SALARY ORDINANCE NO. 1370 ESTABLISHING JOBS AND SALARIES TO BE PAID CERTAIN OFFICES, POSITIONS, AND JOBS WITHIN THE TOWN OF CEDAR LAKE FOR THE CALENDAR YEAR 2021, 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. 1370** establishing jobs and salaries to be paid certain offices, positions, and jobs within the Town of Cedar Lake for the year **2021**; 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. 1370** 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. 1370** 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 compensations be amended and added to the Section entitled Planning, Zoning & Building in Town Ordinance No. 1370, as amended from time to time, to read and provide as follows:

Town Council & Administration

Building/Code Inspector	Full-Time, Hourly	Not to exceed \$26.45 per hour payable 40/40/20 General/Wastewater/Storm
-------------------------	-------------------	---

SECTION TWO: That this amendment shall be for the pay period beginning March 14, 2021.

SECTION THREE: That all existing Ordinances, or parts thereof, in conflicts 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 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.

**ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE
TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, THIS 16th DAY OF MARCH, 2021.**

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

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

Randell C. Niemeyer, President

Richard Sharpe, Vice-President

Robert H. Carnahan, Member

John Foreman, Member

Julie Rivera, Member

Ralph Miller, Member

Colleen Schieben, Member

ATTEST:

Jennifer N. Sandberg, IAMC
Clerk-Treasurer



March 11, 2021

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

Attention: Jennifer Sandberg – Clerk-Treasurer

Subject: Woods of Cedar Creek Improvements
Pay Request No. 1
(CBBEL Project No. 060015.00003)

Dear Town Council Members:

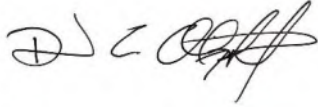
Christopher B. Burke Engineering, LLC (CBBEL) has reviewed Pay Request #1 in the amount of \$48,985.00 requested by Redbud Landscaping Services, Inc. Based on the completed and observed work to date, CBBEL recommends payment in the following amount:

Total Improvements:	This Estimate	To Date
Value of Work Completed:	\$ 48,985.00	\$ 48,985.00
Less Retainage:	\$ (4,898.50)	\$ (4,898.50)
Balance:	\$ 44,086.50	\$ 44,086.50
Less Previous Payments:	n/a	n/a
Amount Due This Payment:	\$ 44,086.50	\$ 44,086.50

Please find attached a copy of the Pay Estimate Report from CBBEL. We recommend that 10% retainage be withheld to address punch list items this Spring.

If you have any questions or concerns, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Oliphant', with a stylized flourish at the end.

Donald C. Oliphant, PE, CFM, CPESC
Town Engineer

Encl.: As noted.

cc: Rick Eberly – Town Manager
Jill Murr – Planning Director
Tim Kubiak – Director of Operations
Ray Linz – Redbud Landscape Services, Inc.

P:\Cedar Lake\060015 Town Engineer\00003 Stormwater Mgmt Board\Woods of Cedar Creek\Pay Requests\Woods of Cedar Creek, Request #1 - 031121.docx

TOWN OF CEDAR LAKE, IN
WOODS OF CEDAR CREEK IMPROVEMENTS

CONTRACTOR: Redbud Landscape Services, Inc.
DATE: March 11, 2021
ESTIMATE NO. 1
PROJECT: Woods of Cedar Creek Improvements
PROJECT #: 060015.00003

