



January 23, 2024

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	Mary Joan Dickson	At Large
	Council Member			Council Member	
Present	Julie Rivera	Ward 2	Present	Richard C. Thiel Jr.	At Large
	Council Member			Council Member	
Present	Nick Recupito	Ward 3	Present	Jennifer N. Sandberg, IAMC, CMC, CPFIM	
	Council Member			Clerk-Treasurer	
Present	Chuck Becker	Ward 4	Present	Jeff Bunge	
	Council Member			Town Manager	
Present	Greg Parker	Ward 5	Absent*	David Austgen	
	Council Member			Town Attorney	

*Mr. Ryan Deutmeyer was present.

PRESENTATION

Chief Todd Wilkening asked for the item to be deferred due to the meeting date change.

PUBLIC COMMENT

None

CONSENT AGENDA

- 1. Minutes:** December 5, 2023, and January 2, 2024
- 2. Claims:** All Town Funds: \$1,906,941.02; Wastewater Operating: \$212,036.17; Water Utility: \$291,656.69; 2010B Water Bond: \$73,733.75; Storm Water: \$195,349.20; Payroll: 12/21, 12/29/23, and 01/04/24 - \$700,447.68; and December Remittances \$245,914.08
- 3. Manual Journal Entries:** December 1 – December 31, 2023
- 4. Donations:** Police Department: \$250 from Pizzeria From the Point Inc. for the K9 Program, and \$400 from Schilling Brothers Lumber & Hardware for equipment
- 5. Clerk-Treasurer’s Year-End Report:**
 - a. Cancellation of Old Outstanding Warrants
 - b. Forwarding Encumbrances
 - c. EMS Collection Transfer from General Fund: \$74,590.65

Mr. Recupito asked for Ms. Sandberg to explain item 5. Ms. Sandberg reported those were annual housekeeping items. The old outstanding warrants are checks that are more than two years old. The checks will be adjusted and monies posted back to the appropriate funds. Forwarding encumbrances are purchases that occurred last year but have not yet been invoiced. The EMS Collection transfer is a transfer that occurs based on Ordinance No. 1313. Annually, 15% of the EMS collections shall be transferred from the General Fund to the EMS Non-Reverting Equipment Fund. Mr. Carnahan asked Ms. Sandberg about a claim for \$317.40 for State Board of Accounts for the RDC. Ms. Sandberg clarified that is for the RDA, the Redevelopment Authority. She stated it was for the examination period of 2018, 2019, and 2020. Mr. Carnahan stated they are going to get other bills for everything else. Ms. Sandberg stated those have been received. Mr. Carnahan asked if she knew what that cost would be. Ms. Sandberg estimated between the Town and Utilities a cost of over \$49,000. She explained they would take the Town General costs from the property tax distribution in June but they would need to send payment for the utilities. Mr. Carnahan stated the report is available online for the public. Ms. Sandberg confirmed the report is available on the State Board of Accounts website.

A motion to accept and waive the reading of the minutes and accept the consent agenda as listed was made by Greg Parker with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 - 0.

NEW BUSINESS

- 1. 2024 Conflict of Interest Statements**

Mr. Recupito stated there were four statements. Ms. Sandberg confirmed. It is an annual disclosure per Indiana Code. It was stated they would have one on the next agenda for Mr. Bunge.

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A motion to accept was made by Robert Carnahan with second by Chuck Becker. Mrs. Dickson stated she did not list Cedar Lake Summerfest because it is not a conflict of interest as it is a not for profit. She stated she listed other businesses. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 - 0.

2. Y2024 Professional Services Agreement: Christopher B. Burke Engineering

Mr. Recupito stated the contract is in the packet and has been posted online. He stated in reviewing he saw a 4% cost increase. He stated it seems reasonable to him.

A motion to accept was made by Chuck Becker with second by Robert Carnahan. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 - 0.

3. Y2024 Professional Services Agreement: Austgen Kuiper Jasaitis

Mr. Recupito stated in reviewing this agreement he did not see a rate increase from 2023. He asked if the terms were the same. Ms. Sandberg stated based on what she reviewed it looks to be exactly the same as previous years.

