

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



June 20, 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	
Present	Nicholas 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	

OATH OF OFFICE

Clerk-Treasurer Sandberg gave the Oath of Office to Firefighter/Paramedic Todd Konradi.

CONTINUED PUBLIC HEARINGS

1. Ordinance No. 1456 - Public Way Vacation – Rago

A motion to defer was made by John Foreman with second by Colleen Schieben. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

PUBLIC COMMENT

Cheryl Parker, 7227 W. 136th Court, discussed the K2M Agreement for a new Town Hall. She stated from what she is reading, it is a \$10 million dollar project. Mr. Sharpe stated that is the estimate. Mrs. Parker asked where are the other bids for the proposal so they may compare. Mr. Salatas stated this is not bid. It is a professional services agreement for architectural services to get through to the programmatic design phase of a new Town Hall. This is to get to a point where they can estimate how much square footage, they would need so they could calculate a cost associate with the project. Mrs. Parker asked about reaching out to others so they could see. Mr. Salatas stated the Town did when it solicited proposals for the public safety buildings, this would just be a continuation of those projects. Mrs. Parker asked would not it behoove the Town to look into competitive prices. Mr. Salatas stated they certainly can but the Town was happy with the services provided for the police and fire stations and would like to see that continue with the next project. Mrs. Parker stated so they won't look at anything else. Mr. Salatas stated they have shopped around in the previous project but have not for this one. Mrs. Parker discussed renovation to the Town Hall when the police move out. She asked why there is a need for this to be voted on if they have capacity right now when there are two public safety buildings not even constructed yet. She asked how are they funding all of it. Mr. Salatas stated with the consultants, Krohn & Associates, they will plan an estimated budget and how to fund it within that budget. First, they need to get through programmatic design to know exactly what size of a project they are looking at and a budget. That is simply an estimated placeholder for the project. Mrs. Parker asked if that was for the dollar amount or square foot. Mr. Salatas stated both. Mrs. Parker continued to voice concerns.

Mary Joan Dickson, 8711 W. 132nd Place, asked about Ordinance No. 1462, Special Events Permit. She discussed the long list of events in the ordinance. She asked for clarity on multiple sections. She stated the fines were quite steep and asked who determines the fine.

Gayle Brannon, asked about the delinquent minutes that are not on the Town's website. She asked who is responsible for updating those minutes.

Kevin Toth, 9725 B W. 129th Place, discussed about spending \$50,000 for design. He asked if location has been discussed. He asked where the money is coming from. He stated he knows when discussion occurred on the fire and police station, comments were made on being bonded out.

Mr. Salatas stated the special events ordinance will actually be Ordinance No. 1465. The definition is pretty expansive within that ordinance. He stated it is mimicked off of other municipalities. It is under the purview of the Building Department. He stated minutes are done by the Clerk-Treasurer and the Recording Secretary. Clerk-Treasurer Sandberg stated minutes are uploaded to the website by his staff as she does not have access. Mr. Salatas clarified that minutes are uploaded to the website by the Administrative Assistant and/or IT Director as they are approved by the various boards. Location for Town Hall has been tentatively planned for the current site it sits on now. The funding will be identified using the financial consultants, Krohn & Associates. Mr. Austgen added that the special events permit regulations came from staff endeavors. He stated it was not exhaustive for a reason. They didn't think they could define all activities due to the evolution of activities in Town. Mr. Salatas added the fine structure is

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reflective of other fine structures throughout the Town. Mr. Austgen stated Code Enforcement and/or the Police Department would handle that.