CBBEL PAY ESTIMATE REPORT

ITEM	DESCRIPTION	CONTRACT QUANTITY	UNIT OF MEASURE	UNIT PRICE	QUANTITY THIS INVOICE	AMOUNT THIS INVOICE	QUANTITY TO DATE	PERCENT COMPLETE	CONTRACT AMOUNT TO DATE
1	Mobilization/Demobilization	1	LS	\$ 4,500.00	1.00	\$ 4,500.00	1.00	100.0%	\$ 4,500.00
2	Construction Engineering	1	LS	\$ 5,000.00	1.00	\$ 5,000.00	1.00	100.0%	\$ 5,000.00
3	Common Excavation	139	CYS	\$ 100.00	139.00	\$ 13,900.00	139.00	100.0%	\$ 13,900.00
4	Grading	570	SYS	\$ 10.00	570.00	\$ 5,700.00	570.00	100.0%	\$ 5,700.00
5	Sprinkler Head Adjustments (Undistributed)	1	EA	\$ 5.00	1.00	\$ 5.00	1.00	100.0%	\$ 5.00
6	Sprinkler Pipe Relocations (Undistributed)	0	LFT	\$ 6.66	0.00	\$ -	0.00	0.0%	\$ -
7	Topsoil (4-in.) & Sod	640	SYS	\$ 19.00	640.00	\$ 12,160.00	640.00	100.0%	\$ 12,160.00
8	Protect, Tree	0	EA	\$ 100.00	0.00	\$ -	0.00	0.0%	\$ -
9	Silt Fence	0	LFT	\$ 3.00	0.00	\$ -	0.00	0.0%	\$ -
10	Inlet Protection	0	EA	\$ 300.00	0.00	\$ -	0.00	0.0%	\$ -
11 (CO)	2' Concrete Inlet Structure	2	EA	\$ 1,600.00	2.00	\$ 3,200.00	2.00	100.0%	\$ 3,200.00
12 (CO)	12" PVC - SDR 35 Pipe	80	LFT	\$ 21.50	80.00	\$ 1,720.00	80.00	100.0%	\$ 1,720.00
13 (CO)	4" PVC - SDR 35 Pipe & Fittings	120	LFT	\$ 15.00	120.00	\$ 1,800.00	120.00	100.0%	\$ 1,800.00
14 (CO)	Matting	1	LSUM	\$ 1,000.00	1.00	\$ 1,000.00	1.00	100.0%	\$ 1,000.00

TOTAL	\$	48,985.00	TOTAL	\$	48,985.00
-------	----	-----------	-------	----	-----------

Awarded Contract Value:	\$	47,983.00	ORIGINAL CONTRACT	\$	47,983.00
Current Contract Value:	\$	48,985.00	TOTAL CHANGE ORDERS	\$	1,002.00
			REVISED CONTRACT	\$	48,985.00
Percent Complete (Awarded):	102.09%		COMPLETED TO DATE	\$	48,985.00
Percent Complete (Current):	100.00%		RETAINAGE	10.00%	
			TOTAL EARNED LESS RETAINAGE	\$	4,898.50
			LESS PREVIOUS REQUESTS	\$	44,086.50
			CURRENT AMOUNT DUE	\$	-

CL0347 - Cedar lake 2021 Garabage and Recycling Bids

Bid Tab and Document Review

3/9/2021

Description / Bidder	Republic Services	Homewood Services*		
Weekly Recycling Pickup				
Year 1 weekly	\$19.50	*Homewood services submitted a letter declaring a no-bid submission, attended the bid opening, and requested to be kept on the list of contacts for future opportunities.		
Year 2 weekly	\$20.09			
Year 3 weekly	\$20.89			
Year 4 weekly	\$21.72			
Year 5 weekly	\$22.59			
Year 6 weekly	\$23.72			
Every-other Week Recycling 1/2 of the residents receiving recycling pickup one week and the 1/2 half the next week.				
Year 1 bi-weekly	\$18.90			
Year 2 bi-weekly	\$19.47			
Year 3 bi-weekly	\$20.25			
Year 4 bi-weekly	\$21.06			
Year 5 bi-weekly	\$21.90			
Year 6 bi-weekly	\$22.77			
Base Bid	\$209,827.00			
Attended Pre-Bid	Yes	Yes		
Bid Form 96	Yes			
Bid Offer or Proposal	Yes			
Bid Response Form	Yes			
Non-Collusion Affidavit	Yes			
Bid Security	5%			
C.1. Equipment List	Yes			
C.2. Disposal Sites	Yes			
C.3. Contact Info	Yes			
C.4. Capacity Letter	Yes			
Addenda No. 1	Yes			
Certificate of Insurance	Yes			
Alternate Bid	\$203,361.00			



Congress of the United States
House of Representatives
Washington, DC 20515-3227

March 10, 2021

I am pleased to inform you that President Biden is preparing to sign into law the American Rescue Plan, a historic \$1.9 trillion package that I was proud to support in the U.S. House of Representatives earlier today.

