

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



September 20, 2022

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

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

**PROCLAMATION**

Chief Fisher recognized IT Director, Cliff Wroe. President Niemeyer read the National IT Professionals Day proclamation into the record.

**OATH OF OFFICE**

Brandon Holzhauer, Probationary Patrolman, received the Oath of Office from Clerk-Treasurer Jennifer Sandberg.

**PUBLIC HEARINGS**

- Ordinance No. 1429**, Public Way Vacation, Beacon Pointe of Cedar Lake, LLC, for a Permanent Easement Recorded in Lake County, Indiana, as Document No. 2007 076528 and a Temporary Easement Recorded in Lake County, Indiana, as Document No. 2007 076529
  - Review of Legals – Mr. Austgen stated the legals were in order.
  - Reading of Ordinance No. 1429 – Council Member Sharpe read by title only.
  - Remonstrators - None
  - Town Council Discussion
  - Town Council Decision on Ordinance No. 1429

A motion to approve Ordinance No. 1429 was made by Julie Rivera with second by Richard Sharpe. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

A motion to suspend the rules and allow for a second reading was made by John Foreman with second by Colleen Schieben. Mr. Austgen noted this was clean-up of the plat. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

Council Member Sharpe read Ordinance No. 1429 by title only.

A motion to adopt Ordinance No. 1429 was made by Ralph Miller with second by Colleen Schieben. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0. Mr. Austgen noted it would need to be recorded once fully executed.

**PRESENTATION**

John Cannon, Representative from Indiana Attorney General Office, gave a brief presentation about the Indiana Attorney General’s Office.

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

- Minutes:** August 16, 2022 and September 6, 2022
- Claims:** All Town Funds: \$860,237.11; Wastewater Operating: \$256,339.56; Water Utility: \$49,101.82; Storm Water: \$21,373.34; Payroll: September 15, 2022 - \$242,011.17; and August Remittances -- \$178,546.02
- Manual Journal Entries:** August 1, 2022 – August 31, 2022
- Donations:** DARE – Law Enforcement Partners, \$990; PD Non-Reverting – Andrew Laud Memorial Fund/Shelly Ward \$1,000; Labor Day Fest – Frankie’s Auto Sales, \$400 and Fraternal Order of Eagles, \$300

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A motion to accept and waive the reading of the minutes and accept the consent agenda as listed was made by Colleen Schieben with second by Julie Rivera. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

**ORDINANCES & RESOLUTIONS**

**1. Ordinance No. 1430 – Job Description Amendment - School Crossing Guard(s)**

Council Member Sharpe read Ordinance No. 1430 by title only. Mr. Salatas explained this is an ordinance to add the job description of School Crossing Guard. It is anticipated to have one in 2023.

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

A motion to suspend the rules and allow for a second reading was made by Colleen Schieben with second by John Foreman. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

Council Member Sharpe read Ordinance No. 1430 by title only.

A motion to adopt Ordinance No. 1430 was made by Ralph Miller with second by Richard Sharpe. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

**2. Ordinance No. 1431 – An Ordinance Establishing the Fire Equipment Non-Reverting Fund**

Council Member Sharpe read Ordinance No. 1431 by title only. Mr. Salatas explained this is to create a non-reverting equipment fund for the Fire Department. Receipts would include items such as donations and grants.

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

A motion to suspend the rules and allow for a second reading was made by Colleen Schieben with second by John Foreman. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

Council Member Sharpe read Ordinance No. 1431 by title only.

A motion to adopt Ordinance No. 1431 was made by Ralph Miller with second by Colleen Schieben. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

**3. Resolution No. 1316 – Transfer of Funds**

Council Member Sharpe read Resolution No. 1316 by title only. Clerk-Treasurer Sandberg stated this is a transfer of funds for a total of \$5,200 within the General Fund.

A motion to approve Resolution No. 1316 was made by Richard Sharpe with second by Julie Rivera. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

**BZA/PLAN COMMISSION**

**1. Acceptance of a Letter of Credit in the amount of \$447,420.52 for Oak Brook**

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

**2. Acceptance of Black River Bells Surety**

Mr. Austgen stated this is for the performance surety in the amount of \$57,640. This is for the Taco Bell development.

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

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**NEW BUSINESS**

**1. Request for an additional SRO by Hanover Central School Corporation – Chief Bill Fisher to Report**

Chief Fisher stated the Hanover Central School Corporation approached him for the addition of a full-time school resource officer at the high school. It will be in a full-time capacity during the school year. He has a new MOU that he has emailed the Town Attorney for his review. It hasn't changed much. It has gone from 190 days to 183 days. There is also the addition of a weapons locker. Mr. Niemeyer asked about the roster and budget. Chief Fisher stated he explained to the school corporation the position would not be able to be filled until January 2023. By that time the two new recruits would be on the road. He's hoping with the new funding they would be able to replace that person on the road. Clerk-Treasurer Sandberg stated the 2023 budget does include a new hire for the department. Traditionally, the school corporation has been good about submitting timely reimbursements.

A motion to approve the MOU contingent upon legal review was made by Ralph Miller with second by Julie Rivera. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

**2. Consider Pavement Solutions, Inc. Proposal in the amount of \$11,440 to perform Crack Sealing on Parrish Avenue From 133<sup>rd</sup> Avenue to 125<sup>th</sup> Avenue**

Mr. Salatas reported the road committee met and discussed gathering quotes for crack sealing. This particular stretch of road was identified. Mr. Foreman noted to Mr. Kubiak that certain sections of the road were deteriorating due to large trucks. He stated they may need to fix a few spots before crack sealing.

