

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



April 4, 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	
Present	Julie Rivera	Ward 2	Present	Richard Sharpe	At Large
	Council Member			President	
Absent	Nick Recupito	Ward 3	Absent*	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	

*Chief Deputy Clerk Margo Nagy was present.

Mr. Foreman asked to speak. He remarked it was a wonderful crowd present and he hoped everybody would continue to come to meetings year after year. He stated the first and third Tuesdays of the month are meeting nights. He stated this is awesome and the best way to stay informed. He encouraged everyone to get involved.

President Sharpe asked for a motion to amend the agenda to include an item under New Business. Mr. Carnahan made a motion to amend the agenda to add the item of Plan Commission Appointment under New Business. A second was made by Colleen Scheiben. Mrs. Rivera mentioned the reason there is an opening on the Plan Commission is because the person that served for seven years as a Democrat, signed up to run as a Republican in February. She stated hopefully they can fill it tonight. Roll Call: Carnahan – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

PUBLIC COMMENT

Jeff Biel, 10240 W. 134th Avenue, mentioned Item 1 under New Business, he asked if there was a procedure. Chief Fisher stated they are replacement vehicles for vehicles that have 110,000+ miles. Mr. Biel asked what they do with the vehicles being replaced. Chief Fisher stated they become a pool car or if possible, they sell it on GovDeals. GovDeals is a registered government website that they can auction the vehicles on. Mr. Biel asked if they were cars. Chief Fisher stated they are patrol cars. Mr. Foreman stated they were Dodge Chargers. Chief Fisher stated the new ones are all Durango's and the ones they are getting rid of; some are Fords and a couple are Dodge Chargers. Mr. Biel asked if this was a budgeted item every year. Mr. Sharpe stated it is budgeted every year. Mr. Foreman stated it is a capital fund that they try to keep up on for these types of things. Mr. Carnahan asked Chief Fisher to speak about the training. Chief Fisher stated they have donated cars in the past for training. They get 100 hours of training to go towards officers down at the academy.

CONSENT AGENDA

1. **Claims:** All Town Funds: \$235,745.28; Wastewater Operating: \$109,063.25; Sewer Sinking: \$440,600.00; Water Utility: \$63,786.85; Storm Water: \$15,971.16; and Payroll: 3/30/23 & 3/31/23 - \$266,021.02

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 to Margo there was one spot that needs to be changed to travel. Mrs. Nagy stated she made a note. Mr. Carnahan asked Mr. Kubiak about a claim that listed LS #8. He asked if that meant Lift Station #8. Mr. Kubiak stated yes. Mr. Carnahan stated that is for the work over by Corky's. Mr. Kubiak stated yes. That is for equipment. They've been doing the work. Roll Call: Carnahan – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

ORDINANCES & RESOLUTIONS

1. **Ordinance No. 1455 – Annexation of Two (2) Additional Small Parcels into Lakeside South (Introductory Reading)**

Mr. Salatas stated this is the introductory reading for two small parcels that the Schilling Development Group has acquired. They are located to the west of their previously annexed parcel. This is a very narrow and long piece of property that is approximately 4.1 acres of land. Council Member Foreman read Ordinance No. 1455 by title only.

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A motion to approve the introductory reading of Ordinance No. 1455 was made by Ralph Miller with second by Robert Carnahan. Roll Call: Carnahan – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

NEW BUSINESS

1. Consider Purchase of 4 additional Police Department Vehicles

A favorable recommendation was received from the Board of Safety on March 22, 2023. Chief Fisher reported this is a request for them to allow the Clerk-Treasurer to advertise for financing for the new vehicles. That will take about ten days. Then it will come back to them at their next meeting for approval of the financing. Mr. Sharpe stated as reported earlier it is a rotation and already budgeted for. Chief Fisher stated they meet periodically with Corby, Jen, and Chris to ensure the money is there. Mr. Sharpe noted Corby is the financial advisor. Mr. Foreman asked what outfit they went with. Chief Fisher stated they are purchasing from Thomas Dodge.

A motion to approve the purchase of 4 additional Police Department Vehicles was made by Robert Carnahan with second by Colleen Schieben. Mr. Foreman stated he would prefer they try to get these things from in Town. He realizes pricing is everything but they need to make a conscious effort to buy local. Chief Fisher stated they did. Discussion occurred with them and next year they may be able to compete with what they can get from these other companies that provide vehicles to government entities. Mr. Foreman discussed finding a way to work with them. Chief Fisher reported they have been servicing the vehicles for the department. Roll Call: Carnahan – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