First and foremost, the American Rescue Plan provides critical aid to ensure the efficient, equitable distribution and administration of COVID-19 vaccines. Specifically, this landmark legislation provides \$20 billion to establish a national COVID-19 vaccination program and improve the distribution and administration of vaccines, including via community vaccination sites. It also provides \$7.6 billion to bolster our COVID-19 response via Community Health Centers, beginning to address the significant health disparities in our communities that have been exacerbated by the pandemic.

The American Rescue Plan also provides \$350 billion in state and local aid for our communities. I am glad to report that, based on projections circulated by House Committees, metro cities and municipalities in our district are expected to receive:

Metro City or Municipality	ARP Local Aid	Metro City or Municipality	ARP Local Aid
Beverly Shores	\$120,000	Merrillville	\$7,250,000
Burns Harbor	\$380,000	Michigan Shores	\$60,000
Cedar Lake	\$2,750,000	Michigan City	\$16,730,000
Chesterton	\$2,940,000	Munster	\$4,680,000
Crown Point	\$6,350,000	New Chicago	\$400,000
Dune Acres	\$40,000	Ogden Dunes	\$230,000
Dyer	\$3,330,000	Pottawattomie Park	\$50,000
East Chicago	\$33,380,000	Porter	\$1,010,000
Gary	\$83,660,000	Portage	\$7,710,000
Griffith	\$3,350,000	Schererville	\$5,940,000
Hammond	\$53,270,000	Schneider	\$50,000
Hebron	\$760,000	St. John	\$3,920,000
Highland	\$4,650,000	Trail Creek	\$420,000
Hobart	\$5,820,000	Town of Pines	\$140,000
Kouts	\$410,000	Valparaiso	\$7,060,000
La Crosse	\$110,000	Wanatah	\$210,000
Lake Station	\$2,470,000	Westville	\$1,220,000
Lowell	\$2,070,000	Whiting	\$990,000
Long Beach	\$240,000	Winfield	\$1,250,000

Counties in our district are expected to receive:

County	ARP Local Aid
Lake County	\$94,160,000
LaPorte County	\$21,310,000
Porter County	\$33,050,000

With these federal funds, metro cities, municipalities, and counties in our district will be able to address the economic effects of the COVID-19 public-health emergency, reinstitute government services that have been scaled back due to revenue shortfalls, and provide premium pay to essential workers.

Please do not hesitate to contact my Merrillville office, at 219-795-1844, if you have any questions or difficulty in accessing this vital aid. I would also welcome the opportunity to set up a virtual conversation via Zoom with you and other community members regarding the American Rescue Plan’s transformative potential when it comes to our ability to surmount this public-health emergency and revitalize our economy.

Additionally, the American Rescue Plan provides nearly \$130 billion in federal funds to assist states and K-12 schools in reopening safely and making up for lost time in the classroom. Based on projections circulated by House Committees, schools in our district are expected to receive:

School District	ARP K-12 Aid	School District	ARP K-12 Aid
Tri-Township Consolidated School Corporation	\$391,000	Lake Central School Corporation	\$6,166,000
Boone Township Metropolitan School District	\$803,000	Lake Ridge Schools	\$9,548,000
Crown Point Community School Corporation	\$4,113,000	Michigan City Area Schools	\$23,101,000
Duneland School Corporation	\$4,120,000	Munster School Town	\$1,865,000
City of East Chicago School District	\$37,826,000	New Durham Township Metropolitan School District	\$909,000
Lake Station Community Schools	\$3,744,000	East Porter County School Corporation	\$1,508,000
Gary Community School Corporation	\$95,010,000	Portage Township Schools	\$12,267,000
Griffith Public Schools	\$3,766,000	Porter Township School Corporation	\$810,000
Hammond School City	\$46,190,000	Merrillville Community School	\$14,223,000
Hanover Community School Corporation	\$1,006,000	Tri-Creek School Corporation	\$2,479,000
Highland School Town	\$2,675,000	Union Township School Corporation	\$754,000
Hobart School City	\$5,892,000	Valparaiso Community Schools	\$4,246,000
River Forest Community School Corporation	\$4,836,000	Whiting School City	\$1,667,000

In closing, let me reiterate that it is an honor to have been entrusted with the responsibility of representing Indiana’s First Congressional District in the House during these tumultuous times. While I am confident that the American Rescue Plan will put our country on a more promising trajectory, there is always more to do. Be assured that I will continue to closely monitor the distribution of aid contained in the American Rescue Plan, as well as work hard with my House colleagues to continue delivering for the American people.