A motion to hire Austgen Kuiper Jasaitis for all of the listed departments excluding Plan Commission, BZA, and Safety Board due to a conflict of interest was made by Mary Joan Dickson. Mr. Parker asked what the conflict of interest was. Mrs. Dickson stated with the developer and Plan Commission. Mr. Parker stated there was no conflict of interest because there is a separate attorney handling that. Mrs. Dickson stated it was her opinion and she believed it to be mucky waters. Mr. Recupito asked for a clarification on the motion. He asked if they could change the terms of the contract. Mr. Deutmeyer stated general contract principals would be offer, acceptance and consideration. He stated he did not see a copy of the contract and he does not prepare them so he does not know what is in it. He stated if the contract is to cover everything and the motion that Mrs. Dickson made excludes parts of it, that would be a revision modification to the contract. That would have to be amended and presented back to the law firm to accept. You cannot modify it and accept it at the same time. Mr. Recupito asked if that is the pleasure of the board how would they do it. Mr. Deutmeyer stated it could not be an acceptance because they do not have a contract because it is not the same as what was offered. Mr. Thiel asked if it would be a deferral at this moment. Mr. Deutmeyer stated it would be a proposed modification because it requires acceptance by the other party as well. Mr. Recupito asked Mrs. Dickson if she had any thoughts as to who would represent them on those boards. Mrs. Dickson stated not at this time. Mr. Recupito asked if there was any discussion. Mr. Carnahan stated they need a second. Mr. Recupito stated the motion is to amend the contract but send it back to the attorney for review and come back to the Town for consideration. He asked if that is what he is hearing. Mr. Deutmeyer stated it would have to be because the amendment is everything but Plan Commission, BZA, and Safety Board. Mr. Thiel stated it has been brought to his attention by a least one member of the Safety Board that they think it would be wise to have different counsel for them. He stated he does not know if it gets lumped in or if it would be considered separately. He stated Safety for sure has been brought to his attention. No second motion was made. Motion failed.

A motion to approve the agreement as presented was made by Chuck Becker with second by Greg Parker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson – No, Thiel – No, Parker – Yes, Recupito – Yes. Vote 5 - 2.

4. Y2024 Professional Services Agreement: O.W. Krohn & Associates

Mr. Recupito stated this agreement had a general increase for each service, somewhere between \$5 and \$10 per hour. Mr. Carnahan asked Ms. Sandberg to give her opinion. Ms. Sandberg stated she has been extremely happy with the working relationship with Corby Thompson. Mr. Thompson is the Town's direct consultant from O.W. Krohn & Associates. In the last few years, they have put together the sustainability plan, which she believes is an important tool for forecasting and budgeting. Corby is quick to respond to questions. A majority of the work product is in relation to the annual budget and sustainability plan but if there are other questions or concerns, Corby helps out. They are the general financial consultant for the Town. Anytime anything greater is done like bonding or debt service related, a different firm is used. Mr. Carnahan asked if any other communities in the area use them. Ms. Sandberg stated she believes one or two but does not know for certain. Mr. Carnahan asked if she knows how much they spent on them last year. Ms. Sandberg stated no but had he called earlier she could have pulled that information. A brief discussion continued.

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A motion to approve was made by Julie Rivera with second by Greg Parker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 - 0.

5. Consider BZA's request to have their meeting start time changed to 6 p.m. beginning in February

A Motion to request the change was approved by a unanimous vote at the 1/11/24 BZA Meeting. Mr. Recupito stated he is okay with it. Getting an earlier start helps keep a little more energy in the room. He discussed past meetings that would get lengthy.

A motion to approve was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 - 0.

