

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



January 18, 2022

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	Ward 1	Present	Colleen Schieben	Ward 6
	Council Member			Council Member	
Present	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7
	Council Member			Council Member	
Present	Julie Rivera	Ward 3	Present	Jennifer N. Sandberg, IAMC	
	Council Member			Clerk-Treasurer	
Present	Ralph Miller	Ward 4	Present	Margaret Abernathy	
	Council Member			Administrative Asst.	
Present	Randell Niemeyer	Ward 5	Present	David Austgen	
	Council Member			Town Attorney	

**Present via Zoom*

PRESENTATION

Mr. Bob Gross, President of the Cedar Lake Enhancement Association, presented the Town Council with two checks. The check from Providence Bank is the original account the association has had for years. That's where all of the Pledge to Dredge funds have been sitting. That check is approximately \$197,000. The second check is from Demotte State Bank. That check is approximately \$102,000. That leaves CLEA \$44,584.29 in their account. He stated once they get near \$100,000, he'll do another presentation to the Council. The donation is to go towards the Lake Eco-System Restoration Special Revenue Fund.

A motion to accept the donation of \$300,000 to be receipted to the Eco-System Non-Reverting Fund was made by Ralph Miller with second by Colleen Schieben. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

PUBLIC COMMENT

None

CONSENT AGENDA

- 1. Claims:** All Town Funds: \$140,631.53; Wastewater Operating: \$111,895.73; Water Utility: \$49,272.66; Storm Water: \$1,264.08; and Payroll: 01/06/2022 - \$319,170.80
- 2. Manual Journal Entries:** December 1 – 31, 2021
- 3. Waivers:** Clubhouse Alcohol Waivers:
 - a. Rybenski
 - b. Keaton
- 4. Donations:** Schilling Brothers Lumber & Hardware, \$400 Police Equipment
- 5. Clerk-Treasurer's Year-End Report:**
 - a. Cancellation of Old Outstanding Warrants
 - b. Forwarding Encumbrances
 - c. EMS Collections Transfer from General Fund: \$47,309.22

A motion to accept and waive the reading of the minutes, and accept the Consent Agenda as listed was made by John Foreman with second by Julie Rivera. Mr. Niemeyer discussed the alcohol waivers and suggested a policy be drafted for consideration. Chief Fisher stated the current ordinance says no alcohol without a waiver. They would need to remove that language. A brief discussion continued. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1408 – Salary Ordinance Amendment

Mr. Niemeyer stated attached to this ordinance amendment is a contract. He introduced Chris Salatas as the new Town Manager. Mr. Salatas briefly shared his experiences. He stated he was excited for the opportunity in Cedar Lake. He spoke with Mr. Eberly at length on upcoming projects. The contract start date is February 7, 2022.

Council Member Sharpe read Ordinance No. 1408 by title only. Mr. Niemeyer stated base salary is \$105,000. It will be prorated based on start date. The salary is to be paid out of multiple funds. Mr. Niemeyer continued to briefly discuss the contract.

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A motion to approve Ordinance No. 1408 was made by Ralph Miller with second by Julie Rivera. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

A motion to suspend the rules and allow a second reading was made by Julie Rivera with second by Colleen Schieben. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

Council Member Sharpe read Ordinance No. 1408 by title only.

A motion to adopt Ordinance No. 1408 was made by Colleen Schieben with second by Julie Rivera. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

Mr. Austgen asked them to take action on the contract.

A motion to approve the contract was made by Julie Rivera with second by Richard Sharpe. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

2. Ordinance No. 1407 – Stenger Rezone from R-1 and B-3 to B-3

Council Member Sharpe read Ordinance No. 1407 by title only. Mr. Austgen stated this item received unanimous approval by the Plan Commission. It was clearly vetted. Final plat approval is on for the next Plan Commission meeting.

A motion to adopt Ordinance No. 1407 was made by Julie Rivera with second by Colleen Schieben. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

BZA/PLAN

1. Performance Letter of Credit – Birchwood Phase 4

Mr. Niemeyer noted the Plan Commission approved this on final plat at the December 15th meeting. It is in the amount of \$217,722.79.

A motion to approve was made by Richard Sharpe with second by Ralph Miller. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

NEW BUSINESS

1. Park Board Term Expirations

Mr. Niemeyer stated the first meeting will occur on January 31st. The ordinance is not yet ready. It will be ready for the February 1st agenda. They need to wait until the ordinance is ready to discuss term expirations. Fred Prazeau with Context Design will be there to help facilitate the work session. It is really an educational opportunity. A brief discussion continued.

