



October 18, 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	Ward 1	Present	Colleen Schieben	Ward 6
	Council Member			Council Member	
Present	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7
	Council Member			Council Member	
Present	Julie Rivera	Ward 3	Present	Jennifer N. Sandberg, IAMC, 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	

**President Niemeyer added an additional agenda item to New Business.*

PRESENTATION

Police Chief Bill Fisher honored retiring clerk, Steve Nemeth. The Council thanked Mr. Nemeth for his service to the Town.

PUBLIC HEARINGS

1. First Public Hearing on a Preliminary Determination to Enter into the Lease for the Police Department Project and the Fire Department Project
 - a. Review of Legals – Attorney Austgen stated the legals were in order for the public hearing tonight as well as tomorrow night.
 - b. First Public Hearing Review of Preliminary Determination
Mr. Austgen explained they have been presented a resolution to approve the financing method and methodology. He stated he wished to read the specifics on the numbers into the record. Mr. Niemeyer asked Mr. Sharpe to read the title of Resolution No. 1321 into the record. It reads as follows: *A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, MAKING A PRELIMINARY DETERMINATION TO ENTER INTO A LEASE FOR THE POLICE DEPARTMENT PROJECT AND THE FIRE DEPARTMENT PROJECT, CONFIRMING THE PROPOSED LEASE, AUTHORIZING AND DIRECTING THE EXECUTION OF THE LEASE, THE PUBLICATION OF A NOTICE OF ITS EXECUTION, AND AUTHORIZING OTHER ACTIONS RELATED THERETO.*

Mr. Austgen read the following portion from Section 1 of Resolution No. 1321 into the record.

The proposed Lease with respect to the Projects will have a term no longer than twenty (20) years, commencing on the date any of the Premises is acquired by the Building Corporation. The maximum principal amount of the Series A Bonds is \$6,500,000 for the design, construction and equipping of the Police Department Project. The maximum principal amount of the Series B Bonds is \$11,900,000 for the design, construction and equipping of the Fire Department Project. The maximum estimated interest rate that will be paid in connection with the Bonds is six- and one-half percent (6.5%) per annum, the estimated interest rates that will be paid in connection with the Bonds are 4% to 6.5%. The total estimated interest cost with respect to the Police Department Project is \$3,368,000. The total estimated interest cost with respect to the Fire Department Project is \$7,410,000. Including interest costs, the maximum annual lease rental to be paid by the Town under the proposed Lease is \$1,500,000, and the maximum lease rental over the term of the Lease is \$30,000,000. For purposes herein, the amount of the maximum annual lease rental allocable to the Police Department Project will be \$500,000, and the amount of the maximum annual lease rental allocable to the Fire Department Project will be \$1,000,000.

The Town's current projected debt service levy for Pay 2023 is \$930,000, and its current projected debt service rate is \$0.1068 per \$100 of assessed valuation. If the Town enters into the Lease, the estimated increase to the Town's debt service levy for the Police Department Project will be \$418,000, and the estimated increase to the Town's debt service rate for the Police Department Project will be \$0.0481 per \$100 of assessed valuation. If the Town enters into the Lease, the estimated increase to the Town's debt service levy for the Fire Department Project will be \$920,000, and the estimated increase to the Town's debt service rate for the Fire Department Project will be \$0.1057 per \$100 of assessed valuation.

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

Mr. Austgen stated the rates, amounts, and percentages described are derived from the calculations of the financial advisor. He stated Mr. Thompson can answer any questions if needed. Mr. Thompson stated he had no comments at this time. Mr. Foreman asked about the debt service numbers. He asked if it would be new debt service. Mr. Thompson stated yes, that would be an additional debt service levy. Mr. Niemeyer stated as they saw in the budget presentation, the impact to the average residential taxpayer is in the \$5.00 a month range. A brief discussion continued on the projects.

c. Remonstrators

Kevin Toth, 9725B W. 129th Place, stated he is here to speak against the proposed east side public safety facility and the new levy. He stated not because he doesn't believe there is a need but he believes it is the wrong location at the wrong time. Mr. Toth voiced the need for a new public safety building, Town Hall, and possibly a sub-station on the east side, but voiced concerns about the proposed facility. He discussed the current fire station location and his opinion that the current facility should be improved. He voiced concerns with the cost to taxpayers. He discussed the school property at the corner of 133rd and Parrish Avenue. He voiced the opinion that they should utilize that property and voiced concerns with lack of communication between the Town and the School Corporation. He voiced concerns with moving resources. Mr. Toth also voiced concerns with the economy and questioned the anticipated growth on the east side of the lake.

