

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



October 17, 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	Nick Recupito	Ward 3	Present	Jennifer N. Sandberg, IAMC, CMC, CPFIM	
	Council Member			Clerk-Treasurer	
Present	Ralph Miller	Ward 4	Present	Chris Salatas	
	Council Member			Town Manager	
Present	Colleen Schieben	Ward 5	Present	David Austgen	
	Council Member			Town Attorney	

*Present via Zoom.

PUBLIC COMMENT

Ken Dashed, 14321 Lake Shore Drive, stated he thought they were operating under Robert's Rules of Order. He stated he needs to know if that is what they are doing. He stated they all participated in votes without under the question, which is supposed to be done before the vote. He stated they have the right to talk about what is being voted on before it is voted on. He stated last meeting they did not do that. Mr. Carnahan asked Dave to clarify the rules. Mr. Austgen stated the rules are the Robert's Rules of Order under the Town Code. Mr. Carnahan stated they have never opened up to the public when having a vote on an item. Mr. Austgen stated it is the customary practice of the Town Council and is legal.

Gayle Brannon, 7014 W. 139th Place, stated on the minutes, she thinks the September 5th minutes were approved October 3rd but they are on tonight's agenda to be approved. Mrs. Brannon commented on Ordinance No. 1474, Lakeside South Rezone. She stated she did not see a Twilight Clause in there. She stated it has been brought up a couple of times. She asked if it was something the Town planned on doing for subdivisions and PUDs being approved.

Mr. Austgen responded the PUD ordinance procedures are in Section 9 of Town Ordinance No. 1402. They are and will be followed strictly. He stated on the agenda is a PUD zoning amendment to the Town's zoning ordinance. Mr. Austgen stated the document has been vetted against Section 9 of Ordinance No. 1402 and has been by each of the engineers, staff, and himself for verification and confirmation of compliance. He stated there is an issue or two that needs to be addressed yet on the ordinance. He stated everything reviewed is clean and in accordance with the ordinance. Overtime, they have evolved. They originally had Town Ordinance No. 496 and that was replaced by Ordinance No. 1402. Mr. Austgen stated if there is some overlap from old to new, by virtue of projects being in place, that is why. He stated March 1, 2022, is when Ordinance No. 1402 was adopted. Mr. Recupito asked if there was a Twilight Clause and if there was a timeframe of when these things needed to be acted upon. Mr. Austgen stated that would be by the Planned Unit Development (PUD) agreement and the answer is yes. Mr. Carnahan asked what it is for this one. Mr. Austgen stated he could not answer that as he did not have it in front of him. Mr. Carnahan stated he knows they talked about having some sort of stipulation in there for Bay Bridge. That they started that many years ago and resurfaced it. Mr. Foreman stated even across from Hanover Central, he thinks that was in the 1980's when it was rezoned RT and RM. Mr. Carnahan stated that at one point they had said if something did not start within two years, that it reverted back. Mr. Carnahan asked if they had that in an ordinance. Mr. Austgen stated the answer is yes. That has historically been the case when the project has not commenced, a reversion occurs. He believes that is two years. He asked Mr. Salatas. Mr. Salatas stated that sounds familiar. Mr. Carnahan stated he was concerned because someone told him it was not in an ordinance. Ms. Sandberg stated for the October 3rd agenda, only claims were on the Consent Agenda. There were no minutes.

Greg Parker, 14823 Morse Street, stated he would like to get a little clarification. He asked if the Twilight Clause was just for the PUD agreement or if it included zoning. Mr. Austgen stated the zoning and PUD agreement are married. They are interwoven. Mr. Parker stated if something gets approved twenty years ago, he knows the PUD agreements have an expiration but asked if the zoning did. Mr. Austgen stated that PUD is expired, in his opinion. Mr. Parker asked if the zoning expired. Mr. Austgen stated the zoning has a reversion. It did. He stated there may be lawyers out there who disagree with him.

Ken Dashed, 14321 Lake Shore Drive, stated due to the fact that Dave said it is a common procedure up here, to bypass the question before the motion is made, he stated he would like to have that bypass for tonight. He stated that way they have a chance to speak about some of the things before the votes are made. Mr. Austgen stated that is the purpose of this public comment portion. You can talk about anything on this agenda. That is the purpose of having this format. Mr. Dashed continued to voice concern to Mr. Austgen.