Sincerely,



Frank Mrvan
Member of Congress

PERMITS NEW & ALTERATIONS
January-February 2021

MONTH	NEW	RES. VALUE/COMM. VALUE	ALT.	VALUE	Occ
January	42	\$9,975,264	17	\$659,670	20
February	11	\$2,573,351	25	\$529,939	23
Total	53	\$12,548,615	42	\$1,189,609	43



March 12, 2021

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

Attention: Rick Eberly – Town Manager

Re: Town Engineer Report for March 16, 2021 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 March 16, 2021 Town Council Meeting. This report covers activities for the period of February 12, 2021 through March 12, 2021.

1) Aquatic Ecosystem Restoration Cedar Lake Project, Section 206

No change from prior report. Internal coordination meetings were held to discuss and summarize Phase 1 findings and establish a Phase 2 approach. Other coordination meetings were held with IDEM regarding permitting/testing requirements for sediment and effluent being conveyed to the proposed sediment dewatering facility. A Phase 2 proposal was submitted to the Town on February 8th.

2) MS4 Coordination

CBBEL has been compiling data and reviewing water quality characterization information for the MS4 program Annual Report that covers 2019 and 2020 MS4 activities. The report will be completed and submitted to IDEM by the end of the month.

3) 133rd Avenue Phase 2 – Construction Services

INDOT notified CBBEL on February 19th that the Town is due a refund of \$59,479.61 for the overfunded purchase order related to this project. It is our understanding that the Town has already received these funds.

4) 129th Avenue (Parrish Avenue to US-41) Improvements

This project was put out to bid on March 5th. A mandatory pre-bid meeting will be held at Town Hall on March 16th for all plan holders. The bids are due on March 22nd (10am) at

Town Hall. Contracts need to be finalized with the awarded Contractor by April 8th in accordance with the grant contract with INDOT and the CCMG program.

5) NIRPC/State Legislature/INDOT/IDNR Updates

CBBEL attended the virtual NIPRC TPC meeting on March 9th. There were updated items pertaining to the 2025-26 TIP. This TIP will include the east phase (Cline Roundabout to Town Hall) of the Lake Shore Drive Corridor project. This project will be included in the 2025-26 TIP, Year 2025 for \$1,751,300 and have an engineering/ROW component programmed into the 2020-24 TIP, Year 2023 for \$110,000. The construction estimate would be an 80/20 cost share.

NIRPC has previously announced that they will be releasing a revolving fund to aid in small businesses that has been funded by the CARES Act. It is our understanding that this funding mechanism will be released soon.

The Indiana General Assembly convened on January 4th. Legislators were advised from leadership that only “necessary” bills should be introduced and that each legislator is limited to 10 bills each for this session. The following bills have been noted:

- **HB1114, Residential Building Design Elements:** Prohibits a municipality from regulating design elements of residential structures. Specifies certain exclusions from this prohibition. Provides that any rule, ordinance, or other regulation that conflicts with the prohibition is void. Provides that a person aggrieved by a violation of the bill's provisions may file, in a court having jurisdiction, a petition to obtain an injunction against the violation. **Status: Bill failed as it did not meet the House 3rd reading deadline.**
- **HB1116, Pipe Materials Mandate:** This bill seeks to legislate the criteria engineers use in determining the most appropriate materials to be used on a project. This same bill was also considered in previous sessions with language requiring the consideration of a specific type of piping, PVC. **Status: Bill failed as it did not meet the House 3rd reading deadline.**
- **HB1129, PFAS in Public Water Systems:** Requires the state department of health (state department) to establish state maximum contaminant levels for PFAS in water provided by public water systems. Provides that maximum contaminant levels established by the state department: (1) must be protective of public health, including the health of vulnerable subpopulations; and (2) may not be less stringent than any maximum contaminant level or health advisory promulgated by the United States Environmental Protection Agency. **Status: Bill failed as it did not meet the House 3rd reading deadline.**
- **HB1144, Road Funding:** Provides that the amounts currently distributed from the motor vehicle highway account and the local road and street account to counties, cities, and towns based upon the proportionate share of road and street mileage shall instead be distributed based on the proportionate share of road and street vehicle miles traveled. **Status: Bill failed as it did not meet the House 3rd reading deadline.**
- **HB1274, Trails Funding:** Makes appropriations from the state general fund to the department of natural resources for the recreational trail maintenance fund to be

used for the next level trails program for fiscal years beginning July 1, 2021, and July 1, 2022. **Status: Bill failed as it did not meet the House 3rd reading deadline.**