Mary Joan Dickson, 8711 W. 132nd Place, asked Mr. Niemeyer to repeat the estimated impact. Mr. Niemeyer stated the estimated impact they saw on the budget presentation to the average residential taxpayer was approximately \$5.00 per month. Mrs. Dickson asked about the additional \$6.5 million and if that was included. Mr. Niemeyer stated there was no estimate on the overall impact but based on the numbers it won't be a lot more. He stated they will be looking at about an 18% AV increase for next year that will suck up some of that rate. Mrs. Dickson asked about the estimated \$5.00 and it being per \$75,000. Mr. Niemeyer stated no it was for \$125,000.

d. Town Council Discussion

Mr. Niemeyer addressed some of Mr. Toth's comments. He stated he made an attempt to schedule a meeting with the school corporation to talk about the possibility of purchasing the property on the west side. He stated he received a one sentence email response on January 19, 2022, the Hanover School Corporation intends to utilize the administration property for educational purposes. Mr. Niemeyer stated Cedar Lake is a unique community. The lake in the middle has always created challenges for first responders. He stated they hear from residents often about why they don't do things proactively. He stated they are taking a proactive step. The next growth area in the community is not just probable. The land is owned by developers, the concepts are in place, and development can start at any time. As soon as the water tower is up, they will see the next unit by Schillings. They've already presented it to the Plan Commission. Lakeside Subdivision will be nearly 600 units. He stated that's why he made the comments about this not being the last municipal building. It won't be. Cedar Lake has always been unique that both the west side and the east side need certain attention on their own. The lake in the middle will always be an issue. Cedar Lake will need two municipal areas for response in order to keep response times low. He stated Mr. Wroe provided a rendering on response times with the east side station. He stated overall there should be an improvement. He stated he is confident they are doing things to meet the needs of the community today as well as in the very near future, the things that aren't just concepts.

No decision on the item this evening. Mr. Austgen stated tomorrow night there is a second public hearing, which is required to be held under statute. It is noticed for 7PM at Town Hall. When that is concluded, they will consider the resolution. If adopted, there will newspaper publication of the notice by the end of the week. He stated they are on task and on time with the methodology.

PUBLIC COMMENT

None

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

CONSENT AGENDA

1. **Claims:** All Town Funds: \$187,524.48; Wastewater Operating: \$138,258.82; Water Utility: \$64,195.81; Storm Water: \$10,815.95; Payroll: October 13, 2022 - \$341,122.31; and September Remittances: \$261,484.44
2. **Manual Journal Entries:** September 1, 2022 – September 30, 2022

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. 1432 - Y2023 Budget

Council Member Sharpe read Ordinance No. 1432 by title only. Mr. Niemeyer noted the budget presentation is on the Town's website for viewing.

A motion to adopt Ordinance No. 1432 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.

2. Resolution No. 1317 - Excess Levy Appeal Petition

Council Member Sharpe read Resolution No. 1317 by title only. Mr. Niemeyer asked Mr. Thompson for an explanation. Mr. Thompson stated this item and the next are the levy appeals to the DLGF. The resolutions confirm the entity cannot perform government functions without the excess levy appeals. Ms. Sandberg stated they were on the three-year growth appeal. Mr. Thompson stated they've done these the last couple of years. This appeal is because the assessed value continues to grow. The additional levy is to keep up with government operations.

A motion to adopt Resolution No. 1317 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. 1323 – A Resolution for the Extension of Services for Parks and Recreation

Council Member Sharpe read Resolution No. 1323 by title only. Mr. Thompson stated this is an additional levy appeal. This is for an extension of services for the park budget. It has been included in the budget that has now been adopted. It is a \$1 million dollar levy over the maximum levy for the park budget.