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CONSENT AGENDA

1. **Minutes:** September 5, 19, and 29, 2023, and October 6, 2023
2. **Claims:** All Town Funds: \$309,269.23; Wastewater Operating: \$208,158.03; Water Utility: \$84,985.99; Storm Water: \$781.27; Payroll: 10/12/23 \$358,805.81; and September Remittances \$183,304.67
3. **Manual Journal Entries:** September 1, 2023 – September 30, 2023

A motion to accept and waive the reading of the minutes and accept the consent agenda as listed was made by Ralph Miller with second by Colleen Schieben. Mr. Carnahan noted on the claims for the Plan Commission for Barnes & Thornburg in the amount of \$9,200. He asked if they get that reimbursed anywhere from anyone. Ms. Sandberg stated yes. Once that is paid out, a copy of everything will be sent to the petitioner related to that item. Mr. Carnahan stated he just wanted to make sure he was right on what he thought. He also noted NearMap and the three-year contract for \$24,000. He stated that is for a company that has already done the work but they are going to allow access to it. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

ORDINANCES & RESOLUTIONS

1. **Ordinance No. 1478 – Amending Ordinance No. 1465, Special Events Permit**

Council Member Foreman read Ordinance No. 1465 by title only. Mr. Salatas reported this amends the fee from \$25 down to \$0. Mr. Austgen asked Mr. Carnahan about his concerns. Mr. Carnahan stated he does not like it in totality. He does not believe they should have done it.

A motion to adopt Ordinance No. 1478 was made by John Foreman with second by Ralph Miller. Roll Call: Carnahan – No, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 1.

2. **Ordinance No. 1479 – 2024 Budget**

Council Member Foreman read Ordinance No. 1479 by title only. Ms. Sandberg stated Corby Thompson was online if there were any further questions. Mr. Foreman asked Bob and Nick if they had any questions. Mr. Recupito asked Jennifer to reiterated the conversation they had as it was explained really well. He stated he had concerns about hiring a couple of new people. He stated he is not saying they are not needed but he would like to take a conservative approach, fiscally. He stated especially with building permits being down. Ms. Sandberg stated with the budget and what they are adopting, they are adopting what they are anticipating expenditures to be. She stated everything still has to be approved by the Department of Local Government Finance (DLGF). She stated even though they are submitting it to the State as the budget, they have to wait for the final order. She stated when it comes to the positions contemplated in next years budget, they have the ultimately authority with the salary ordinance. She stated once the budget order is received, they do not have to move forward with anything. She stated they could direct that they wait to see how the first six months of the year. Mr. Carnahan stated he does not like the fact that they are increasing the Town Council by 3%. Ms. Sandberg stated technically, they are not yet. They are budgeting for it but when it comes to the salary ordinance, they can define who gets what increase. Discussion continued on the matter. Mr. Sharpe asked Mr. Thompson if he had any comments. Mr. Thompson stated this is setting the maximum allowable appropriations. If they are looking at additional hirings, it would still have to be done with the salary ordinance.

A motion to adopt Ordinance No. 1479 was made by John Foreman with second by Ralph Miller. Roll Call: Carnahan – No, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 6 – 1.

3. **Ordinance No. 1474 – Lakeside South Rezone from R-1 and Agriculture to a Planned Unit Development**

Council Member Foreman read Ordinance No. 1474 by title only. Mr. Austgen stated they received today the latest review comments from Don Oliphant. He stated there are things in there they need to discuss. Mr. Austgen stated it does not appear in his opinion that it is ready. He stated the items are substantive. They trail the stay that is in place of the TIF Residential initiative that was unable to be completed this year. He recommended a motion to defer. Mr. Salatas concurred

A motion to defer to November 21st was made by Nick Recupito with second by Colleen Schieben. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

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4. Resolution No. 1341 – Excess Levy Appeal Petition

Council Member Foreman read Resolution No. 1341 by title only. Mr. Thompson explained this is an extension of the budget ordinance. He stated the Town's assessed value has grown to a point that the levy has not been able to increase with standard fixed statutes to provide the level of service that the Town has become accustomed to. There are several appropriations within the budget primarily for a couple of additional firefighters for their wages as well as their benefits package that this appeal will fund. Mr. Recupito asked about the tax rate and the effect it would have on the tax rate. He stated the tax rate is anticipated to go down next year. Ms. Sandberg stated she did not have the number in front of her. Mr. Thompson stated based on the estimates they have; they do anticipate the tax rate to go down based on the estimated assessed value for 2024. That is not final yet. If the current amounts hold true for the assessed values of the Town, yes, the tax rate will go down next year. Mr. Carnahan asked if the estimate was \$0.02. Mr. Thompson stated he could not remember exactly what it is but he knows the rate is estimated to go down to about \$0.79. Mr. Recupito asked what happens if they do not get the appeal. He knows they mentioned that the level of service would not be the same but as far as numbers, what are they looking at. Ms. Sandberg stated if the appeal does not get approval this evening and if it does not go to the DLGF and get approval, they would be unable to fund #15 and #16 for the Fire Department staff. Mr. Salatas stated they would need to cut approximately \$389,654 out of the budget for 2024. Mr. Carnahan asked if it affects any of the other government agencies if they get it approved. Mr. Thompson stated not directly. There are circuit breaker things that would be minor dollars but the overlapping units have a biggest impact on the overall tax rate as well.

