



TOWN COUNCIL PUBLIC MEETING AGENDA

April 5, 2022 - 7:00 PM

PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE

CALL TO ORDER/ROLL CALL:

___ Robert H. Carnahan, Ward 1
___ John Foreman, Ward 2
___ Julie Rivera, Ward 3
___ Ralph Miller, Ward 4
___ Colleen Schieben, Ward 6

___ Richard Sharpe, Ward 7, Vice-President
___ Randell Niemeyer, Ward 5, President
___ Jennifer Sandberg, Clerk-Treasurer
___ Richard Eberly, Town Manager
___ David Austgen, Town Attorney

PUBLIC HEARING: Ordinance No. 1412: Voluntary Annexation – Cedar Lake 133 LLC AN ORDINANCE ANNEXING CERTAIN CONTIGUOUS LAND TO THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AND ALL MATTERS RELATED THERETO

- a. Review of Legals
- b. Reading of **Ordinance No. 1412** – Voluntary Annexation (*Introductory Reading 2-15-22*)
- c. Reading of **Resolution No. 1304** - Fiscal Plan and Policy for Annexation
- d. Remonstrators
- e. Town Council Discussion
- f. Town Council Decision on Resolution No. 1304

PUBLIC COMMENT (*on agenda items*):

CONSENT AGENDA:

1. **Minutes:** March 15, 2022
2. **Claims:** All Town Funds: \$161,075.29; Wastewater Operating: \$61,112.98; Water Utility: \$41,062.49; Storm Water: \$15,432.87; and Payroll: 3/17/22, 3/31/22, and 4/1/22: \$471,184.55;
3. **Tag Day Requests:** Hanover Central Middle School Cheer, July 23, 2022
4. **Sweetcorn Sales:** June 22 – September 7, 2021, in True Value parking lot

BZA:

1. Kamp, 12715 Parrish Avenue, **Variance of Use:** to allow a secondary residential use for an in-law suite on an R-1 lot (*This received a favorable recommendation from the BZA on 3-10-22*)

OLD BUSINESS:

1. Acceptance of documentation in relation to Building Permit Fee Waivers approved for Hanover Community School Corp at the March 15, 2022 Town Council Meeting
2. Humane Pet Store Ordinance Request: Dustin Thibideau

NEW BUSINESS:

1. Ratify use of U.S. Bank for Trustee Services for the Lake Ecosystem Project Finances
2. Decommissioning of Equipment: This is for equipment that has failed or been replaced due to upgrades over the past year

3. Appointment of Scoring Committee: Sidewalk on East Lake Shore Drive RFP
4. Consider Approval of Purchase of Car and Body Cameras for the Police Department
(This received a favorable recommendation from the Board of Safety on Marcy 23, 2022.)
5. Approval of 133rd and King Change Order 5 – Material Name Change *(There are no cost or time changes in this Change Order, only a material name correction.)*

REPORTS:

1. Town Council
2. Town Attorney
3. Clerk-Treasurer
4. Town Manager
5. Director of Operations
6. Police Department
7. Fire Department
8. Veridus Report

WRITTEN COMMUNICATION:

PUBLIC COMMENT:

ADJOURNMENT:

PRESS SESSION:

NEXT MEETING: Tuesday, April 19, 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.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

ORDINANCE NO: 1412

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 (hereinafter, the “Town”); and

WHEREAS, the Town Council has reviewed the Petition for Annexation to the Town of Cedar Lake for annexation of approximately 193.5 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 to 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 and development 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 by the Petitioner 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 of the Town of Cedar Lake, Lake County, Indiana, has established a Fiscal Plan by its approval of Town Resolution No. 1304 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 by the Petitioner.

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; and
5. The furnishing of services of a capital nature by the Petitioner, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, which will be provided by 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 similar 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 attached Exhibit "A" hereto, 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 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 attached Exhibit "A" hereto shall be annexed with an R-1 Residential Zoning District Classification for the property.

SECTION FOUR: That the parcel of real estate brought to be annexed will be assigned to Ward _____ as a voting district in the Town of Cedar Lake, Lake County, Indiana, pursuant to the applicable 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 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: 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, the Petitioner Commitments in the Petition, approval Fiscal Plan, and this Ordinance, as well as in the Petition for Voluntary Annexation upon which this Ordinance adoption is premised.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2022, 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

Richard Sharpe, Vice-President

Robert H. Carnahan, Councilmember

Colleen Schieben, Councilmember

Ralph Miller, Councilmember

Julie A. Rivera, Councilmember

John C. Foreman, Councilmember

ATTEST:

Jennifer N. Sandberg, IAMC
Clerk Treasurer

Legal Description(s)

(Approx. 193.5 Acres)

Parcel 1: The North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 25, except the West 2 acres thereof; also the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, except one acre in a square form being the East 208.71 feet of the South 208.71 feet out of the Southeast corner thereof and except 2 acres off the West side thereof, all in Township 34 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 2: The Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, Township 34 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana except the following described parcel: Beginning at a point on the South line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ that is 19.25 feet west of the Southeast corner thereof; thence North 00° 00' 00" East, a distance of 340.34 feet; thence South 90° 00' 00" West, a distance of 351.37 feet; thence South 00° 00' 00" East, a distance of 337.00 feet to the South line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence South 89° 27' 18" East along said South line a distance of 351.39 feet to the point of beginning.

Parcel 3: The West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 25, Township 34 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana.

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
RESOLUTION NO. 1304**

**A RESOLUTION OF THE CEDAR LAKE TOWN COUNCIL TO
APPROVE A FISCAL PLAN AND POLICY FOR PROPOSED
ANNEXATION OF A PARCEL OF REAL PROPERTY TO THE TOWN
OF CEDAR LAKE, LAKE COUNTY, INDIANA.**

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter the “Town Council”) is the duly elected legislative body of the Town of Cedar Lake, a unit of local government; and

WHEREAS, the Town Council has received a “Petition to be Annexed” from One Hundred percent (100%) of the landowners of certain contiguous territory to the existing municipal boundaries, as required by the applicable provisions of I.C. §36-4-3-5.1, as amended from time to time; and

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana, has reviewed said “Petition to be Annexed”, and is informed and advised that said Petition satisfies the requirements of I.C. §36-4-3-5.1, as amended from time to time; and

WHEREAS, the referenced “Petition to be Annexed” seeks the annexation of approximately 193.5 acres into the Town of Cedar Lake, Lake County, Indiana, as part of specific planned subdivision development and project; and

WHEREAS, the Town Council has determined that the Town is capable of providing all necessary and customary municipal services to the territory being requested for annexation; and

WHEREAS, the Town Council has prepared a Fiscal Plan and Policy for the proposed territory under consideration, which said Fiscal Plan is attached hereto as “Exhibit A”.

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

SECTION ONE: That the Town Council of the Town of Cedar Lake, Lake County, Indiana, hereby adopts the Fiscal Plan for the Proposed Town of Cedar Lake Annexation, marked and attached hereto as “Exhibit A”, as part of the annexation of the subject territory and parcel of real property into the Town of Cedar Lake, as petitioned for by the Petitioners therefore.

SECTION TWO: That this Resolution shall take effect, and be in full force and effect from and after its approval.

ALL OF WHICH IS PASSED AND RESOLVED THIS _____ DAY OF _____, 2022, 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

Richard Sharpe, Vice-President

Robert H. Carnahan, Councilmember

Colleen Schieben, Councilmember

Ralph Miller, Councilmember

Julie A. Rivera, Councilmember

John C. Foreman, Councilmember

ATTEST:

Jennifer N. Sandberg, IAMC
Clerk Treasurer

EXHIBIT A

A FISCAL PLAN FOR THE ORGANIZATION AND EXTENSION OF SERVICES FOR A PROPOSED ANNEXATION TO THE TOWN OF CEDAR LAKE

This document is the written Fiscal Plan that establishes a definite policy for the provision of municipal services to the following described parcel of real property (hereinafter, the "subject parcel"), being proposed for annexation, namely:

(See attached Exhibit "B")

Once this Fiscal Plan is adopted by Resolution, and an Annexation Ordinance is adopted by the Town Council of the Town of Cedar Lake, Lake County, Indiana, this Fiscal Plan shall serve as the official document regarding fiscal planning for the above-described subject parcel to be annexed. At the time the annexation becomes effective, all Departments of the Town of Cedar Lake would modify their respective jurisdictions and activities accordingly in order to implement this Fiscal Plan.

