

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



**February 20, 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 Council Member	Ward 1	Present	Mary Joan Dickson Council Member	At Large
Present	Julie Rivera Council Member	Ward 2	Present	Richard C. Thiel Jr. Council Member	At Large
Present	Nick Recupito Council Member	Ward 3	Present	Jennifer N. Sandberg, IAMC, CMC, CPFIM Clerk-Treasurer	
Present	Chuck Becker Council Member	Ward 4	Present	Jeff Bunge Town Manager	
Present	Greg Parker Council Member	Ward 5	Absent	David Austgen Town Attorney	

**PRESENTATION**

**1. Lake Shore Drive Corridor Sidewalk Project – VS Engineering**

Tim Hollandsworth with VS Engineering presented. He shared a layout of the project with the Town Council going from Cline to Constitution. He stated they are looking into putting sidewalks in along the northside and once they get near Dairy Belle and Rosati's, they would cross to go along the west side. He stated when they came on board, they advised it was significantly under budget. They worked with what the current budget was for the engineering to come to a 30% plan submission to reevaluate where they need to be at with the project to include right of way impacts and new construction amount. They are now at \$4 million dollars. He stated they have quarterly meetings with NIRPC. They have been able to secure additional funding. With this being a safety project, they are to receive 90%. This is for fiscal year 2026. He stated getting to that point involves getting the right of way. Originally, there was no right of way allocated for the project. They were at almost half a million for services. The actual buying of it is only \$50,000. That is because in order to use the federal funds, you have to go through a federal process, and there are fees associated with that process. Moving forward, there are a few options. They could continue with the project as scheduled. It is marked as high risk due to some of the time constraints of buying the right of way. The next option would be to stop where they are at. Generally, when you stop a project, you have to pay back any federal funds spent on the project. At this time, there have been no reimbursements submitted to INDOT. That PO has lapsed and they are looking at reestablishing it. He stated the former Town Manager was not submitting invoices to INDOT. He believes it was a lack of knowledge. Because six months have lapsed, the PO closed. Cedar Lake is among other communities that have lost out on money. NIRPC is working with their board members on getting that money reestablished. It was approved today but needs to go to a second board for approval. That amount is \$110,000. That is only for the engineering portion. Because no federal money has been spent, if the Town decides to cancel the project no federal money is due back. Mr. Carnahan stated the Town has already paid \$110,000. Mr. Hollandsworth stated the Town has paid VS Engineering \$110,000. None of that has been reimbursed and INDOT would not have to be paid back. \$4 million is what is allocated to the Town for fiscal year 2026. That would go away. It is frowned upon to cancel projects because the project was selected over other communities. The next option would be to reduce the project limits to utilize the original approved budget, which is only \$1 million of the federal dollars. Another option would be to phase the project. He discussed a breakdown of the current project as well as what this project means for the Town. He stated it included a breakdown of what the Town would be spending. There is a NOFA call in September to apply for future projects. They would know how much right of way, how much engineering, and the construction amount. They could potentially get future funding locked in. Mr. Carnahan stated if they were to reject this and were to apply for grants in the future, they might not get a favorable determination. Mrs. Rivera asked about the \$4 million in 2026 if it would be off the table. Mr. Hollandsworth stated it would be allocated to other projects. He stated this is the type of project NIRPC likes to see. It is reimbursable and scores highly for them. Mrs. Dickson asked about the funding. She asked if they have to pay 100% up front and then get 90% reimbursed. Mr. Hollandsworth stated no. He said they will pay their portion. He stated that is only for the construction. He stated he is hoping to get a decision on a path forward. The options are to continue as planned, stop planning all together, limits the project, or split it into two sections. Mr. Recupito asked about the projected costs noted of \$2.577 million and current costs of \$6.318 million. He asked for an explanation of those two costs. Mr. Hollandsworth stated when the project was originally sent in to NIRPC, there was no right of way allocated. That accounts for over half a million dollars. The project itself, the construction amount, was only planned for \$2 million. They are coming up with \$4

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

million. They are at 30% of planning. They have an estimate together that has some contingency built in as well as quantities. That backs up where the number came from. A brief discussion continued on the projected costs. Mr. Hollandsworth stated talking with NIRPC they were able to secure a larger amount in 2026. If they go with phasing the project, they will be able to reallocate the money to a second phase as right of way or engineering funds. Mr. Carnahan asked for a basic figure of what the Town's costs might be. Mr. Hollandsworth stated that depends on the path forward. With split phasing it, the cost would be cheaper because the right of way is being broken out more and more federal funding will be received. He stated breaking it into two phases is the more logical path. The project purpose is to help with connectivity and re-enforce the pedestrian traffic. Mr. Recupito stated he is not prepared to commit to anything tonight. Mr. Parker asked if there would be any harm with taking time to consider the information. Mr. Hollandsworth stated the only harm would be if they decided to move forward all at one time. Mr. Parker stated he did not see that happening. Mr. Hollandsworth stated he sees no harm in postponing. A brief discussion occurred on phasing the project.