A motion to approve Resolution No. 1341 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.

BZA/PLAN COMMISSION

1. Acceptance Performance Letter of Credit for Railside Business Park in the amount of \$3,102,838.83

Mr. Salatas reported the letter of credit amount is \$0.30 more than recommended. It is with Peoples Bank.

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.

NEW BUSINESS

1. Disbursement Request No. 6 from the 2022A Construction Fund No. 1001031163 for the Police Department Project in the amount of \$568,509.31

Mr. Salatas reported this is for work completed on the Police Station.

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.

2. Disbursement Request No. 5 from the 2022B Construction Fund No. 1001031164 for the Fire Department Project in the amount of \$929,462.61

Mr. Salatas reported this is for work completed on the Fire Station. He stated as previously mentioned in other meetings, these are reviewed by Sue Haase as well as Veridus, who is the owner's representative. Mr. Carnahan stated he was told there would be sixty feet for them to pull out of the Fire Station before they get to Morse. He asked if there is sixty feet. Mr. Salatas stated he believes most of the machines use GPS to measure. A brief discussion continued.

A motion to approve 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.

3. CBEL Pay Request No. 4 payable to Dredge America in the amount of \$551,014.96 for the Lake Dredging Project

Mr. Salatas reported this is for work completed for the month of August. Mr. Recupito asked if they were wrapped up with the north lobe. Mr. Salatas stated he would skip ahead to the Christopher Burke Report. To date they have removed 250,000 cubic yards of material from the north lobe out of 280,000 cubic yards. That leaves 30,000 cubic yards in that area and then they will be done with that area. When they hit that amount of material or November 1st, whichever comes first, they will shut down for the year. A brief discussion continued.

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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.

4. CBEL Pay Request No. 5 payable to Dredge America in the amount of \$375,825.11 for the Lake Dredging Project

Mr. Salatas reported this is for work completed for the month of September.

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

Mr. Foreman noted Mr. Carnahan voted for these projects before and now he is voting against paying them. Mr. Carnahan stated he has a legal problem that he discovered that he cannot talk about.

5. CBEL Pay Request No. 1 payable to Milestone Contractors North, Inc. in the amount of \$163,550.25 for the Shades Subdivision Improvements, Phase 1, Project

Mr. Salatas reported this is for the CCMG project, Shades Phase 1. They have been doing work on 141st Avenue. He believes they have installed a box culvert there. This will be work completed so far. Mr. Carnahan asked about the extent of the remaining work. Mr. Salatas stated there will be two or three roads completed and two middle roads will be saved for a separate project. This Shades project will be completed over two seasons. A brief discussion continued.

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.

Mr. Austgen asked to go back to Dredge America. He stated he was confused by Mr. Carnahan and the legal problem he cannot talk about. Mr. Carnahan stated not in public. Mr. Austgen stated would not that follow that you cannot vote. Mr. Carnahan stated it is not his problem. It is something to deal with the Town. Mr. Austgen continued to voice his confusion.

Mr. Foreman made a motion to amend the agenda for a couple different items. He stated the first item being an item on behalf of the American Legion Post 261. The second and third items being personnel items. A second to the motion was made by Nick Recupito. Mr. Austgen noted once they amend the agenda, each item should be separately dealt with. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

6. American Legion Post 261 Request

Mr. Foreman reported he received a letter dated October 9, 2023 from the American Legion and addressed to the Town Council. The letter was a request for permission to host turkey shoots throughout the year. The letter noted the legion has over 14 acres of space to host, members hold gun safety training, and the events would be for fundraising. Mr. Foreman discussed the ordinance regarding shooting in Town. Mr. Foreman stated he explained that if approved, the legion would have to coordinate with the Chief and Town Manager.

John Foreman made a motion to give permission and approve the turkey shoot. Chief Fisher stated he would meet with them to make sure it was not in the direction of any residences. Second was made by Colleen Schieben. She stated as long as Chief was okay with it. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

7. Personnel Item – Employee Reimbursement

Mr. Foreman made a motion to reimburse the employees for the time they were away from the office for Jason Dees funeral. Mr. Foreman stated he believes there was some confusion over the organization regarding use of personal or comp time. Second was made by Colleen Schieben. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0.

