October 17, 2022

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



Roll Call:					
Absent	Robert H. Carnahan	Ward 1	Present	Colleen Schieben	Ward 6
	Council Member			Council Member	
Present	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7
	Council Member			Council Member	
Absent	Julie Rivera	Ward 3	Present	Jennifer N. Sandberg,	IAMC, CMC, CPFIM
	Council Member			Clerk-Treasurer	
Present	Ralph Miller	Ward 4	Present	Chris Salatas	
	Council Member			Town Manager	
Present	Randell Niemeyer	Ward 5	Present	David Austgen	
	Council Member			Town Attorney	
Present	Nathan Vis		Present	Doug Spencer	
	RDC Member			RDC Member	
Present*	Eric Burnham		Present	Jim Hunley	
	RDC Member			RDC Member	
Present	John Kiepura		Present	Heather Dessauer	
	Plan Commission			Plan Commission	
Absent	Greg Parker		Present	Ashley Abernathy	
	Plan Commission			Planning Director	
Present	Chuck Becker			0	
	Plan Commission				

*Present via Zoom. Mr. Niemeyer announced a quorum was present for the Town Council, Redevelopment Commission, and Plan Commission. Attorney Phil Faccenda and Corby Thompson, Financial Consultant with O.W. Krohn and Associates, were also present via Zoom.

PUBLIC COMMENT

None

NEW BUSINESS Redevelopment Commission

1. RDC Resolution No. 2022-05-RDC

Mr. Vis read A Resolution of the Redevelopment Commission Approving Amendments to the Declaratory Resolution and Economic Development Plan. He stated there is a quorum for the RDC present. He also stated Attorney Phil Faccenda was present via Zoom. Mr. Austgen explained the matter is before the combined body as a consequence of directions very early this year. Staff review and assessment of TIF parcels within the current Town Consolidated 133rd Avenue TIF District and adjacent and nearby parcels. This was to determine if the parcels were suitable and appropriate in the TIF District as constituted, what the impact was if they were not, and any recommendations pertaining to the readjustment of the consolidated TIF District. For the last few months an analysis was done on the value of the TIF parcels at the same time the Town Council completed annexation of adjacent parcels in the south Route 41 area of the community. In combination with the assessment of the TIF parcels value, the analysis of impact and benefit of additional TIF expansion into a new TIF District (Route 41 South TIF District) was appropriate. What they have before them tonight is a Resolution that declares the intent to amend the current Consolidated 133rd Avenue TIF District based upon recommendation from Town financial advisor Corby Thompson. Mr. Thompson worked with Attorney Faccenda as well as Mr. Austgen and Town staff to assess and analyze. The recommendation that begins tonight's meeting is for consideration of the first resolution that is an amendatory resolution. Mr. Austgen stated they can always change and amend the district. They follow the provisions of Indiana Code 36-7-14. They begin the process by declaring the intent to do so. Later on, this is a multi-faceted, multi-body meeting. There are other participant bodies of Town government that are required to follow through on the initiative, to the ultimate end of approval, if deemed appropriate, by the Town Council. The information about the TIF District benefit analysis and amending comes from the Town financial advisors. The declaration of intent to clean-up and amend that is the beginning of the process. There will be a public hearing. That will be next month. That is the first resolution in conformance with statute.

Mr. Vis stated one of the reasons they engaged in this was to take out those parcels that they perceived were a drag on the ability to collect. He praised Corby and his team for their work. He entertained a motion to approve RDC Resolution No. 2022-05-RDC.

A motion to approve was made by Jim Hunley with second by Doug Spencer. Mr. Spencer asked how many parcels were removed. Mr. Salatas stated he didn't have the number count but knew it was several dozen. Mr. Niemeyer asked if they had a total value of the negative draw those parcels were. Mr. Salatas stated approximately \$80,000 to \$90,000. Mr. Faccenda referenced Exhibit B of the resolution. He stated it looked to be 44 parcels they were talking about. Mr. Thompson explained they have parcels within the redevelopment area that have negative assessed value (AV). They need to eventually restore the AV of the captured assessed value in the district. The are missing out on approximately \$85,000 in TIF revenues based on the 2022 notice. By removing those parcels, they should see a revenue increase of approximately \$85,000. Mr. Vis asked if they would see the benefit in 2024. Mr. Faccenda stated the benefit would be in 2023. Roll Call: Hunley – Yes, Niemeyer – Yes, Spencer – Yes, Burnham – Yes, Vis – Yes. Vote: 5-0.

Mr. Niemeyer read RDC Resolution No. 2022-05-RDC by title only for the record.

2. RDC Resolution No. 2022-06-RDC

Mr. Vis stated this is an amendment to the geographic scope of the TIF area. Mr. Austgen stated this resolution trails the one just finished by virtue of providing continuity of the expansion of the TIF district in areas susceptible to commercial and industrial development. In particular, this resolution addresses the establishment of the economic development area and TIF district in the area of three parcels that have been annexed into Town. They have been approved for land use. What they will see is approximately 46 acres that will be added to an independent TIF district. It will generate increment that will permit improvements to that area of the community which are absolutely foreseeable. Of the three parcels, two are moving along and pulling permits, the third parcel is right behind. Mr. Austgen stated this was logical to the staff and consultants. The TIF districts will not be connected.

Mr. Vis read RDC Resolution No. 2022-06-RDC by title only for the record. Mr. Austgen noted the adoption will give the Town the entire clock of twenty-five years. That will give incredible value as they look to utilize the funds from the TIF district. A brief discussion continued on the matter.