- **HB1466, Performance Bonding of Developers:** Requires (rather than allows) a local unit to grant a secondary approval to a plat for a subdivision in which improvements and installations have not been completed if the applicant provides: (1) a performance bond or other proof of financial responsibility; or (2) if installation or extension of utility service is involved, proof of contracting with a utility or a political subdivision for the installation or extension. Provides that the only condition precedent that a local unit may require to recording a secondary plat is that the land developer obtain a performance bond or other surety for: (1) unfinished streets, sanitary piping, storm water piping systems, water mains, sidewalks and ornamental lands. **Status: Passed the House 62-27 on February 18th and was referred to the Senate Local Government Committee on March 3rd.**
- **HB1527, Eminent Domain:** Makes changes to condemnation proceedings in which appraisers are appointed after December 31, 2021. Requires a city or town condemning property within the unincorporated area of the county to obtain the county legislative body's approval by demonstrating the necessity for the taking and that it is for a public purpose. **Status: Passed the House 63-33 on February 22nd and was referred to the Senate Local Government Committee on March 11th.**
- **HB1576, Transportation Asset Management Plans:** Requires the department of transportation post asset management plans approved by the department to an Internet web site maintained by the department or by an entity contracted by the department to approve asset management plans not later than July 1, 2022. **Status: Passed the House 93-0 on February 15th and passed the Senate 48-0 on March 8th.**
- **SB95, Annexation:** Provides, with certain exceptions, that the following apply to annexations for which an annexation ordinance is adopted after May 14, 2021: (1) A municipality initiating an annexation must file a petition with the court signed by: (A) at least 51% of the owners of land that is not exempt from property taxes in the annexation territory; or (B) the owners of more than 75% in assessed valuation of land that is not exempt from property taxes in the annexation territory. (2) If the petition filed by the municipality has enough signatures, the court must hold a hearing to review the annexation. (3) Adds provisions regarding the validity of a signature on an annexation petition. (4) Eliminates the remonstrance procedure for annexations and reimbursement of remonstrator's attorney's fees and costs. (5) Provides that remonstrance waivers are void for annexations for which the annexation ordinance is adopted after May 14, 2021. (6) Provides that a settlement agreement in lieu of annexation that is executed after May 14, 2021, is void. (7) Eliminates provisions regarding the contiguity of a public highway. Eliminates provisions that prohibit an annexation from taking effect in the year preceding the year that a federal decennial census is conducted. **Status: Passed the Senate 34-14 on February 1st and was referred to the House Local Government Committee on March 1st.**
- **SB207, Highway Finances:** Reduces the required percentage amount of the motor vehicle highway account distributions that counties, cities, and towns must use for the construction, reconstruction, and preservation of highways from 50% in current law to 40% in calendar years beginning January 1, 2022, and ending December 31, 2023. Provides that, for a period in which the reduction applies, the term

"preservation" includes both snow removal and expenditures for deicing road salt or similar deicing agents. Requires counties, cities, and towns that apply the reduced required percentage amounts authorized under the bill to submit to the local technical assistance program at Purdue University in conjunction with the Indiana department of transportation (LTAP) a detailed itemization of the uses of the funds in the calendar year that were for: (1) purposes other than construction, reconstruction, and preservation; and (2) preservation that included only snow removal and expenditures for deicing road salt or similar deicing agents. Requires the LTAP to present a statewide aggregate report of the results received from counties, cities, and towns to the state budget committee for each year. **Status: This bill passed on Senate 40-7 on February 11th and was referred to the House Ways and Means Committee on March 1st.**

