November 1, 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:						
Present*	Robert H. Carnahan	Ward 1	Present	Colleen Schieben	Ward 6	
	Council Member			Council Member		
Present*	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7	
	Council Member			Council Member		
Present	Julie Rivera	Ward 3	Present	Jennifer N. Sandberg, I	ennifer 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 via Zoom. Mr. Carnahan was present at approximately 6:40PM via Zoom.

PUBLIC HEARING: Ordinance No. 1433 - Public Way Vacation, Patriot Properties, NWI LLC (*Scheduled for 7PM*)

- a. Review of Legals Mr. Austgen stated the legal notices were in order for the public hearing but the certified letters did not get completed. He recommended the public hearing be conducted but continued to the next meeting so the certified letters can be properly made.
- b. Reading of Ordinance No. 1433 Council Member Sharpe read Ordinance No. 1433 by title only.
- c. Remonstrators None
- d. Town Council Discussion Mr. Niemeyer asked for a brief description. Mr. Salatas stated this is on 134th Court. It is in Cedar Pointe Park and a four-foot-wide walking path. Mr. Niemeyer asked if there were utility interests above or below. Mr. Salatas stated no.
- e. Town Council Decision on Ordinance No. 1433

A motion to approve the introductory reading was made by Julie Rivera with second by Colleen Schieben. Mr. Niemeyer noted the public hearing will remain open until the next public meeting. Roll Call: Foreman – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6-0.

PUBLIC COMMENT

None

CONSENT AGENDA

- 1. Minutes: October 4, 2022, Meeting and October 17, 2022 Special Joint Meeting
- **2.** Claims: All Town Funds: \$257,145.22; Wastewater Operating: \$1,754,863.50; Water Utility: \$30,501.43; Storm Water: \$18,187.39; and Payroll: 10/27/22 & 11/1/2022: \$246,837.08

A motion to accept and waive the reading of the minutes and accept the consent agenda as listed 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.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1434 – Bay Bridge Annexation (Introductory Reading)

Council Member Sharpe read Ordinance No. 1434 by title only. Mr. Austgen stated this is a 20-acre parcel south and east of Morse Street that is proposed for annexation. The parcel is contiguous to Town. This is a voluntary petition.

A motion to approve the introductory reading 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. Resolution No. 1323 - CY2023 Summerfest Contract

Council Member Sharpe read Resolution No. 1323 by title only. Mr. Salatas reported this document is nearly identical to the Y2022 contract. It is updated to reflect the dates for 2023. Mr. Niemeyer asked that it be circulated to the Summerfest Committee as soon as possible.

A motion to approve Resolution No. 1323 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. Performance Letter of Credit Extension – Beacon Pointe East, Unit 1

Mr. Salatas reported this Letter of Credit is in the amount of \$341,736.80. It was recommended to approve.

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

2. Performance Public Letter of Credit Extension – Cedar Lake Storage

Mr. Salatas explained the reason it states public is because they had a private letter of credit as well. This is in the amount of \$7,700. It is recommended to approve.

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

OLD BUSINESS

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

Mr. Austgen reported the item is good to go. He has reviewed the proposed MOU. He has also reviewed it with the school corporation's attorney.

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.

NEW BUSINESS

Change Order 1 from CBBEL for the Lynnsway ADA Improvements for an increase in the amount of \$3,861.07 bringing the cost to \$67,075.37 Mr. Salatas stated these were to correct approaches within the Lynnsway neighborhood for ADA requirements. There were minimal changes in materials.

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. Pay Request 1 from CBBEL for the Lynnsway ADA Improvements in the amount of \$67,075.37

Mr. Salatas stated this was for the work discussed previously. The work is substantially complete.

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

3. Final Pay Request from CBBEL for Kiwanis Dog Park Parking Lot Paving Project to Olson in the amount of \$104,100.90

A motion to approve 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.

4. Final Pay Request from CBBEL for Kiwanis Dog Park Parking Lot

Striping/Marking Project Payable to TCS in the amount of \$4,864.75 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.

5. Consider CY2023 Moto on Ice Agreement

Mr. Austgen explained this is the annual agreement for the production that Moto on Ice puts on the lake. They use the Town Municipal Complex property for staging and conduct of their activity. He has been working on the form document with Mr. Salatas. It is similar to other event documents like the Summerfest.

A motion to approve 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.

REPORTS

- 1. Town Council Mrs. Rivera stated she had a question from a citizen for Chief Fisher about the police presence on Halloween. Mr. Niemeyer discussed a few members leaving for the AIM Conference. He stated one of his goals is to update the policies and processes for publicly sponsored events. He stated they have to figure out how to make things flow better so they can have a recreational economy. Mr. Carnahan asked everyone to get out and vote next Tuesday. Everyone wished Mr. Carnahan well. Mrs. Schieben thanked everyone for their help with Trunk or Treat.
- 2. Town Attorney None
- **3.** Clerk-Treasurer Clerk-Treasurer Sandberg reported she anticipated having a first draft of the 2023 Salary Ordinance on the next agenda. She stated she also anticipates having final numbers for insurance renewals by the next meeting.
- 4. Town Manager A majority of projects are starting to wrap up. Kiwanis is almost done. Road projects are almost done. The sediment dewatering facility is substantially complete. They are working on getting a pre-construction meeting scheduled with the dredgers.
- 5. Director of Operations None
- 6. Police Department None
- 7. Fire Department None

WRITTEN COMMUNICATION None

PUBLIC COMMENT

Kevin Toth, 9725 W. 129th PL B, discussed the last public hearing on the public safety building. He expressed concerns with the numbers discussed. He asked how they went from one to two projects. Mr. Niemeyer explained the proposal is for two projects. Mr. Toth asked about the total being \$18.5 million. Mr. Niemeyer stated that is a maximum. Mr. Toth asked for confirmation of two separate projects. He voiced concerns with a change in design from what was presented. He asked if it would need to be redone. Mr. Niemeyer stated not completely. Yes, it is two separate buildings but there will be similarities to the original design. Mr. Foreman briefly discussed the project being two separate buildings. Mr. Niemeyer stated they need to finance two separate projects for two separate buildings. Mr. Toth asked if they needed two separate buildings to not exceed the referendum. Mr. Niemeyer stated one building they could get within the threshold pretty easily. Mr. Toth asked why they are doing two separate buildings. Mr. Niemeyer stated buildings. Mr. Niemeyer stated buildings. Mr. Niemeyer stated buildings. Mr. Niemeyer stated one building they could get within the threshold pretty easily. Mr. Toth asked why they are doing two separate buildings. Mr. Niemeyer stated buildings. He discussed having two separate bond issues. Discussion continued on the project.

ADJOURNMENT President Niemeyer called the meeting to adjournment at approximately 7:03 PM.

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.