**PUBLIC COMMENT**

Jerry Conner, 10330 Paramount Way, discussed the on-call pay for Parks and Public Works staff. He stated the Fire Department was missing. He discussed volunteer members and expectations of them. Mr. Recupito stated this is part of cleaning stuff up and making stuff fair.

Kevin Toth, 9725 B W. 129<sup>th</sup> Avenue, he spoke about the item to eliminate the Board of Safety. He stated they did not need to eliminate the Board of Safety or have two commissions. He stated they need to let the Board of Safety do their duties under statute. He stated the statute gives them more authority than a metropolitan commission. He continued to voice concerns.

Kevin Larsen, 9621 Eagle Crest Court, owner of Vito's Italian Ice, spoke in support of the Farmers Market. He stated he knows some residents voiced their concerns at the last meeting. He stated fees are paid to rent the land. It shouldn't cost any tax dollars. He stated there are other events on the grounds that the Town collects money for too. He stated the price to rent a booth came up previously and concerns that not enough money was going back to the community. He stated Kelly is running a business. There are costs associated with legal fees, security, employees, permit fees, etc. He stated he doesn't believe the charge for a booth is a public concern. That is between the vendors and Kelly. He spoke to how well the market is doing. He disagrees with those who feel not enough is given back to the community. It gives local businesses a chance to showcase their product. He knows Aurelio's participates. One of the coffee places ended up starting a business as did Piper's Pip Squeak Boutique. It gives local people who are thinking of starting a business the opportunity to test out their product. He stated they need small businesses right now. He stated the market showcases local musicians and brings hundreds if not thousands to Cedar Lake every season. Those people spend their money at local business. In most cases, the more money they make, the more they can share with the community. He stated his business sponsors multiple teams for baseball and softball. They give money to the school and VFW. He believes Kelly and the market is a huge asset to the Town. He stated him, along with many others in the Town and surrounding communities are looking forward to an approval.

Bob Gross, 8505 W. 140<sup>th</sup> Avenue, Pine Crest Marina, he stated he is a resident and founding partner of Cedar Lake Enhancement Association. He stated he is before them as a concerned citizen. He discussed Mr. Carnahan's prior meeting comments, where he asked about cancelling the contract with Dredge America. He asked him to confirm on the record that neither he nor the Town will be seeking to undo the project. Mr. Carnahan stated he doesn't want to cancel it but he would like the State and the County to give them money for the project. He spoke about putting money back to the sewer fund. He spoke about the stress of potentially having to increase the sewer charges. He voiced concerns for senior citizens. Mr. Gross spoke about CLEA. He stated over three decades they have raised and spent millions of dollars from Building Indiana, LARE, federal grants, IDEM 319, as well as many in-kind donations. CLEA donated over \$300,000 of hard earned money from local residents that was raised over the years. The money spent has slowed down sediment loading from the main inlet and slowing the erosion in multiple areas along the lakefront. He spoke about the significant strides made to enhance public access to the lakefront by way of parks. He discussed the lake being an economic engine for the Town. He discussed past action by CLEA and the Town. Mr. Gross pointed out to Mr. Carnahan that he voted yes in July 2022 along with all other Council Members. He stated he was present at the groundbreaking. He stated it was a transparent and vetted project that was discussed with the Town's attorney and accounting firm. The Town was able to use money from storm, sewer, bond issuance, CLEA, private citizens, and LARE. He asked the Council if they are aware of where the money came from to purchase the land for the dewatering facility. Mr. Carnahan stated Senator Sue Landske. Mr. Gross confirmed it was a DNR grant received with help from Senator Sue Landske to purchase the land. He spoke about the savings to the Town received by the Town swapping land with Diamond Peak. He discussed the plan that outlined the dredge project and water draining back to the lake. He stated the land would then be returned to be used as a public park. He encouraged them to observe the dewatering facility. He asked them if they are aware of the time and effort to construct the facility. He discussed the million spent to mobilize Dredge America. He asked them to consider the financial and legal implications of cancelling the contract with Dredge America. He continued to voice concerns with what a cancelled contract could mean for the Town. He spoke about the \$1 million dollar request recently sent to Lake County. He stated he attended a meeting where Senator Niemeyer and Representative Aylesworth spoke