Police and fire protection, emergency medical services, solid waste collection, and traffic control will be provided for the health and safety of the area to be annexed. Patrons, Occupants, Users, and all individuals utilizing the area to be annexed will be provided such services at the standard and customary Town levels upon annexation. All other non-capital services, such as street maintenance, and all administrative functions of the Town, will be provided upon annexation and in the same manner as similar areas are normally provided for similar properties and uses within the Town of Cedar Lake. As indicated elsewhere in this Fiscal Plan, facilities of a capital nature are and may be anticipated for park, recreation or other similar services required by applicable Town Ordinances, as planning and approval for the anticipated use of the subject parcel to be annexed occurs.

The supporting documentation indicates the projected cost of providing these services will occur as the subject parcel develops. When the area is fully developed, it is anticipated that the revenues from the property taxes collected from the owners of properties benefited by the usage of said subject parcel will exceed the costs incurred by the Town to provide such services.

In accordance with I.C. §36-4-3-13(d), *et seq.*, as amended from time to time, the Town of Cedar Lake, Lake County, Indiana, shall be provided and receive from the Owner and Petitioner the cost estimates and methods of financing the services planned for the annexed area, which estimated costs shall be itemized for each municipal department. The Town of Cedar Lake shall implement and provide the planned services of a noncapital nature, including police protection, fire protection, street and road maintenance, and other noncapital services normally provided within the Town municipal corporate boundaries, within one (1) year after the effective date of annexation, and that said services will be provided in a manner equivalent in standards and scope to those noncapital services provided to all other areas within the Town municipal corporate boundaries regardless of similar topography, patterns of land use, and population density. Furthermore, services of a capital nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided by the

Owner and Petitioner within three (3) years after the effective date of the annexation in the same manner as those services are provided to all other areas within the Town municipal corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state and local laws, procedures, and planning criteria. **Such capital services will be funded, constructed and/or provided by the Owner and Petitioner in connection with the development of the subject parcel to be annexed and will be provided by the Petitioner and Owner, and not the Town, as set forth hereinabove in this Fiscal Plan.**

PROVISIONS FOR MUNICIPAL SERVICES

The following categories identify the municipal services that are normally provided to properties within the municipal corporate boundaries of the Town of Cedar Lake, Lake County, Indiana. Within each listing is an explanation of the nature of the services as it relates to the proposed annexation and its estimated cost.

1. Police Protection – The subject parcel being considered for annexation consists of a land area of approximately 193.5 acres, more or less, and would be easily patrolled by the Town of Cedar Lake Metropolitan Police Department. The addition of this land area would result in some additional roadway, however, existing police patrols will accommodate police protection for this annexed area. No additional costs will be incurred for police protection of the annexed area.

2. Fire Protection – The area is currently being serviced by the Town of Cedar Lake Municipal Fire Department. The present manpower and equipment resources of the Town of Cedar Lake Municipal Fire Department is sufficient to service the additional area to be annexed once development occurs. No additional costs will be incurred for fire protection of the annexed area.

3. Emergency Medical Services – The area is currently being served by the Town of Cedar Lake Municipal Fire Department. The present manpower and equipment resources of the Cedar Lake Municipal Fire Department for Emergency Medical Services are sufficient to handle any contingencies that may arise in the additional area to be annexed. No additional costs will be incurred for emergency medical services in the annexed area.

4. Solid Waste Collection – The Town of Cedar Lake currently provides residential waste collection which is paid for monthly by each user, such as this Petitioner, with their regular municipal utility bill.

5. Traffic Control – Traffic control for this area would be under the jurisdiction of the Town of Cedar Lake Metropolitan Police Department. Installation of automatic traffic control signals or other measures are not anticipated at this time. Any such improvements required will be designed, funded, and constructed by the Petitioner herein.

6. Streets and Roads – The proposed annexation would result in additional traffic and roadways for maintenance costs. It is anticipated that the Town of Cedar Lake will cover the

maintenance costs for these streets upon construction and acceptance of same. No additional equipment or manpower would be required as a result of this annexation.

7. Street Lights and Signage – No new street lights are anticipated at this time. However, upon development of the real property for the planned facilities and improvements, the Owner and Petitioner will install and maintain street lights and signage in accordance with development requirements and standards for the Town of Cedar Lake.

8. Parks – Additional parks or facilities are not anticipated for the subject real property. If required, the Owner and Petitioner will provide such amenities in the planned development and parcel project in accordance with the development requirements and standards of the Town.

9. General Administrative Functions – The cost of the general administrative services to be provided to the area to be annexed is insignificant. It is anticipated that the Administrative Staff of the Town of Cedar Lake will handle without difficulty any additional work activities that may result from the annexation.

10. Planning and Building – It is not anticipated that any additional funds will be required to be expended by the Department of Building and Planning for planning activities associated with the area to be annexed. The Building Department will generate permit fees as the project commences development consistent with Town rules, regulations, Ordinances and legal or planning requirements.

11. Water – The Cedar Lake municipal potable water supply will be available to the proposed subject parcel to be annexed. Infrastructure necessary to supply water to the planned development will be constructed and paid for in the course of development construction by the Town and/or the Owner of the subject parcel pursuant to applicable Rules, Regulations, Codes, Ordinances, and legal requirements. Water usage will be paid for by the Town billing the Owner and/or user(s) directly on a monthly basis, as all other users, pursuant to adopted Town Water Rate Ordinance rate schedules.

12. Sanitary Sewers – The Cedar Lake-Lowell Waste Water Treatment Plant has sufficient capacity allotted to the Town of Cedar Lake to service the subject parcel to be annexed. Infrastructure necessary to provide a sanitary sewer connection and wastewater treatment service to the planned development project parcel will be constructed and paid for in the course of development construction by the Owner and Petitioner of the subject development project parcel. Sanitary sewer usage will be paid for by the Town billing the Owner and/or user directly on a monthly basis.

13. Storm Water Drainage – Storm water drainage is currently being handled and managed by farm drainage and agriculturally styled infrastructure or systems, as well as adjacent and nearby stormwater infrastructure facilities. Storm sewers and other storm water flow control measures will be installed during the course of development and paid for by the Owner and Petitioner of the subject development project parcel in accordance with the stormwater development regulations for the Town of Cedar Lake.

REVENUES

The total amount of tax revenues payable to the Town of Cedar Lake, once the development project is completed, will increase based on increased and approved amenities and improvements constructed in the subject development project parcel. It is acknowledged that there will be property tax revenues generated from the annexation of the subject parcel, if approved, by the Town of Cedar Lake

FINANCIAL SUMMARY OF FISCAL IMPACT OF AREA TO BE ANNEXED

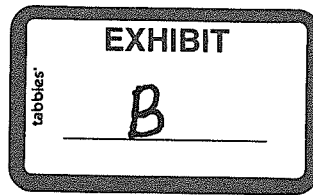
The estimated annual costs to service the area by the Town of Cedar Lake will be nominal in relationship to the 2022 (and thereafter) annual budget of the Town of Cedar Lake.

METHOD OF FINANCING PLANNED SERVICES

The noncapital services will be financed by the Town of Cedar Lake's General Fund and provided within the first year of annexation, or as required, depending on the development completion schedule of the subject development parcel project and annexed area. The capital services, as required, will be funded by the payment of user taxes as the subject development project develops. All costs and expenses of development improvement herein will be the responsibility of the Owner and Petitioner, Cedar Lake 133, LLC.

HIRING DISPLACED GOVERNMENTAL EMPLOYEES

This annexation will not eliminate any jobs of other employees of other government entities.



Legal Description(s)

(Approx. 193.5 Acres)

Parcel 1: The North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 25, except the West 2 acres thereof; also the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, except one acre in a square form being the East 208.71 feet of the South 208.71 feet out of the Southeast corner thereof and except 2 acres off the West side thereof, all in Township 34 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana.

