

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



December 5, 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 Council Member	Ward 1	Absent	John Foreman Vice-President	At Large
Present	Julie Rivera Council Member	Ward 2	Present	Richard Sharpe President	At Large
Present	Nick Recupito Council Member	Ward 3	Present	Jennifer N. Sandberg, IAMC, CMC, CPFIM Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Absent*	Chris Salatas Town Manager	
Present	Colleen Schieben Council Member	Ward 5	Present	David Austgen Town Attorney	

*Margaret Abernathy, Administrative Assistant to the Town Manager, was present.

PRESENTATION

Eric Pros with K2M Design & DS Architecture, presented a rendering of a new Town Hall. David Rainey with Veridus Group and Owners Representative, was present and noted this was only an update for the Town Council. No action would be taken. He stated from here, the next steps would be to continue schematic design and then delivery method, which is how they would construct it. If it was to use the same process as the Police and Fire buildings, that would be Build, Operate, Transfer (BOT). They would need two to three months to get that completed. Once a developer team is onboard, the next step would be to validate the schematic design and cost. Once that is completed, finishing of the design process occurs and then construction document phase begins. The construction team continues cost analysis through the project. A guaranteed maximum price would be established and finalizing of the BOT agreement would occur. He stated it is approximately a ten-month process. Once the BOT agreement is finalized, construction can begin. He estimated Q1 of 2025 as a start date and twelve to fourteen months for construction. He stated there are a lot of variables to get through. Mrs. Rivera asked about the footprint of the building being smaller than the current building. Mr. Pros explained it is 11,000 square feet of land but because there is a second story, more departments can fit in. Clerk-Treasurer Sandberg stated it was a great process with the working group, seeing the idea come to life. She stated it is unfortunate but they have outgrown the current building. A brief discussion continued. President Sharpe allowed questions from the audience. Cheryl Parker, voiced concerns with a flat roof on the building, she asked how would they address potential issues. Mr. Pros explained the renderings may be a little misleading, the buildings do not have a flat roof but a pretty substantial pitch. It would be similar to the Police and Fire Buildings. Mrs. Parker voiced concerns of no gutters. Mr. Pros stated there would be gutters and these are early renderings. Mrs. Parker voiced concerns with the residential property next to the area. She asked if it was going with the playground. Mr. Pros stated he does not believe it is part of this plan. Mrs. Parker continued to voice concerns. Mr. Pros explained they have the terraced landscaped area as well as a soft, landscaped area to buffer. Mr. Rainey stated if you look at the site plan, it shows the position of the new Town Hall and the existing residence. He stated this is conceptual, landscaping is yet to be discussed. Terry Broadhurst asked if they considered going north from the Fire Department on Morse to create a sound barrier from traffic. He asked if it would be higher and more level. Mrs. Abernathy explained that it was considered from the outset but it is less costly to line up with the Police and Fire Departments, due to sewer and water mains, etc. When it was discussed by the beginning committee, it was felt that it would take too much view of the lake away from the Town and the residents. Mr. Pros explained keeping as much construction south as possible to not only keep views open but keep the area contiguous instead of chopping it up.

PUBLIC HEARING

1. Resolution No. 1342 – Additional Appropriation

- Review of Legals – Clerk-Treasurer Sandberg reported the notice was published timely on 11/22/23 in both the Post-Tribune and the Times.
- Opening Remarks – Ms. Sandberg stated this is for an additional appropriation within the General Fund and the Motor Vehicle Highway Fund. She stated the request is for \$20,000 within Planning, Zoning and Building for Personnel Services and Other Services and Charges. Within the Fire Department the request is for \$41,200 for Personnel Services and Other Services and Charges. The request for Motor Vehicle Highway is \$5,000 for Personnel Services.
- Reading of Resolution No. 1342 – Council Member Rivera read by title only.
- Remonstrators - None
- Town Council Discussion - None
- Town Council Decision

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A motion to approve Resolution No. 1342 was made by Robert Carnahan with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

PUBLIC COMMENT

None

CONSENT AGENDA

1. **Minutes:** November 21, 2023
2. **Claims:** All Town Funds: \$422,586.81; Wastewater Operating: \$70,399.03; Water Utility: \$52,738.27; Storm Water: \$48,721.28; and Payroll: 11/22/23 and 12/1/23 - \$291,101.74

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 Ralph Miller. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1481 – 2024 Salary Ordinance

Council Member Rivera read Ordinance No. 1481 by title only. Clerk-Treasurer Sandberg stated the increase is 3% for a majority of positions. Due to conversations that occurred during the budget process, an increase was not included for the Town Council. The increase for the Battalion Chief pay was included as requested by Chief Wilkening. The new position of Deputy IT/GIS Coordinator was included as well as the increase for the Mechanic position. Department Heads will see a 5% increase and the other Boards and Commissions will see the 3% increase. Mr. Recupito stated he was not 100% sold on the GIS Coordinator or Mechanic positions. Ms. Sandberg stated until the approved budget order is in hand, no one will move forward. Ultimately, it is up to the Town Council whether or not to move forward with those positions. Mr. Carnahan stated there are two schedules on holidays. Ms. Sandberg stated one is for the civilians and the other is for the Fire Department.