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

favorably about getting them funds for the project in the 2025 funding cycle. He stated they should work together to find financing options for the dredge project and to further it. He briefly spoke about the Department of Natural Resources plans for restocking. He offered to volunteer his services to work with legislators and the Town to obtain necessary funding. He continued to voice his support for the project. Mr. Carnahan spoke about the need for the street sweeper. He stated anything that is in the road if not swept, goes into the drains and into the lake. That disrupts the project. He stated they are working to get a new street sweeper. Mr. Gross stated they are bound to MS4. He stated it is their time to bring the lake back to what it was before the Town was overpopulated with septic sewers. He stated he was a developer on the south end of the lake and when they removed buildings and trailers, there were pipes that ran directly into the lake. That has been eliminated and the lake has gotten better since he was a teenager. He discussed the improvements to be made and future of the lake. Mr. Carnahan stated he should have never used the word cancel. Mr. Parker stated he is scheduled to have a meeting with Mr. Niemeyer to talk about getting things done. He stated there is a shoreline stabilization problem that has not been addressed. He stated that has not been done. Mr. Gross asked him where. Mr. Parker stated on the north end and none of that has been stabilized, the bluff in particular. Mr. Gross stated that was stabilized by Build Indiana funds. Mr. Parker stated he wants to be financially responsible moving forward. He stated the only dispute is if the sewer money was logical to use for the lake dredge. He spoke briefly about the current sewer needs to be paid for. He stated no one is against the lake project. They have tough decisions to make. Mr. Gross stated they cannot stop growth completely. That money helps do what needs to be done. Mr. Parker stated they cannot grow more than they can provide for. A lengthy discussion continued on the needs of the Town, proper planning, and funding.

Shelly, 7505 W. 143<sup>rd</sup> Lane, discussed the Farmers Market and commended Kelly for the wonderful job she has done. She hates to see that it would ever be taken away. She stated she has been a vendor for a few years now. She stated Kelly is doing great and would hate to see a good thing ruined.

Susan Eriks, 13990 Austin Street, commented that they moved to Town because it was beautiful and affordable. She asked them to not to make that change and keep it affordable.

**CONSENT AGENDA**

1. **Minutes:** February 6, 2024
2. **Claims:** All Town Funds: \$262,917.61; Wastewater Operating: \$153,807.04; Water Utility: \$21,099.82; Storm Water: \$1,385.64; Payroll: 2/15/24 - \$269,661.92; and January Remittances \$204,339.23.
3. **Manual Journal Entries:** January 1 – January 31, 2024
4. **Tag Day Requests:** CL Lions Club, August 10<sup>th</sup> (rain date: August 17<sup>th</sup>)
5. **Donations:** Cedar Lake Chamber of Commerce, \$1,500, to the Police Department for Equipment

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 Mary Joan Dickson. Mr. Carnahan stated he previously made a statement about the park. He used long-term where it was a short-term commitment. He stated he also found out that they did reach out to Hoosier Postal and they were more expensive. He asked about a claim for PSAP in Schererville of \$20,973.63. He stated it is for reconciliation from last year. Ms. Sandberg stated yes, they do a true-up. 50% is paid from General Fund and 50% from the LOIT Public Safety Fund. A little over \$41,000 was the true-up for PSAP. Jeff received a copy of the report. It is related to salaries and benefits. Mr. Carnahan asked why that wasn't budgeted for. Ms. Sandberg stated they do their best but they are not in charge of the dispatchers, Schererville is. If people get added or raises are given after the budget has been submitted. That is why there is reconciliation. Mr. Carnahan stated he doesn't remember seeing that before. Ms. Sandberg stated it there is usually a true-up. This one is a bit more. Barb within their office prepares it. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**ORDINANCES/RESOLUTIONS**

**1. Ordinance No. 1485 – Salary Ordinance Amendment – On-call Pay**

Mr. Parker read Ordinance No. 1485 by title only. Mr. Thiel explained Council Affairs met with Tim Kubiak and Jeff with the situation related to a public works employee and on-call pay. With the way the ordinance was written before, it was a little unclear. This is for clarity purposes to establish the on-call overtime rate at forty hours or more. If worked less, it would be the on-call straight time pay. Mr. Carnahan discussed the comment made about fire. Mrs. Dickson stated that is not included.

A motion to approve the first reading of Ordinance No. 1485 was made by Mary Joan Dickson with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

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

A motion to suspend the rules and allow for a second reading 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.

Mr. Parker read Ordinance No. 1485 by title only.