A motion to approve was made by Randy Niemeyer with second by Doug Spencer. Mr. Niemeyer noted as the current 133^{rd} Avenue Economic Development Area of the TIF district comes to a sunset, a part of that area encompasses US 41. Last year the Town updated the Comprehensive Master Plan to include a US 41 B-3 overlay district. He stated once the first district sunsets, they can allow the time to elapse and then consolidate the US 41 corridor into the new TIF district they now have the foundation set for. Mr. Vis asked when the sunset date is. Mr. Salatas stated 2029. A brief discussion continued on the district. Roll Call: Hunley – Yes, Niemeyer – Yes, Spencer – Yes, Burnham – Yes, Vis – Yes. Vote: 5 - 0.

Plan Commission

1. Plan Commission Resolution No. 2022-1

Mr. Kiepura read Resolution No. 2022-1 by title only for the record. Mr. Austgen explained the Plan Commission is present because statute identifies and recognizes the Plan Commission as the body charged with overlay growth and development in the Town, the master plan and the planning function. Approval by the Plan Commission, falls in line with the statutory outline and the path. They will be followed by the Town Council and then back to the Redevelopment Commission in a month. The reason they are here is to keep the matter moving under the statute and to maintain orderly assessment and concept of the growth and development in the community. Mr. Kiepura entertained a motion on the matter.

A motion to approve was made by Chuck Becker with second by Heather Dessauer. Mr. Austgen noted this is about the first part. The amendment related to the clean-up of the TIF district. The second resolution will be related to the new parcels that have been annexed. Roll Call: Foreman – Yes, Dessauer – Yes, Becker – Yes, Sharpe – Yes, Kiepura – Yes. Vote: 5-0.

2. Plan Commission Resolution No. 2022-2

Mr. Kiepura read Resolution No. 2022-2 by title only for the record. Mr. Kiepura entertained a motion on the matter.

A motion to approve was made by Chuck Becker with second by Heather Dessauer. Roll Call: Foreman – Yes, Dessauer – Yes, Becker – Yes, Sharpe – Yes, Kiepura – Yes. Vote: 5-0.

Town Council

1. Town Council Resolution No. 1318

Mr. Sharpe read Resolution No. 1318 by title only. Mr. Austgen explained this is the Town Council's place in the sequence, for consideration of approval of the amendment to the Consolidated 133rd Avenue TIF District, following the declaration of the Redevelopment Commission and the order of the Plan Commission.

A motion to approve Resolution No. 1318 was made by John Foreman with second by Colleen Schieben. Roll Call: Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 5 - 0.

2. Town Council Resolution No. 1319

Mr. Sharpe read Resolution No. 1319 by title only. Mr. Austgen stated this resolution is similar to the one they just considered. It is pertaining to the establishment of the Route 41 South TIF District.

A motion to approve was made by Ralph Miller with second by John Foreman. Roll Call: Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 5 - 0.

3. Town Council Resolution No. 1320

Mr. Sharpe read Resolution No. 1320 by title only. Mr. Austgen stated this resolution is for the authorization to enter into a lease with the Town of Cedar Lake Building Corporation for the financing of the upcoming projects for each of the Police Department and the Fire Department. The lease is integral to that occurring under Indiana Code 36-1-10. It is prepared and presented consistent with those items. It will provide for allowing financing not to exceed \$5,900,000 for the Police facility and \$11,990,000 for the Fire facility. That does not add up to what has been discussed here or assessed in study of not to exceed \$16,000,000. The lease will provide and does provide not withstanding the amount added in total exceeding \$16,000,000. Mr. Austgen stated financing will not exceed \$16,000,000 by all the other documents that come along. This is the foundation for the financing. It is based upon the cost estimates provided the Town on the concept renderings that have been completed. It is before them to kick the next portion of financing along. Mr. Niemeyer asked if they would be appointing the Building Corporation tomorrow evening. Mr. Austgen stated yes. Mr. Austgen stated he has reviewed the articles of incorporation, the code of bylaws and all of the requisite legal documents and information. He stated Mr. Faccenda has prepared all of the documents consistent with law and he has reviewed them. They've checked off on schedules with the financial advisor.

A motion to approve Resolution No. 1320 was made by Richard Sharpe with second by Ralph Miller. Mr. Foreman stated there was a transposing of numbers by Mr. Austgen. The total amount for the Police Facility is not to exceed \$6,500,000. Mr. Faccenda stated that is correct. The Police facility is not to exceed \$6,500,000 and the Fire facility is not to exceed \$11,900.000. Total financing is not to exceed \$16,000,000. Mr. Niemeyer stated there are a lot of opinions that float around about these types of things. He stated he appreciates them but the next area of growth in Town is pretty well known to be on the east side. Between a couple of developers, he estimates in the next decade another 2,000 homes built on the east side. He stated by no means is the building being built going to be the last. Eventually a Town Complex will need to be built. He stated this is not the last, it is the first. He continued to discuss the current facilities and the growth of the community. Mr. Foreman stated he has had quite a bit of debate on these matters with people. He discussed the growth and the economy. He stated the work completed with the financial advisors has been reassuring. A brief discussion continued. Roll Call: Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 5 - 0.

PUBLIC COMMENT None

ADJOURNMENT President Niemeyer called the meeting to adjournment at approximately 6:35 PM.

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

Randell Niemeyer, President, Ward 5

Robert H. Carnahan, Ward 1

Richard Sharpe, Vice President, Ward 7

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.

REDEVELOPMENT COMMISSION OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

Nathan Vis, President

Eric Burnham, Vice-President

Doug Spencer

Jim Hunley

Randy Niemeyer

ATTEST:

Recording Secretary

The Minutes of the Redevelopment Commission 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.

PLAN COMMISSION OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

John Kiepura, President	Greg Parker, Vice President
Chuck Becker	Heather Dessauer
John Foreman	Richard Sharpe
ATTEST:	Robert Carnahan

Recording Secretary

The Minutes of the Plan Commission 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.

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