Parcel 2: The Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 25, Township 34 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana except the following described parcel: Beginning at a point on the South line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ that is 19.25 feet west of the Southeast corner thereof; thence North $00^{\circ} 00' 00''$ East, a distance of 340.34 feet; thence South $90^{\circ} 00' 00''$ West, a distance of 351.37 feet; thence South $00^{\circ} 00' 00''$ East, a distance of 337.00 feet to the South line of said Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$; thence South $89^{\circ} 27' 18''$ East along said South line a distance of 351.39 feet to the point of beginning.

Parcel 3: The West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of Section 25, Township 34 North, Range 9 West of the 2nd Principal Meridian, in Lake County, Indiana.

April 5, 2022

ALL TOWN FUNDS	\$161,075.29
----------------	--------------

WASTEWATER OPERATING	\$61,112.98
----------------------	-------------

WATER UTILITY	\$41,062.49
---------------	-------------

STORM WATER	\$15,432.87
-------------	-------------

PAYROLL 3/17, 3/31, 4/1/22	\$471,184.55
----------------------------	--------------

Town of Cedar Lake

Office of the Town Manager

7408 Constitution Ave – PO Box 707 – Cedar Lake, IN 46303

Tel (219) 374-7400 – Fax (219) 374-8588



TAG DAY REQUEST – APPLICATION FORM

Name of Organization: HCMHS Cheer

Address: 10631^W 141st Ave

Phone: (708) 227-9641 Fax: _____

Contact Person:

Name: Jess Payne Email: payne@hanover.k12.in.us Phone: (708) 227-9641

Date of Tag Day Request (do not request a rain date):

1st Choice: July 23rd 2nd Choice: October 1st

Explain Nature of Tag Day: to raise funds for
new Cheer equipment + competitions

List Locations of Tag Day: 133rd + parrish and
133rd + 41

On a separate sheet of paper, list the individuals participating in the activity on behalf of the organization. All solicitation activities permitted are to start no earlier than 8:00 am and finish in four (4) consecutive hours. All solicitation activities will be completed by 1:00 pm on the approved day, regardless of the time of commencement.

*Parents of
Cheerleaders*

PROOF OF INSURANCE MUST BE SUBMITTED WITH THIS REQUEST.

INCOMPLETE REQUESTS WILL BE RETURNED.

Jessica Payne
Signature of Contact Person

3/18/2022
Date

FOR OFFICE USE ONLY

Date Received: _____ Approximate Time: _____

Received by (Name/Title): _____

Date Approved by Town Council: _____

Date Contact Person Notified of Approval: _____ Notified via (circle one): Email – Phone – Letter

Permission for Lot Use

I AL BUNGE owner of
LAKE SHORE TRVE VALVE

give permission to Mark K. Christenson, to use my lot for his
sweetcorn sales with 3' x 5' sign from June 22 through
September 7, 2022.



STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

CERTIFICATION

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

Pursuant to the requirements of applicable law, the Board of Zoning Appeals of the Town of Cedar Lake, Lake County, Indiana (hereinafter, the "BZA"), by its duly designated representative, CERTIFIES its FAVORABLE RECOMMENDATION to the Cedar Lake Town Council on the application of Variance of Use, Owner for and on behalf of Petitioner, Tim and Lori Kamp, for the **Variance of Use** being applied for from Town Zoning Ordinance No. 496, as same is amended time to time, to permit the Petitioner to set back variance of 21 feet in the front of the house, set back variance of 15 feet to street in back of house and obtain temporary electric variance to install electric in existing garage. The property common address is 12715 Parrish Avenue, Cedar Lake, Lake County, Indiana, and is legally described as:

Legal Description: See Attached

Tax Key Number(s): 45-15-21-277-001.000-014

This FAVORABLE Recommendation Certification of the BZA to the Town Council is approved by a vote of **5** in favor, and **0** against, upon motion duly made and seconded, and is expressly contingent upon the following terms and conditions imposed and included by the BZA at the public hearing on February 10, 2022, for the **Variance of Use** applied for, namely:

- A. Compliance with all commitments and obligations of the Petitioner and Owner agreed upon in the Public Hearing proceedings, and as reflected in the public meeting minutes wherein the Public Hearing was conducted, with a copy of the excerpt of the approved public meeting minutes in which this approved Petition was held on February 10, 2022, and March 10, 2022, which meeting minutes are attached hereto as Exhibit "A".
- B. Compliance with all commitments set forth and provided to the BZA are required to be fulfilled and completed by the Petitioner and Owner.
- C. Compliance by the Petitioner and Owner with the Application herein, with a copy of the Application attached as Exhibit "B".

- D. Compliance with all Staff Review Recommendations for the Petition, including Engineering, if applicable.
- E. Compliance by the Petitioner and Owner with all Federal, State, County and Local rules, regulations and permitting.
- F. The approved Variance of Use is for this Petitioner only, and no other.
- G. That this recommendation on the Petition for Variance of Use is based upon the following filings of fact, namely:
 - 1. The approval will not be injurious to the public health, safety, morals and general welfare of the Town;
 - 2. The use and value of the area adjacent to the property included in the Variance will not be affected in a substantially adverse manner;
 - 3. The need for the Variance arises from some condition peculiar to the property involved;
 - 4. The strict application of the terms of the Zoning Ordinance, as amended from time to time, will constitute an unnecessary hardship if applied to the property for which the Variance is sought; and
 - 5. The approval does not interfere substantially with the Comprehensive Master Plan of the Town.

Recommendation is Certified as of the date of the determination by the BZA on the 10th day of March, 2022.

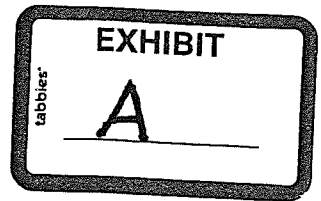
TOWN OF CEDAR LAKE,
LAKE COUNTY, INDIANA,
BOARD OF ZONING APPEALS

By: _____
Nick Recupito, Chairman

ATTEST:

Ashley Abernathy, Recording Secretary

PART OF LOT 12, IN PON AND COMPANY'S CEDAR LAKE ACRES, AS PER PLAT THEREOF RECORDED IN PLAT BOOK 23, PAGE 37, IN THE OFFICE OF THE RECORDER OF LAKE COUNTY, INDIANA, SAID PART BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT (BEING THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 34 NORTH, RANGE 9 WEST OF THE SECOND PRINCIPAL MERIDIAN); THENCE SOUTH ON THE EAST LINE OF SAID LOT A DISTANCE OF 400 FEET TO A POST; THENCE WEST 162.50 FEET TO THE CENTER LINE OF A PUBLIC HIGHWAY; THENCE NORTHEASTERLY ALONG THE CENTER LINE OF SAID HIGHWAY A DISTANCE OF 425.60 FEET TO THE NORTH LINE OF SAID LOT; THENCE EAST 29.10 FEET TO THE PLACE OF BEGINNING, EXCEPT THAT PART TAKEN FOR HIGHWAY PURPOSES. Commonly known as: 12715 Parrish Avenue, Cedar Lake, Indiana 46203



BZA Kamp Excerpt

February 10, 2022 Meeting:

2. 2022-05 – Kamp – Developmental Variance & Variance of Use

Petitioner: Tom & Lori Kamp

Vicinity: 12715 Parrish Avenue, Cedar Lake, IN 46303

Mr. Recupito stated the next order of business was for a Developmental Variance to allow the Petitioner to build a house 21 feet from Parrish Avenue, and 15 feet from Westend Court and to allow the existing garage to be used on the property with electric prior to construction of the primary residence and a Variance of Use to allow for a second residential use for an in-law suite, on a lot in an R-1 Zoning District by Petitioners Mr. Tom Kamp and Ms. Lori Kamp. Mr. Recupito asked Mr. Austgen if the legals are in order for this petition. Mr. Austgen responded in the affirmative.

Mr. Kamp stated he was able to buy the existing lot, to which there is an existing garage and well. He would like to maximize use of the property, including the existing driveway, with a home they designed. The Plat of Survey submitted to the Board should display the house they would like to build. The proposed house would be parallel with Parrish Avenue. As such, they do need a front yard and back yard variance.