A motion to adopt Ordinance No. 1485 was made by Chuck Becker with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**2. Resolution No. 1347 – 2024 Summerfest Resolution (Deferred on 2/06/24)**

Mr. Parker read Resolution No. 1347 by title only. Mr. Recupito asked for an update. Mrs. Dickson stated some items are empty and asked for a deferral.

A motion to defer to March 5<sup>th</sup> was made by Mary Joan Dickson with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**3. Resolution No. 1349 – Amending/Clarifying Resolution No. 1348 Development Moratorium**

Mr. Recupito stated this is an item that missed the packet. It was not posted for the public to read. He doesn't believe that is fair to consider.

A motion to defer to March 5<sup>th</sup> was made by Julie Rivera with second by Robert Carnahan. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**OLD BUSINESS**

**1. 2024 Farmers' Market Agreement (Deferred on 02/06/2024)**

- a. Approve 2024 Market Dates: 5/8, 5/22, 6/12, 6/26, 7/10, 7/24, 8/14, 8/28, 9/11, 9/25, 10/9, & 10/23 – Optional Market Make-up Days of 5/29, 7/31, and 10/30
- b. Instruct Town Attorney to draft a Resolution for the 2024 Market Contract

Mr. Thiel stated Council Affairs met with Jeff and Kelly to set the dates. He stated they explained to Kelly there was some confusion in the last contract. That was the reason for the resolution. He discussed consistency for the events that use the grounds. Mrs. Dickson stated those are the dates they discussed. She thinks they can approve them so Kelly can start promoting. They'll have the resolution at the March meeting. Mr. Recupito stated they'll consider approve the dates now and then instructing the attorney to draft a resolution for the contract. Mrs. Dykstra asked if she has to wait to the next meeting to be officially approved. Mrs. Dickson stated she is getting the dates today. Mr. Recupito stated the dates today and the resolution will be drafted and ready for Council consideration at the next meeting. Mr. Carnahan asked what the resolution would have. Mrs. Dickson stated requirements like insurance, permits, inspections, security, clean-up, and parking.

A motion to approve the dates and instruct the Town Attorney to draft a resolution for the 2024 market contract was made by Robert Carnahan with second by Greg Parker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**NEW BUSINESS**

**1. Disbursement Request No. 9 from the 2022A Construction Fund No. 1001031163 for the Police Department Project in the amount of \$228,586.95**

Ms. Sandberg reported this is the draw for the 2022A bond. That is the police department building. She stated it is for construction and design to date. Veridus has checked off and their report is included in the packet. Sue Haase has also checked off. Mr. Carnahan asked Chief Fisher for an update. Chief Fisher stated it is in full motion. Mr. Thiel participated in a walk through. The building is dry walled. The issue is for NIPSCO to put the transformer in. The police department will slow down as the items cannot be done until there is constant heat. He stated they are waiting on NIPSCO. He stated it is looking fantastic and the exterior should be nearly completed this week.

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

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

**2. Disbursement Request No. 8 from the 2022B Construction Fund No. 1001031164 for the Fire Department Project in the amount of \$477,181.51**

Ms. Sandberg reported this is similar to the previous item but for the Fire Department. Mr. Carnahan asked Chief Wilkening for an update. Chief Wilkening stated they are a little behind the police department in construction. It is pretty much closed in. They will begin drywall soon. Some equipment has been delivered already. He encouraged everyone to look at the facilities. He stated they will be impressed. Chief Fisher stated it has been a great team working on the project. Mr. Bunge stated correspondence was addressed to him at stated it was at 51% complete. He stated they are right within budget.

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

**3. Appointment of Citizen Member to the Shared Ethics Advisory Commission**

Mr. Recupito asked if this was something they had to do yearly. Ms. Sandberg stated whenever they have an opening. The former commission, Bill Kuhn, moved out of Cedar Lake. The seat has been empty for the last few months. Mrs. Rivera stated they meet four times a year. She stated they are looking for someone to put on that can attend the meetings and come back to the Council with a report what went on and making sure they abide by the Commission. Mr. Carnahan noted Jennifer was the Town council representative. Ms. Sandberg clarified that she was the elected delegate appointment.

A nomination for Sheryl Corey was made by Julie Rivera with second by Richard Thiel. No other nominations were made. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**4. Easement Agreement Town-owned Parcel – Shades Phase 1 Project**

Mr. Recupito stated this is a permanent drainage and utility easement for the project.

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

**5. Acceptance of a Permanent Drainage and Utility Easement for 7320 W 140<sup>th</sup> Place**

Mr. Carnahan asked Tim if he could explain. Mr. Kubiak stated he didn't know exactly but he knows they are easements for the Shades project. He stated easements were acquired for drainage purposes. Ms. Sandberg stated this one looks to be the Lattz easement. She stated that is one of the top projects for the Storm Board. A brief discussion continued on the easement.