A motion to approve the first reading of Ordinance No. 1481 was made by Julie Rivera with second by Nick Recupito. Roll Call: Carnahan – No, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 5 – 1.

2. Ordinance No. 1482 – Job Description Amendments – Utility, Public Works, Town Administration

Council Member Rivera read Ordinance No. 1482 by title only. Clerk-Treasurer Sandberg explained this is the creation of the job description for the Deputy IT/GIS Coordinator position. It also includes updates to the job descriptions for the Mechanic, Custodian, Town/Utility Billing Clerk, and Utility Accounting Specialist. This was to clean up some language and grammatical errors within the descriptions. Mr. Carnahan stated the only thing they are doing is defining the jobs and not hiring. Ms. Sandberg stated that is correct, they are updating descriptions. This puts everything in place for once they are ready to move forward with hiring.

A motion to approve the first reading of Ordinance No. 1482 was made by Robert Carnahan with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

A motion to suspend the rules and allow for a second reading was made by Robert Carnahan with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

Council Member Rivera read Ordinance No. 1482 by title only.

A motion to adopt Ordinance No. 1482 was made by Robert Carnahan with second by Ralph Miller. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

3. Resolution No. 1343 – Transfer Resolution

Council Member Rivera read Resolution No. 1343 by title only. Clerk-Treasurer Sandberg explained this is for transfers within the General Fund. The total transfer amount requested is \$53,500. Under the Town Council department, the total transfers are \$47,500. That is \$35,000 from Group Health to Attorney, \$5,000 from Group Health to Misc. Services, \$6,500 from Group Health to Promotion, and \$1,000 from Group Health to Postage. Under the Fire Department, the total transfers requested are \$6,000. That is

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\$5,000 from Volunteer Stipend to Prof. Services and \$1,000 from Volunteer Stipend to Misc. Services. Mr. Carnahan asked about the group health line item and the excess funds to transfer. Ms. Sandberg stated yes, Anthem renewed with no increase in 2023.

A motion to approve Resolution No. 1343 was made by Robert Carnahan with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

NEW BUSINESS

1. Adoption of the Sustainability Plan Update

Ms. Sandberg reported there were no known changes to the plan as originally presented. Mr. Recupito stated he had concerns as residents reached out looking for it. He stated he would like for people to have a chance to review it a little more. A brief discussion continued on the Sustainability Plan and location of the document on the website.

A motion to defer to December 19th was made by Nick Recupito with second by Robert Carnahan. Roll Call: Carnahan – Yes, Rivera – No, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 5 – 1.

2. 2024 Meeting Calendar

Mrs. Abernathy stated this is the meeting schedule for next year. It is a ministerial act so they can provide the meeting schedule to the newspapers. Mr. Recupito asked Chief Fisher about the Board of Safety meeting. He asked if there were problems. Chief Fisher stated it shows them as not having a December meeting so they would need to adjust that. Mrs. Abernathy stated historically they have not had a meeting. Mr. Recupito stated they could amend it next year. Discussion continued on the meeting schedule.

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

3. CBBEL Change Order No. 1, with a cost increase in the amount of \$39,534.60 for a revised total of \$1,835,496.37 for the Shades Subdivision Improvements, Phase 1, Project

Ms. Sandberg reported the change order is for an increase of \$39,534.60. The change order is for additional sanitary sewer work.

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

4. CBBEL Pay Request No. 2 payable to Milestone Inc. in the amount of \$356,919.66 for the Shades Subdivision Improvements, Phase 1, Project

Ms. Sandberg stated this pay request is to Milestone for the stated amount. It is for work completed to date.

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

5. Approval of Fire Department Hires (Approved by the BOS on 11/29/23)

A. Full-Time Hires: Jose Bugarin and Collin Turner

Chief Wilkening introduced Collin Turner and Jose Bugarin. They will be filling the two open spots. They are looking for approval to begin the PERF process. A brief discussion continued.

A motion to approve the hiring of the two full-time employees, contingent on PERF approval was made by Robert Carnahan with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

B. Part-Time Hires: Megan Spiegel, Ethan Wilks, and Brodrick Claesgens

Chief Wilkening stated they have three people that the Board of Safety interviewed and he requested they be hired part-time.

A motion to approve the three part-time hires was made by Julie Rivera with second by Robert Carnahan. Roll Call: Carnahan – Yes, Rivera – Yes, Recupito – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes. Vote: 6 – 0.