Mr. Recupito asked Ms. Murr if she had any comments from the Building Department. Ms. Murr stated the property would need a 21-foot front yard setback along Parrish, and a 15-foot setback along Westend Court. This project has been discussed at a staff-level. Westend Court was determined to be more of an access easement than an actual platted court.

Mr. Recupito asked if this would be another example of a front yard could be designated as a rear yard or would both sides be considered a front yard. Ms. Murr stated both sides would be considered a front yard. Discussion ensued regarding what the setbacks were supposed to be off of Parrish Avenue and Westend Court and where the house would be able to be built on the lot following the setbacks required in the Zoning Ordinance.

Mr. Kiepora asked if the existing garage would be torn down. Mr. Kamp responded in the negative and stated he would like to continue to utilize the garage, which is why there is a Variance request for the electrical. He understands that the Town Ordinances requiring a primary structure to exist prior to establish a secondary building. For this property the prior primary structure burnt down and he would like to have temporary power to the garage.

Mr. Kiepora asked if after the Petitioner moves into the new home, he anticipates keeping the existing garage. Mr. Kamp responded in the affirmative.

Mr. Kiepora asked Ms. Murr if she had reviewed the total lot coverage for what is being proposed. Ms. Murr responded she had and that is the reason for how she advertised it as she did. Mr. Kiepora asked what the percentage of lot coverage would be. Ms. Murr stated it would be at 23.75% with the proposed house and the existing garage.

Mr. Recupito asked the Petitioner to discuss his request for the Variance of Use with the second residential use. Mr. Kamp stated both himself and his wife have aging parents. As their health needs change, they would like to be able to assist their parents. As such, they would like to utilize their home to help their parents as needed.

Mr. Recupito asked if this in-law suite would have a separate service. Mr. Kamp stated it would have one service, as it would be one home. There would just be a separate front entrance. Mr. Jackson asked if the double doors that are indicated on the plans go to two separate sections of the house. Mr. Kamp stated the double door is the main entry into the great room and the other double doors would be an exit to a deck. The in-law suite has a separate entrance to the front right, the furthest south entrance. Discussion ensued regarding the in-law suite, its entrance, and the layout of the house.

Ms. Murr advised the Board she conferred with legal on how to advertise this petition. As discussed by the Petitioner, there had been a home that was burnt down by a fire.

Mr. Wilkening commented the property shows ownership to the middle of the street and asked if that would not need to be cleaned up. Ms. Murr stated she had previously discussed that with Mr. Eberly, and these properties are platted as a subdivision in that way. Discussion ensued regarding if it would be necessary to clean up the property lines for this property.

Mr. Kiepora asked the Petitioner if they would have access from their portion of the house to access the in-law facilities, and once there was no longer a need for the in-law suite, what were their intentions for that space. Mr. Kamp stated there were no plans to rent out that space, and the only possibility they considered is helping a family in need or a place to help serve the community.

Mr. Kiepora asked if the Petitioner needed to have the Variance of Use for the in-law suite. Mr. Austgen discussed in his private work and work in other communities he has worked in handling this type of situation as a single-family residence. Ms. Murr stated she discussed this item with Mr. Kubiak and it was having the two kitchens on one floor that created the need for a Variance of Use because they were defined as two separate living spaces. Discussion ensued regarding the Variance of Use and it allowing the Board some oversight in the decision process.

Mr. Wilkening asked where the setback of 21 feet off of Parrish Avenue is from the road. Ms. Murr stated it is a 21-foot easement from the property line and discussed there is a requirement of a 40-foot setback required off of Parrish Avenue. Ms. Murr indicated on Lake County GIS where the 21-foot setback would be located and discussed that Parrish Avenue has a 60-foot Right of Way. Mr. Bunge clarified there is a 40-foot setback off of Parrish Avenue. Ms. Murr responded in the affirmative. Discussion ensued regarding the Right of Way and the setbacks for Parrish Avenue.

Mr. Recupito asked the Petitioner for the total square footage of the proposed home. Mr. Kamp stated the total square footage is approximately 2,645. Mr. Recupito asked if that included the garage. Mr. Kamp responded in the negative. Mr. Wilkening commented that what the Petitioner is wanting to build will not have a garage. Mr. Kamp stated there will be a two-car garage. Mr. Wilkening discussed that the garage would become an accessory structure.

Mr. Wilkening asked where the closest house is to the east of the property. An unknown audience attendee responded it is a small house behind the Petitioner's property. Mr. Kamp stated he believes it is owned by Mr. John Foreman and there are plans to tear the house down in the spring. Ms. Murr stated it was Mr. Jackson Foreman who owns the property.

Mr. Wilkening commented once the Petitioner completes his home, there will not be a home behind him. Mr. Kamp stated that there would not be a house behind him, to his knowledge.

BZA Excerpt – Kamp

Mr. Recupito asked if there was any public comment for or against this item. None was had. Mr. Recupito closed the public hearing for this item.

Mr. Recupito asked Ms. Murr what the minimum square footage size of a ranch house currently allowed by the Town's Ordinance. Ms. Murr responded the minimum square footage required by the Ordinance is 1,500 square feet.

Mr. Recupito stated a problem that he is currently having for this item is that the size could be the reason for the variance request. The Board has discussed in the past, if the minimum required build can be completed and done without a variance, should a variance be granted. He understands the reasoning for the Variance of Use and does not currently have any issues with that portion of the request. He would like for there to be some form of protection to keep the property from becoming a rental or a multi-family income property.

Mr. Kamp discussed when he was first sent a plat for the property with the setback that followed the requirements by Town Ordinance, there was an 80 to 90-foot triangle and where the current driveway is located was the point where the two setbacks for both Parrish Avenue and Westend Court met. He is not aware of any form of house that would be able to fit within the setback parameters. Mr. Kamp further discussed that he had looked at turning the house around and the problems with turning the house, including being too close to the garage, needing a new driveway, and having to move the house down to make it fit.

Mr. Recupito asked the Petitioner if they considered building the minimum size house that is required by the Zoning Ordinance. Mr. Kamp responded in the negative and stated the original design they considered was between 1,800 and 1,900 square feet, before the potential of the in-law suite was discussed.

Mr. Bunge stated he likes the idea and the proposal of what the Petitioner wants to do. However, from a public safety stand point, he is concerned about the front yard setback off of Parrish Avenue. Discussion ensued about the 40-foot setback off of Parrish Avenue and the 21-foot setback being the shortest distance between the house and Parrish Avenue.

Mr. Kamp asked the Board, if they receive approval from the Town Engineer, could they put a decorative berm along Parrish Avenue to help serve as protection to their property. Mr. Recupito asked Ms. Murr how putting up a berm would work. Ms. Murr stated it would need to be reviewed by the Town Engineer to ensure it would not have any negative impact upon storm drainage. Further discussion ensued regarding the front yard setback required off of Parrish Avenue and the previous house that had been on the lot.

Mr. Recupito asked what the distance between Parrish Avenue and the existing garage. Mr. Kamp stated he did not know. Ms. Murr advised the distance is approximately 18.7 to 19 feet and that the house that had existed there had been approximately 20.9 feet from Parrish Avenue. Their proposed house would be within the existing footprint and discussed the differences between the layout of the former house and the proposed house.

Mr. Wilkening asked the Petitioner if he had any alternative plans. Mr. Kamp stated he did not currently have any, but if he was required to, he would examine alternative plans.

Mr. Recupito reiterated that the Petitioner is asking for a variance from the Zoning Ordinance, and the Board has to determine why the variance is needed. Currently, to him, the Petitioner is requesting a house that is 1,100 square feet over the minimum requirements of the Zoning Ordinance, which could potentially be the cause for the variance request. Due to this, he would not be in favor of the petition.

Mr. Kiepura commented the closest the house will be to the road is 21 feet, and asked what the furthest point from the road. Ms. Murr stated the house is more angled with the road, but agreed with Mr. Kiepura that the closest part of the house is only 21 feet from the road.

Mr. Wilkening stated he thinks adding a berm is a good idea. Mr. Kamp stated he would like a berm, but did not know if it would pass engineering.