CONSENT AGENDA

- 1. Minutes:** May 16, 2023 and June 6, 2023
- 2. Claims:** All Town Funds: \$176,325.66; Wastewater Operating: \$54,372.65; Water Utility: \$59,605.25; Storm Water: \$1,009.26; Payroll: June 8, 2023 - \$396,862.09; and May Remittances \$193,720.30
- 3. Manual Journal Entries:** May 1, 2023 – May 31, 2023
- 4. Donations:** Dare Donation of \$1,097 from Law Enforcement Partners, Police K9 Donation of \$25 from Shirley Wahl, Police Department Donation of two \$50 gift cards for the Parade, Donation to Parks & Recreation of \$100 to Parks & Recreation, and In-Kind Donations: Kelly Dykstra Essential Oil Diffuser for the 6/3/23 PD-FD team-building event, and Pop and Water for the Police Department Fundraiser.

A motion to accept and waive the reading of the minutes and accept the consent agenda as listed was made by Julie Rivera with second by Colleen Schieben. Roll Call: Carnahan – No, Rivera – Yes, Recupito – No, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 5 – 2.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1465 – Special Events Permit

Mr. Salatas explained this is a special event permit that staff has worked on for some time. It originated with Chief Fisher in the desire to have a special event permit within the community. Other communities have a very similar special event permit requirement. It does define events in section two. It is generally events that are deemed or would require public services of some nature. The exception being funeral services, funeral processions, garage sales, birthday parties, graduation parties and events of that nature. The permit fee itself would be \$25.00 and there are regulations for alcohol, music, security, insurance, fire/electrical inspections, parking. As mentioned, there is a penalty for non-compliance. Council Member Foreman read Ordinance No. 1465 by title only.

A motion to approve Ordinance No. 1465 was made by Colleen Schieben with second by Julie Rivera. Roll Call: Carnahan – No, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 1. The second reading will be on the next agenda.

2. Ordinance No. 1463 – 2023 Salary Ordinance Amendment

Council Member Foreman read Ordinance No. 1463 by title only. Mr. Salatas explained this and the next item are for the Parks Department. This is to separate out the part-time and seasonal crew workers. Both are not to exceed \$15.00 per hour and 100% out of the General Fund. The current salary ordinance only allows for part-time. They would like the ability to hire season workers. Mr. Recupito stated they are not approving any hires they are just clarifying the job descriptions and salary. Mr. Salatas stated that is correct. This one is the salary the job descriptions will be next.

A motion to approve Ordinance No. 1463 was made by Ralph Miller with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

A motion to suspend the rules and allow for a second reading was made by Nick Recupito with second by John Foreman. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

Council Member Foreman read Ordinance No. 1463 by title only.

A motion to adopt Ordinance No. 1463 was made by Colleen Schieben with second by Ralph Miller. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

3. Ordinance No. 1464 – Amending Park Staff Job Descriptions

Council Member Foreman read Ordinance No. 1463 by title only. Mr. Salatas explained there was a maintenance foreman position that was created to mirror what is in the salary ordinance. It mirrored the full-time open space groundskeeper position and included

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supervisory tasks. The full-time park maintenance crew worker was a title update to reflect the park maintenance position. The CDL Class B requirement was omitted and lifting requirements changed to 50 pounds versus 100 pounds. An update to the equipment to reflect zero turn mowers. Part-Time Park maintenance crew worker was created to mirror the full-time position in a part-time capacity. Seasonal Park maintenance crew worker was created for seasonal hiring. The recreation coordinator position was updated for who she reports to now that there is a Park Superintendent. Recreational Leader was updated now that there is a Park Superintendent. The fitness instructor was updated for who they report to and changed to the Parks Department. The Administrative Assistant position was updated to include use of recreational software. Mr. Carnahan discussed a flow chart for the department and who the Parks Superintendent is in charge of. He asked if they have the money to support this this year and in future years. Mr. Salatas stated the organizational chart that he sees just shows who the titles respond to and their positions within the department. That is not reflective of the number of employees the Parks Department may have. Mr. Salatas stated when those positions become funded and available that is where those positions will be placed. If funding is available within the department.