REPORTS

1. Town Council - Mr. Carnahan reported he attended the NIRPC meeting and received a certificate for attending each executive and full commission meeting on behalf of the Town of Cedar Lake. Mr. Recupito thanked him for his dedication. He stated in March they will recognize Biggby Coffee at the Redevelopment Commission meeting. A brief discussion continued. Mrs. Dickson stated a steering committee has been selected for the Parks Master Plan and will soon be meeting. Stakeholder meetings will occur after that. Mr. Recupito asked if it was scheduled yet. Mrs. Dickson stated that is being worked on. Mr. Carnahan asked her to report on Summerfest. Mrs. Dickson stated Summerfest will be July 4th through the 7th. Mr. Thiel reported on Unsafe Building. He stated they held a work session to restructure and discuss a possible fee schedule. In the process, they found an ordinance that created an unsafe non-reverting fund but it is from 1979. They are looking into how to get that re-established since no fund was ever created. He stated he has information to share with them. Hopefully, by the next meeting they can figure something out to help with the funding issues. Mr. Carnahan asked Mrs. Rivera about Storm Board and a complaint involving Taco Bell. Mrs. Rivera stated the gentlemen was going to correspond with Mr. Oliphant. Mr. Carnahan stated he heard Don said there was no problem. Mrs. Rivera stated they would have to talk with Don.
2. Town Attorney - Mr. Deutmeyer stated they are working with Jeff to try and get everyone on the same page with the change in administration.
3. Clerk-Treasurer - Ms. Sandberg reported her office is working on a lot of reporting. They have finished and uploaded the 100R Report and Lake County Solid Waste annual report. She stated there is still the annual financial report, the annual report for South Shore CVA regarding the tourism funds, debt management, and others still to complete. Mr. Carnahan thanked her for completing the Lake County Solid Waste report. That is how they receive the grant money.
4. Town Manager – Mr. Bunge stated it has been a rewarding, humbling, and overwhelming couple of weeks. He stated he is here to serve and his door is always open. He stated there are a couple reports in their packet. He stated the Building Report is one of them. He stated he took the opportunity today to look at a brief summary of what has happened in the last quarter of the last two years. He stated in 2022 there were 16 new home permits during the last quarter. For the same period in 2023 there were 64 new home permits. He stated it added a little over \$11 million dollars in additional housing stock in the community. He stated other permits in 2022 saw 147 records in the amount of \$25 million but \$21 million of that was the permit for the renovation of MacArthur School. Mrs. Dickson asked him to repeat the number. Mr. Kubiak clarified that was the project cost. In 2023, there were 150 other permits in the amount of \$3,115,000. A brief discussion continued. Mr. Bunge noted the Christopher Burke monthly report was in their packet.
5. Director of Operations – Mr. Kubiak reported they are trying to shift gears from salting to cold patching. Tomorrow they will be out there getting to work on the pot holes. Mr. Carnahan voiced concerns with the cold patch not working well. Mr. Kubiak stated they are trying to extend the life of the patch. He stated with the mild winters the last two years, they have not had as many potholes. There are problem spots they know of they will be getting to work on. Mr. Carnahan discussed a heating unit. Mr. Kubiak stated that equipment is \$46,000. Discussion continued on patching, sealing, and equipment. Mr. Becker asked if Mr. Kubiak knew anything about placing a stop sign at 135th and Parrish.
6. Police Department – Chief Fisher requested permission to put a new stop sign at 135th and Parrish. An ordinance needs to be drafted in order to allow that. He would like to reduce the speed from 149th Avenue to 153rd Avenue on Morse Street from 40 to 30. He stated there have been complaints and they have observed it themselves. He stated when they hit 153rd, you are technically moving into Town now. He discussed an updated ordinance so it is enforceable. Mr. Deutmeyer stated it should be an update to the traffic code where all those speed limits have been established. Discussion continued on the

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request for the stop sign and speed limit reduction. He stated the monthly report as well as the 2023 annual report is in their packet.

7. Fire Department - Chief Wilkening reported the Fire year end report is available. He stated he would send it out tomorrow to Council as well as Board of Safety. He stated they are trending to increase calls for the year. They have had to replace a lot of valves on the apparatus. Chief Mager has been working on that. He stated some of the equipment for the new building has shown up. He stated they are going to ask the Board of Safety and Town Council to allow them to write a grant for new air packs. The match is 10%. Air packs for the department will cost approximately \$600,000. They would like to write the grant. He stated they stand a good chance to receive it. He stated they would also like to apply for the AFG Grant. That is the assistance to firefighter's grant. That will be proposed at Board of Safety as well. This is the Safer Grant. Chief Wilkening stated at the next Board of Safety meeting they will have a presentation for a dog.

Mr. Kubiak discussed streetlights and an upcoming project to relocate streetlights. A work order has been put in with NIPSCO. The excess lights on 133rd will be removed and placed into the neighborhoods behind Lake Liquors and the Cook neighborhood. That should be complete by the middle of February. He stated Ms. Sandberg confirmed there were additional dollars since the switch was made to LED lights. They will be trying to get the area behind McDonald's complete with lighting. A brief discussion continued.

WRITTEN COMMUNICATION

None

PUBLIC COMMENT

Gayle Brannon, 7014 W. 139th Place, asked Mr. Kubiak about the new culvert on 141st and if the asphalt was complete. Mr. Kubiak stated it was just the base coat. Mrs. Brannon commented she felt there definitely is a conflict of interest for the BZA and Plan Commission being represented by the Town Attorney who also represents a developer in Town. She stated she brought that up at a meeting six months ago. She continued to voice her concerns.