Mr. Recupito asked the Petitioner if he understood the Finding of Facts that the Board has to review when it comes to approving or denying petitions. Mr. Kamp stated he understands where Mr. Recupito is coming from. However, if he is understanding what he is hearing, it would render the lot unbuildable. He did not know how a 1,500 square foot house would fit on that lot without needing a variance for the front yard setback. Discussion ensued on what the Petitioner needs to do to show to the Board their hardship and what they need to approve a petition.

Mr. Wilkening asked to clarify if the house behind this property was or is going to be demolished. An unknown audience attendee advised there is still a small house there. Mr. Wilkening stated his current issue is the distance from Parrish Avenue, and how far east moving the house he would be comfortable with. However, there does not seem to be anything around there, and as stated by Ms. Murr that area is not buildable. Discussion ensued about the Right of Way for Westend Court and it being a dead-end area and what would happen in the event of a vacation of the Right of Way.

Mr. Recupito asked the Petitioner if he understood the concerns of the Board. Mr. Kamp responded in the affirmative and asked if he should look at potentially vacating the Right of Way. Mr. Wilkening stated it would be a feasible discovery the Petitioner should do.

Ms. Murr asked the Board if there is a potential to vacate the Right of Way, with the potential to no longer need the Developmental Variance, do they want the Petitioner to defer both requests. Mr. Wilkening responded in the affirmative.

Mr. Kamp asked if the Board could approve the use of the property with the in-law suite, if he could make the home fit within the property lines with the Town being agreeable to vacating the Right of Way. Mr. Recupito asked Mr. Austgen for his legal advice. Mr. Austgen stated he would not recommend it.

Mr. Kamp stated at this time he is requesting a deferral.

Mr. Recupito entertained a motion for this item. A motion was made by Mr. Wilkening and seconded by Mr. Kiepura to defer both items for this petition with an update regarding a new plan by correspondence or from the Petitioner at the next meeting. The motion passed unanimously by roll-call vote:

Mr. Jackson	Aye
Mr. Wilkening	Aye
Mr. Kiepura	Aye
Mr. Bunge	Aye
Mr. Recupito	Aye

March 10, 2022 Meeting:

2. 2022-05 – Kamp – Developmental Variance & Variance of Use

Petitioner: Tom & Lori Kamp

Vicinity: 12715 Parrish Avenue, Cedar Lake, IN 46303

Mr. Recupito stated the next order of business was for a Developmental Variance to allow the Petitioner to build a house 21 feet from Parrish Avenue, and 15 feet from Westend Court and to allow the existing garage to be used on the property with electric prior to construction of the primary residence and a Variance of Use to allow for a second residential use for an in-law suite, on a lot in an R-1 Zoning District by Petitioners Mr. Tom Kamp and Ms. Lori Kamp. Mr. Recupito asked Mr. Austgen if the legals are in order for this petition. Mr. Austgen responded in the affirmative. Mr. and Ms. Kamp were present for this item.

Mr. Recupito asked if there has been a change to their petition since the previous meeting. Mr. Kamp stated they provided Ms. Murr new documentation which demonstrates a change in their Site Plan. They flipped the house, so they are now fitting onto the property better. The front of the home aligns almost perfectly with the existing garage structure and has an approximately setback of 32.5 feet.

Mr. Wilkening asked if the initial request of 21 feet from Parrish Avenue has changed to 32.5 feet. Ms. Murr responded in the affirmative.

Mr. Kamp stated when they flipped the house, they had the house redrawn, which caused for an 18-foot difference automatically. The setbacks become less extreme.

Mr. Recupito asked Ms. Murr if she had any comments to add at this time. Ms. Murr advised the Petitioner worked to get the house more within the building triangle and a further setback from Parrish Avenue.

Ms. Kamp discussed at length the importance of the in-law suite to the Petitioners and the necessity of that added square footage and discussed some of her family history that is the reason why they are requesting the extra space, which could result in a hardship to their family if the extra space were to be removed from the plans.

Mr. Recupito asked Ms. Murr if the new Zoning Ordinance would have any effect on this petition. Ms. Murr responded in the negative.

Mr. Wilkening asked Ms. Murr if the 15 feet setback was request is on the east side of the property. Ms. Murr responded in the affirmative and advised the setback now being requested is for 20.25 feet. Mr. Kamp advised both setback requests have changed.

Mr. Wilkening asked if there were any plans for a berm along Parrish Avenue. Mr. Kamp responded he would like to put in a berm with the approval from the Town. Discussion ensued about the setbacks required off of Parrish Avenue and Westend Court and the new setbacks the Petitioner is requesting.

Mr. Wilkening asked Ms. Murr if the Petitioners would be able to utilize Westend Court in the future. Ms. Murr responded in the affirmative due to it being a public access.

Mr. Recupito opened the public hearing for this item and asked if there was any comment for or against this petition. None was had. Mr. Recupito closed the public hearing.

BZA Excerpt – Kamp

Ms. Murr reminded the BZA one of the Developmental Variance requests is to allow for electric to the exiting garage while the primary structure is being constructed.

Mr. Wilkening asked if the Petitioners were keeping the garage. Mr. Kamp responded in the affirmative.

Mr. Recupito asked Ms. Murr if the Petitioners would be okay on lot coverage. Ms. Murr responded in the affirmative.

Mr. Austgen clarified the Petitioner is requesting 32.5 feet from Parrish Avenue and 20.25 feet from Westend Court for setbacks. Ms. Murr stated the setback is 32 feet closer to where the existing drive is due to the angle of the property. Further discussion ensued about the closest setback to both Parrish Avenue and Westend Court.

Mr. Bunge asked the Petitioner how close the edge of the house would be to Parrish Avenue where they are proposing a new driveway. Mr. Kamp stated it would be greater than 40 feet due to the fact it is not marked. They had the individual who created the drawing for them to only mark the points that were less than 40 feet. Discussion ensued regarding the distance from Parrish Avenue to the point of the house being discussed and that portion complying with the setbacks required in the Zoning Ordinance.

Mr. Recupito asked what the square footage of the home would be. Mr. Kamp stated it would be approximately 2,650 square feet.

Mr. Recupito asked what the minimum square footage a house could be in an R-1 Zoning District. Mr. Kamp responded it is 1,500 square feet, and he remembered from the discussion at the February meeting.

Mr. Austgen asked if there was a time period for the construction of the primary structure. Mr. Kamp responded he wanted to begin construction as soon as possible. Mr. Austgen asked if a time period was imposed by the Board, would that be reasonable. Mr. Kamp responded in the affirmative. Discussion ensued regarding the time period that would be needed if there is an approval.

Mr. Wilkening asked the Petitioner what a comfortable timeline would be for them in order to pull their occupancy permit. Mr. Kamp stated he would like to have occupancy within a year to 18 months.

Ms. Murr suggested that the Board could require the electric permit be applied for at the same time as the permit for the house. This would ensure that electric is not going to be on the property without a permit for the house even being applied for, this way the Board can ensure there is not electric on the property without a primary residence being built.

Mr. Recupito discussed with any motion made having the in-law suite Use Variance staying with only the Petitioner. Ms. Murr commented she did not know how they could enforce the Use Variance staying with the Petitioner only. Discussion ensued regarding about the enforcement of the in-law suite staying with the Petitioner only.

Mr. Salatas advised the Board the Petitioner's neighbor, Mr. Foreman, is in favor of the petition.

