March 7, 2023

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



Present	Robert H. Carnahan	Ward 1	Present	John Foreman	At Large
	Council Member			Vice-President	
Absent	Julie Rivera	Ward 2	Present	Richard Sharpe	At Large
	Council Member			President	
Present	Nick Recupito	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	Colleen Schieben	Ward 5	Present	David Austgen	
	Council Member			Town Attorney	

PRESENTATIONS

1. Presentation to NICK (Northwest Indiana Cancer Kids)

Chief Fisher stated in 2018 the Police Department had their first fundraiser commonly known as Beards Battling Cancer. He stated they raised \$3,000 for St. Jude Children's Hospital. They continued each year until COVID. This year they chose to partner with Northwest Indiana Cancer Kids (NICK). They were able to raise \$4,000 for the families of NICK. Chief Fisher urged everyone to go to NICK's website and read the story about Drew and how the foundation came to be. He introduced Nicole Yarrow with NICK and Blake, a Cedar Lake resident who is in remission. Chief Fisher presented Ms. Yarrow with a check for the foundation. He thanked the officers that made donations in order to keep their beards as well as Town staff members and the Eagles.

2. Proclamation of Thanks to Patrick Scoleri, Division Chief, Retired

Mr. Scoleri was present via zoom. A Proclamation of Thanks was read by Council Member Foreman. Mr. Scoleri thanked them and expressed his gratitude. He thanked Chief Wilkening and the Fire Department Staff for their hard work. Chief Wilkening thanked the Council for putting together the proclamation to honor Pat.

PUBLIC COMMENT

None

CONSENT AGENDA

- **1. Minutes:** February 21, 2023
- **2. Claims:** All Town Funds: \$799,152.29; Wastewater Operating: \$379,121.80; Water Utility: \$52,392.05; Storm Water: \$15,650.78; and Payroll: March 1, 2023 and March 2, 2023 \$375,514.14
- **3. Variance of Use Request:** The Department of Parks and Recreation is requesting to use the Council Chambers for the following activities:
 - **a.** March 16, 2023, 5:30 6:30 p.m. Spring Soccer Coaches Meeting
 - **b.** April 21, 2023, 8:00 a.m. 6:30 p.m. (extended time from original approval at activity's inception) for Rain Barrel Order Drop-off and Pick-Up
 - c. June 3, 2023, 8:00 a.m. 12:00 p.m. for Spring Soccer Photos

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 Ralph Miller. Mr. Carnahan mentioned a claim to AT&T being paid by several departments. He asked if they periodically check other companies for better rates. Clerk-Treasurer Sandberg stated they previously used Verizon. But within the last year and half they moved to AT&T FirstNet. Chief Fisher stated FirstNet puts emergency services first. The cost of many of their items are identical for airtime and air cards. A brief discussion continued. Roll Call: Carnahan – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6-0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1450 – Police and Fire Fee Schedule Ordinance

Chief Fisher explained they needed to update the fee schedule due to the new WatchGuard system as well as public records requests. It was reviewed by Mr. Austgen and is presented for their approval. A couple of items were also updated for the Fire Department. Mr. Austgen concurred. Council Member Foreman read Ordinance No. 1450 by title only.

A motion to approve Ordinance No. 1450 was made by John Foreman with second by Colleen Schieben. Roll Call: Carnahan – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – 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. Roll Call: Carnahan – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6-0.

Council Member Foreman read Ordinance No. 1450 by title only.

A motion to adopt Ordinance No. 1450 was made by Nick Recupito with second by Colleen Schieben. Roll Call: Carnahan – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

BZA/PLAN

1. Acceptance of Deed from Beacon Pointe LLC deeding the following adjacent parcels as parkland:

- a. Outlot D, Centennial Villas Subdivision, Phase 1
- **b.** Outlot E, Beacon Pointe, Unit 7

Mr. Salatas reported that Ms. Abernathy has reviewed both items and they are ready for acceptance. Mr. Recupito asked if the Town would maintain. Mr. Salatas stated yes.

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

NEW BUSINESS

1. Bid Award 2022-02 CCMG 137th Avenue Project

Mr. Salatas explained the bid opening occurred on March 1, 2023. Three bids were received from Site Services, Rieth-Riley, and Milestone. Site Services had the lowest bid at \$192,296.33. It was recommended to award the bid to Site Services. This is a CCMG project and the balance due by the Town will be from the Rose Garden Improvement Fund. This is for the section of 137th from Parrish Avenue to the railroad tracks.