2. Consider Employee Assistance Program through Franciscan Alliance

Chief Fisher stated in January, they had a social worker intern start with the department. The project she was tasked with was assisting the development of a wellness program that goes along with the policy manual. The purpose was to provide guidance for establishing and maintaining a proactive wellness program for the department and its members. The wellness program was intended to be a holistic approach to the members wellbeing and encompass aspects of physical fitness and mental health. He stated they realized the Town didn't have an Employee Assistance Program (EAP). They reached out to different providers for assistance in developing an EAP for Police and Fire. While working on it, they realized it would be a better fit for all Town employees. The interviewed several companies to find out about their programs and charges. Many of the programs appeared to be good but they found a lot of backend charges. The goal was to be as least costly as possible. They learned that one of the Town's carriers, Unum, already provided a service but unfortunately the majority of Police and Fire are on the 1977 Pension Fund. They don't have long-term disability with Unum so they cannot use that program. Anthem has a good program and is the Town's current health insurance provider but the question was what if the Town changes providers and the EAP goes away. They determined the best fit would be to go with Franciscan Health in Crown Point. They provide all that they are looking for and most of them with no additional costs. They have twelve different locations for assistance and they offer back door entry for public safety individuals. The cost per employee is \$32.76. The total cost for all full-time employees for the first year is \$2,686. They had a discussion about part-time employees due to the fact that Chief Wilkening has many part-time employees. That will have to be discussed and possibly negotiated as part-time employees may have full-time employment that provides an EAP. He requested that the Town enter into an agreement with Franciscan for the EAP. It is an annual contract so it would allow for them to re-evaluate to ensure they are utilizing it and getting what they need. He stated Franciscan will come in and work with the departments to help develop the EAP. Chief Fisher continued to discuss the goals of the program. Mr. Foreman asked where it would be paid from. Mr. Salatas stated they had a decrease in health insurance costs this year so it will come out of that line item.

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

3. Consider moving forward with the Police K-9 Program

A favorable recommendation was received from the Board of Safety on March 22, 2023. Chief Fisher reported in November 2022 he was approached by his Administrative Assistant who volunteers with a local business called Protecting Canine Heroes. She had spoke with the owner and expressed interest in the department getting back into the canine world. The last dog the department had passed away in 2008. It was Chief Fisher's dog. While speaking, they learned there was a lady who wanted to donate to a community program. In January, they looked at the budget and considered costs. Ultimately, the

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federal guidelines for overtime when they have to pay them before their half hour of off time is about all it will cost. Everything else related to the canine is being donated. They set up interviews with the five officers interested. They wished to remain impartial so the interviews were conducted with help from surrounding canine programs. They did a tally score on their own and then compiled it together. All five of the interviewees picked the same person as the number one candidate. Officer Ben Tomko was selected to be the canine handler. He has been with the department for three years. The other stipulation from the donor was the use of a company called FM Canine. That is in Michigan. Chief Fisher and Officer Tomko visited the facility and talked with the owner. They were very impressed with the facility. In total, it's approximately \$24,000 that is being donated. A company will also be donating a bulletproof vest and a local will be donating food and grooming services for the duration of dog's service. The final request was for the dog to be named Johnny. A brief discussion continued on the canine.

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

4. Consider approving the Police Department and Fire Department to use ProTeam Tactical Performance to provide services available in lieu of Working Well

A favorable recommendation was received from the Board of Safety on March 22, 2023. Mr. Salatas reported the Town had met with IPEP and ProTeam's services were brought to their attention. They provide rehabilitation services. It is the desire of the Town on recommendation to start using ProTeam Tactical where appropriate in lieu of Working Well. There are services that will still be provided by Working Well but they would prefer ProTeam Tactical as they focus on Police and Fire and specialize in that field.

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

5. Consider approving the Police Department's Emergency Hire: Nicholas Enyeart

A favorable recommendation was received from the Board of Safety on March 22, 2023. Chief Fisher reported they had an officer unexpectedly resign to go work in the civilian world. They selected Nicholas Enyeart. He is a four-year veteran of the Merrillville Police Department. They would like to proceed with hiring him.

A motion to approve the emergency hire of Nicholas Enyeart was made by John Foreman with second by Ralph Miller. Roll Call: Carnahan – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

6. Acceptance of the Kregel Easement

Mr. Austgen explained this is part of the West Side Sewer Interceptor Project Phase II parcel. It was the last parcel needed to undertake the project. He has the original. The transaction has been concluded. He recommended they make a motion to approve and accept the conveyed parcel. Mr. Foreman stated they've been buying easements for the west side sewer interceptor project. This is to put in new west side sewer interceptor pipe. A brief discussion continued on the sewer system.

A motion to approve and accept the Kregel Easement was made by Ralph Miller with second by Colleen Schieben. Mr. Carnahan asked what the amount was. Mr. Austgen stated \$32,500. Roll Call: Carnahan – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

7. Plan Commission Appointment

Robert Carnahan nominated James Hunley. No other nominations were made. A second for Mr. Hunley was made by Colleen Schieben. Mr. Foreman discussed Mr. Hunley's background with the Town of Cedar Lake. He was a former Police Chief, Council member, and served on other boards and commissions. A brief discussion continued. Roll Call: Carnahan – Yes, Rivera – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 0.

REPORTS

1. Town Council – Mr. Foreman reported they have started welding the pipes together for the Lake Dredge. He stated they will have 6,000 feet of pipe and it will go on the south end of the lake and then west. It will then go around the curve and head due south to almost the Town of Creston. They bored under the railroad tracks and it will end at the sediment dewatering facility on Parrish Avenue. Mr. Foreman continued to discuss the Lake Dredge project. He encouraged people to reach out with any questions. Mrs. Rivera

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stated the groundbreaking for the new Police and Fire facilities will be on April 14, 2023 at 5PM. It will not take up all of the Town Grounds. She stated they chose the location as they already own the property. It will take up approximately 10% of the Town Grounds. They will still be able to have Summerfest, farmer's markets, and concerts. It's an area used mainly for parking for certain events. The facilities are much needed. It was the most fiscally responsible land that they could have. It's not going to be huge facilities that will take away public access. Mr. Carnahan stated he found a Cedar Lake song on Facebook. He read it into the record. A copy can be found at the end of the minutes. Mr. Sharpe asked who wrote it. Mr. Carnahan stated John Duff. Multiple voices overlapped.