Mr. Recupito entertained a motion for the Developmental Variance. A motion was made by Mr. Wilkening and seconded by Mr. Jackson to approve the Developmental Variance to allow the Petitioner to build a house 32 feet from Parrish Avenue, 20.25 feet from Westend Court and to allow the existing garage to be used on the property with electric prior to construction of the primary structure with the following

BZA Excerpt – Kamp

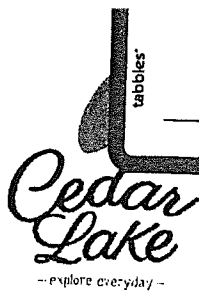
contingencies, construction to be completed and occupancy obtained within 18 months from final approval from the Town Council for the Use Variance, and the electric permit to be applied for at the same time as the house permit with the Finding of Facts. The motion passed by 3-Ayes to 1-Nay by roll-call vote:

Mr. Jackson	Aye
Mr. Wilkening	Aye
Mr. Bunge	Aye
Mr. Recupito	Nay

Mr. Recupito entertained a motion for the Variance of Use. A motion was made by Mr. Wilkening and seconded by Mr. Jackson to send a favorable recommendation to the Town Council to allow for a second residential use, an in-law suite, on a lot in an R-1 Zoning District, for the Use to remain with the Petitioner only, with the Finding of Facts. The motion passed unanimously by roll-call vote:

Mr. Jackson	Aye
Mr. Wilkening	Aye
Mr. Bunge	Aye
Mr. Recupito	Aye

Ms. Murr advised due to the next Town Council meeting occurring on Tuesday, this item would potentially appear in front of the Town Council for their April 5, 2022, meeting. Mr. Austgen advised he would need the minutes from the February 10, 2022, and this meeting to properly prepare the certifications.



EXHIBIT

B

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
www.cedarlakein.org

*OFFICE USE ONLY

DOCKET NO. _____
FILING FEE _____
RECEIPT NO. 5890103

VARIANCE APPLICATION

PROPERTY ADDRESS:

12715 Parrish Avenue

ZONING

R-1

TAX KEY NUMBER(S):

45-15-21-277-001.000-014

PETITIONER(S) INFORMATION

NAME:

Tom / Lori Kamp

Phone:

269-744-8571

ADDRESS:

9508 W 143rd Lane

Alt. Phone:

269-744-6695

CITY, STATE, ZIP:

Cedar Lake, IN 46303

Email:

tkennyconstruction@gmail.com

OWNER(S) INFORMATION

NAME:

ADDRESS:

CITY, STATE, ZIP:

Same as above

Phone:

Alt. Phone:

Email:

REQUEST (check all that apply):



DEVELOPMENTAL VARIANCE

(see page 3)



USE VARIANCE

(see page 4)



SPECIAL EXCEPTION/SPECIAL USE

(see page 5)



APPEAL

(see page 6)

DESCRIBE THE VARIANCE REQUEST:

- ① Front of house setback variance of 21 feet.
- ② Back of house variance to street of 15 feet.
- ③ Electric temporary variance to install electric in existing garage.

I (We), the undersigned, now state that the information contained in this application and all attached exhibits are true and correct to the best of my(our) knowledge.

Signature(s) of Owner(s)

STATE OF INDIANA)

) SS:

COUNTY OF LAKE)

Subscribed and sworn to before me on this 10th day ofJanuary, 2022

Notary Public

My Commission expires: 2-18-2022

Signature(s) of Petitioner(s)

STATE OF INDIANA)

) SS:

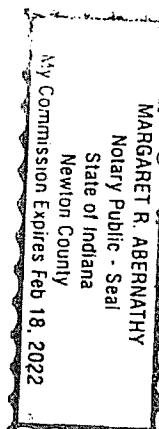
COUNTY OF LAKE)

Subscribed and sworn to before me on this _____ day of

_____, 20____.

Notary Public

My Commission expires: _____





Board of School Trustees

Tara Beilke
Scott Burdan
Tracy Haskell
James Sakelaris
Connie Sterkowitz

Central Office

Mary Tracy-MacAulay, Ed.S.
Superintendent of Schools

March 16, 2022

Dear Cedar Lake Town Council,

I'd like to take this opportunity to express my sincere gratitude for the waiving of the renewal fees for the zoning and building permit #21-112 for the Hanover Central Middle School project issued April 29, 2021.

I am requesting that the renewal fees related to our other building permits are also waived, as the work will be *substantially complete* by the time they are up for renewal. Those permits / projects include:

Permit # 21-114 (Red Cedars)
Permit # 21-448 (HCHS additions/renovations)
Permit # 21-580 (Bus barn)
Permit # 21-578 (Mechanics building)
Permit # 21-577 (Maintenance building)
Permit # 21-579 (Resource center)
Permit # 21-317 (Community athletic building)

Thank you very much for your consideration in this matter.

Sincerely,

Mary Tracy-MacAulay, Ed.S
Superintendent
Hanover Community School Corporation



**U.S. Bank National Association
Schedule of Fees for Services as Trustee, Registrar and Paying Agent
February 15, 2022**

**Cedar Lake Redevelopment Lease Rental Bonds, Series 2022
(Lake Eco-System Project)**

Acceptance Fee:

\$ 1,250.00

The acceptance fee covers the administrative review of documents on the financing, initial set-up of the account, and other reasonably required services up to and including closing. This is a flat one-time fee, payable at closing on a per series basis.

Annual Administration Fee:

\$ 1,250.00

Annual administration fee for performance of the routine duties of the Trustee, Registrar and Paying Agent associated with the management of the bond issue. Administration fees are payable in advance. Does not include acting as Counterparty under a Continuing Disclosure Agreement.

Transaction Fees (if applicable):

Outside Investment Buy/Sell (not traded through Trustee)

\$ 50 each

Out-of-Pocket Expenses:

At cost (if any)

Assuming an opinion of counsel and travel are not required, we do not anticipate incurring out-of-pocket expenses. If applicable, then reimbursement of expenses associated with the performance of our duties, including but not limited to publications, legal counsel after the initial close, travel expenses, filing fees and DTC charges, will be billed at cost.

Extraordinary Administration Services. Extraordinary Administration Services ("EAS") are duties, responsibilities or activities not expected to be provided by the trustee or agent at the outset of the transaction, not routine or customary, and/or not incurred in the ordinary course of business, and may require analysis or interpretation. Billing for fees and expenses related to EAS is appropriate in instances where particular inquiries, events or developments are unexpected, even if the possibility of such circumstances could have been identified at the inception of the transaction, or as changes in law, procedures, or the cost of doing business demand. At our option, EAS may be charged on an hourly (time expended multiplied by current hourly rate), flat or special fee basis at such rates or in such amounts in effect at the time of such services, which may be modified by us in our sole and reasonable discretion from time to time. In addition, all fees and expenses incurred by the trustee or agent, in connection with the trustee's or agent's EAS and ordinary administration services and including without limitation the fees and expenses of legal counsel, financial advisors and other professionals, charges for wire transfers, checks, internal transfers and securities transactions, travel expenses, communication costs, postage (including express mail and overnight delivery charges), copying charges and the like will be payable, at cost, to the trustee or agent. EAS fees are due and payable in addition to annual or ordinary administration fees. Failure to pay for EAS owed to U.S. Bank when due may result in interest being charged on amounts owed to U.S. Bank for extraordinary administration services fees and expenses at the prevailing market rate.

General. Your obligation to pay under this Fee Schedule shall govern the matters described herein and shall not be superseded or modified by the terms of the governing documents, and survive any termination of the transaction or governing documents and the resignation or removal of the trustee or agent. This Fee Schedule shall be construed and interpreted in accordance with the laws of the state identified in the governing documents without giving effect to the conflict of laws principles thereof. You agree to the sole and exclusive jurisdiction of the state and federal courts of the state identified in the governing documents over any proceeding relating to or arising regarding the matters described herein. Payment of fees constitutes acceptance of the terms and conditions described herein.



Account approval is subject to review and qualification. Fees paid in advance will not be prorated. The fees set forth above and subsequent modifications thereof are part of your agreement. Absent your written instructions to sweep or otherwise invest, all funds will remain uninvested and no accrued interest or other compensation will be credited to the account.

IMPORTANT INFORMATION ABOUT PROCEDURES FOR OPENING A NEW ACCOUNT:

To help the government fight the funding of terrorism and money laundering activities, federal law requires all financial institutions to obtain, verify and record information that identifies each person who opens an account. For a non-individual person such as a business entity, a charity, a trust or other legal entity we will ask for documentation to verify its formation and existence as a legal entity. We may also ask to see financial statements, licenses, identification and authorization documents from individuals claiming authority to represent the entity or other relevant documentation.

Equipment to be decomissoined and sent for recycling.