A motion to approve Ordinance No. 1464 was made by Ralph Miller with second by Colleen Schieben. Roll Call: Carnahan – No, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 1. It was stated this will have a second reading on the July 18th agenda. Mr. Foreman asked if it would hurt the Parks Department. Mr. Salatas stated they will not be able to hire seasonal employees and miss this summer. Mr. Carnahan asked what kind of seasonal employees they are talking about. Clerk-Treasurer Sandberg stated the mowing crew. Mr. Salatas stated the general maintenance and things of that nature. Mr. Carnahan asked if he could change his vote. Mr. Sharpe asked Mr. Carnahan if he wished to change his vote from no to yes. Mr. Carnahan stated yes. Mr. Salatas clarified that there is money within the Parks budget to hire seasonal staff.

A motion to suspend the rules and allow for a second reading was made by Robert Carnahan with second by Ralph Foreman. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

Council Member Foreman read Ordinance No. 1464 by title only.

A motion to adopt Ordinance No. 1464 was made by Ralph Miller with second by Colleen Schieben. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

BZA/PLAN COMMISSION

1. Accept the Public Letter of Credit Extension for Cedar Lake Storage LLC in the amount of \$7,700

Mr. Salatas stated this is to extend the letter of credit which is held by Peoples Bank. This will replace a sunseting letter of credit dated July 1st. Mr. Recupito asked what a stand by letter of credit is for. He stated he believes it is to cover a temporary period between letters of credit. Like a transition period from performance to maintenance. Mr. Austgen stated that is correct. It is to make sure there is no gap in coverage. It is to make sure they are protected and make certain those improvements get done. Mr. Kubiak stated it is for the finish of the public sidewalk to the east.

A motion to approve was made by Robert Carnahan with second by John Foreman. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

NEW BUSINESS

1. Monastery Woods Clubhouse Apartment Lease

Mr. Salatas explained this is an annual lease for the apartment above the Monastery Woods Clubhouse. The lease amount is \$650 a month for the year. Mr. Carnahan asked if it was one bedroom. Mr. Kubiak stated it is a one bedroom, one bathroom, a kitchen, and a living room. There is laundry downstairs. Mr. Carnahan stated they pay all the utilities. It was stated that is correct.

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A motion to approve was made by Colleen Schieben with second by Julie Rivera. Roll Call: Carnahan – No, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 1.

2. Acceptance of Josh Govert's Letter of Resignation from the Board of Safety

Mr. Salatas explained Mr. Govert has submitted his resignation effective immediately. Mr. Foreman thanked Josh for his service to the Town and wished him the best of luck.

A motion to approve was made by John Foreman with second by Robert Carnahan. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

3. Fire Department Reimbursement Agreement with Todd Konradi

Mr. Austgen stated this was the standard form agreement for the new hire.

A motion to approve was made by John Foreman with second by Ralph Miller. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

4. CBBEL Pay Request No. 1 – Dredge America, Inc., in the amount of \$434,250.00

Mr. Salatas stated this is Pay Request No. 1 for Dredge America for Phase 2 of the Lake Eco-System Restoration Project. He stated this is for mobilization, demobilization, construction engineering, as-built surveys, operation and maintenance and dredging sediment removed to date. Mr. Recupito asked about metering of the material coming out to make sure they are getting what they are paying for. Mr. Salatas stated the pay requests are vetted through Christopher Burke Engineering, who is doing the construction observation for the project. Sue Haase also reviews. He referred to the informational meeting on the project that was available on the Town's website. He stated on a daily basis they have to report to Christopher Burke Engineering the hours of operation, the amount of sediment removed from the lake, and depth ranges they do on the barge. Mr. Salatas stated he has gone out to the sediment dewatering facility and they are pulling out sediment from the basin. He stated Christopher Burke does do all of the verification on quantities of material removed from the lake. A brief discussion continued on the project and construction observation.