2. Town Attorney - No report.
3. Clerk-Treasurer - No report.
4. Town Manager - Mr. Salatas reported they received notice that one of the two public art grants has been funded. The sun dial near the beach will be the piece of art funded by the state. Mr. Foreman stated a lot of people in attendance were upset by the trees cut down at the golf course. He asked if Mr. Salatas could explain the subdivision control ordinance and how items are vetted. Mr. Salatas stated projects do not originate at the Town Council. According to the rules and regulations all concept plans and potential projects are facilitated and start with staff. They are vetted for their appropriateness in accordance with the Plan Commission rules and regulations as well as the BZA. All applicants come before staff first to make sure applications are being filed accurately and Town ordinances, rules, and regulations are being followed. All of those are protected under Indiana Law from disclosure, I.C. 5-14-3-4. When they are ready for public presentation, the applications are formerly submitted. The applicant will go before one of two boards. The BZA, where variances or variances of use are sought. The BZA is a quasi-judicial board. It has purview over developmental variances. Those variances of use that have gone in front of the BZA have a recommendation from the BZA that is given to the Town Council. The Town Council then votes on the variances of uses. The Plan Commission has oversight of rezoning, subdivisions, and things of that nature. Most items start with a concept plan in a work session after they have been vetted by staff. They are vetted at the concept level at Plan Commission and go through comments by the Plan Commission. When they are ready for rezoning and/or preliminary plat and/or site plan and/or development plan, they go before the Plan Commission, staff, engineers, and the attorney for appropriateness and adherence to ordinances and development standards. They then will go before the Plan Commission for the official meeting to vote on the item. That meeting is usually on the third Wednesday of the month. Those items in front of the Plan Commission like rezones will then go to the Town Council. Items like preliminary plats, final plats, development plans, etc. stay within the Plan Commission. He stated that is the process for all looking to develop within the corporate boundaries of Cedar Lake. Mr. Foreman stated a few years back the YMCA was going to purchase the golf course. They did attend a Plan Commission meeting and show a concept. Unfortunately, the YMCA didn't buy it. Another gentleman purchased it and the trees got cut down and people started questioning what was happening. He thanked them for letting him have the floor. He thinks it will help with some of the questions tonight. Multiple audience members began asking questions. Mr. Sharpe stated there would be public comment. Mr. Carnahan asked Mr. Austgen if Mr. Salatas explained correctly. Mr. Austgen stated everything is accurate and verifiable. The Town's Zoning Ordinance 1402 and Subdivision Control Ordinance 498. The Rules and Regulations for each of the Plan Commission and BZA and other state law. It is on file for anyone interested in it.
5. Director of Operations - Mr. Kubiak stated they finally have Lift Station #8 done. They are moving on to the next one by Lemon Lake. It took a long time to get everything in and operational. They are just about finished with the Parrish Water Tower project. The pumps are upgraded as well as the electric. The Tower has been cleaned and painted. It is a big accomplishment. The water line is coming along on Morse. They are hoping for good weather. That has been the issue with the project further on Morse with the sewer interceptor. They have had issues with other underground utilities. It has prolonged the road closure. He stated it is approximately 18 feet deep next to the road. A brief discussion continued on the sewer project.
6. Police Department - No report.
7. Fire Department - No report.

WRITTEN COMMUNICATION

Mr. Salatas stated they received one letter. He read it into the record. A copy of the letter can be found at the end of the minutes. A request was made for space at the Clubhouse. Similar to the consideration given to Turning It Over. Mr. Salatas stated they would need to review the Clubhouse calendar to see if space is available as the Clubhouse book out well in advance. He will provide an update at a future meeting.

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PUBLIC COMMENT

Tracey Haskell, 13466 Osborne Street, asked since Jim Hunley is moving from Unsafe Building to Plan Commission, if they are going to look at applications that have already been turned in or do people need to submit new applications. Mr. Sharpe commented they are going to try and get someone from the people who have turned something in. They still have the applications.

Brian Brown, 14701 Morse Street, asked if a variance has been filed for zoning for these new subdivisions. Mr. Sharpe responded no and asked Mr. Salatas to confirm. Mr. Salatas stated that is correct. Mr. Brown commented the Town does not agree with any rezoning. It's growing very fast and the infrastructure is spread. Small setbacks, traffic, grocery stores and everything cannot handle. I'll let the rest of the Town speak, but everyone he has talked to no one agrees with rezone.

Brian DeVries, 13701 Lauerman Street, commented he attended a fundraiser at the Lighthouse for the eco-system project. He stated he spoke with the engineers and asked about lake levels. He voiced concerns as a lakefront resident and business owner with a lakefront focused business. The engineer stated that the lake levels would change insignificantly during the process. Mr. DeVries asked for clarification and the engineer told him four to six inches. He voiced concerns on the impact to his business and other business owners around the community. He asked if there is a report or monthly update related to a few things on the project. He would like to understand the schedule. There is a lot of back and forth where the project is going to start, when is it going to start, how many years it's going to go. He stated he would like to see on the Town's website or somewhere, because it is a focused project and a lot of taxpayer money going into this. He stated they need to have visibility on the project. He asked if they can get a schedule on a monthly basis. He asked if there are contingency plans in place. He voiced concerns about the lake if there is a drought year. Mr. DeVries continued to voice concerns regarding lake levels and the potential drop in regards to the lake dredge project. He voiced concerns about folks being able to utilize the lake or get equipment in and out of the lake properly. He stated he would like more visibility on the project through a report and schedule. Mr. Foreman stated they are trying to get the committee together next Friday with one of the geologists from CBBEL, Don Oliphant, Doug Spencer, Dan Pager, Bob Gross from that committee as well as Julie, Ralph, and himself. He stated they will certainly work to get it posted on the website. Mr. DeVries stated he thinks contingency plans need to be addressed. Mrs. Rivera asked about having a schedule on the website. Mr. Salatas stated they have a pre-construction meeting coming up with the dredge company and once we have an updated timeline from them, it will be posted on the website.