Make	Model	Ser#	MFG Date	Years in Service	Days in Service	Notes
Dell	Optiplex 7010	6KC8GX1	6/3/2013	8	3216	No Hard Drive
Dell	Optiplex 780	B3HTHM1	5/10/10	11	4336	No Hard Drive or Memory.
HP	Pavilion 500	MXX5350K77	9/8/2014	7	2754	No Hard Drive or Memory.
Dell	Optiplex 780	3BWRSR1	9/30/2011	10	3828	No Hard Drive or Memory.
Dell	Optiplex 790	5KHF4V1	6/2/2012	9	3582	No Hard Drive or Memory.
Dell	Optiplex 330	DKDVXF1	3/21/2008	14	5116	No Hard Drive, Memory, or optical drives..
Dell	Optiplex 790	40KJWV1	10/4/2012	9	3458	No Hard Drive or Memory.
Dell	Optiplex 3020	75GQC42	4/17/2015	6	2533	No Hard Drive or Memory.
Dell	Optiplex 780	3BVRSR1	9/30/2011	10	3828	No Hard Drive or Memory.
Dell	Optiplex 3020	HSNQL52	10/17/2015	6	2350	No Hard Drive or Memory.

Posting Date: March 21, 2022

Request for Proposals Notification

Title: Town of Cedar Lake Sidewalk on East Lake Shore Drive (Des # 2101110) in the LaPorte District.

Response Due Date & Time: April 21, 2022 at 3:00 pm Central Time

This Request for Proposals (RFP) is official notification of needed professional services. This RFP is being issued to solicit a letter of Interest (LOI) and other documents from firms qualified to perform engineering work on federal aid projects. A submittal does not guarantee the firm will be contracted to perform any services but only serves notice the firm desires to be considered.

Contact for Questions: Chris Salatas, Town Manager
PO Box 707, 7408 Constitution Avenue
Cedar Lake, IN 46303
219-374-7400
Chris.Salatas@cedarlakein.org

Submittal Requirements:

1. ☐ Letter of Interest – [Click here to enter # of Copies](#). Copies (required content and instructions follow) sent through the U.S. Mail;

OR

- ☒ Letter of Interest – submitted electronically (pdf) to **Chris Salatas** at email address **Chris.Salatas@cedarlakein.org**.

AND

2. ☐ One (1) signed Affirmative Action Certification and associated required documents for all items if the DBE goal is greater than 0% sent through the U.S. Mail;

OR

- ☒ One (1) signed Affirmative Action Certification and associated required documents for all items if the DBE goal is greater than 0% sent electronically (pdf) to **Chris Salatas** at email address **Chris.Salatas@cedarlakein.org**.

Submit To: Chris Salatas, Town Manager
PO Box 707, 7408 Constitution Avenue
Cedar Lake, IN 46303
219-374-7400
Chris.Salatas@cedarlakein.org

Selection Procedures:

Consultants will be selected for work further described herein, based on the evaluation of the Letter of Interest (LOI) and other required documents. The Consultant Selection Rating Form used to evaluate and score the submittals is included for your reference. Final selection ranking will be determined by:

- ☒ The weighted score totals with the highest score being the top ranked firm
- ☐ Rank totals with the lowest rank total being the top ranked firm

Requirements for Letters of Interest (LOI)

A. General instructions for preparing and submitting a Letter of Interest (LOI).

1. Provide the information, as stated in Item B below, in the same order listed and signed by an officer of the firm. Signed and scanned documents, or electronically applied signatures are acceptable. Do not send additional forms, resumes, brochures, or other material unless otherwise noted in the item description.
2. LOI's shall be limited to twelve (12) 8 ½" x 11" pages that include Identification, Qualifications, Key Staff, and Project Approach.
3. LOI's must be received no later than the "Response Due Date and Time"; as shown in the RFP header above. Responses received after this deadline will not be considered. Submittals must include all required attachments to be considered for selection.

B. Letter of Interest Content

1. Identification, Qualifications and Key Staff

- a. Provide the firm name, address of the responsible office from which the work will be performed and the name and email address of the contact person authorized to negotiate for the associated work.
- b. List all proposed sub consultants, their DBE status, and the percentage of work to be performed by the prime consultant and each sub consultant. (See Affirmative Action Certification requirements below.) A listing of certified DBE's eligible to be considered for selection as prime consultants or sub-consultants for this RFP can be found at the "Prequalified Consultants" link on the Indiana Department of Transportation (INDOT) Consultants Webpage.
(<http://www.in.gov/indot/2732.htm>).
- c. List the Project Manager and other key staff members, including key sub consultant staff, and the percent of time the project manager will be committed for the contract, if selected. Include project engineers for important disciplines and staff members responsible for the work. Address the experience of the key staff members on similar projects and the staff qualifications relative to the required item qualifications.

- d. Describe the capacity of consultant staff and their ability to perform the work in a timely manner relative to present workload.
2. Project Approach
- a. Provide a description of your project approach relative to the advertised services. For project specific items confirm the firm has visited the project site. For all items address your firm's technical understanding of the project or services, cost containment practices, innovative ideas and any other relevant information concerning your firm's qualifications for the project.

Requirements for Affirmative Action Certification

A completed Affirmative Action Certification form is required for all items that identify a DBE goal greater than "0", in order to be considered for selection. The consultant must identify the DBE firms with which it intends to subcontract.

On the Affirmative Action Certification, include the contract participation percentage of each DBE and list what the DBE will be subcontracted to perform.

If the consultant does not meet the DBE goal, the consultant must provide documentation in additional pages after the form that evidences that it made good faith efforts to achieve the DBE goal.

All DBE subcontracting goals apply to all prime submitting consultants regardless of the prime's status of DBE.

INDOT DBE Reciprocity Agreement with KYTC

An Agreement between INDOT and the Kentucky Transportation Cabinet (KYTC) established reciprocal acceptance of certification of DBE firms in their respective states under the Unified Certification Program (UCP) pursuant to 49 CFR 26.81(e) and (f).

Copies of the DBE certifications, as issued by INDOT or the Kentucky Transportation Cabinet (KYTC), are to be included as additional pages after the AAC form for each firm listed on the AAC form. The following are DBE Locator Directories for each State Transportation Agency:

INDOT: <https://entapps.indot.in.gov/DBELocator/>

KYTC: <https://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx>

Information about the Indiana DBE Program is available at: <https://www.in.gov/indot/2674.htm>.

Information about the KYTC DBE Program is available at:
<https://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/default.aspx>.

Work item details:

Local Public Agency: Town of Cedar Lake

Project Location: East Lake Shore Drive

Project Description: Sidewalk on East Lake Shore Drive, The proposed project would include the installation of approximately 6,750 ft. of sidewalk (6 ft. wide) from east of the Cline Avenue roundabout to the Town Hall grounds on the east side of the lake. This corridor would provide much needed connectivity for pedestrians to safely walk to Town facilities and other future commercial corridors on the east side of lake. This corridor has public rights-of-way ranging from 40 to 60-ft wide with many structures only a few feet off the edge of pavement of Lake Shore Drive. Therefore, the sidewalk must traverse from side-to-side to make the project feasible and ROW acquisition will most likely be required. There are only two crossings anticipated throughout the corridor. Both crossings should include HAWK signals. Isolated retaining walls may be required due to steep tie-in slopes within the corridor.