Cheryl Parker, 7227 W. 136th Court, requested for the Town Council September 19, 2023 minutes be posted to the website. She stated all the folks that did the salting and plowing did a great job. Mr. Recupito stated those minutes are missing. Ms. Sandberg stated she would check with Margaret as she does not have access to the website.

Jerry Wilkening, 10826 W. 131st Avenue, discussed the list of things falling through the cracks being numerous. He mentioned Wicker Meadows and the flooding issues over the years. He stated the Town bought property to try to alleviate that. He stated he understands the property has been bought. He asked where does the push need to be now. Mr. Parker stated it needs to be worked on. It did not get finished and the property was acquired. He stated he has had a discussion with a couple of people. He stated he did not want to minimize it and it needs to get done. Mr. Parker asked if they could have Storm Water take on that. Mrs. Rivera discussed the property and the work that has been completed in Wicker Meadows. She stated no one is getting water in their basements and water in yards does drain. Mr. Kubiak stated Don put together a plan. It involved four properties and bypassing through the south of the area. He stated one piece of property was acquired and he does not know what happened with the others. During the time they have completed the swale on the south edge of Wicker Meadows and getting the water to the detention pond. He stated there was never a high-water overflow but in to the north end of the detention pond. He stated the top of the detention basin had to get completely flowing over the top of the basin before there would be relief to the neighborhood. He stated that high-water elevation was supposed to be about 32 inches below the top of the bank. He stated it is basically like a bath tub overflow. He stated they installed that as soon as they discovered it was missing. He stated he has spoken with Don on the property and he was trying to engineer something that would meet the 100-year high water rain event. That was his idea for acquiring the property. The work that has been done has alleviated the problem completely. He has been out there several times. He stated there has been zero deep water during rain events. He discussed concepts for larger detention ponds to the west and back that would manage water at the old tree farm property if the property were to develop. Don's thought was to either the tree farm pond needed to be put in or they needed to acquire the property and go that route. Once the overflow was fixed, it pretty much solved the issue. It was designed to be in there it was just overlooked during previous inspections. Mr. Wilkening asked who paid for all of that work and if it was the taxpayers. Mr. Kubiak stated yes. Mr. Wilkening stated there was still a piece to be done and that is his point. Mr. Parker stated especially if other development happens. Mr. Wilkening discussed the November report for sewer treatment in Lowell and asked if any have seen it. Mr. Recupito stated he has looked over it. Mr. Wilkening asked if he was surprised by the numbers. Mr. Recupito stated he was not surprised by the numbers. He stated the Joint Management Oversight Board will be doing a lot of fact finding to confirm a lot of stuff. Mr. Carnahan stated he received the December report and they are at almost 57% and Lowell at 43%. Mr. Wilkening stated he saw 88,000 was sent and only 87,000 was able to be taken for November. Mr. Wilkening discussed streetlights and those that do not meet the lighting ordinance. Mr. Kubiak stated they have a list

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of those and now that they have another inspector the building department is going to be working on it. Mr. Parker stated they have had a lot of engineering meetings lately and trying to decipher a lot of potential catastrophes.

Brenda Roberts, 15008 Morse Street, discussed the hill where everyone speeds. She stated she is happy Bill is looking into the speed limit. She stated she approached him a few weeks ago about doing something. Ms. Roberts voiced concerns with the reckless drivers and speeding in the area. She voiced concerns with the wildlife in the area getting hurt by vehicles.

Robert Butta, 11524 W. 119th Avenue, asked about the flock license plate cameras in Town. He discussed the locations and asked who approved the cameras. He stated he knows there are two and are \$2,500 to \$3,000 in monthly fees and approximately \$72,000 a year. He stated he is not sure how many more cameras there are. Chief Fisher stated that is not true. Mr. Butta stated the cameras capture the data on all cars 24 hours a day. He asked for the Town's position on the storage of the data and how many months it is held. He stated he has spoken with the installer and he stated folks have problems with it. Cities and Towns vary with the data storage. He stated he believes it to be a violation of their privacy. Mr. Butta stated the flock company can use the data at their will. He stated the officers can use the data to be alerted to bad guys but the company can use all the data it captures for whatever it wants to. He continued to voice concerns. Chief Fisher stated they do not have that data. Mr. Butta stated flock does. Chief Fisher stated they approved the cameras last year. The cost was just under \$10,000 annually. There are four cameras in Town that read against a hot list. That hot list is for vehicles that are stolen, suspended, and the ability to go back and look at data if there are reports of crimes. Chief Fisher stated every city and town has at least four cameras. The Lake County Sheriff's Department has 130 mobile cameras around the county. He stated every community in Illinois has the flock system. Mr. Butta continued to voice his concerns with the flock system and data captured. Chief Fisher stated they have a policy on it. Mr. Butta asked why they are paying for it if they are not benefitting from it. Chief Fisher stated they are benefitting. Ms. Sandberg added the Town's website has the automatic license plate reader transparency portal. It has all the information for the system and department and how Cedar Lake uses the system. Discussion continued on the service agreement and sending a copy to the Council.