Pamela Davenport, 13035 Schubert Street, stated her concern is Meyer Manor Terrace and Meyer Manor. Every time it pours rain, it takes her neighbor several days to get the stone out. She stated she is losing property every time it rains. She stated she loses rock at the edge of her driveway. She stated her other concern is the park. She has utilized Potawatomi Park for 30 years. She asked if they are losing that. Mr. Foreman stated there are no plans to do anything with that. Mrs. Davenport stated Meyer Manor Terrace and Meyer Manor are the oldest subdivisions in the Town. Mr. Foreman stated there has been talk, but it has not come in front of the Plan Commission. There has been talk of trying to do something there for a private-public partnership but they haven't been given anything definitive. One thing certain is that any lakefront property that the residents own will remain so the residents have lake access. For example, the land that is now Bartlett-Wahlberg Park was purchased using TIF funds about eight years ago and is now a public park. He stated they want to make it accessible to the people here as much as possible. Ms. Davenport stated they have wells and the building is draining their wells. She stated they shouldn't have to pay to have their wells fixed. Mr. Foreman commented he did not disagree that many wells have dried up, his as well. They have been in a drought. He stated many more of us with 100-foot wells. He stated the water engineers they work with are at the 350-foot aquifers and there are multiple aquifers, and they are not related. Ms. Davenport asked with all the building going up, are roads going to be looked at that need taken care of. Mr. Sharpe stated yes. Ms. Davenport voiced concerns with her street. Mr. Foreman stated they have to redo that by digging down, placing limestone, and putting storm drains in. He stated like the recently did with Vermillion Street. They tried to patch it years ago and they didn't have a place for the water to go. It did exactly what is happening to her road. A brief discussion continued regarding storm drains and roads.

Greg Parker, 14820 Morse Street, stated at the last couple of meetings he's asked as they know that the Town is negotiating with Mr. Lotton on the South Shore. He stated on a PUD and zoning for South Shore. At the last meeting one Councilman admitted he had seen the concept plan. He stated the rest of you asked if you could see it and claimed you hadn't seen it. Mr. Foreman stated he never saw it. He asked to see it at the last meeting. Multiple audience members asked why not. Mr. Foreman stated because it is in flux. Mr. Parker accused Mr. Foreman of being dishonest and/or incompetent. A heated debate ensued. Mr. Foreman since the last meeting to now he hasn't seen the plan. He didn't want to see the plan until it is something real. He stated it is just like the YMCA. Mr. Parker asked Mr. Foreman if he was negotiating with John Lotton to buy the Monastery property and donate it to the Town for a park. Mr. Foreman stated no he is not negotiating with John Lotton. He stated that is ridiculous. He hasn't heard that until now. He asked Chris if he knew anything. Mr. Salatas stated the only discussion on purchasing of the Monastery Friary, came from Park Board members. Mr. Parker voiced his displeasure with what

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he called a coincidence. Mr. Foreman stated he isn't involved in anything. He asked Mr. Salatas how long ago that was. Mr. Salatas stated he is not positive. He knows there was a letter sent by a Park Board member to the realtor of the property asking if it was for sale and what was the price. That is where the discussion stopped because Park Impact Fees are currently dedicated to other projects. Mr. Parker asked Mr. Salatas if John asked to see the concept plan at the last meeting. Mr. Salatas stated it is on the record, yes. Mr. Foreman stated he didn't look at it. He doesn't care about it as it is rumors until it comes before the Plan Commission. Multiple voices overlapped.

Mr. Foreman stated there was a subdivision next to Hanover called Lennar. He stated on the Plan Commission and the Town Council, he voted no. Not because it was a PUD but because it was multi-family and had some RT. He stated he votes the way he believes. He stated he doesn't care what other people think or do. He's not here for the money. He is here to help the community and try to think 25 years out. Multiple voices overlapped. Mr. Foreman reiterated he has never seen the plan. He did ask in the meeting and he hasn't seen it since then. He doesn't want to because if the plan is changing it is hearsay and rumors.