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

**6. Request the Use of Park Impact Fees to install security cameras at Kiwanis Park in an amount not to exceed \$2,500.00**

Mr. Recupito stated a letter was received from Mindi Ray, Parks Superintendent, requesting use of Park Impact Fees for cameras at Kiwanis Park. Mrs. Rivera added it is because of the vandalism that keeps occurring. She stated maybe they could get cameras at all parks. Mr. Recupito stated it was vetted heavily at the Park Board meeting. Mr. Becker asked if they were wireless or cellular camera. Mr. Wroe stated it is similar to the Clubhouse and will be cellular. It will tie into the existing system.

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

Mrs. Dickson asked about the Town Council approving the expenditure of Park Impact Fees. She asked when did it start. Ms. Sandberg replied when the Park Board was re-established. She is fairly certain each expenditure has. Ms. Dickson continued to question the action. Ms. Sandberg stated she doesn't remember the exact date it was done. She would have to look back. Mrs. Dickson continued to question the action. Mr. Kubiak added since it is park impact fee, the Council has to do all of those dollars. Every dollar that has been spent out of that has been approved by the Council. Mrs. Dickson stated it has not been identified as park impact fees in the past. She stated she was looking for clarification. Mr. Kubiak stated on the projects such as the fencing project. A couple projects were park impact fees but the regular park projects were their budget. Mrs. Dickson discussed use of the funds being transparent at all meetings. It was asked of the

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

liaisons to convey that to the boards. Chief Fisher added that at the Board of Safety meetings, they make a recommendation to the Town Council. Mrs. Dickson stated she is more concerned about the impact fees. A brief discussion occurred on the funds and approval process.

**7. Consider Parks Department Line-Item Transfer Request**

Ms. Sandberg stated a transfer request was received from the Parks Superintendent. This request is to transfer \$2,000 from line 101-006-315 to 101-006-394. This is for training this year.

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

**8. Instruct the Town Attorney to draft a Town Ordinance regulating unscheduled intercity bussing stops**

Mr. Recupito introduced the item for consideration. He stated there is a phenomenon occurring in the Country and close to home. People are coming from the southern border and being dropped off in neighboring communities. There is no heads up or plan in place. Communities are stuck with having to facilitate housing and food. He stated he knows this is happening close by and they should be proactive in addressing this. He stated he spoke with Chief Fisher and they don't have a plan right now. Chief Fisher stated there is no bussing terminals or locations. He stated there is some concern. Indiana is not a sanctuary state. If this situation were to occur, they would contact ICE right away. He stated he does not know what they will do. Mr. Recupito voiced concerns with what is occurring in states like Illinois. He stated he believes they need to instruct the attorney to draft something. Discussion continued at length.

A motion to instruct the attorney to draft an ordinance regulating unscheduled intercity bussing stops was made by Greg Parker with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**9. Consideration to establish a Metropolitan Police Commission and a Metropolitan Fire Commission and consider eliminating the current Board of Safety**

A motion to defer was made by Greg Parker with second by Julie Rivera. Roll Call: Carnahan – No, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 6 – 1.

**10. CBBEL Pay Request No. 7 payable to Dredge America, Inc., in the amount of \$301,856.30, for the Cedar Lake Dredging Project, Stage 2.**

Ms. Sandberg stated TJ's letter is in their packet. This is pay request number 7 in the amount of \$301,856.30. Mr. Carnahan asked if this is for work done. Ms. Sandberg replied yes. She stated the third page is the CBBEL pay estimate report that shows the breakdown of the quantities for the invoice and what the amount is as well as paid out to date.

A motion to approve was made by Julie Rivera with second by Robert Carnahan. Mr. Becker asked when they did the work. Ms. Sandberg stated they would need to connect with TJ. She doesn't get those reports and couldn't tell them exact dates. Mr. Carnahan stated it had to have been last year because no work has occurred. Ms. Sandberg stated there was no mobilization or demobilization. There was 6.26% of construction engineer, an as-built survey, approximately 6.26% for operation maintenance, monitoring, and testing of the SDF site. She stated it looks to be for quantities of dredging sediment but she does not have exact dates. Mr. Recupito referenced Don's report. 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 stated Project Love food pantry will be open tomorrow from 9 to 11. He stated they were given a lot of milk and creamers. He stated the mobile food pantry will be at Holy Name on Thursday, February 22<sup>nd</sup> at 11AM. He asked Mary Joan to discuss the business expo. Mrs. Dickson reported the expo will be at Hanover Central on April 6<sup>th</sup>. Businesses and organizations are welcome to apply to participate. They will have mascots and entertainment. It is a great opportunity for the businesses and not for profits. Mr. Carnahan stated the Chamber luncheon will be February 29<sup>th</sup> at the Cedar Lake Ministires. The cost is \$20 and the Parks Superintendent will be speaking. Mrs. Dickson stated Mindi's report includes information about the Parks Master Plan. It will be an amazing tool. A stakeholders meeting was held on the 15<sup>th</sup> of the month. It was