A motion to adopt Resolution No. 1323 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.

BZA/PLAN COMMISSION

1. Offshore Estates LOC Conversion – Performance to Maintenance

Mr. Salatas reported the letter of credit was received today. It is in the amount of \$33,388.38.

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.

NEW BUSINESS

1. Consider Memorandum of Understanding with Hanover Central School Corporation for an additional Student Resource Officer

Mr. Austgen stated they haven't gotten to this item yet. It was recommended to defer. Mr. Austgen stated there are some recommendations coming. He'll get it as quickly as possible. Discussion continued on the MOU and time needed to complete the item.

A motion to defer 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.

2. Appointment of Building Corporation Members

Mr. Salatas reported they have a list of five members to include in the new Building Corporation. The members are Larry Nagy, Nick Canete, Chuck Kouder, Jeremy McNamer, and Claudia Carlson.

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

A motion to approve the names listed as recommended by the Town Manager was made by Julie Rivera with second by Colleen Schieben. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

3. Consider 2023 Summerfest Agreement Requests

Mr. Salatas stated this item was not yet ready. He asked for it to be deferred.

A motion to defer 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. Mr. Niemeyer asked Mr. Salatas to work things out with Mrs. Dickson if there are any questions as they are under tight deadlines.

4. Consider Southcom 911 Backup Site

Mr. Salatas explained Mr. Volkmann sent information on a backup site. Chief Fisher stated in June he requested for the numbers to be put together and given to the Southcom Board before moving forward. He stated they wish to use Cedar Lake as a backup site in case Southcom goes down. He stated they haven't seen any prices. Mr. Niemeyer stated they have a total in front of them of \$27,249.81. The Town's portion would be 30%. Chief Fisher requested a deferral. A brief discussion continued on backup sites.

A motion to defer 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.

5. Approval of adjusted meeting calendar due to holiday dates and time changes

- a. Storm Water Board changed to November 14th due to Election Day
- b. Storm Water Board would like to change all meetings to 6 p.m. from that day forward
- c. Park Board would like to set the November meeting to the 17th
- d. Plan Commission would like to set the Work Session Meeting Time to 6 p.m. effective with their November 1st meeting and forward

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.

6. Consideration to allow the Town Council President to sign a letter to the County Council requesting ARPA funds for East Side Water Development

Mr. Salatas explained they are looking to drill a well for a municipal water source on the east side of Town. The area is where a test well has proved pretty successful and promising. They would like to request ARPA dollars from the County. It's his understanding they have a program set aside in each County Council District for projects that are infrastructure related. A brief discussion continued on the funds available for projects.

A motion to authorize 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.

REPORTS

- 1. Town Council** – Mrs. Schieben stated Trunk or Treat will be this Saturday from noon to 2:30PM. They will have free food, candy, and a DJ. Mr. Niemeyer commented on the public hearing earlier. He stated the Council has tried on three separate occasions to enter into a fire territory with surrounding entities. He stated they were hoping to address some of the needs of the community in that manner. He stated they were unsuccessful each time. It all comes down to paying for the service. He stated what they are doing here with planning the needs for the community is based on actual facts and data. He stated it is also about affordability. Doing something on the west side right now would delay the process. Right now, they can't afford to delay. The community has grown a lot and they haven't grown the facilities with it. He discussed investing in public safety services. He discussed the current financial position of the Town. He stated even with a correction, the Town is well placed. He respectfully disagreed with some of the comments made. Mrs. Rivera agreed with Randy. She stated if they don't do it now, then when. The public safety departments have outgrown current facilities. There is no space for new employees. She stated they already own the land on the east side and folks on the east side deserve a responsive service. Mr. Foreman discussed progress on the sediment dewatering facility. The ecosystem project is moving along.
- 2. Town Attorney** - None