Carl Sprehe, 7326 W. 143rd Avenue, commented about the dredging starting around April. Mr. Salatas responded yes. Mr. Sprehe stated he owns a boat on the south end of the lake. It is imperative wherever they put the pipes they automatically put flags in then so they don't tear up their lower units. He stated he knows one well is going off of Fairbanks and asked where the other well being drilled. Mr. Kubiak stated the wells are drilled already and are three blocks to the South of the Lighthouse, where the gray garage is. Mr. Sprehe commented that the well will affect his water. Mr. Kubiak stated there are two wells there. Mr. Sprehe asked will that water be utilized for the new development. Mr. Kubiak asked what new development. Mr. Sprehe commented South Shore, the golf course. Mr. Kubiak stated he had no idea. There are no plans for anything. He stated that water will be utilized for the East side water system. Currently, that is Lakeside/Schilling, Krystal Oaks and that area. Mr. Sprehe stated they are going to put up 1,300 homes. Mr. Sharpe stated he isn't sure where that number came from. Mr. Sprehe stated depending on the subdivision. Mrs. Schieben stated no, they have never heard that number. Mr. Sprehe asked what contingencies are being put in place for all the people who have wells in the event the water tables drop to such a point that we have no water. He asked if that is being looked at. Mr. Sharpe commented that is being looked at all the time by the utility engineer, NIES Engineering. He can have him here sometime to talk about that. Mr. Miller added they didn't put in a new well. They bought the well from the Lighthouse. Mr. Sprehe stated he knew that. He stated is point is that well hasn't been utilized the way it is going to be utilized. He discussed having contingencies for water shortages. Mr. Foreman stated that is why they have an engineer. Mr. Sprehe stated he is not in favor of a zoning change.

Meg Jehle, 14819 Morse Street, stated she lives across the street from South Shore and is concerned how is it going to be zoned. She stated it is zoned R-1 now. She asked how many PUD subdivisions or developments are in Cedar Lake right now. Mr. Foreman stated probably Centennial, Oakbrook, Rose Garden, Beacon Pointe. It was stated there are several. Mr. Foreman stated all of those except Beacon Pointe east, west and Oakbrook were pre-2008. The one on US 41 is but it is all single family. Mrs. Jehle asked about the new one by Lake Dale and over to the east by Lakeside. Mr. Carnahan stated they are multi and offered to let her see a map. Mr. Foreman stated they do not know anything about that. In 2006 or 2007, that was all annexed into the Town as a PUD. They have not come back to the Plan Commission. Ms. Jehle asked if those two subdivisions have applications in yet for zoning. Mr. Foreman stated not that he is aware of. Mr. Salatas stated no. Ms. Jehle commented there are two subdivisions that they don't know what they will end up being. Mr. Foreman stated that is true. He stated the one across the street, years ago, was given different zoning. He stated it is RT, RM, and he stated he believed it to be B1 along Morse. He stated the danger is when you give people different zoning. He stated they can leave for some time and then come back and do what they want. He stated when you give RT and RM, it can get ugly real fast. It can become compact. Ms. Jehle asked if the Town Council was going to want three subdivisions that are PUD. Mr. Foreman stated it depends. She asked for their opinions. Mr. Foreman stated he personally thought that for him to try to speculate on something that may or may not happen is unconscionable. Ms. Jehle asked if they were going to listen to any of the residents in the room that are opposed to PUD. Mr. Foreman gave the example of a developer having property that's already zoned for multi-family and dense development, like RM or RT. He stated if they had a different piece of property, he would be willing to sit down with them like they did with Schillings. He stated the Union Station train was going to happen once upon a time. What ended up happening was all of that got rezoned. Schillings purchased the property. Mr. Foreman stated Schillings wished to put duplexes along the railroad tracks on the west side of Parrish. He stated they also had Oakbrook and wished to put some duplexes there and they already owned Union Station on the east side of the tracks. That area was able to be multiple apartments. Because of that they negotiated with the Plan Commission on all the subdivisions. They negotiated with them in public meetings to try to downsize the density of what Union Station could have been. He encouraged everyone to attend Plan Commission meetings. Ms. Jehle asked for their opinions again. Mrs. Rivera stated it is not opinion it is just commentary. A lot of the zoning happened long before any of them were on the Town Council. Ms. Jehle stated she didn't care. Mrs. Rivera stated it is important. If they sit up there and say they are going to follow every one of these zonings to the T. They would have two areas that

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would be high rise apartments. Because they would say that is what it is zoned for and would let the developer do that if they did everything to a T. But as John said, they could negotiate with developers. Multiple voices overlapped. Ms. Jehle stated she wanted assurances they would listen to them. Multiple voices overlapped. Mr. Foreman asked what the Brunt Farm is zoned. Mr. Carnahan stated there is R1, B2, R1, RM, and RT. Mr. Foreman asked when it was voted it. Mr. Carnahan stated those two plots here are set. He stated they can build according to the zoning. But the one at South Shore, Nick Recupito and him said they would not let that change from R1. Ms. Jehle continued to voice concerns regarding the subdivisions discussed.

Gordon Dickson, 8711 W. 132nd Place, on behalf of Cedar Lake Summerfest, stated they have no resolution for how they are going to pull off the festival. He stated he had a meeting with Chris and someone from the construction company. He stated they were told in no uncertain terms that they were not going to move the fence and the road will be destroyed as soon as work started. He stated they said there was nothing they could do about it. He stated they were trying to come up with another plan to get parking. He said they were told to figure it out. He stated they were told to put a pink ribbon on the fence and they would tear it out for them. He stated they came up with three ideas. It has to be one of the three ideas as there is no other way, they can do it. He stated it is problematic no matter what. He asked for a decision this evening. He stated one idea is for the construction to wait until after all the events at the Town Grounds are done. He stated another idea was their original ask for the fence to be removed and the road not be destroyed. He asked for them to tell the construction company that it must be allowed. He stated this is the simplest way. Mr. Foreman asked what road. Mr. Dickson stated the little road that goes up into the field for parking. Mr. Salatas stated that was going to be excavated out as part of the drive access for the fire department. Mr. Foreman asked if it had to happen before the 4th of July. He stated he didn't think so. Discussion continued. Mr. Dickson stated they came up with a third idea. First, they would need parking in two spaces. First, in the field as normal with access from the Yacht Club road and the second area would be the paved parking area in front of the Town Grounds. They have to have ADA parking. He stated the problem is how narrow the Yacht Club road is. He stated it would have to be widened by a minimum of three feet. He continued to voice concerns. He stated they would need more people to do this. They would need to have people collecting money at all locations. Mr. Dickson continued to voice concerns and the need for more people. He voiced concerns with lighting on that road. He also stated they would require more security. A very lengthy discussion continued on the concerns presented. Mr. Foreman stated they can't give an answer this evening. Both of the Chief's need to be a part of any plan. Mr. Foreman asked Chris to coordinate a meeting with Mr. Dickson and police and fire to come up with a solution.