Carl Sprehe, 7326 W. 143rd Avenue, asked Mr. Kubiak about the storage tank for the asphalt. He stated he was familiar with the process and equipment and offered his services. Mr. Sprehe stated the other issue he wished to bring up was the transfer of the funds from the wastewater treatment to the dredging project. He stated that was done in September and \$4.4 million was transferred from the wastewater treatment to the dredging project. He stated as part of that it was transferred into a non-reverting fund. He stated he went to the State Board of Accounts audit and read all of the pages. He stated he went through the line items of the budget and went through the State Board of Accounts rules and regulations on transfers. He stated the Town was audited and a letter of request was sent to the Town and Town Attorney to justify the transfer. He stated the response was nothing more than a rehash to go back and look at the ordinance that was passed. He voiced concerns with the fund being used as a slush fund. He discussed the Sustainability Plan that was passed in December 2023. He cited page 60, WWTP Special Fund Assumptions, of the plan document. He asked the board how they could approve the transfer when the ordinance on the books does not allow for it and State Board of Accounts does not allow for it. Mr. Sprehe disagreed with Jennifer's response in the report. He stated she did not answer State Board of Accounts inquiry. He stated she referenced the ordinance and the resolution. He stated he does not know if the State Board of Accounts were given proper explanation. He stated he does not want to see his sewer bill go up. He stated they are developing more houses in Cedar Lake. He stated they are at the max of the treatment in Lowell. He continued to voice concerns with the transfers of funds. He asked if there is anything being done to put that money back. He stated he wants to make sure they are not going to move another \$2 million dollars. Mr. Recupito stated they have opinions on that. He stated they are doing a lot of fact finding and trying to find out the state of affairs with the utilities. He referenced the JMOB meeting and what the needs and vision is for Lowell and Cedar Lake and how that will tie in to what needs to be done. He stated as a resident it does not sit well that funds were transferred, even if it was legally, from the wastewater treatment plant and down the road a future Council may have to come to the residents for more money. He stated that is his opinion. Mr. Sprehe stated that money was supposed to at one point develop their own treatment plant. He stated it was not supposed to be used as an emergency fund or slush fund. He continued to voice concerns. Mr. Parker stated he has been reviewing documents. That started July 5, 2022. He stated he has breakdowns. He stated that is part of the reason they are looking at it. He stated as far as the \$4.4 million, he does not know if that money has been spent already. Mr. Sprehe stated it has not. Ms. Sandberg stated they also had donations received and Fund 807 had a cash balance of \$3,244,995.28. Discussion occurred on the various donations and monies received that make up the fund balance. Mr. Parker stated he recently received documents and wanted to circulate it to the rest of the Town Council. Mr. Sprehe continued to voice concerns with the responses made to the State Board of Accounts. He asked if the attorney could look at the information from another position and see what has to be done to bring some of that money back. He stated he wants to see the lake restored but he does not feel they should have taken the \$4.4 million. A brief discussion continued.