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6. Consider 2024 Engagement Letter with Bose McKinney & Evans, LLP

Mr. Austgen stated this is an engagement proposal with the utility attorney in Indianapolis for lobbying services for the Town in combination with other units of municipal utilities for the short session in Indianapolis. The primary focus of the effort is to monitor and be vigilant over the various utility circumstances, laws, and proposals before the General Assembly. The amount is \$250 a month, totaling \$3,000 for the year. Mr. Recupito asked what kind of correspondence they would get throughout the year. Mr. Austgen stated at least monthly they will issue reports. Discussion continued on the engagement.

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

REPORTS

- 1. Town Council** – Mr. Carnahan reported the Chamber of Commerce is having their Christmas gathering at the Hanover Township Trustee's Office this Thursday at 6:30PM. He stated he received a text message from Aron Schurke requesting a crosswalk at Bartlett/Wahlberg Park to the north of the Dragobob's shop. He stated there is a lot of pedestrian activity. Mr. Carnahan asked Mr. Kubiak about the cost. Mr. Kubiak estimated it to be \$5,600. He stated the Eagles and Hunley's contributed 50/50. Mrs. Rivera asked where the funds would come from. Ms. Sandberg stated they have never had a budget as they have never discussed a crosswalk program. The most recent one installed was paid out of Local Road and Streets after a transfer. Mr. Austgen asked Mr. Carnahan to have Mr. Schurke submit something in writing.
- 2. Town Attorney** – Mr. Austgen stated Chief Wilkening and he met with Kevin Toth, Hanover Township Trustee, to discuss the fire services for the township for 2024. That is done and a draft has been submitted to Town Hall. The trustee has been asked when it could be considered. Mr. Sharpe stated they would wait for the next meeting.
- 3. Clerk-Treasurer** – No report.
- 4. Town Manager** – Mrs. Abernathy reported they have been receiving a lot of calls about the Town Planner calendar. The Town does not have information on them. Mrs. Abernathy stated she would email the Town Planner and see if she could get some answers.
- 5. Director of Operations** – Mr. Kubiak stated they have had issues with Lift Station #13 on Woodland. Both pumps went out at once. They have the bypass pump in and as soon as they finish the one by Lemon Lake, they will move forward with this one.
- 6. Police Department** – Chief Fisher reported the Taylor Ice Fest last weekend went very well. Saturday had a good turnout. A lot of good feedback has been received. Discussion continued on the festival.
- 7. Fire Department** – Chief Wilkening reported they recently received through the Firefighters Association, a new tool for fire prevention. It is a bouncy house for kids. They will have it for events or other types of public gatherings. The ladder truck was out for a month due to a motor rebuild. He stated they have a suspension issue with the ambulance. He stated the rest of the trucks have had preventative maintenance for the winter. Mr. Carnahan asked about the bounce house and if it would be outside and secured. Mr. Wilkening stated yes.

WRITTEN COMMUNICATION

None

PUBLIC COMMENT

Angie Mickolajczak, 12806 Lee Court, stated she came in April to the Plan Commission, regarding some movement on the property behind her home. It has been vacant for many years. She received a notice to submit an objection. She stated she has until Friday to submit the written objection. She stated the item is on the Plan Commission for tomorrow evening. She asked to submit her written objection to Mr. Carnahan. Mr. Austgen suggested it be given to Margaret. Mr. Kubiak stated tomorrow is just the work session for the Plan Commission. Mrs. Mickolajczak continued to voice concerns with the item being on the Plan Commission agenda for the following evening. Mrs. Abernathy asked if she was talking about the Plan Commission or the BZA. Mrs. Mickolajczak stated the BZA is on December 14th and she was prepared to submit for that one but saw it on the agenda for Plan Commission. Mrs. Abernathy stated that is a work session. When they have a public hearing that would be on the third Wednesday of the month. She stated the first Wednesday is only a work session. She is welcome to come and speak at public comment. Mrs. Abernathy stated she would give the written communication to the Planning Director. Discussion continued on the matter. Mr. Austgen stated he is alerted to this problem parcel and circumstance. It will be ferreted out at the next meeting.

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Andrea Fetzko, 7320 Constitution Avenue, stated she is getting text messages regarding the meeting. She stated she understands they are building the Town Hall to the north of her. She thinks it is great. She asked where she stands as far as her house. Mr. Sharpe stated those are very preliminary plans. Mr. Austgen stated she owns her house and her house is not involved in the project. Mr. Carnahan stated they are not taking her house. A brief discussion continued.

ADJOURNMENT President Sharpe called the meeting to adjournment at approximately 8:16 PM.

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

Robert Carnahan, Ward 1

Julie Rivera, Ward 2

Nick Recupito, Ward 3

Chuck Becker, Ward 4

Greg Parker, Ward 5

Mary Joan Dickson, At-Large

ATTEST:

Richard C Thiel Jr., At-Large

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.