A motion to approve was made by John Foreman with second by Colleen Schieben. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

5. CBBEL Pay Request – Modern Edge, LLC., in the amount of \$11,976.35

Mr. Kubiak explained this is the hydroseeding and grass planting for the rest of the sediment dewatering facility. This is to where the water outflow of the project is. They cleaned up approximately three acres as well as seed and blanket for the area. This is to make sure the area is maintainable and able to be mowed for the duration of the project.

A motion to approve was made by Ralph Miller with second by Nick Recupito. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

6. CBBEL Change Order No. 1 – Site Services, Inc., an increase in the amount of \$12,294.54 for a new total of \$204,590.87

Mr. Kubiak reported they had to repour the radiuses on the curbs going into Winding Creek off of 137th. When they did the area before it was not correct. They extended them to the proper 24-foot radiuses and fixed the ADA crossing at the intersections. Mr. Foreman asked about railroad crossings. Mr. Salatas stated they are still working on it. Mr. Kubiak stated there was a small section on 141st Avenue, they had to mill and resurface the area before the tracks.

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A motion to approve was made by Colleen Schieben with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

7. CBEL Pay Request No. 1 and Final – Site Services, Inc., an increase in the amount of \$204,590.87

Mr. Salatas stated the project is completed to satisfaction and this pay request is for payment in full.

A motion to approve was made by Nick Recupito with second by Ralph Miller. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

8. Consider K2M Agreements for New Town Hall

Mr. Salatas stated this is an agreement for K2M. There is a representative in the audience as well. This is for the beginning of programmatic design. This is the same process followed with the police and fire stations. Carrie Colvin was present as well as Scott Maloney on Zoom. Mr. Salatas further explained it would be a twelve-week project once approved. It is very similar to how they did the design for the previous two projects. The work would be completed by K2M and DS Architecture, similar to the previous two projects. Mr. Foreman stated it is almost identical to the police and fire. Mr. Foreman stated it is design only at this time. Mr. Salatas added programmatic design which would lead into the draft design. Once they get to approximately 30% draft design, the project follows the same phase as the previous projects and enters the BOT phase where they can start pricing the square footage as design is finishing up. This is so they can make sure the project is coming in on budget and using construction cost estimates throughout the process to make sure as they are designing the project that they use materials that are readily available. Mrs. Rivera asked if they would be having a public visioning session on the proposed Town Hall. Mr. Salatas stated that would not be part of this project. If that is something the Council wished to do, it would be in addition to. Mrs. Rivera further discussed having a presentation. Mr. Maloney stated the process is exactly as Chris has said. Just like they went through with the police and fire department. Mr. Maloney stated as part of the initial RFQ, they did pursue the police, fire, and Town Hall as an aggregate component. As they went further the focus was on the police and fire stations. This is the second stage to be able to look at the Town Hall itself. This is a needs evaluation. It enables them to get through the visioning session and the operational requirements both today and long term. They will look at the programming at that point in time and then conceptual design. He stated Chris was correct and they want to make sure when they get into early design, they have a good understanding of what a cost could be. This is when the Town is able to go through and figure out what they want to do and if it is a financially reasonable opportunity with no additional commitments to K2M. The quote is for a not to exceed of \$50,000 with an expense sum of \$4,000. Mr. Recupito discussed another cost section and noted \$11.5 with design, development phase, construction documents phase, permitting phase, and construction and close-out phase, all totaling \$640,000. Mr. Salatas stated the architect's have provided that if they move past the first phase. That would be what the contract looks like. This is identical to the police and fire projects. He stated they would not execute the overall agreement. They would just be executing the first phase which is programmatic design for \$50,000. If they were to continue to move forward with location identified, size of the building identified, and funding identified, this is what the agreement would look like. They could have a rough cost estimate of what the full architectural services would look like if they were to move forward with the project. Mr. Recupito asked if that was to completion. Mr. Salatas stated that is to completion. Mr. Recupito asked if this is something they have been working on since last year. Mr. Foreman stated they would like to keep the ball rolling with a new Town Hall. Mr. Salatas stated this is funded within this year's budget. Mr. Recupito stated he doesn't have enough background on the need for this. Mr. Recupito voiced his discomfort. Mr. Foreman discussed future visioning on the site. Mr. Salatas added this does not commit them to moving forward on this project. Mr. Foreman discussed having options with the plans. Mr. Maloney stated they are not making the assumption that they are doing a new construction project. They are studying the needs of the Town to be able to ascertain how to use the existing building and property for the needs. Their work will include evaluation of the existing facility and condition assessment. Mr. Recupito continued to voice concerns. He stated he didn't have enough information.