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Charlie Kortokrax, 9505 W. 137th Avenue, he stated there is interesting discussion tonight. He stated there are always tools that can be used to their advantage to catch criminals but it is a double-edged sword. He stated it could go against Constitutional rights. He stated he does not know if there is a way to dump data on non-offenders. He asked if there was a report that could be generated from the Police Department on what has been detected. Chief Fisher stated Cliff said yes. Mr. Parker asked if that could be put together for the next meeting. Mr. Kortokrax stated he has been paying a sewer bill on his home since 1984. He stated he was present with Rich at the last JMOB meeting. He stated they spoke with Dave in the parking lot about the ordinance to increase the rate. The reason for the increase was for them to eventually build their own plant. He asked if there was anyway the Clerk-Treasurer could issue a report for public knowledge to the Town Council that shows how much funds have been taken in and how the money was invested, so the residents have a better idea. Mr. Carnahan stated the increase was started in 1999. Mr. Kortokrax reiterated what he would like to see report wise. Mrs. Dickson stated there have been expenses. Ms. Sandberg stated they could do a revenue report. She stated she would have to see how detailed they can get. Prior to her tenure, the software was different and data was converted. She stated she does not know how detailed records could get from as far back as 1999. She stated they could do a report to show expenses but that is a long time. Mr. Kortokrax discussed his recollection of a certain percentage of the funds only being used for construction of the new plant. Mr. Parker stated that was the dialogue at the time and he was in the room. He stated that was the discussion at the time. That money was to be captured for a future plant. Mr. Kortokrax reiterated what he was asking for. Mr. Parker stated he did not know if he would answer his question but he was here before for twelve years prior. He stated they did borrow from the fund in the past but it was always paid back. Ms. Sandberg stated as she reported at the last meeting, as soon as the settlements are received, they transfer funds back. Mr. Parker stated the July 5, 2022 is the first time that sewer money was used for something other than the sewer utility. Ms. Sandberg stated during the time she has been Clerk-Treasurer the fund has been used for lift station upgrades, the interceptor relining and manhole rehabilitation. She stated the fund is also used for capital improvements at the wastewater treatment plant. Mr. Parker stated the flume and the catch basin was constructed with some of those funds too. Mr. Parker stated to calculate that and the new construction and everything that has gone into that and take out the expansion and the repairs that have been made over the years, he stated that might take six months. Mr. Kortokrax continued to voice concerns. Multiple conversations overlapped. Mr. Parker stated he is not diminishing his request or concern. He stated he does not know how they devote resources to that. Mr. Parker also voiced concerns with the actions that took place. Mr. Kortokrax referenced Mr. Sprehe's comments and said just put the money back. Mrs. Dickson stated the project still needs to be paid for. Mr. Parker asked Ms. Sandberg how much the wastewater fund had. Ms. Sandberg stated the WWTP Special fund had a cash balance of just over \$1.9 million. Mr. Parker asked if there were any other wastewater money. Ms. Sandberg stated wastewater has an operating fund and development fund, that is where the SDC's go into. The WWTP Special is specifically the transfer of the excess monies. Mr. Parker stated there will have to be difficult decisions made. They have a contract with the company that has to be fulfilled. Mr. Kortokrax stated they could break it. Mr. Parker stated he does not know what they are to do with this particular situation. He stated he knows the citizens have expectations but tonight he does not have an answer. Mr. Carnahan asked Ryan if they could look and see if there is a way to break the contract and put the money back into the sewer fund. Mr. Deutmeyer asked if he wanted to break the dredging contract. Mr. Carnahan stated yes. Mr. Deutmeyer cautioned him. Multiple voices overlapped. A brief discussion continued.

Jerry Wilkening, 10826 W. 131st Avenue, asked if there are other monies coming to the dredging project from private entities like CLEA. Ms. Sandberg stated CLEA was at a meeting a few years back. She stated she would have to look at receipts but believes the first donation made was around \$350,000. She could not recall the last donation made from them. Mr. Recupito stated there has been discussion but nothing has been secured or committed yet. Mr. Parker stated there would be upcoming discussion.

Kevin Toth, 9725 B W. 129th, asked about the wastewater funds and what would the consequences be for the people who left the Council. He stated they spent funds that should not have been spent and asked about the consequences for their actions. Mr. Recupito stated he does not have anything on that. Mr. Toth continued to voice concerns. Mr. Parker stated they do not know. Mr. Toth stated he sent letters to the State Board of Accounts, DLGF, and the Attorney General's Office and has received no response. He asked the Council to look into it. Mr. Recupito apologized for not having an answer.

Terry Broadhurst, 14513 Morse, stated the dredging project is based on phases. He stated he believes if they looked at the contract, they could find a thirty-day window to get out of it. He stated based that it is a phase project, is it possible without canceling the contract, they could postpone. He discussed having time to study. He discussed the percentage of the population that do not use the lake or benefit from it. He suggested slowing it down and taking a look. He voiced concerns for those who do not use the lake and the money taken from the sewer fund. He discussed the upgrade maintenance and ongoing maintenance. He continued to voice concerns. Mr. Parker asked Mr. Broadhurst about the action that occurred in a public meeting. Mr. Broadhurst stated he vaguely recalled. A brief discussion continued on review of the project.

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ADJOURNMENT President Recupito called the meeting to adjournment at approximately 8:50 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.