Chuck James, III, 7609 W. 140th Place, commented on seeing all that is going on about developments. He stated he grew up going to Boys Club and when he got too old, he started golfing at South Shore and playing softball. He asked if they are going to put in all those houses, what kind of community project are they going to put in. He stated he is a YMCA member in Crown Point. He discussed overcrowding. He stated there are no facilities in Town for people to use. He voiced concerns with not having something for people to do and the volume of people at the schools. He stated they need to go for quality over quantity. He stated they need to invest in the Town. He referenced the Bulldog center in Crown Point. Mr. Foreman stated where they are standing could be what he is describing. Like a Town center. He stated they are also hoping to make a recreational area with the property on Parrish Avenue. Mr. James stated they need to put in more facilities so people have something to do. Mrs. Schieben stated they put a Park Board together and they are working to improve the parks. They are looking at all kinds of ideas. They have budget and park impact fees. They are planning to put in basketball courts, pavilions, and pickleball courts. They are having more programs at the Clubhouse. Mr. James asked if they have reached out to the Lake County Parks Department about Lemon Lake. He stated it is atrocious. He discussed having the lake and stated there should be a pier for fishing. He voiced concerns with areas that are not being utilized. A brief discussion continued.

Angie, Lee Court, commented she is hearing about frustration for the lake, sewage problems and pipes going in and money being spent there. She stated she would like the Town to consider what they are doing to preserve what they have in Cedar Lake. She stated people are upset about the trees. She asked if the Town can consider doing restoration as well as preservation. Mrs. Rivera asked if she was talking about the trees removed for new development. Angie stated she is talking about trees all over Cedar Lake. She asked what happens if they take away a lot of the trees and native plants that have roots that hold up the soil. She voiced concerns with new subdivisions and the landscaped plants being put in. Mrs. Rivera stated if it privately owned property, like the person who bought South Shore, they can't tell a private owner not to take their trees down. There is no jurisdiction over that. Angie continued to voice concerns. Mr. Sharpe briefly discussed the history of the lake project. Angie asked for them to consider restoration.

Al Recupito, 10812 W. 134th Place, commented that he received his property tax statement. He stated his rate went up 23% this year. This is from an increase in his assessed value, but more so the city tax rate went up 62.8%. He stated at this rate in two more years, his property taxes will have more than doubled what was paid in 2019. He stated since he moved to town there are a lot of people justifying the density of building school expansions. It raises property values. He stated those people fail to realize that if you plan to stay here a lifetime, the only thing a higher assessed value means is higher taxes. He voiced concerns with the increase. He stated he cannot

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understand the logic that all of sudden his home is worth a little bit more money and the Town needs a little more. Mr. Sharpe stated the County does appraisals. Mr. Recupito asked who is in charge of the percentage of the property taxes that go to the city. Mr. Foreman commented the Assessor's assess the properties and the school takes 50%, the Town's get approximately 25% and the rest goes to the County. Mr. Recupito asked who makes the call. He stated meeting after meeting he hears about developers and their right to build on their land. He discussed the Council having the duty to protect the residents. Mr. Recupito asked what the Council is going to do to ensure property taxes don't continued to trend the way they are. Mr. Foreman stated in the State of Indiana, 1% is what you pay. It's assessed valuation. In the County, he stated there is probably no doubt that the trending they are doing is wrong. He stated he is going to appeal his taxes. He encouraged people to appeal their property taxes. He continued to discuss assessments at the County level. He discussed the issue with trending. Mr. Recupito continued to voice concerns. Mr. Foreman discussed developers having to put in the road for new developments. Mr. Foreman discussed all the old areas of Town. He stated they need to fix the roads properly like they recently did on Parrish in front of Utopia. He stated they must do it properly. Mr. Recupito continued to voice concerns with the roads, increased traffic, and property taxes. Mrs. Rivera stated they cannot lower his home value if that is what he is asking. Mr. Foreman stated if the Town deteriorates then his home value will go down. Mrs. Rivera stated they do have impact fees on new homes. She stated the average building permit is \$4,000. She listed the following rates: sewer tap fee \$500, sewer development fee \$3,500, water tap fee \$730, park impact fee \$1,762, zoning fee \$70, water development fee \$3,209. She stated the new homes coming in are paying large fees to build.

Mary Joan Dickson, 8711 W. 132nd Place, stated this is a teaching moment. Chris shared the steps of the BZA and Plan Commission. She asked him to share what the public can do. And how they can look for the legal ads and be a part of those meetings. Mr. Salatas stated they are available in the newspapers and all adjacent property owners are notified of projects that require public hearings. He stated they post in the Northwest Indiana Times and the Post-Tribune. Discussion continued on posting.