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A motion to approve was made by John Foreman with second by Colleen Schieben. Mr. Austgen stated he is still reviewing. Mr. Salatas recommended making a motion contingent on attorney review and approval. Mr. Foreman stated he was good with adding that to his motion. Mrs. Schieben concurred. Roll Call: Carnahan – No, Rivera – Yes, Recupito – No, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 5 – 2.

9. Disbursement Request No. 2 from 2022A Construction Fund No. 1001031163 in the amount of \$7,752.88 for the Police Department Project

Mr. Salatas explained this is for services from Veridus Group. As outlined in previous meetings, this goes through GM Development and Sue Haase for review. Mr. Recupito asked what the pay request was for. Mr. Salatas stated this is for owners' representation services for the police department project. They oversee the project and make sure they are staying on task, on time, and on budget. They also facilitate and answer questions between the developer and engineers in Town. Mr. Carnahan noted this is from November 30, 2021 and updated March 6, 2023. Mr. Salatas stated they have the money for the contract and they will see the pay requests come through regularly for the project.

A motion to approve was made by Ralph Miller with second by Colleen Schieben. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

10. Disbursement Request No. 1 from 2022B Construction Fund No. 1001031164 in the amount of \$4,071.04 for the Fire Department Project

Mr. Salatas stated this is for the same services from Veridus Group but the other side of the project. Mr. Carnahan noted the same dates as stated previously.

A motion to approve was made by Ralph Miller with second by Colleen Schieben. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

11. Disbursement Request No. 3 from 2022B Fund No. 324 in the amount of \$10,733.19 for the Fire Department Project

Mr. Salatas stated this is similar to the last two items. This is for the Veridus Group and owners' representation. The previous two were paid out of a different fund than this one. Ms. Sandberg stated this is from the remaining funds the Town had. Once that is expended, they move to the construction funds. Mr. Carnahan asked if it was verified by the same people. Mr. Salatas stated yes. Mr. Austgen asked if it makes the accounts zero. Ms. Sandberg stated for the funds on hand, yes. A brief discussion continued.

A motion to approve was made by Colleen Schieben with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

12. Consider approval to Accept an Easement for the Morse Street Water Main from Pete and Terry Blagojevic for an in-kind consideration and to Authorize the Town Manager, Clerk-Treasurer, and Town Attorney to Finalize the Execution of Documents

Mr. Salatas explained in exchange for the removal of four trees on the parcel as well as sloping and seeding so it could be properly mowed, the property owner will donate the property.

A motion to approve was made by John Foreman with second by Ralph Miller. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

REPORTS

- 1. Town Council** – Mr. Carnahan reported Cedar Lake Summerfest is coming up June 30 – July 4, 2023. The parade will be Saturday, July 1, 2023. Mr. Niemeyer is going to be one of the parade judges. Mr. Carnahan stated he has completed the flag raising line up. Mr. Recupito reported a family member sent him a screenshot of a case that states the Indiana

