

TOWN COUNCIL PUBLIC MEETING AMENDED AGENDA December 21, 2021 - 6:30 PM

| | NT OF SILENC | | | | | | | |
|---------|---|--|--|------------|--------------------------|-------------|-------------|------|
| | O ORDER/ROI | | | | | | | |
| Rol | bert H. Carnal | han, Ward 1 | | Rich | ard Sharpe, | Ward 7, Vio | e-President | |
| Joh | n Foreman, V | Vard 2 | | | dell Niemey | | | |
| | ie Rivera, War | | | | nifer Sandbe | | | |
| | ph Miller, Wa | | | | ard Eberly, ⁻ | _ | | |
| | lleen Schieber | | | | id Austgen, ⁻ | | ~ | |
| | | -, - | | | | | , | |
| | | | | | | | | |
| ELECTIO | ON OF OFFICE | RS and APP | DINTMENTS | for 2022: | | | | |
| 1. | Nomination a | and Appointr | ment of 202 | 2 Town Cou | ncil Officers | 5: | | |
| | Town Council | President: | | | | | | |
| | Motion: | | 1 st | | 2 nd | | | |
| | Carnahan | Foreman | Miller | Schieben | Sharpe | Rivera | Niemeyer | Vote |
| | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |
| | • | | | | | 1 . | | |
| | Town Counc | il Vice Presid | lent: | | | | | |
| | Motion: | | 1 st | | 2 nd | | | |
| | Carnahan | Foreman | Miller | Schieben | Sharpe | Rivera | Niemeyer | Vote |
| | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |
| 2. | Redevelopme Plan Commiss Board of Safet Unsafe Buildir Stormwater M Joint Manager Northwest Inc Lake County South County Ecosystem Re Public Works Park & Recrea Council Affairs Streets (3): | nt Commission (3): ty Commission (7): Management Benent Oversight diana Regional Community Sestoration Community Sestoration Community (3): ation (3): | n (1): n (1): Board (1): nt Board – JM I Planning Co): ervices (1): | 1OB (2): | | ts: | | |
| | Planning Com | mittee (3): | | | | | | |
| | Motion: | | 1 st | | 2 nd | | | |
| | Carnahan | Foreman | Miller | Schieben | Sharpe | Rivera | Niemeyer | Vote |
| | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

Town Council Public Meeting December 21, 2021

Appointments to Boards and Commissions: Board of Safety (2): Board of Zoning Appeals (1): Park Board (4 with No more than 2 of any political party): Plan Commission (2 Republicans): Redevelopment Commission (5): Storm Water Board (2): Council Appointment to BZA (1): 2nd $\mathbf{1}^{\text{st}}$ Motion: Miller Carnahan Foreman Schieben Sharpe Rivera Niemeyer Vote Yes| No Yes | No Yes| No Yes| No Yes| No Yes| No Yes| No

PUBLIC COMMENT (on agenda items):

CONSENT AGENDA:

- 1. Minutes: December 7, 2021.
- 2. Town Grounds (Beach, Lion's Den, and Restrooms):
 - a. Moto on Ice (January 1-2, 8-9, 22-23, and February and March 5-6, 12-13, 19-20, 26-27, weather permitting. Note: Saturday day is set up and Sunday is the event)
 - b. Hanover School Education Foundation Annual Penguin Plop (March 5, 2021)
- 3. Claims: All Town Funds: \$394,558.82; Wastewater Operating: \$106,818.02; Water Utility: \$88,607.37; Storm Water: \$136,514.22; Payroll: 12/9/21 - \$312,704.42; and November Payroll Remittances: \$161,746.52
- **4.** Manual Journal Entries: November 1 30, 2021
- 5. Donations: EnviroFab, Materials and Labor for Gear Racks at Fire Department, approximate value of \$3500
- 6. 2022 Conflict of Interest: John Foreman, Tim Kubiak, Doug Machalk, Margo Nagy, and Cliff Wroe Motion to accept and waive the reading of the Minutes, accept the Consent Agenda as listed.