Tom Krueger, 13614 Ivy Street, stated he is a resident of Utopia. He stated he received a letter stating work was going to start. He stated they've gotten letters before and there are weeks when no one is working. He stated the whole subdivision is in disarray. There are chunks of sidewalk missing, the roads are covered in mud. Last year they took down some of the trees to put in a water main and the streets were never cleaned and it was very dusty. He stated people's yards are filled with stone. Sections of sidewalk has been missing for years. He continued to voice concerns and asked for an update. Mr. Foreman stated they are spending about \$2,000,000 to replace water lines in Utopia. He stated he does know the company that got the contract was the lowest bid. He stated there is a Town engineer that takes care of the project. He stated that is NIES Engineering. He discussed the timeline of the project. He agreed it was a mess and said it is going to get better. He stated it will be beautiful when it is done. Mr. Krueger asked if it was switched over to the new line. He stated he has a drop in water pressure. Mr. Kubiak stated the pressure is the same as the previous. With the new lines being tapped up there may be some gravel in the lines and stuck in his screens. He stated the problem with the whole process was they had to install a new watermain throughout the whole subdivision. They had to chlorinate and test the water and get all the samples and activate the line. Then they had to go through the subdivision again and get everyone tapped to the new line. It was a painstaking process. Discussion continued on the project. Mr. Krueger asked who the landscaper is that will fix the yards. Mr. Salatas stated he doesn't but he can get the information. Mr. Krueger voiced concerns with the Parrish project.

Brenda Roberts, 15008 Morse Street, stated the reason people are here is because we are your people. You cannot do anything in all the level of government without tax money. She stated they all feel unsure and do not know what is going on in Town. She discussed her property and interested developers for her property. She stated the Town made demands and wouldn't let them do anything. Mrs. Rivera asked if it was before the BZA. Mrs. Roberts stated they have taken down all those trees and it looks like a war zone. She stated her property is the southern border. She discussed her family history with the property. She discussed making it a wildlife sanctuary. She stated that is why she sold it to the Lake County Parks and Heritage Foundation. She voiced concerns with the trees being taken down in November. She stated her eagles left their nest. She discussed wildlife needing to be preserved. A very lengthy discussion occurred on the wildlife, property in questions, and potential development.

Jeff Biel, 10240 W. 134th Avenue, voiced concerns with the newsletter. He asked about the timing. Mr. Foreman stated he wished it wouldn't have run. Mr. Biel continued to voice concerns. He asked who approves the newsletter. Mr. Salatas stated his Administrative Assistant writes some of the letter, Parks, Police, Fire, and Public Works. He stated it was an example of what Schererville does and they noticed their newsletter and thought with the newly elected Council member, it would be a good idea to put in a small biography for each person. So, people knew their elected officials. It was modeled after Schererville. Mr. Biel continued to voice concerns. Discussion continued on the matter.

Alice Doughney, 14608 Lee Street, stated she was here in October requesting "No Parking" signs along the fence at the South Shore Subdivision. She stated they have not gotten them yet. She stated they were promised a crosswalk from Lee Street to the gate. Mr. Foreman asked where the

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crosswalk is now. It was stated there is no crosswalk. Mr. Salatas stated the crosswalk was being looked at by Christopher Burke and they did not want to do it during the winter. Ms. Doughney stated this is a friendly reminder to have this on the schedule. Mr. Kubiak stated he looked into the "No Parking" signs and contacted Alice asking to put the signs along the fence. South Shore did not want to put signs on the fence. Mrs. Doughney stated people do not pay attention to signs on a fence. Discussion continued regarding the number of signs needed for the area.

Angie, Lee Court, stated she did not know there was not a K-9 in Cedar Lake and is happy about that. She discussed it being named a certain name and discussed the cost. How can we find out that when there is a development in Cedar Lake and discussed making stipulations about removing trees. She asked who they contact and how do they go about this. Everyone is upset about the trees. Mr. Sharpe stated it is still private property. A lengthy discussion ensued regarding trees. Mrs. Schieben stated all of their contact information is available on the Town's website. She stated that is where they can start and give their concerns. Mr. Kubiak added there is a Town ordinance that requires two new two-inch trees be planted with every new house. Multiple voices overlapped.

Lynn Conwright, 13908 Huseman, stated her and her husband have owned their house for 30 years. She stated they have wildlife all around them. She voiced concerns about losing it all. She stated she can breathe her. Where she previously lived, she couldn't with all of the houses on top of each other. She voiced concerns with development.

Margaret Parker, 7413 W. 136th Court, asked how many homes are going into the subdivision across Morse, the Brunt Farm. Mrs. Schieben stated they don't know. There is no plan submitted. Mrs. Parker stated the traffic on Morse is unbelievable. She stated they want to know what's coming. Mrs. Schieben stated the place for that is Plan Commission. Mr. Sharpe stated that's where it will start. Mrs. Parker voiced concerns with the number of homes. She asked when they'll know. Mr. Foreman stated they don't know when he'll come to the Plan Commission but when he does, they'll know how many homes. Greg Parker stood up and stated the PUD was approved twenty plus years ago. It was approved with a number of lots. He stated Mr. Foreman knows. Mr. Foreman stated he doesn't remember. A heated discussion occurred. Mrs. Parker continued to voice concerns with traffic in the area. Multiple voices overlapped.

Jessica Morgan, 13906 Huseman Street, stated they need to try and keep the natural beauty of living here. She stated she was in tears when she saw those trees down. She asked why can't they do something about it and put some rules in place.

