

#### TOWN COUNCIL MEETING AGENDA March 19, 2024 - 7:00 PM

PLEDGE OF ALLEGIANCE OPENING PRAYER CALL TO ORDER/ROLL CALL: Robert H. Carnahan, Ward 1 Julie Rivera, Ward 2 Chuck Becker, Ward 4 Mary Joan Dickson, At Large Richard Thiel, At Large	Greg Parker, Ward 5, Vice-President Nick Recupito, Ward 3, President Jennifer Sandberg, Clerk-Treasurer Jeff Bunge, Town Manager David Austgen, Town Attorney
PUBLIC HEARING:  1. Ordinance No. 1456, Public Way Vacation Co. (Deferred at initial Public Hearing on 4/27, 6 2/6, and 3/5/2024)	ontinued Public Hearing – Rago 5/20, 7/18, 8/1, 8/15, 10/3, 12/19/2023, and 01/02,
PUBLIC COMMENT (on agenda items):	
CONSENT AGENDA:	

- 1. **Minutes:** February 20, 2024 and February 26, 2024
- Claims: All Town Funds: \$239,558.02; Wastewater Operating: \$31,266.19; Sewage Bond: \$445,350.00; Water Utility: \$21,973.76; Storm Water: \$1,888.82; Payroll: 3/1/24 \$385,447.80; and February Remittances \$323,689.12
- 3. Manual Journal Entries: February 1 February 29, 2024
- 4. **Donations:** NIPSCO Safety Grant Police Dept. \$5,000
- 5. Tag Day Requests: Cedar Lake Youth Baseball, April 20th, 2024 (rain date: April 27th)

#### **ORDINANCES/RESOLUTIONS:**

- 1. Ordinance No. 1487 Traffic Code Amendment Placement of Stop Signs
- 2. Resolution No. 1347 2024 Summerfest Resolution (Deferred on 2/6/24 and 2/20/2024)
- 3. **Resolution No. 1349** Amending/Clarifying Resolution No. 1348 Development Moratorium (Deferred on 2/24/2024)
- 4. Resolution No. 1350 Farmers Market Coordinator Agreement

#### PUBLIC COMMENT: (On Resolution No. 1351 Only)

5. Resolution No. 1351 - Transfer Resolution

#### OLD BUSINESS:

1. Consideration to establish a Metropolitan Police Commission and a Metropolitan Fire Commission and consider eliminating the current Board of Safety (*Deferred on 2/20 and 3/5/2024*)

#### **NEW BUSINESS:**

- 1. Consider Fire Department Line-Item Transfer Request
- 2. Request the Use of Park Impact Fees for Kiwanis Park Playground Amenities not to exceed \$50,000

Town Council Meeting March 19, 2024

#### **REPORTS:**

- 1. Town Council
- 2. Town Attorney
- 3. Clerk-Treasurer
- 4. Town Manager
- 5. Director of Operations
- 6. Police Department
- 7. Fire Department
- 8. Parks Department

#### WRITTEN COMMUNICATION:

- 1. Building Department Report
- 2. Christopher B. Burke Report

#### **UPDATES/DISCUSSION:**

1. VS Engineer/Sidewalk Project

PUBLIC COMMENT: ADJOURNMENT: PRESS SESSION:

NEXT MEETING: Tuesday, April 2, 2024 at 7:00 pm

The Town of Cedar Lake is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding accessibility of the meeting or the facilities, please contact the Cedar Lake Town Hall at (219) 374-7400.

#### TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

#### ORDINANCE NO. 1456

AN ORDINANCE VACATING A PUBLIC WAY IN THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AND ALL MATTERS RELATED THERETO.