INDOT Des #: 2101110

Phases Included: PE, RW

Estimated Construction Amount: \$2,189,125

Funding: 80% Federal/ 20% Local

Term of Contract: Until Project Completion

DBE goal: 5%

Required Prequalification Categories:

☒ 5.2 Environmental Document Preparation - CE

☒ 6.1 Topographical Survey Data Collection

☒ 8.1 Non-Complex Roadway Design

☐ 9.1 Level 1 Bridge Design

☒ 11.1 Right of Way Plan Development

☐ Additional Categories Listed Below:

[Click here to enter Additional Categories](#)

☒ 12.1 Project Management for Acquisition Services

☒ 12.2 Title Search

☒ 12.4 Appraisal

☒ 12.5 Appraisal Review

☐ 13.1 Construction Inspection

LPA Consultant Selection Rating Sheet

Sample:

RFP Selection Rating for _____					Des. No.			
(City, County, Town) or (Local Public Agency)								
Services Description:								
Consultant Name:								
Evaluation Criteria to be Rated by Scorers								
Category	Scoring Criteria	Scale	Score	Weight	Weighted Score			
Past Performance	Performance evaluation score averages from historical performance data.							
	Quality score for similar work from performance database.			6				
	Schedule score from performance database.			3				
	Responsiveness score from performance database.			1				
Capacity of Team to do Work	Evaluation of the team's personnel and equipment to perform the project on time.							
	Availability of more than adequate capacity that results in added value.	1		20				
	Adequate capacity to meet the schedule.	0						
	Insufficient available capacity to meet the schedule.	-1						
Team's Demonstrated Qualifications	Technical Expertise: Unique Resources that yield a relevant added value or efficiency to the deliverable.							
	Demonstrated outstanding expertise and resources identified for required services for value added benefit.	2		15				
	Demonstrated high level of expertise and resources identified for required services for value added benefit.	1						
	Expertise and resources at appropriate level.	0						
	Insufficient expertise and/or resources.	-3						
Project Manager	Predicted ability to manage the project, based on: experience in size, complexity, type, subs, documentation skills.							
	Demonstrated outstanding experience in similar type and complexity.	2		20				
	Demonstrated high level of experience in similar type and complexity.	1						
	Experience in similar type and complexity shown in resume.	0						
	Experience in different type or lower complexity.	-1						
	Insufficient experience.	-3						
Approach to Project	Project Understanding and Innovation that provides cost and/or time savings.							
	High level of understanding and viable innovative ideas proposed.	2		15				
	High level of understanding of the project.	1						
	Basic understanding of the project.	0						
	Lack of project understanding.	-3						
					Weighted Sub-Total:			
It is the responsibility of scorers to make every effort to identify the firm most capable of producing the highest deliverables in a timely and cost effective manner without regard to personal preference.								
I certify that I do not have any conflicts of interest associated with this consultant as defined in 49CFR118.36.								
I have thoroughly reviewed the letter of interest for this consultant and certify that the above scores represent my best judgment of this firm's abilities.								
Signature:					Print Name:			
Title:					Date:			
(Form Rev. 4-7-16)								

Des. #: 2101110

Affirmative Action Certification (AAC) for Disadvantaged Business Enterprises (DBE)

I hereby certify that my company intends to affirmatively seek out and consider Disadvantaged Business Enterprises (DBEs) certified by the State of Indiana's DBE Program and the Kentucky Transportation Cabinet (KYTC) DBE Program to participate as part of this proposal. An Agreement between INDOT and KYTC established reciprocal acceptance of certification of DBE firms in their respective states under the Unified Certification Program (UCP) pursuant to 49 CFR §26.81(e) and (f).

I acknowledge that this certification is to be made an integral part of this proposal. I understand and agree that the submission of a blank certification may cause the proposal to be rejected. I certify that I have consulted the following DBE websites to confirm that the firms listed below are currently certified DBEs:

INDOT: <https://entapps.indot.in.gov/DBELocator/>

KYTC: <https://transportation.ky.gov/Civil-Rights-and-Small-Business-Development/Pages/Certified-DBE-Directory.aspx>

I certify that I have contacted the certified DBE's listed below, and if my company becomes the CONSULTANT, these DBEs have tentatively agreed to perform the services as indicated. I understand that neither my company nor I will be penalized for DBE utilization that exceeds the goal. After contract award, any change to the firms listed in this Affirmative Action Certification to be applied toward the DBE goal must have prior approval by INDOT's Economic Opportunity Division.

I. DBE Subconsultants to be applied toward DBE goal for the RFP item:

Certified DBE Name	Service Planned	Estimated Percentage to be Paid*
		%
		%
		%
		%

II. DBE Subconsultants to be utilized beyond the advertised DBE goal for the RFP item:

Certified DBE Name	Service Planned	Estimated Percentage to be Paid*
		%
		%
		%
		%

Estimated Total Percentage Credited toward DBE Goal: _____

Estimated Percentage of Voluntary DBE Work Anticipated over DBE Goal: _____

Company Name: _____

Signature: _____ Date: _____

* It is understood that these individual firm percentages are estimates only and that percentages paid may be greater or less as a result of negotiation of contract scope of work. My firm will use good faith efforts to meet the overall DBE goal through the use of these or other certified and approved DBE firms.



March 28, 2022

To: Cedar Lake Town Council
7408 Constitution Ave
Cedar Lake, IN 46303

From: Cedar Lake Board of Safety
Cedar Lake, IN 46303

RE: Approval for Purchase of Body & Car Cameras

Dear Cedar Lake Town Council:

At the Monday, March 28, 2022 Cedar Lake Board of Safety meeting, the Board discussed their support of the Police Department purchasing body and car cameras.

The Cedar Lake Board of Safety made motion and voted unanimously 5:0 to send Favorable Recommendation to the Cedar Lake Town Council to approve allowing the Cedar Lake Police Department to go ahead with this purchase.

Please consider this at your next Town Council meeting for approval. If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink, reading "Lester C. Kaper".

Lester C. Kaper
Cedar Lake Board of Safety Chairman

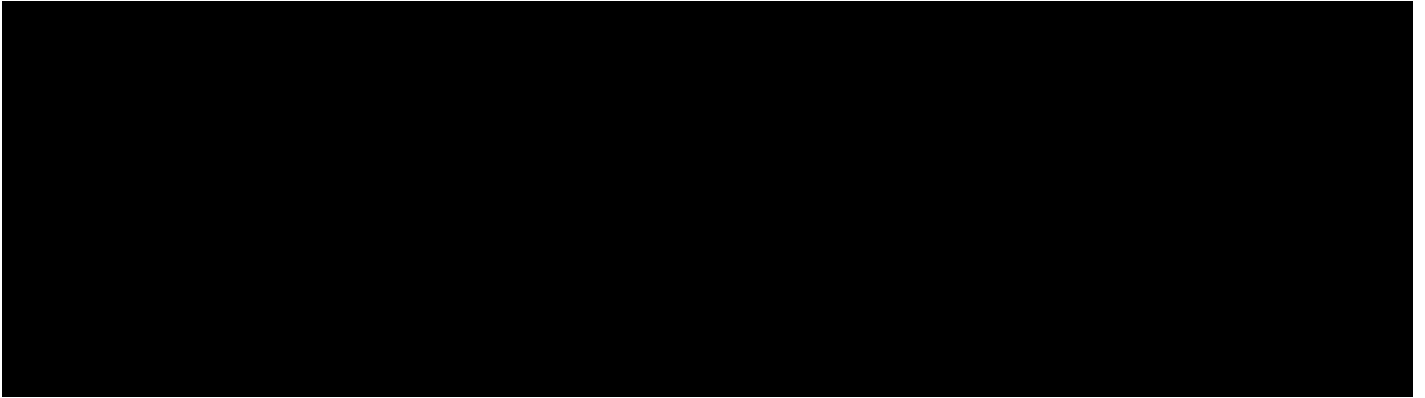
Monthly Report: Veridus Completed and Upcoming Tasks

Tasks Completed Through: March 2022

Submitted for: Cedar Lake Town Council Meeting

- **General**

- Completed meeting on priorities for remainder of 2022 and updates on work to date:

- Reviewed Redistricting progress
 - Discussed updates on public safety building
 - Discussed next steps and initial tasks for the Sports Complex
- 

- **Council Redistricting**

- Veridus will draft two additional concepts showing a scenario with four (4) wards and 3 at large seats
 - Should reduce challenges created from uneven growth and compactness of wards
- Updated version will be presented and publicly rolled out after primary elections
- Initial drafts of four ward concept to be completed June 2022
- Veridus POC: Alaina Shonkwiler - Project Executive and Jack Woods - Project Analyst

- **Public Safety Building**

- Received a contract from K2M, sent to attorney for review
- Next step is to review and finalize the contract, confirm scope intent with the town, identify stakeholders, existing site and facilities walkthrough of fire station
- The next phase would be the visioning and needs evaluation, anticipated to be a 2–3-week process
- Veridus POC: David Rainey – Director Owners Representation

- **Sports Complex**

- Veridus to work with Context design to produce an initial sketch showing high level fit of sports park concept
 - Will complete prior to May council meeting
- Veridus POC: Alaina Shonkwiler - Project Executive