A motion to approve was made by Colleen Schieben with second by John Foreman. Roll Call: Carnahan – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6-0. A brief discussion continued on road projects.

2. Approve use of the Town Hall Council Chambers as a Polling Location for the May and November Elections

Mr. Salatas stated this is a request that occurs each election cycle. This is to give permission for the Town Hall to be used as a polling location. He recommended they approve.

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

3. Consider approval for pay compensation for early release on Friday due to inclement weather

Mr. Salatas stated on Thursday they received a report that a snowstorm was coming. He consulted with the Town Council President and he made the decision to close Town Hall at noon on Friday. Mr. Foreman asked if the employees worked electronically. He asked if they would be using their personal time. Mr. Salatas stated if this is not approved. A brief discussion continued.

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

REPORTS

1. Town Council – Mr. Carnahan recognized the Eagles for always helping in the community. He stated they are having a Roaring 20's Murder Mystery & Dinner on March 25th. Event starts at 6PM and tickets are \$40. On March 25th at the Lake County Fairgrounds, Lake County Solid Waste will have a household hazard waste clean-up for Lake County residents from 9:00am to 2:00pm. Mr. Foreman gave an update on the Sediment Dewatering Facility. He stated pipe has been delivered at the dewatering

facility. Staging is also occurring at the old South Shore Country Club lot. He stated the dredging will start in mid-April 2023. They will start on the south end and add length of pipe as they continue to dredge. A brief discussion continued on the project. Mr. Sharpe asked Mr. Salatas if he could start a Local Road Safety Plan Committee. This would be to create a plan to ensure safer travel on the roads. Several comments have been made about US 41 and some intersections along US 41. A letter was sent to Senator Niemeyer to see if they could get some help from him regarding US 41. There are other areas to look at as well to improve safety.

- 2. Town Attorney None
- 3. Clerk-Treasurer None
- **4.** Town Manager Mr. Salatas stated they are continuing to work with NIRPC on grants. Their funding is more constrained than they additionally thought. They are working to get a few of the Town's projects into the TIP. That would put the Town projects into the mechanism to be funded. They are looking ahead to the dredge project.
- 5. Director of Operations Mr. Kubiak stated the water tower is making good progress. Mr. Carnahan asked for him to report on the lift station by MacArthur. Mr. Kubiak stated during the storm, the lift station went out. Both pumps and check valves failed. One of the valves to close it off failed. He estimated they had 14 hours of zero function at that lift station. He stated he believes one resident had flooding. They had to bypass the station 600 feet. A brief discussion continued on the future plans to rebuild said lift station.
- **6.** Police Department Chief Fisher reported they received a grant recently for \$2,500. It will be used to purchase ballistic shields. The shields will go into the squad cars. There was a previous incident where an officer had to negotiate with a suspect and had no cover but a wall. They will be able to purchase five shields to go into the supervisor's squads. The grant was written by Officer Machalk and is from the Crown Point Community Foundation.
- 7. Fire Department Deputy Chief Mager reported the department had received a grant about six months ago for a battery-operated ventilation fan. They received the fan last week and staff will begin training.

WRITTEN COMMUNICATION

None

PUBLIC COMMENT

Greg Parker discussed his history with the Town. He discussed his time on Town Council as well as the Plan Commission. He stated all his time on the Council was not pleasant for him. He stated they day he left he felt a huge weight had been lifted. He stated he felt that way because of the responsibility that goes with being on the Town Council. He stated recently he was re-appointed to the Plan Commission. He stated the last Plan Commission meeting concerned him. Mr. Foreman asked what his concern was. Mr. Parker stated he said he believed staff was negotiating with developers for the east side of the lake. He suggested Mr. Foreman and Mr. Sharpe were restless by the claim. Mr. Foreman stated that was incorrect. They have never had anything come to the Plan Commission. Mr. Parker stated he was confident there were negotiations being had outside of the Plan Commission. Mr. Foreman stated they have never been brought anything by Chris. Mr. Parker continued to voice his displeasure. Mr. Foreman again stated they have not received anything at the Plan Commission. He asked Mr. Salatas if he had any information. Mr. Salatas stated per the ordinance all developers or projects are to meet with staff members to be vetted before they come to the Plan Commission for appropriateness. He stated there are people in the room who have done so already and have not come before the Plan Commission. Mr. Parker stated in his years on the Plan Commission when he was on the Town Council, he doesn't remember that occurring. He asked it was something new. Mrs. Schieben stated they now have a Town Manager. Mr. Foreman stated a lot of people have come in to talk with Chris and staff about the old monastery and it hasn't come before the Plan Commission. Mr. Parker continued to voice his concerns and stated he wanted to see it. Mr. Foreman stated they have not seen anything. Until something comes before the Plan Commission, it is not real. A very lengthy heated discussion continued.