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

**3. Approve Request from Lake County Board of Elections for use of Cedar Lake Town Hall to be used as a Polling Location for the 2022 General Election on November 8, 2022**

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

**4. Authorization of Proposal from Milestone to pave Cline Avenue from Vermillion to the south edge of 128th in the amount of \$13,000**

Mr. Salatas reported that Cline Avenue was striped like it was going to be paved. It was not in the paving list for this year. They suspected it to be Lake County. The contractor called after they began milling the area near Vermillion. They called and asked if the Town wished for them to continue on. This is the cost for them to continue to the approach at the roundabout. The engineer has vetted the price and this is the best they will get for the work to be completed. He requested authorization to pay for it out of the Rose Garden/Lennar Infrastructure Fund.

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

**5. Consider Purchasing a Ventrac via Sourcewell Pricing in the amount of \$56,696.80**

Mr. Salatas stated Public Works brought this item to his attention and he agrees with the need. It is a multi-use piece of equipment. It will be utilized year-round. By utilizing Sourcewell, there is a savings of approximately \$5,361.20. This item would largely be used for snow plowing. They will look to get an attachment for mowing in the summer months. This would be expended from multiple funds for Public Works and Utilities. It would mostly be used for snow removal. There will be designated routes.

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

**6. Vermillion-Hilltop Change Order 1 for an increase in the amount by \$15,064.90**

Mr. Salatas reported this is for the guardrail replacement for the Vermillion project.

A motion to approve was made by Richard Sharpe with second by Julie Rivera. Mr. Niemeyer briefly discussed a resident's concerns with storm water runoff in the project

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area. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

**7. Vermillion-Hilltop Change Order 2 for an extension of time**

Mr. Salatas reported this is to extend the contract to October 7<sup>th</sup> for substantial completion. Mr. Kubiak reported the curbs have been poured and they are waiting to begin paving.

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

**8. Parrish Avenue Change Order 1 for an increase in the amount by \$6,993.52**

Mr. Salatas reported this is for the water main adjustment in the project area. Mr. Kubiak stated this is near the north entrance of Utopia.

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

**9. Parrish Avenue Change Order 2 for an extension of time**

Mr. Salatas reported this is to extend the contract to October 7<sup>th</sup> for substantial completion. This road is expected to be open by the end of this week.

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

**10. Consider Authorizing Chris Salatas, Town Manager, as the authorized signatory for as the INDOT LTAP Documents for the NIRPC Cline Avenue to Town Hall Sidewalk Project**

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

**11. Acceptance of Reimbursement Agreement – Police Department, Brandon Holzhauer**

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

**12. Consider Chamber of Commerce Letter of Requests for the Wonderland of Lighted Christmas Trees and the Jean Eberle Parade of Lights**

It was noted the date of the event is Saturday, November 19, 2022. A motion to approve was made by Ralph Miller with second by Colleen Schieben. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

**REPORTS**

- 1. Town Council** - Mr. Miller commended the Fire Department for their fast and professional response when a friend fell the prior week. Mr. Niemeyer discussed the significant growth of the Town and the effect on road intersections. He discussed the need for a road impact fee study. He stated it would be a significant cost for the study but one that needs to be considered. He stated there are a lot of areas in Town that will need to be evaluated and planned for. A brief discussion continued on road impact fees. Mr. Niemeyer discussed matching funds for road projects and storm being utilized. He stated they need to have the utility accounting specialist review the storm fund. They need to look at what it will take to meet the capital needs. A lengthy discussion continued on growth and roads.
- 2. Town Attorney** - None
- 3. Clerk-Treasurer** - Clerk-Treasurer Sandberg reported work continues on the 2023 budget. A special public work session will be held on Tuesday, September 27, 2022 at 6:00PM. Corby Thompson will be presenting.
- 4. Town Manager** - The Chamber of Commerce will be having a ribbon cutting at El Salto this Thursday at 11:00AM.
- 5. Director of Operations** - None
- 6. Police Department** - Chief Fisher reported on the monthly calls report. Mr. Niemeyer asked about the new digital speed sign located on US 41. He voiced concerns about the color and the flashing lights. Chief Fisher stated he would look into it.

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7. **Fire Department** - Chief Wilkening reported on the monthly calls report. He added there have been concerns voiced regarding fire trucks responding to medical calls. He stated the fire truck only responds to serious medical calls. Two incidents are not reported.

## WRITTEN COMMUNICATION

1. Building Department Report - Year to date there have been 218 new residential construction permits.
2. Christopher B. Burke Report - Road projects previously reported. The road committee met and discussed the next roads to be paved. They are looking at the Shades area. It will have to be phased. Mr. Foreman added at that meeting they discussed how to maximize the funds.
3. Veridus Group - The building fee assessment and redistricting projects will be rolling off. They continue work on the public safety building, sports complex, and Town Grounds.

## PUBLIC COMMENT

None

**ADJOURNMENT** President Niemeyer called the meeting to adjournment at approximately 8:31 PM.

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

Randell Niemeyer, President, Ward 5

Richard Sharpe, Vice President, Ward 7

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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, CMC, CPFIM  
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.