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

3. **Clerk-Treasurer** – Clerk-Treasurer Sandberg reported with the adoption of the budget, her clock begins to get the budget uploaded and submitted in Gateway. Next, they wait for the 1782 Notice.
4. **Town Manager** – Mr. Salatas reported he received a thank you letter from a resident for patching pot holes in Town. He stated the new total patcher is in use. Mr. Niemeyer asked about site work being done in Monastery Woods. Mr. Salatas stated right now they are getting topography surveys done. They are in the planning process right now for the pavilions. Sumac was given the contract at the last Park Board meeting. A brief discussion continued on the planned pavilion projects and locations.
5. **Director of Operations** – Mr. Kubiak stated the CDBG project in Lynnsway is coming to a close. Sidewalks have been poured and yard restoration has begun. He believes that subdivision is almost complete.
6. **Police Department** – Chief Fisher reported on the monthly calls report. Chief Fisher stated they are getting on average 35 calls per day. Mr. Niemeyer asked if felony cases are being processed timely. Chief Fisher stated they are not. A traffic citation on average takes ten months to get to court. A brief discussion continued.
7. **Fire Department** – Chief Wilkening reported on the monthly calls report. He stated they are at approximately 1,500 calls for the year. He thanked everyone for coming to their open house. They have about 200 bicycle helmets. He asked if they know anyone who needs one to send them down. Mr. Niemeyer thanked Bill Leep and his family for the milk donation to the open house event. A brief discussion continued.

WRITTEN COMMUNICATION

1. **Building Department Report** – A brief report was given.
2. **Christopher B. Burke Report** – The road projects are coming to a close. The sediment dewatering facility is coming along nicely.
3. **Veridus Report** – Mr. Salatas noted the projects are coming to a close. Mr. Niemeyer asked when they could expect to see the building permit fee item. Mr. Salatas stated he intends to have it to Dave shortly.

PUBLIC COMMENT

Mary Joan Dickson, 8711 W. 132nd Place, stated she is disappointed they can't come to an agreement about Summerfest. She stated it is going to be November. They have to get contracts signed. She stated the three changes they are requesting is to remove the ambulance, keep the finances but they don't want them to be part of public record, and they will maintain insurance. She voiced concerns with the way the insurance worked out last year. Mr. Niemeyer commented on insurance for special events. Mrs. Dickson stated they are down to the wire. Mr. Salatas stated Dave has some language that they would like included that has a certain level of insurance they would like to be carried. As far as the fiscal reporting, that is a policy call. He doesn't see an issue with transparency. He stated he would have to discuss the ambulance with the Fire Chief. Mrs. Dickson continued to voice concerns about pushing out the contract approval.

Carol Kerr, 9900 W. 129th Place, asked about who would replace Mr. Niemeyer. Mr. Niemeyer stated Nick Recupito ran in the primary. He had no General Election opponent. He will be taking over Ward 5. Mrs. Kerr asked about the water tower on the east side. Mr. Niemeyer stated they don't have a water tower on the east side currently. Construction is set to begin in November. Mrs. Kerr asked about the 600 homes Mr. Niemeyer mentioned and if they would be up by next summer. Mr. Niemeyer stated a project of the magnitude would take approximately five years. Mrs. Kerr voiced concerns with the state of the local post office. She asked if the Town could do anything. She continued to voice concerns about mail delivery. Mr. Foreman stated it is a federal agency and there isn't anything they can do. A lengthy discussion continued on the mail service. Dave Herkey, 12627 Morse St, stated he wanted to make a positive comment. He lives off of Vermillion where construction just occurred. He stated they did a phenomenal job. He stated they were doing what they had to do. The neighbors worked together well to get through it. A neighbor even gave up part of his yard so folks could drive through it. He stated TJ is phenomenal and he was great to work with. He praised TJ for his work. He stated Dave from Milestone was also great at communicating. A brief discussion continued on the road project.

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

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

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

Randell Niemeyer, President, Ward 5

Richard Sharpe, Vice President, Ward 7

Robert H. Carnahan, Ward 1

John Foreman, Ward 2

Julie Rivera, Ward 3

Ralph Miller, Ward 4

ATTEST:

Colleen Schieben, Ward 6

Jennifer N. Sandberg, IAMC, 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.