Jerry Wilkening stated he has heard some of the things Mr. Parker heard. He asked who has the authority to pull down the YouTube videos. Mr. Salatas stated the Town does not remove YouTube videos. Once they are uploaded, they stay there. Mr. Wilkening asked who was in charge of making sure they get uploaded. Mr. Salatas stated the IT Director. Ms. Sandberg stated they are automatic. She stated they livestream everything. As soon as the Zoom recording is finished it would take moments to go back to YouTube and view. Mr. Wilkening stated he wanted to be sure. He stated concept plans should be shared. He stated he is certain the property behind Mrs. Schieben's house will be super deluxe. Chief Fisher added that the YouTube livestream records immediately. A person who joins the meeting late can start it from the beginning. The Town pays for social archiving to make sure it doesn't go anywhere.

Mary Joan Dickson, 8711 W. 132nd Place, she asked about the democratic opening on the Plan Commission. She asked if there was any activity on getting that spot replaced. Mr. Sharpe stated

they thought they had a person but they declined. Mrs. Dickson asked about the list previously submitted. Mr. Sharpe stated they would review again.

Terry Broadhurst, 14515 Morse, stated he owns property across from the vacated golf course. He stated the zoning to that property is R-1, which requires 15,000 square feet of land to build houses. He discussed the responsibility of zoning changes. He discussed rules regarding zoning changes. He asked if they are responsible for those changes, would any of them like to go on record and say they would vote against that, if a change was to come before them. He asked again if anyone would like to go on record. Mrs. Schieben stated she would not. Mr. Sharpe stated that is a theoretical question. He stated he wouldn't state an opinion on a hypothetical. Mr. Recupito stated he would state an opinion. He said he ran a campaign on proper planning. If that property is zoned R-1, he doesn't know what reason would be to change it. It would have to be a really good reason. He does not see one. Mr. Carnahan agreed with Nick.

Cheryl Parker, 7227 W. 136th Court, asked about all the building and stated a lot of homeowners with private wells are concerned. She asked how all the home building will affect their water supply. Mr. Foreman discussed wells going dry in the past few years. He stated his own private well did a couple years ago. He discussed the droughts the last few years. He stated the water engineer's he has spoken with do not believe there is any correlation between the west side water tower and his private well going dry. He had to dig a new, deeper well to find a new aquifer. He discussed the water improvements on the east side, including the new well as well as the main extensions. He further discussed the new water tower going in on the east side. Discussion continued on future building. Mrs. Parker asked if there were reports on any potential impact from new homes going in. She asked if someone was monitoring that. It was answered the utility engineer was monitoring that and there was no correlation. A brief discussion continued.

Greg Parker asked about the well punched on the Brunt Farm. Mr. Foreman stated he doesn't know anything about that. A lot of places have been doing water exploration over the last few years. Mr. Salatas stated that is a private well on private land. The Town is concerned about the well on Robin's Nest and the one right to the south that is called WPA. A brief discussion continued

Terry Broadhurst asked about getting information on wells. He asked if it was standard in Indiana to get those records from the County Health Department. Mr. Salatas stated the Town does not keep records on private wells. Perhaps the County Health Department does. Mr. Kubiak stated IDEM is who permitting is through and may have those records.

ADJOURNMENT President Sharpe called the meeting to adjournment at approximately 7:31 PM.

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

Richard Sharpe, President	John Foreman, Vice President
Robert H. Carnahan	Julie Rivera
Nicholas Recupito	Ralph Miller
ATTEST:	Colleen Schieben
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.