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

well attended with great input. Citizens will have an opportunity to share their thoughts. Mr. Recupito reported it has been amazing working with the Council this year. They are working hard on sustainability. They will share information as they get it. He stated the focus is for sustainability in the Town.

2. **Town Attorney** – No report.
3. **Clerk-Treasurer** – Ms. Sandberg stated she is continuing with annual reporting.
4. **Town Manager** – Mr. Bunge read from Christopher B. Burke Engineering’s report. A copy of the report can be found at [http://cedarlakein.org/government/minutes-and-agendas/#elf\\_11\\_Lw](http://cedarlakein.org/government/minutes-and-agendas/#elf_11_Lw)
5. **Director of Operations** – Mr. Recupito stated there was a lack of information being shared last year. He stated they have received emails recently from staff regarding issues occurring on the west side during heavy lawn irrigation times. He stated they adopted an ordinance for sprinkling a while ago. Mr. Kubiak stated they got it adopted and out there but it is not well enforced. He stated they put it out about the odd and even days. Mr. Parker stated NIES is now recommending a ban. Mr. Kubiak stated they were at the water limit during those two weeks in July when all of Birchwood had forty to fifty new yards. They ran water 24/7 to keep it alive. It made a large draw on the west side system. Mr. Kubiak stated Mr. Kuiper’s concern was during the mornings when the tower would drain low. During the day, it would catch back up. He stated Mr. Kuiper’s concerns are that the irrigation is taxing the system. Mr. Kubiak stated it does during those times. He stated right now during the other months of the year they are able to sustain water with one out of four wells running. He stated when they had those issues it was during heavy new yards being put in and super dry weather. He stated it is a policy call. Mr. Recupito stated he has seen the charts that show the spikes. Mr. Kubiak stated there was an occurrence last year where the number one well went down but the other three were running. He stated it was a perfect storm and they were struggling. He stated at that time is when they did a lot of sod in the new yards. He stated that was part of the issue. He stated they make rules and it is hard to regulate and enforce. Mr. Kubiak continued to voice concerns with enforcement. Mr. Parker voiced concerns with no water and public safety concerns. He stated if they are going to enforce they have to initiate fines to get folks to take it seriously. He stated he feels for folks that turn on their faucets that get brown water. Mr. Kubiak asked where that issue was. He stated they have been flushing lines and he doesn’t know if there was a large draw. He stated if they drop below 20 pounds they have to issue a boil advisory. He stated that hasn’t happened in some time. Discussion continued on the matter. Mr. Kubiak stated they need to pay attention to daily usage on the west side. Mr. Carnahan asked if they needed more capacity. Mr. Kubiak stated they need more storage. Chief Fisher stated it would be advantageous to fix it or ban it so they can get it to the public sooner. He spoke about getting information out to the public in order to enforce. Discussion continued on when to make the matter an agenda item. The Council asked for Mr. Kuiper to be present at the next meeting. Mr. Recupito spoke about email correspondence with Mr. Kuiper and his concerns. Mr. Recupito mentioned firefighting capability. Chief Wilkening stated they do have a contingency plan. Discussion continued on water concerns at length.
6. **Police Department** – Chief Fisher reported on the monthly calls for January.
7. **Fire Department** – Chief Wilkening reported on the monthly calls for January.