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

ORDINANCES & RESOLUTIONS:

1. Ordinance No. 1406: Job Description Amendments

| Motion: | | 1 st | | 2"" | | | |
|----------|---------|-----------------|---------|----------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

2. Resolution No. 1299: Authorization for the Town Council President to Sign CSX Documents

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

3. Resolution No. 1300: Authorization for the Town Council President to Sign the East Side State **Revolving Fund Loan Program Documents**

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

2nd

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4. Resolution No. 1301: Transfer Resolution

| Motion: | | 1 st | | 2" | | | |
|----------|---------|-----------------|---------|----------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Vacl Na | Vacl No | Vocl No | Vacl Na | Vacl No | Vacl No | Vacl Na | _ |

BZA/PLAN:

1. Wahlberg Variance of Use: 7309-7319 Lake Shore Drive

(Received a Favorable Recommendation from the BZA at the 12/9/21 meeting.)

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

2. Cedar Lake Storage Extension of Special Use Variance – 9019 W 133rd Avenue

(Received a Favorable Recommendation from the BZA at the 12/9/21 meeting.)

| Motion: | | 1 st | | 2 ^{na} | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

3. Wiers, Electric Power Solutions, LLC - Variance of Use

(Received a No Recommendation from the BZA at the 12/9/21 meeting.)

| Motion: | | 1 st | | 2 ^{na} | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

4. Letters of Credit

- a. Summer Winds Unit 2 Performance Letter of Credit Extension
- b. Summer Winds Unit 3 Performance Letter of Credit Extension
- c. Beacon Pointe East Unit 3 Performance Letter of Credit (Final Plat Approved 12/15)

(Received Favorable Recommendations from the PC at the 12/15/21 meeting.)

| Motion: | | 1 st | | 2" | | | |
|----------|---------|-----------------|---------|----------|---------|----------|------|
| 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. Approval of Amended Veridus RFP Process Agreement for the New Public Safety Building

| Motion: | | 1 st | | 2 ^{na} | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

2. Acceptance of the Town Manager's Resignation

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

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| 3. | Approval of BZA Meeting | g Time Change for | Y2022 from 7 | p.m. to 6 p.m. |
|----|-------------------------|------------------------|---------------------|----------------|
| ٠. | Approvator DEATHICCE | o i iiiic ciiaiige ioi | 1 - 0 - 1 1 0 1 1 7 | p to o p |

| Motion | າ: | | 1 st | | 2 nd | | | |
|--------|------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carna | ahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes N | Vo | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

4. CSX Agreement Authorizing Work in Right-of-way for the Lake Ecosystem Restoration Project

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

5. 129th Avenue Change Order No. 2

| Motion: | | 1" | | 2''' | | | |
|----------|---------|---------|---------|----------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

6. 129th Avenue Pay Request No. 4

| Motion: | | 1 st | | 2" | | | |
|----------|---------|-----------------|---------|----------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

7. Morse Corridor Change Order No. 1

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

8. Morse Corridor Pay Request No. 1

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

9. West Lake HMA Surface Overlay Pay Request No. 1

| Motion: | | 1" | | 2''" | | | |
|----------|---------|---------|---------|----------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

10. Y2022 Austgen Legal Services Agreement

| N | /lotion: | | 1" | | 2''' | | | |
|---|----------|---------|---------|---------|----------|---------|----------|------|
| F | Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

11. Insurance Agent of Record

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

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12. Y2022 EMS & Fire Protection Services Agreement

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

13. Approval of FD Rescue Tools, Phase 1 approved by the Board of Safety: Howell Rescue Systems

| Motion: | | 1 st | | 2 nd | | | |
|----------|---------|-----------------|---------|-----------------|---------|----------|------|
| Carnahan | Foreman | Rivera | Miller | Schieben | Sharpe | Niemeyer | Vote |
| Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | Yes No | - |

14. Asset Management Plan and Certificate of Acknowledgement

| MOUOTI | | 1 | | | | | |
|----------|---------|---------|---------|----------|---------|----------|------|
| 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
- 7. Fire Department

WRITTEN COMMUNICATION:

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

PUBLIC COMMENT: ADJOURNMENT: PRESS SESSION:

NEXT MEETING: Tuesday, January 4, 2022 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.

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