WHEREAS, on the 17th day of January 2023, the Owners of real property located in the Town of Cedar Lake, Lake County, Indiana, legally described in Exhibit "A" attached hereto, petitioned the Town Council of the Town of Cedar Lake, Lake County, Indiana, to vacate a parcel of platted public way legally described in Exhibit "A", attached hereto; and

WHEREAS, a Public Hearing was held on said Petition, after due notice was provided pursuant to the statutory requirements of I.C. §36-7-3-12, as amended from time to time; and

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter, the "Town Council"), has considered the presentation and petition, as well as any remonstrances made by interested Parties to the vacation of said platted public way as described herein; and

WHEREAS, the Town Council has reviewed the request of the Owner for vacation of the said platted public way, and has determined that the area sought by Owner to be vacated is not necessary to the growth of the area in which it is located, or to which it is contiguous; further, that the vacation of the platted public way sought to be vacated would not eliminate the Public's access to any Church, School, or any other Public building or place; and

WHEREAS, the Town Council has further determined that the said platted public way so described is a platted public way in a residentially zoned subdivision which is not utilized by the Public in any manner and is not anticipated as needed for such purpose in the future.

## NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA:

SECTION ONE: That the described portions of the platted public way identified on Exhibit "A", attached hereto, and located in the Town of Cedar Lake, Lake County, Indiana, be vacated, as petitioned for, subject to any conditions of approval required by the Town Council herein, if applicable.

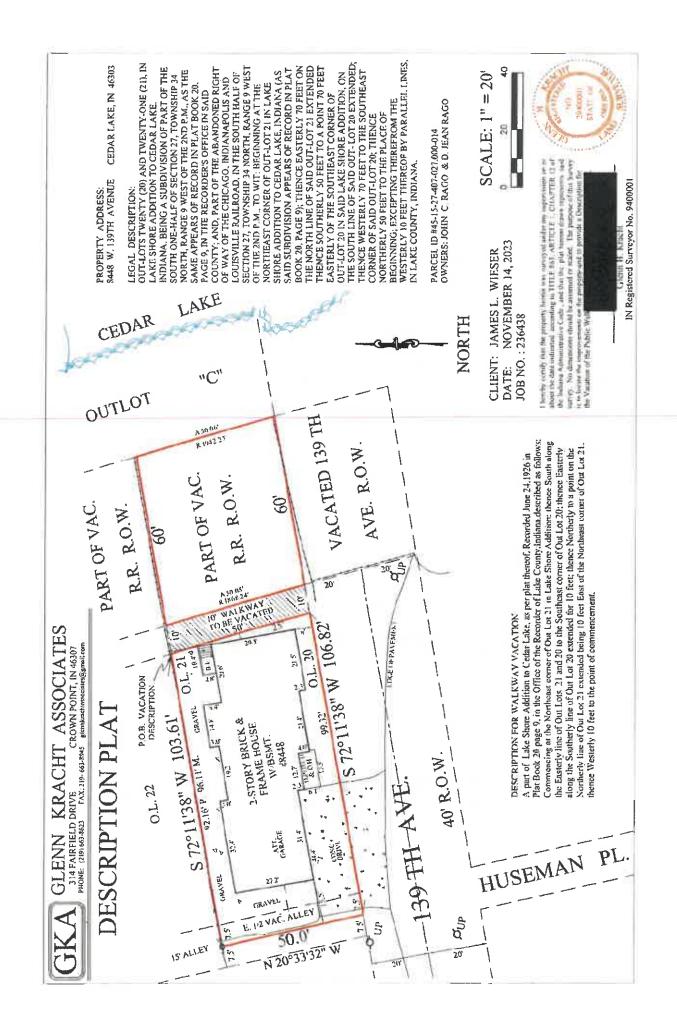
**SECTION TWO:** That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

**SECTION THREE**: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

County, Indiana, and recordation in the Office of the Recorder of Lake County, Indiana, in conformance with applicable law. ALL OF WHICH IS PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, ON THIS \_\_\_\_ DAY OF TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, TOWN COUNCIL Town Council President Vice-President Member Member Member Member Member ATTEST: Jennifer N. Sandberg, IAMC, CMC, CPFIM, Clerk-Treasurer