**WRITTEN COMMUNICATION**

1. **Building Department Report** – Mr. Bunge reported from the monthly building report.
2. **Parks Department Report** – Mr. Recupito reported on the new report from the Parks Superintendent. A copy can be found with the agenda and packet on the Town’s website at [http://cedarlakein.org/government/minutes-and-agendas/#elf\\_11\\_Lw](http://cedarlakein.org/government/minutes-and-agendas/#elf_11_Lw). Mr. Becker asked about the public art piece by the beach. He asked if that is where they fill the pumper. Mrs. Dickson stated they will discuss that for that reason. Chief Fisher stated they don’t plan on installing any of that until May.
3. **Christopher B. Burke Report** – Previously reported by Mr. Bunge.
4. **Emails Received Supporting Farmers Market** – Ms. Sandberg reported she had received emails from Jim & Pamela Pickering, Paula Matthews, Joann Parzgnat, and Darlene Jellema. All of the emails were in support of Kelly Dykstra and the Farmers Market. Mr. Thiel asked if there was any reason they couldn’t do those written communications during the item when it is on the agenda. Ms. Sandberg stated that is completely their call. Mr. Thiel stated that would be the time to do them. Discussion continued on the appropriate time to read written communication. They asked Ms. Sandberg to do it during the first Public Comment section of future agendas.
5. **Email from A. Wornhoff** – Mr. Recupito read an email from Adam Wornhoff regarding his application for the public safety board. He stated in the email that his application was unintentionally omitted from their packets. Mr. Wornhoff’s email stated it was personally handed to Mr. Thiel. He stated it would have been the fourth submission in six months. Mr. Wornhoff’s email discussed his enthusiasm for consideration. Mr. Thiel stated he would like to see applications be time stamped and copied when received in the future.

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

Chief Fisher discussed doing a fill able PDF that could be emailed. Discussion continued on the matter. Ms. Sandberg stated that is what they do for all employment applications and what her staff does when her office is responsible for applications. She discussed updating and stated perhaps they have everything flow through the Clerk-Treasurer's Office. She stated her office is responsible for all of the originals. They have to file them and keep them secure. Mr. Carnahan discussed how the election board operates. He stated Mr. Thiel also suggested building permits get time stamped as well. Mr. Thiel asked if that was done know. Ms. Sandberg stated she didn't believe so but she doesn't work on the building and planning side. That would be a question for Ashley. Mr. Thiel discussed accountability. Mr. Recupito asked Ms. Sandberg for her suggestions. Ms. Sandberg stated they can run everything through her office. All applications will be run the same way as all employment applications received are. They will be time stamped. Mr. Carnahan asked about the building permits. Ms. Sandberg stated no just applications. Mr. Bunge can speak with Ashley tomorrow about the building permits.

**PUBLIC COMMENT**

Jerry Wilkening, 10826 W. 131<sup>st</sup> Avenue, stated he appreciated the information they are getting. He asked about JMOB and when numbers are available if they could be put on the Town's website. He stated it is important stuff and rumors are unreliable. Mr. Thiel stated he does have a copy of Task Order 15 that was finished January 31<sup>st</sup>. Mr. Thiel discussed the study Ashley did for them about what is outstanding. Those numbers don't match up with Lowell's Task Order 15. He stated it is not completely accurate. Mr. Wilkening discussed taps versus capacity. Mr. Thiel stated he reached out to Wessler Engineering for more information and the full report. He also asked for Task Orders 1 through 14. Mr. Wilkening asked when Jennifer and Sue are done running numbers, the citizens would like to know what lies ahead. Mr. Wilkening asked if in-house inspections were being done on the new public safety buildings. Mr. Kubiak stated yes. Mr. Wilkening asked if the easement was taken care of. It was stated yes. Mr. Wilkening asked for a breakdown or form for what is expected when use of the grounds occurs. He asked Mr. Recupito about the rumors of water issues. He discussed issues with the school and flushing. He asked if it was a them problem or a Town problem. He asked Mr. Recupito about how far back the emails go from Mr. Kuiper. Mr. Recupito stated he believes the earliest one was 2022. There were also a slew of them in 2023. Mr. Wilkening asked who they were shared with. Mr. Recupito stated it was being shared with people who should have been sharing the information with the Council. People no longer with them. A brief discussion continued.

Angie Mikolicjak, 12806 Lee Court, stated she wrote a letter to summarize what she wished to bring to their attention. She discussed her ongoing issue with an adjacent property. She stated she has made trips to the Building Department and Police Department. She stated she has attended multiple meetings of various Town boards. She discussed public comment she made regarding drainage issues with an adjacent property. She stated Mr. Oliphant has come out to take a look at her issue. She discussed a nuisance violation and stated the property is still in violation. She stated she is here today because of concerns involving a contractor. She voiced concerns with a vehicle flashing lights and potential harassing behavior. She stated she has a timeline for them. Mrs. Mikolicjak continued to voice concerns. Mr. Parker stated he made a call to Chief Fisher regarding her issue. He apologized for not getting back to her. Mrs. Mikolicjak continued to voice concerns with being bullied. Mr. Parker suggested a meeting with Chief Fisher. Mrs. Mikolicjak continued to voice her concerns with ongoing issues as well as drainage concerns. She shared her letter with the Council and Chief of Police. The Council thanked her for her consistency.