8. Personnel Item – Plan Commission

Mr. Foreman stated he would like to make a motion to reinstate Heather Dessauer to the Plan Commission. This would then enable her to be reinstated to the Unsafe Commission. Mr. Sharpe issued an apology to Mrs. Dessauer. He stated the reinstatement would be immediate. Second was made by Colleen Schieben. Mr. Foreman stated there was

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communication had on September 5th. He stated he was under the impression of a different direction for said member. He stated there was not direct correspondence. He stated it was assumed that was the direction they were moving. Mrs. Rivera asked if they knew if she wanted to be reinstated. Mr. Sharpe stated there was evidence from Mr. Recupito that she would like to be reinstated. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Foreman – Yes, Sharpe – Yes. Vote: 7 – 0. Mr. Recupito asked about swearing her in. Ms. Sandberg stated if Mrs. Dessauer would not mind meeting with her after the meeting, they could discuss the Oath of Office.

REPORTS

1. **Town Council** – Mr. Carnahan stated the Cedar Lake Chamber of Commerce is setting up the Christmas Trees for display. Last year they had 150 and they are going fast. They have increased the price to \$95 a tree. In the Christopher B. Burke Report, there is information on Page 311 of the packet on the Storm Board. Mrs. Schieben reported that Trunk or Treat would be on October 28th from 12:00PM to 2:30PM. The event will be rain or shine. Mr. Foreman discussed Facebook and our community. He stated he has done the best he could for the residents for his sixteen years. He discussed the accusations and falsehoods presented on the social media platform. He stated he has always been available for questions. He stated an individual on the Plan Commission accused him of making a deal with the gentlemen who is building some subdivisions in Town. He stated these accusations were made to hurt his character and family name. He stated he has not received an apology. He stated he forgave him in a public meeting. He stated the accusations were uncalled for and he wanted to get this off his chest. He briefly continued. Mr. Recupito stated a resident brought to his attention the ward maps on the website. He stated all he saw was the precinct map. Mr. Salatas stated they should be under Town Documents on the website. Mr. Recupito stated it is missing from the ward and precinct tab. Mr. Carnahan discussed being all of their representatives. A brief discussion continued on representation of the community.
2. **Town Attorney** - No report.
3. **Clerk-Treasurer** – Ms. Sandberg stated if you go to the website under maps and directions the maps are listed there. Both the ward and precinct maps with polling locations. If there is something else someone is looking for, they can contact Town Hall and they can help them navigate or email them a copy. A brief discussion continued. Ms. Sandberg reported cash and expenditure reports have previously been sent out. She thanked them for approving the budget. She stated she will be working with Corby to make sure everything is submitted timely. They will await the final order. They are also waiting the close of the State Board of Accounts audit.
Town Manager – Mr. Salatas finished the written reports. See under Written Communication. Mr. Carnahan asked if the Christopher Burke Report is available to the public. Mr. Salatas stated he believes so. He would make sure it is.
4. **Director of Operations** – No report.
5. **Police Department** – Chief Fisher discussed the monthly calls report. He stated on October 24th they will have Coffee with a Cop at McDonald's at 10AM.
6. **Fire Department** – Chief Wilkening discussed the monthly calls report. He stated they have two fire trucks being repaired. One has a secondary, self-inflicted radiator problem. The other truck has blown a head gasket. He thanked everyone who attended the Open House and pancake breakfast.

WRITTEN COMMUNICATION

1. **Building Department Report** – The Building Department had 14 new homes for a total of 93 new home permits.
2. **Christopher B. Burke Report** – Previously reported.
3. **Veridus** – No report. The ongoing projects are the police and fire stations.

PUBLIC COMMENT

Greg Parker, 14823 Morse Street, stated he wanted to clarify with Dave on one more thing with the PUD and zoning item from earlier. He asked if it was Ordinance No. 496 that No. 1402 replaced. Mr. Austgen stated it did. Mr. Parker asked if it was a revision in 1402 that changes the zoning status and the PUD status after a certain amount of time. Mr. Austgen stated it was. Mr. Parker stated he was not aware of that. Mr. Austgen stated on stale projects, the requirements for development disappear. The surety goes away and expires. There is no ability to actually do the development without those items being in place. They would not issue permits. Mr. Parker asked when the zoning ordinance got revised, if everything that pre-existed that got revised too. Mr. Austgen stated no. There are legal, non-conforming components that got approvals. Approvals do not go away. The developer can rely on the law that they were approved on. Mr. Parker stated the previous law and that is what they will argue. Mr. Austgen stated that is correct and they will argue and win. You cannot change the rules midstream on a property owner in the middle of a project development without it being improper. Mr. Parker thanked the Council for giving them

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Heather Dessauer back on the Plan Commission. Mr. Parker asked if Mr. Foreman was accusing someone of asking questions in a meeting or of being on Facebook. Mr. Foreman stated meeting. He stated he was disheartened by the people on Facebook. Mr. Parker stated he felt the same way about Facebook.