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect,

from and after its passage and adoption by the Town Council of the Town of Cedar Lake, Lake



## Town of Cedar Lake

	Vacation Application	
List the street name and block or general vicinit     8448 w. 139th Av		
List all property tax key numbers relating to Also, attach to this application a plat of surve request. The legal description shall be prepared Parcel # 45-15-27-4		
3. Indicate the reason(s) for your request to vacate	the public way described in item 2. ttached deck, The deck will extend over the abandoned	ı
	has neighboring structures extending over it facing the la	
Property Owner(s) Information	Petitioner(s) Information (If different than owner.)	
Name(s)	Name(s) SAME	
John & Dorys Rago Mailing Address 8448 W. 139th Ave.	Mailing Address	
City, State, Zip Cedar Lake, IN 46303	City, State, Zip	
Phone	Phone	
Alternate Phone	Alternate Phone	
Fex	Fax	
this request for the above referenced real estate.  Standard Original State of Indiana		SEAL)
) SS: COUNTY OF LAKE		Notes, Notes,
Subscribed and swom to before me this	day of 6127 12 2022	A Publication
		NO S
		129. 五 2 2 2 2
	Notary Public My Commission Expires 1-17-30	ate of 1 bunty mber of 17, 203
SELECTION OF THE PROPERTY OF T		late of Indiana ounty mber 0738501 ion Expires 17, 2030
STATE OF INDIANA		
STATE OF INDIANA SS: COUNTY OF LAKE	My Commission Expires	
STATE OF INDIANA SS: COUNTY OF LAKE		



Date:

June 17, 2021

From:

Jill J. Boganwright -Tabor

Subject:

Request to Utilize Utility Easement

Dept.:

Survey & Land

To:

John C. & Dorys Jean Rago

Re:

NIPSCO LONO # 45832

8448 W. 139th Ave. Cedar Lake, IN 46303 Parcel 45-15-27-407-027.000-014

Lake Shore Add. Outlots 20,21 & E.1/2 of

Vac. Adj Alley & Pt. of Vac. R/W Adj.

This letter is to confirm that Northern Indiana Public Service Company LLC (NIPSCO) has reviewed your proposal to utilize a portion of the 15' general utility and drainage easement located in the referenced parcel, for the construction of a deck.

#### DEPICTION

#### DEPICTED ON THE DIAGRAM LABELED EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

NIPSCO does have facilities within the general utility easement, but does not object to the proposed utilization. All NESC and OSHA requirements must be maintained while working within the vicinity of NIPSCO's overhead electric lines. Should any damage to NIPSCO facilities be damaged due to the construction of the deck, the cost responsibility will be on the customer.

Calling in locates (811) two business days prior to any ground disturbance is required.

Should any damage occur to said deck due to NIPSCO's access, maintenance, operation or emergency (etc.) of said facilities, costs will be the responsibility of the customer.

Feel free to contact me if you require any additional information or assistance.

Sincerely,

Jill J. Boganwright-Tabor NIPSCO Survey and Land

Phone: 219-647-5007

E-Mail: jtabor@nisource.com

# EXHIBIT A





within this section snail be permitted feeder and/or branch-circuit mast.

Section 225.17 provides the same rules for masts associated with and supporting overhead branch circuits and feeders as are required for masts associated with and supporting service drops in 230.28. A mast supporting an overhead branch circuit or feeder span is not permitted to support conductors of other systems, such as overhead conductor spans for signaling, communications, or CATV systems.