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Appeals Court affirms right to lake view in Ogden Dunes zoning dispute. He mentioned his time on the BZA and being against height variances, especially along the lakefront. He stated he is for preserving lake views. He summarized and stated the Indiana Court of Appeals has determined an Ogden Dunes couple is entitled to challenge a town zoning board decision authorizing construction of a taller than usual lakefront house that would block the couple's view of Lake Michigan from their hillside home. The appellate court said impairment of a water view in this case constitutes a substantial grievance against the zoning variance and conveys legal standing to seek judicial review under Indiana Law. Mr. Recupito further discussed the case and stated they wanted to construct a house that is 39 feet instead of the 30-foot maximum height permitted. He stated he wants this to be something they think about with the Board of Zoning going forward. Mr. Austgen stated it is still not necessarily the law of the land. It could still be transferred to the Indiana Supreme Court. It could be remanded with the entire BZA developmental variance application. A brief discussion continued on the matter. Mrs. Rivera stated back at the end of April she asked about putting back in speed bumps. She asked Mr. Kubiak if they got more. Mr. Kubiak stated they ordered more but he has not heard any more. He stated he would find out. Mrs. Rivera stated folks have asked about painting the area around fire hydrants. She would assume folks know not to park in front of the hydrants but there has been talk of violations. She asked if it should be done. Chief Wilkening stated the ordinance states fifteen feet in all directions. He stated they have over 500 hydrants. Discussion continued on parking in front of hydrants. Mr. Carnahan asked about fire hydrants on the east side of Fairbanks and who is supposed to take care of the tall weeds. Mr. Kubiak stated Public Works. Mr. Carnahan stated they needed to get done. A brief discussion continued.

2. **Town Attorney** - No report.
3. **Clerk-Treasurer** – No report.
4. **Town Manager** – Mr. Salatas reported he attended the groundbreaking for Centier along with the Chamber. He stated DNR has gotten the Emergency Rule in place for the Lake Dredge to codify the requirement to stay 200 feet away from the pipeline on any side. They will be publishing that on the website. It does carry a fine. It would be a Class C Infraction under DNR and they will be able to cite offenders. He stated they will be posting the maps and rule at the public launches and sharing the information on the website. Discussion continued on the emergency rule.
5. **Director of Operations** – No report.
6. **Police Department** – Mr. Carnahan asked Deputy Chief Brittingham about the traffic stop analysis. He stated in 2022 there were 4,490 and already for 2023 there have been 2,990. He stated it looks like they are going to surpass that. Deputy Chief Brittingham stated part of it is the increased growth in the area and officers have now moved to twelve-hour shifts. Deputy Chief Brittingham stated everyone is aware of the helicopter incident. He personally observed the helicopter going down and responded immediately. He worked all day with the FFA and NTSB. The helicopter was removed. It is an ongoing investigation. No one was injured or hurt. The pilot is a local resident and leased the helicopter from Lansing Airport. Everyone has been cooperating. Mr. Carnahan asked about a pier installer removing the helicopter. Deputy Chief Brittingham stated Sunrise had the most appropriate equipment for the task. He stated the Fire Department was just as much involved and responded with divers. Everything worked the way it should. A lengthy discussion continued on the incident. Mrs. Rivera asked if they could use Rave/Smart 911 to put out reminders on the fireworks ordinance. Deputy Chief Brittingham stated he just did on Facebook but would do so on Rave.
7. **Fire Department** – No report.

WRITTEN COMMUNICATION

1. **Building Department Report** – Mr. Salatas stated for the month of May they had ten new construction home permits that brings the total to 38 for the year. For May they had 72 other permits that brings the total to 237 for the year.
2. **Christopher B. Burke Report** – Most of the work revolves around the dredge project as they began this month. Otherwise, the local road and street plan is still being drafted. They are finishing up on the CCMG 2023-1 project.
3. **Veridus** – A draft RFP for the Parks Department five-year plan has been drafted and submitted to the Parks Department for their review.