A motion to defer was made by Julie Rivera with second by John Foreman. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

2. Update on the Short-Term Response Plan on Public Access to Town Hall Due to Covid

Mr. Niemeyer stated this plan was adopted during the last meeting due to staffing issues. Mrs. Abernathy stated a couple staff members returned towards the end of last week and two more today, including Jen. They are pretty fatigued by the end of the day but they are plugging away. Mr. Niemeyer stated they are not closing town hall but asking for patience as things come back to normal. Mr. Niemeyer suggested they go another two weeks.

A motion to continue with the short-term response plan as approved at the last meeting was made by Richard Sharpe with second by Colleen Schieben. Mrs. Rivera asked if someone is a close contact but they don't have symptoms, are they being told to stay home. Mrs. Abernathy stated what they've followed common protocols and are making sure to keep up with sanitizing all the common areas and offices. A brief discussion continued on CDC guidelines. Mrs. Abernathy stated she was honored to work with the people here. These last two weeks everyone has stepped up and helped out. She stated they have some wonderful people working here. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Miller- Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 7-0.

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REPORTS

1. Town Council – Mr. Niemeyer reported on a phone conference that discussed the Lake Eco-System Restoration bond financing. They have budgeted \$5.9 million for the project. \$3.9 million is TIF and \$2 million is wastewater. The analysis done by Crowe included a very conservative approach. They are looking at a couple other mechanisms. This will give some financial flexibility. With modest growth in the TIF District and no changes to the current debt structure, by the end of the TIF District's statutory life, they could see cash balances under \$60,000. It's important to look at options. There is a bond financing from 2013 that was funded by TIF. That project rebuilt 133rd Avenue from Morse to Fairbanks. It was refunded in 2020. The original bond issuance included a special benefits tax of \$0.02 per \$100. That can be re-established for the bond issuance which would give some flexibility. They are working on getting the final results of the LARE Grant. That would take the budget up another \$600,000. They would need a resolution to repay that to wastewater or rescind it if they find the utility is able to handle the additional costs. A lengthy discussion continued on the project, financing, and potential future project partners.
2. Town Attorney – Mr. Austgen stated they will need an agenda item for their next meeting for the underwriter for the financing. Laird was recommended. They received an engagement proposal today.
3. Clerk-Treasurer – Clerk-Treasurer Sandberg stated she is working on annual reporting items.
4. Town Manager – Mrs. Abernathy stated they received the final signed documents for the CSX encroachment.
5. Director of Operations – Public Works also experienced staffing shortages the last couple of weeks. Staff returned this week.
6. Police Department – Chief Fisher discussed vehicles and estimated costs including equipment and decals. Costs have increased drastically. He is planning to purchase four vehicles, two Chargers and two Durangos. It may not be June or July until they see them. They are still waiting on the truck they ordered last year. At this time, it isn't scheduled to be built until June. He asked them to approve Jen to move forward with financing. Discussion continued on vehicles and how to best stretch the dollars available. Mr. Niemeyer suggested more chargers instead of durangos. As the department grows, more new vehicles will be needed. Discussion continued on vehicles and financing. Chief Fisher reported the department is a recipient of the Burns Grant. It is approximately \$79,000. That is only 25% of the body camera and car camera costs. They got a quote from WatchGuard. The company works with Motorola and Spillman. The goal is to use the grant money to install and outfit. They will continue to try for grants to continue to pay for the program but they need to be sure to budget for the next few years to meet the contract payment if they cannot get grants. They are working hard to get it going. Mr. Austgen stated he has talked with Bill about this program. He discussed potential financing options. Discussion continued on the camera program and contract with WatchGuard. Mr. Miller asked why there wasn't a quote from James CDJR. Chief Fisher stated they haven't been able to meet the state bid. Mr. Miller stated they said they can now. Chief Fisher stated he would call them tomorrow. He added their packet includes the monthly call report.
7. Fire Department – Chief Wilkening stated they all should have the year-end report for the Fire Department. He will have a copy for the Commission and Town Manager as well. They were up 20%. He currently has the main engine down. It is waiting on brake parts. The new tanker should be here the first week of February. Two staff members will be going on the 7th for training. The new rescue tools have been ordered. One full-time and one part-time member remain out due to COVID. EMS collections are up approximately 20% from the previous year. The Safer Grant is ready to submit. He discussed the process and conversations with the financial consultants. He stated they need to start the process of getting a new engine. He asked if they can start the bid process. Every manufacturer stated delivery is approximately 16 months. Mr. Niemeyer stated Chief Wilkening needs to put together some comprehensive bid specs. He needs to work with the Town Attorney and staff to put together appropriate specs. Discussion continued on bid specs.

WRITTEN COMMUNICATION

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

PUBLIC COMMENT

None

ADJOURNMENT President Niemeyer called the meeting to adjournment at approximately 8:13 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.