Terry Broadhurst stated the process of a project of this magnitude and how many times they come before staff, planning, management, and engineers. He stated he imagines that would take months. He discussed the cost of a project. He speculated on the cost incurred by the developer of the property in question this evening. He stated people don't spend that kind of money without some sort of notion about getting what they want. He continued to voice concerns about the community being over run with rooftops. He stated the impacts are one time. He stated the impact continues. He continued to voice concerns with closed door meetings and decisions. Mr. Broadhurst discussed his concerns at length.

Chuck James III, 7609 W. 140th Place, stated one of the things Mrs. Schieben stated that things will come in the future after the dredge project. He stated it is imperative not to rush building homes. He stated he sees people getting upset because there is no accountability. He stated they were elected to run a Town and they should know everything going on at all times. Mr. Foreman stated that is impossible. There is a full-time Town Manager. Mr. James suggested he should be responsible for providing oversight. He stated it's unacceptable that they don't know enough about what is going on. He continued to voice concerns with rushing developments. Discussion continued on the matter.

Chuck Becker, 6100 W. 136th Place, stated people are talking about 1,300 homes on the east side. Mrs. Schieben stated she doesn't know where that number came from. Mr. Becker stated there is a letter from Jack Slager to IDEM dated February 22nd. Mr. Foreman asked if that was for south of Lakeside. Mr. Becker stated they got letters. He stated the letter said they would provide service for 146 single family homes. He stated the letter on the proposed project said it would provide capacity for future development approximated at 1,300 homes. Mr. Foreman stated they came to the Plan Commission for that subdivision. It was proposed but never approved. Mr. Becker voiced concerns. Mr. Carnahan stated the 146 homes in Lakeside were already approved. They are waiting for water to get there. He stated a concept plan was shared but not officially given. It showed 596 houses but not 1,300. Mr. Becker continued to voice concerns with the letter. Mr. Kubiak stated the pipe is sized for that whole area where the sewers can gravity flow. He stated it also includes property that is not in Town. The pipe is sized to include those potential houses. Mr. Becker continued to voice concerns. Mr. Kubiak stated it is inclusive of all that property, the acreage. It is a planning number. Someone stated it is part of Lakeside according to Randy Niemeyer. Mr. Kubiak stated that is for 500 units. Mr. Kubiak stated Brenda complained that the Plan Commission didn't approve her parcel because they wanted twenty lots that were forty feet wide. It was denied because the people on the Plan Commission didn't think it was good for the Town. He stated it was ironic. She brought a plan and it was denied because they didn't have any water and it was too many houses. He stated Mr. Becker was on the Plan Commission. He stated they did exactly what everyone here is asking to be done. Mrs. Roberts stated that wasn't true. Her property has water. A brief discussion continued.

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Pamela Davenport, 13035 Schubert Street, stated she does a lot of walking in the neighborhood by the middle school. She stated they need to address the safety of the children. She stated when you come out of the middle school there are no sidewalks. Mr. Sharpe stated the railroad makes it difficult to do some of those things. He stated they can't touch the railroad. Mr. Carnahan stated when they expanded 133rd on the west side of the Town, the railroad told them they had to have a helmet, safety glasses, and vests before they could walk across their property. Mrs. Davenport continued to voice concerns with the safety of the children walking. Mr. Foreman stated they have been trying for years to get crossing gates at each of the railroads.

Dave Carey, 13463 Beach Place, he stated he thinks everyone is here to get the assurance that moving forward that they won't get these PUDs with forty-foot lots. He stated really the Council has control of that. He stated he thinks everyone here is looking for that assurance that is not what they want in Town. Mr. Foreman stated he doesn't. Mrs. Schieben stated it is definitely not what she wants. Mr. Carey stated he believes that and he thinks that assurance is what people are looking for. Mr. Foreman stated the developments built in the last ten years; many were approved prior to 2008. He stated except for those described and negotiated. He stated Chuck is adamant about R1 and he voted for a lot of those PUD's. He stated because they have to negotiate. But it was done above board right at the bench in front of people. A brief discussion continued.

Cheryl Parker, 7227 W. 136th Court, stated she previously brought up impact road fees. She stated they do not currently have them. Mr. Sharpe stated they didn't have them yet. She asked if there has been discussion. Mr. Salatas stated they are getting cost estimates for what it would take to do that. Mrs. Parker voiced concerns with development and the two-lane road. She stated she would like to see that looked into.

Gayle Brannon, 7014 W. 139th Place, stated she has lived in Town most of her life. She stated her grandkids play soccer here. She stated she has been a volunteer in the park. She voiced concerns with the little lake access that exists. She stated she would like to see the park land deeded back to the Park Board. She discussed possibly putting it in a land trust so that no one could sell it for development. She discussed using park impact fees to improve areas. She discussed the possibility of a bandshell and the popularity of the farmer's market. She continued to voice concerns. Mr. Carnahan discussed the Town of Lowell receiving a Dean and Barbara White Grant for their parks. He stated the Town Manager is going to try and get a grant for a bandshell. Mrs. Schieben stated they are hoping to open up more lakefront. Mrs. Brannon discussed a previous master plan. Mr. Sharpe discussed the possibility of expanding the beach area. Mrs. Brannon stated perhaps the Town Attorney could do something to protect the parks on the lakefront.

ADJOURNMENT President Sharpe called the meeting to adjournment at approximately 10:21 PM.

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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.