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Mr. Recupito asked about the June 7, 2023, Plan Commission Work Session and Mr. Oliphant's report regarding MS4 violations in Beacon Point East and West. He stated he believes the recommendation was fines. He asked for a status update. Mr. Salatas stated he has sent out a flurry of fines recently. He stated he was not aware of the specifics but could get that information for him. Mr. Recupito asked if fines would lead to corrections. Mr. Salatas stated ideally warnings would lead to corrections, fines are because of a lack of correcting. He stated he believes some have been corrected without that information in front of him he could not recall individual fines and corrections. He stated he would get it for him. A brief discussion continued on MS4 violations versus construction repairs.

PUBLIC COMMENT

Pamela Davenport, 13035 Schubert St, submitted a written letter dated June 19, 2023, stating, "Once again I am brining up Potawatomi Park. Would like an honest update on when we in Myer Manor and Myer Manor Terrace can expect new playground equipment for our children."

Mary Joan Dickson, 8711 W. 132nd Pl, stated on behalf of the Cedar Lake Summerfest Committee, they feel a procedure needs to be in place for the upcoming Fourth of July and they hope they will coordinate work with them on that.

Deborah Burnett, 13466 Drummond St, asked when Gatlin is going to finish the landscaping job in the neighborhood. She stated it is nightmarish looking and folks are questioning what is going on.

Kevin Toth, 9725 B 129th Pl, shared information on Tax Increment Financing (TIF) uses from the Office of Rural and Community Affairs at Purdue University. He discussed disadvantages of TIF and risk. He asked about the \$3.9 million that was taken from the TIF and diverted to the Lake Dredging Project, he asked what the total cost of repaying the bonds will be. He asked about the \$4.3 million dollars taken from wastewater to Lake Dredging. He discussed pending wastewater treatment plant expansion and questioned costs and use of funds. He asked when the transfer took place and when it was approved by the Council.

Randy Niemeyer, 13610 Ivy St, stated he is the County Councilman for the 7th District. He stated he has been paying attention since he took on his new role to multiple communities. He stated the 7th District is the fastest growing. He stated these are desirable communities to live and work in. He stated there are many challenges. Cedar Lake is not unique in those challenges. He discussed communities being fearful of the unknown. He discussed his tenure in Cedar Lake and stated one of the things he valued was tackling some serious challenges like neighborhood infrastructure, storm water, aging water infrastructure, roads, streets, etc. He stated they had a team of people that looked for solutions. He encouraged people to focus on opportunity. He stated that opportunity comes in the form of making good policies. He stated if it was not for a certain amount of growth, other neighborhood projects would not have happened as they were backed by property taxes. He discussed local government and the opportunity to find solutions. He encouraged everyone to look at recently legislature. In 2022, House Bill 1245 and in 2023, House Bill 1005, 1402, and 1417. He stated House Bill 1167 had to do with the archiving and broadcasting of meetings. He congratulated Cedar Lake for being ahead of the curve. He stated they are working on that in Lake County. He stated they are going to have to be diligent. He briefly discussed the Schilling Development discussed at the last Plan Commission meeting. He stated a development of that volume presents some unique challenges as well as opportunities. He encouraged the Council to make road impact fees a priority. He continued to discuss prioritizing policies and planning to make sure the burden of the growth goes back on the growth itself.

Gayle Brannon, asked about the building of the public safety buildings. She stated she is not against building new buildings but was upset they picked the park space. She stated she has watched the meetings online for the last couple of years but decided she needed to start attending. She stated no one is asking what it is going to cost the taxpayers. She stated the question came up when she was at a meeting a couple of months ago and she doesn't recall an answer. She asked how much are the two buildings actually going to cost and what is the impact. She asked about the interest rates and payback terms. She stated she would like someone to answer what the two new buildings are going to costs. She asked if the existing building was adequate for needs. She continued to discuss her concerns with buildings on park space, preservation of park space, as well as replacement of trees.