- **SB304, Indemnity Agreements in Public Works Contracts:** Provides that a statute that invalidates indemnity agreements in construction contracts relating to providing certain professional services is applicable to such contracts relating to public works projects. Provides that a specified chapter does not apply to: (1) projects covered by INDOT's contractor qualification statute; or (2) a project that is the construction, improvement, alteration, repair, or maintenance of a highway, street, or road. **Status: Passed the Senate 47-0 on February 9th and was referred to the House Judiciary Committee on March 2nd.**
- **SB369, Electronic Meetings and Signatures:** Allows a governing body of a political subdivision to allow its members to participate in a meeting of the governing body electronically subject to the following: (1) The governing body adopts a written policy establishing procedures for electronic participation. (2) Before January 1, 2023, the governing body may, and (after December 31, 2023) the governing body shall use a means of electronic communication that allows the public to attend and observe the meeting. Provides that a member participating by electronic communication is considered present at the meeting for quorum purposes and may participate in any final action taken at the meeting only if the member can be seen and heard. With certain exceptions, provides that a member of the governing body of a school corporation may not participate in a meeting of the governing body by electronic communications if: (1) the only purpose of the meeting is to take public testimony; or (2) the meeting involves taking final action on the adoption of the annual budget of the school corporation. Provides that if a statute requires a manual signature for attesting or authenticating an obligation issued by certain state and local public entities, an electronic signature has the same force and effect as a manual signature. **Status: Passed the Senate 46-0 on February 15th and was referred to the House Government and Regulatory Reform Committee on March 2nd.**
- **SB389, Repeals State Regulated Wetland Law:** Repeals the law requiring a permit from the Indiana Department of Environmental Management for wetland activity in a state regulated wetland. Makes corresponding changes to eliminate references to that law. States that the repeal of that law is not intended to affect: (1) the regulation in Indiana under the federal Clean Water Act of the discharge of dredged or fill material into waters of the United States; or (2) the authorization of the state of Indiana to administer the National Pollutant Discharge Elimination System permit program. Provides that the repeal of that law extinguishes any judicial or administrative proceeding concerning an alleged violation of IC 13-18-22, an

administrative rule concerning IC 13-18-22, or the terms of a permit issued under IC 13-18-22. **Status: The bill was referred to the House Environmental Affairs Committee on March 2nd.**

6) Other Funding Opportunities

- **IDNR – Division of Outdoor Recreation, Next Level Trails Program:** IDNR – Division of Outdoor Recreation will administer the program in conjunction with INDOT. All non-motorized trail types are eligible, but consideration will be given to multi-use trail types. Round 2 grants awards were announced on March 4th. Round 3 now has an announced due date of November 1st and will be the final call for this program. Eligible costs are trail construction, land acquisition, design and engineering, and basic trail amenities. The grant program requires an 80/20 match with minimum and maximum requests of \$200,000 and \$2 million, respectively. There will be \$10 million available for locally significant projects. More information can be found at <https://www.in.gov/dnr/outdoor/9800.htm>.

CBBEL and Town staff had a conference call on March 9th to discuss an application for the Founders Creek Multi-Use Path. Appraisals will be completed for required parcels within the corridor.

- **2021 OCRA Calendar:** *No change from prior report.* OCRA released their 2021 calendar that summarizes competitive federal grant and state programs. The calendar can be found at <https://www.in.gov/ocra/files/2021-Calendar-byMonth.pdf>.
- **Community Crossing Matching Grant, INDOT:** *No change from prior report.* Town staff submitted close-out documents to INDOT on February 2nd. Small items remain on a punch list that will be completed in the Spring when weather permits.
- **Railroad Grade Crossing Fund, INDOT:** The Town was notified on September 30th that they received this funding for \$11,400. This funding will remove and replace railroad striping throughout Town. It is our understanding that the Town is still awaiting a PO/grant contract from INDOT. This project will be completed in Spring/Summer 2021.

7) Highland Subdivision (High Grove, Phase 2)

No change from prior report. It is our understanding that NIPSCO has revised their utility pole plan to eliminate the need for acquisition from the last parcel. NIPSCO noted that relocation of electric and gas utilities will begin in March. This project does not have a bid timeline as Town staff is determining a funding mechanism.