Barb Orze, 10290 W. 138<sup>th</sup> Place, discussed the topic of water. She stated she lives in one of the subdivisions that have sprinkler systems built in. She stated it is on a cycle and waters whether it is needed or not. She stated she is fine with a ban. She stated grass is a useless commodity. She asked them to make sure they explain any restrictions. She stated her concern has always been water and if there is enough going forward. Mrs. Orze stated she still doesn't have any real numbers.

Charlie Kaper, 8602 Lake Shore Drive, spoke on behalf of himself as a business owner. He asked for Sue to do some calculations for business owners. Ms. Haase stated she can give Charlie her percentages and he can apply to a current bill. She stated she calculates a percentage increase. Mr. Recupito asked her to give him a worst case scenario. Ms. Haase stated a 54.66% increase. That is with the roughly \$45 million dollar bond issue that the Town has to participate in.

Kevin Toth, 9725 B W. 129<sup>th</sup> Place, discussed previous comments made on utilizing TIF for the dredge project. He stated no one is against the lake dredge. He voiced concerns with alum treatments. Mr. Toth asked them to read the 2016 Army Corps report on the feasibility study. He continued to voice concerns with alum. A lengthy discussion occurred on the matters presented.

Mr. Toth commented on the Farmers Market. He stated they have a Parks Department now. He stated he believes there is income there. They could do it conservatively. He stated they could potentially make \$50,000. Mrs. Rivera stated what about the extra people they would need to hire. Mr. Toth discussed hiring Kelly for the event. He asked them to make something for the Town.



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

Barbara Littles, 9602 W. 135<sup>th</sup> Place, stated she loves the bussing ordinance. She stated brushing and flushing is important. She discussed work on their property and their need to water their landscaping. She asked them to consider that when discussing a ban.

(Name and Address Inaudible) The resident stated she also lives in a subdivision with an HOA. When they moved in, the HOA set the water for three times a week, four sections for 20 minutes. She stated she hated the high water bill. She stated she found a way to shut off water to the system. She stated new construction is still going up. She asked if there was something they could do to stop it. She stated most people don't know how to turn them off or change the timing. She asked if there was a way for them to stop from watering that much. Chief Fisher discussed the difficulty with that without a ban. A brief discussion continued on working with HOA's to get the necessary information out to residents.

Ms. Sandberg gave an update on Zoom. She stated after the recent issue at the BZA meeting, Mr. Wroe has updated Zoom. You must register before you can get the Zoom link and access to the meetings. There are safety features now in place. Chief Fisher spoke briefly on the matter.

Jennifer Prunsky thanked the Council for being responsible and transparent. She stated she has been in communication with the Indiana Department of Natural Resources. She stated they are concerned and want evidence of sediment issues. She stated she has read the 2016 report and page 2 is clear. She encouraged everyone to read the report. She voiced concerns that the project was started too early. She stated they need to address the issues and concerns. She voiced concerns with the old South Shore property. She asked if it was still zoned R1. It was stated yes. She stated she sees cars coming and going. She asked if a business was still there. Mr. Recupito stated that is something the planning department will have to answer to. Mrs. Prunsky asked about special zoning for use. Mr. Recupito stated he wasn't sure about that until they speak to the planning department. Mr. Thiel stated they have people that come in asking for B1 in a R1 or R2 zoning district. Mr. Thiel stated they would need to see if there was a special use or variance. He stated they would need to find out what is going on as far as stopping future business until it is presented to them.

John Kiepura, 14919 Carey Street, President of the Plan Commission, stated they did not grant any changes to the R1 at the South Shore property. He stated if there is a business being run out of there, it is being done illegally. He discussed the barn and his concerns with doing commercial in an R1 area. He stated he chairs the BZA and no one has been before the BZA for a use variance. He stated it hasn't been a golf course for over six months. He stated therefore, the special uses on it are gone. He stated no it is still R1 and nothing has been granted. Mr. Kubiak stated a permit was received to fix up the building for personal uses. He stated he knows there is someone there during the day. He stated the permit was to do a little remodeling. He stated he asked Ashley about it but can't recall enough to say anything. He stated he has driven by and seen a skid loader and a mower. He stated he hasn't seen anything major going on other than a little maintenance. Mr. Recupito instructed Jeff to get the Council some clarification on the matter.

Terry Broadhurst, 14513 Morse, commented on the use of the clubhouse and south shore property. He stated he believes there is a happy medium. Obviously, infrastructure is needed. He talked about the clubhouse and the property. He stated he has seen archery on the grass. He stated he doesn't know if that is far away. He stated he has seen construction stuff behind the house. He voiced concerns with the use of the clubhouse as well as permits received.

**ADJOURNMENT** President Recupito called the meeting to adjournment at approximately 10:26 PM.

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

**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.