Meg Jehle, 14819 Morse St, discussed the crossing points of the dredge project. She observed the different colors and stickers of the crossing points. She believes they should be more visual. She asked how enforcement would occur, especially during the week when DNR is not around. She asked if the police could do anything. Deputy Chief Brittingham stated they have the authority to do it but not the resources. She stated she is against taking away more space from the Town Grounds. She stated she feels it is for the residents.

Joseph Yearsich stated he is working on his merit badges.

Alice Doughney, 14608 Lee St, thanked them for the crosswalks and bumper strips put in on Lake Shore Drive. She asked about getting no parking signs along the park. She stated she was on the lake on Sunday and people were going through the crossing areas towing people and being irresponsible. She stated she saw all the boats were in the slips and no one was on the lake. Mr. Foreman stated he believes there was an incident at Robinson Lake that DNR got called to. He

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stated he was surprised as well. She asked if they would backup DNR. Chief Wilkening stated there was an incident at Robinson Lake.

Cheryl Parker, 7227 W. 136th Ct, stated there was indication a few months ago there would be a public get together to get ideas on what was going to happen on the Town Grounds. She asked for the status of that matter.

Mr. Salatas stated in regards to Potawatomi Park the statement is the same as previous Park Board and Town Council meetings, and has not changed. He asked Mrs. Dickson to get in contact with him and they would try to set up something as soon as possible regarding Summerfest. Mr. Salatas stated Gatlin has until September to complete the project. They plan on having them complete that sooner but he does not have set date of when completion will occur. He addressed Mr. Toth's comments and stated it may not be completely accurate from the State of Indiana. He requested Mr. Toth look at the recent state law changes. HEA 1005 expanded and opened the use of residential housing TIF to municipalities. HEA 1454 allows the TIF districts to pay for Police and Fire capital and operating expenses out of TIF revenues. Mr. Salatas stated as far as the interest rate it has been answered previously, 3.91, and he doesn't have the total amortization schedule but he could make a public record request. He stated as for the transfer of sewer funds, there were two separate meetings and asked Ms. Sandberg if she recalled the dates. Ms. Sandberg stated she could not recall the exact dates but knows there were two separate meetings where sewer funds were publicly committed. She stated as for transferring the funds, that is something they are working on to make sure they have a form she is comfortable with. Mr. Salatas added that will be done under the auspices and review of the Town Attorney. He thanked Mr. Niemeyer for his recommendations on bills to look at. Mr. Salatas stated the public safety buildings are not to exceed \$16 million. It is a BOT project and the Town's responsibility is capped at \$16 million. If the project runs over that, it is on the developer to make up the difference. The interest rate was stated and the amortization schedule can be requested via a public record request. In regards to the building being adequate, his assumption is it is not. That is why they are going to go through the needs assessment with K2M. As stated in previous meetings, the memorial trees will be replaced and plaques will be added after the construction of the buildings is over. Mr. Salatas stated he would get with Dredge America and ask about the buoys and making sure they are visible. It is the DNR's job to patrol the lake and enforce the emergency rule. In talking with the conservation officer, they have stepped up enforcement and will rotate in additional staff. He stated they will look at the status of the no parking signs near the South Shore neighborhood. He stated in regards to the meeting for Town Grounds planning, it was originally planned for June, but time has been consumed with existing projects. They do still plan on having the meeting and will announce it when scheduled. It will follow the same posting process used for all public meetings.

Kevin Toth asked the Council to respond to his question. Mr. Foreman discussed the early days of residents living in Cedar Lake full time. He discussed septic fields overflowing and the lake basin. He stated the pollution infiltrated the lake. He stated as they became a Town, the Council voted to having everyone connect to sewers. It took a lot of years to get the sewer connected and fix leaks. It was decided that appropriation of wastewater funds would be used to help the lake project. He stated they have an opportunity to shape their future. He stated if they can use tools that are approved by the state legislature, they would be silly not to.

ADJOURNMENT President Sharpe called the meeting to adjournment at approximately 9:13 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.