8) Town Road Committee

Below is a summary of ongoing Road Committee related items:

- 129th Avenue and CCMG: See above.
- Vermillion Dr Curve: CBBEL recently completed a field check for this project earlier this week and design is progressing.
- Parrish Avenue from 137th Avenue to 133rd Avenue: *No change from prior report.* Phase 2 of this project was submitted for the 2021-01 CCMG program on January 29th. The construction estimate was \$1,146,521.25 and would be a 50/50 cost share.

We anticipate results of the 2021-01 CCMG call in March.

- Fairbanks Street from 129th Avenue to 133rd Avenue: *No change from prior report.* This project was included as part of a 2021-01 CCMG application. The construction estimate was \$202,948.00 and would be 50/50 cost share.
- Subdivision Master Plan: *No change from prior report.* The finalized plan was provided to Town staff on February 8th for distribution to Town Road Committee members. Utility coordination for Noble Oaks and Shades Subdivisions is on-going.

9) Redevelopment Commission

CBBEL is completing the following projects for the Redevelopment Commission:

- 133rd Avenue/King Drive Intersection Safety Improvements (DES No. 2000023): Informal bids were released to CBBEL on February 10th. The estimate and bids were provided as follows:
 - Construction Estimate: \$342,405.44
 - Reith-Riley Construction Company: \$334,091.96
 - Walsh & Kelly, Inc.: \$286,890.66Request for proposals were due to the Town on March 9th for construction inspection services.
- Morse Street Corridor Pedestrian Path: *No change from prior report.* CBBEL received the corridor survey on January 11th from DVG and completed a survey field check on January 25th. Design of the project has begun.
- Midway Gardens: *No change from prior report.* 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.

10) 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. **No Change.**
- Monastery Woods, South Letter of Credit Project: A letter will be issued by CBBEL to summarize work completed by Walsh & Kelly, CBBEL, and National Power Rodding to be paid out of the letter of credit amount. **No Change.**
- Cedar Lake Vending Parking Lot Expansion: CBBEL provided review comments to the Applicant on March 3rd.
- Hanover Middle School Expansion & Elementary School: CBBEL is currently work with the design engineer to resolve remaining comments.
- Hanover Central High School Athletic Fields: CBBEL provided and approval letter on March 3rd with contingencies.
- Beacon East PUD Amendment: CBBEL received a re-submittal on March 2nd and is currently reviewing.
- Development Standards Manual Update: CBBEL has begun updates to the DSM. This work will continue throughout the spring. **No Change.**

11) Stormwater Management Board

Woods of Cedar Creek: CBBEL provided a pay application letter to Town staff on March 11th for partial payment pending a spring inspection of the pipe trench and sod.

7513 W. 136th Lane, Woodland Shores: The landowner noted stormwater issues located on his property. The property is located in a low area of 136th Avenue with several small drain tiles servicing the area. It was recommended that the drain tiles and corresponding downstream storm sewer system be televised by Public Works. Depending on these results, CBBEL will prepare an existing conditions hydraulic model of the system utilizing survey from a 2007 roadway capital improvement project to determine existing capacity. **Town staff and CBBEL are researching State and Federal buy-out programs for this property as it may qualify for assistance since it is repetitive damage candidate. No Change.**

9208 W. 142nd Place, Mary Ellen Subdivision: It is our understanding that easement documentation has been signed by the Town and homeowner. Quote documents are being prepared for this project for a potential April start or when weather permits.

13465 Osborn Street, Cook Subdivision: The Town Manager, Director of Operations, and CBBEL met a Contractor (PGX) on-site on December 10th to remove the small remaining existing fill at the property corner. Due to the weather, any seeding will be monitored in the Spring 2021. **No Change.**

Lynnsway HDPE Pipe Failure: CBBEL provided a construction estimate of \$180,000 pending that existing storm manholes are in good condition. This project would replace +/- 860 ft. of HDPE in rearyards that has collapsed. We have recommended that letters be issued to homeowners that have obstructions in the drainage and utility easement. These obstructions should be removed prior to bidding of the project. A summary of obstructions for each lot was provided to the Town on February 15th.