Larry Nagy, 9065 W. 129th Place, commented on Heather being put back on the Plan Commission and stated what was done to her was disgraceful. He stated whoever did put it together should be the one apologizing. He discussed the Post 261 turkey shoot. He stated they had these about four or five years ago. He stated he lives adjacent to the American Legion. He voiced concerns with people sitting at the bar, drinking, and then shooting guns at the targets. He voiced concerns with the event and it being in a residential area. Discussion continued on the matter.

Kenny Dassel, 14321 Lake Shore Drive, addressed the Fire Department and Police Department regarding an emergency call. He voiced concerns with the means being used to find addresses during an emergency call. He voiced concerns with delayed responses. Chief Fisher stated they are aware of the incident. Mr. Dassel asked what sort of substitute trucks they have if the others are broken down. Chief Wilkening stated they have back up trucks. Mr. Dassel asked about the addresses being addressed. He voiced concerns about the dangers. Chief Wilkening stated it is a concern of personnel and it is being addressed.

Sarah Moore, 9391 Chestnut Cove – St. John, thanked the Council for bringing up the personnel item and giving them their time back.

Kevin Toth, 9725 B W. 129th Place, asked about the dredging project. He stated the Christopher B. Burke report last month mentioned the problems with solids coming back in the stream. He stated in the report a recommendation was made to add flocculants to mitigate future increases. He asked what the status of that was and what the flocculants would do to the facility in the future and the future use of it. He stated the flocculants would change the bottom of the pit. He asked if they knew how much it would cost.

Jerry Wilkening, 10826 W. 131st Avenue, stated he has heard a lot tonight. He stated a long time ago he received a phone call from Mr. Niemeyer and Mr. Salatas letting him know he was removed from the Plan Commission with no reason. He stated he wondered what that reason was. He stated he heard rumors. He stated Mr. Foreman cleared that up with a text to a private citizen. He stated he has a screenshot of that. Mr. Wilkening stated they do know John. Mr. Foreman stated that is misinformation.

Terry Broadhurst, 14513 Morse Street, stated he comes up with a question and a comment. He stated this pertains to the amending of the agenda. He stated if you go to the first page of the meeting minutes, you will see under Consent Agenda, there is Public Comment on Agenda Items. He stated there are three votes that took place with no public comment. He stated should not it have worked out that each item was mentioned and each item was put up for public comment on their own before a vote. He stated he believes it puts the public at a disadvantage. He voiced concerns with the turkey shoot. He asked where does the public comments come in on the added agenda items and the law in the State of Indiana.

Mr. Salatas responded to Kevin Toth's comment. He stated in the Christopher B. Burke report that is attached to the agenda; Dredge America has made application to IDEM with the flocculant treatment that they plan to use. It is currently under review. Given the approval of IDEM after review, it will be utilized. He assumed that if IDEM approves it, he would assume it is safe for use in the sediment dewatering facility and for the purposes of getting the sediment out of the water. Ms. Sandberg added that Mr. Wroe updated the website under the eco-system tab with the report that Mr. Oliphant gave at the last Storm Water meeting. More information can be found there. Mr. Salatas stated there would be no increase to the project costs as flocculants were always expected to be added. Mr. Carnahan asked what it would do to the sediment dewatering facility. Mr. Salatas stated it would make it more efficient because it would make the material settle out of the water faster. Mr. Carnahan asked how long would it take to decompose and be removed. Mr. Salatas stated that is an engineering question. Mr. Austgen stated there is no law in Indiana that requires public comments in a public meeting. That is a local rule and is handled by the legislative body. He stated what they do have to do is conduct their business in the public setting so it can be observed, heard, watched, and thought about outside. He stated there is no law about that. Mr. Sharpe stated either before or after. Mr. Austgen stated that was correct. Mr. Austgen stated it is seemingly unusual but Cedar Lake provides a lot of public comment opportunity in its agendas both before and after. He stated that came about because there was a lot of discussion at one point about the right to have comment. He stated that is the general rule.

ADJOURNMENT President Sharpe called the meeting to adjournment at approximately 8:20 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.
 (5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.