50/50 Rearyard Drainage Program: CBBEL prepared draft guidelines for the board's review. The purpose of this program would allow for a cost share with the homeowner to install rearyard drainage in older pre-platted subdivisions with little to no existing storm sewer. The cost share would be capped at \$5,000 for the homeowner and costs above this cap would be incurred by the Town. No vote was made at the meeting. **No Change. This will be further discussed and the program will likely be in place for 2021.**

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 at a later date.**

12) Building Department

CBBEL completed as-built and site plan reviews for 22 lots in February 2021. 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, Centennial Villas/Estates, Beacon Pointe, Beacon East, Beacon

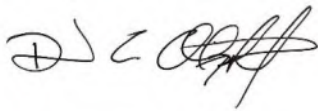
West (Phase 5), Lakeside, and Offshore Estates.

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. **CBBEL and Town staff are currently finalizing the Zoning Map and hope to have it completed by March 1st.**

Ordinance Updates: CBBEL will be continuing updates to the Town's Development Standards Manual and Stormwater Ordinances throughout the spring. CBBEL will also update the Town's lighting inventory over the summer.

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,

A handwritten signature in black ink, appearing to read 'D. C. Oliphant', with a stylized flourish at the end.

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

L060015 Council Report 031221.docx

CC: Planning Director
 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 03/12/21

Job No.	Description	Budget	Deliverable(s)	Status	Deadline(s)
060015.00001	Town Council	n/a	Town Council Report for 03/16/21 meeting	Completed	03/12/21
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	<i>No change from prior report.</i> Internal coordination meetings were held to discuss and summarize Phase 1 findings and establish a Phase 2 approach. Other coordination meetings were held with IDEM regarding permitting/testing requirements for sediment and effluent being conveyed to the proposed sediment dewatering facility. A Phase 2 proposal was submitted to the Town on February 8 th . – see 03/12/21 Council Report for details.	ongoing
090043	MS4 Coordination	\$19,400	MS4 Coordination Services & Development SESC/Rule 5 Inspections	CBBEL has been compiling data and reviewing water quality characterization information for the MS4 program Annual Report that covers 2019 and 2020 MS4 activities. The report will be completed and submitted to IDEM by the end of the month. – see 03/12/21 Council Report for details	ongoing
1300022.00002	133 rd Avenue (PH2) – Construction Services	\$359,869 & \$54,923	Construction Activities (To Substantial Completion)	INDOT notified CBBEL on February 19 th that the Town is due a refund of \$59,479.61 for the overfunded purchase order related to this project. It is our understanding that the Town has already received these funds. – see 03/12/20 Council Report for details	ongoing
170425	129 th Avenue Roadway & Drainage Improvements	\$26,600 + CCMG Additions	Design Services, Permitting, Bidding Services	This project was put out to bid on March 5 th . A mandatory pre-bid meeting will be held at Town Hall on March 16 th for all plan holders. The bids are due on March 22 nd (10am) at Town Hall. Contracts need to be finalized with the awarded Contractor by April 8 th in accordance with the grant contract with INDOT and the CCMG program. – see 03/12/20 Council Report for details	

190104	Highland Subdivision Design	\$59,950	Design Services, Permitting, Bidding Services	<i>No change from prior report.</i> It is our understanding that NIPSCO has revised their utility pole plan to eliminate the need for acquisition from the last parcel. NIPSCO noted that relocation of electric and gas utilities will begin in March. This project does not have a bid timeline as Town staff is determining a funding mechanism. – see 03/12/21 Council Report for details	ongoing
--------	--------------------------------	----------	--	---	---------

Cedar Lake All Projects' Schedules

	2020												2021												2022												
	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11	12	
133rd/King Intersection Improvement																																					
129th Avenue Roadway and Drainage Improvements																																					
Cedar Lake Restoration Project (Phase 1 - Feasibility Study)																																					
Kick Off Meeting																																					
Water Quality Testing																																					
Preparation of Preliminary/DRAFT Grading/Dredging and Dewatering Plans																																					
Initial Stakeholder and Pre-Application Meetings																																					
Preparation of FINAL/Preliminary Grading/Dredging and Dewatering Plans																																					
Followup Stakeholder and Agency Meetings																																					
Cedar Lake Restoration Project (Phase 2 - Final Design and Permitting) (DRAFT)																																					
Topographic Survey of Dewatering Site																																					
Property and Easement Negotiation and Acquisition (Surveying)																																					
Final Engineering Specifications and Cost Estimates																																					
Permitting and Final Stakeholder Engagement																																					
Request for Proposals to Construct - Contract Award																																					