## 225.18 Clearance for Overhead Conductors and Cables

Overhead spans of open conductors and open multiconductor cables of not over 600 volts, nominal, shall have a clearance of not less than the following:

- (1) 3.0 m (10 ft) above finished grade, sidewalks, or from any platform or projection from which they might be reached where the voltage does not exceed 150 volts to ground and accessible to pedestrians only
- (2) 3.7 m (12 ft) over residential property and driveways, and those commercial areas not subject to truck traffic where the voltage does not exceed 300 volts to ground
- (3) 4.5 m (15 ft) for those areas listed in the 3.7-m (12-ft) classification where the voltage exceeds 300 volts to ground
- (4) 5.5 m (18 ft) over public streets, alleys, roads, parking areas subject to truck traffic, driveways on other than residential property, and other land traversed by vehicles, such as cultivated, grazing, forest, and orchard

## 225.19 Clearances from Buildings for Conductors of Not over 600 Volts, Nominal

(A) Above Roofs. Overhead spans of open conductors and open multiconductor cables shall have a vertical clearance of not less than 2.5 m (8 ft) above the roof surface. The for a distance not less than 900 mm (3 conductors and surface).

roof race

Exception cal cleard not apply are attack

- (B) From signs, chi: other non vertical, d 900 mm (
- (C) Horiz
- (D) Final shall com;
- they supply to be attacless than 9 be opened stairs, fire

Exception: shall be per ment,

- (2) Vertical spans above of, platform be reached
- (3) Buildin feeder cond through with

#### **Margaret Abernathy**

From: Rick Eberly

**Sent:** Tuesday, July 6, 2021 2:20 PM

To: council

Cc: Austgen Kuiper Jasaitis P.C.; Tim Kubiak

Subject: Rago request for property vacation

All,

John Rago has returned with his request for the vacation of the 10' public way that divides his lot. As you may recall he first approached the Town Council last October. You denied his request due to the existence of an electric three phase NIPSCO line in that public way that serves 2 or three properties to the north of his home. You advised him to get permission from NIPSCO to encroach into the public way and advised him that once he had that permission, he could come back to the council to renew the request.

He has gotten what is called a LONO (Letter Of No Objection) from NIPSCO. That is a letter stating that they would allow the encroachment as long as it doesn't interfere with the NIPSCO utility. I spoke directly to Jill Tabor of NIPSCO about this matter today. She was unaware that Mr. Rago was seeking a vacation of the public way. Had she known that she would have had him fill out an easement agreement allowing NIPSCO continued full use of the public way for the existing utility as well as any future upgrades to the utility. He then would have to file an encroachment agreement with NIPSCO in order to build his deck in the easement.

For our purposes we would need for him to get the public way vacated before we would issue a permit for the deck that he wants to add to his home since the deck would extend into property that he does not own. NIPSCO has no objection to the vacation or the construction of the deck as long as they are left with an easement and that the deck does not interfere with the utility.

I will advise Mr. Rago of this information.

Rick Eberly Cedar Lake Town Manager 7408 Constitution Avenue Cedar Lake, IN 46303

Email: rick.eberly@cedarlakein.org Phone: 219-374-7400 Ext. 119

#### INDEMNITY AGREEMENT

THIS INDEMNITY AGREEMENT, made this day of, 2023, by and between <b>JOHN RAGO</b> and <b>DORYS JEAN RAGO</b> , of 8448 W. 139 <sup>th</sup> Avenue, Cedar Lake Lake County, Indiana, (hereinafter "INDEMNITOR"), and <b>TOWN OF CEDAR LAKE</b> , Lake County, Indiana, a Municipal Corporation, of 7408 Constitution Avenue, Cedar Lake, Lake County Indiana 46303 (hereinafter "INDEMNITEE").
In consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration receipt of which is hereby acknowledged, it is hereby agreed by INDEMNITOR and INDEMNITEE as follows:
I.
LIABILITY, LOSS OR DAMAGE
INDEMNITOR undertakes to indemnify INDEMNITEE from any and all liability, loss of damage INDEMNITEE may suffer as a result of any and all claims, demands, costs, or judgments against it arising from the adoption of Town Ordinance No. 1456, the same being AN ORDINANCE VACATING A PUBLIC WAY IN THE TOWN OF CEDAR LAKE, LAKE COUNTY INDIANA, AND ALL MATTERS RELATED THERETO; and further, shall indemnify INDEMNITEE from any and all claims, demands, costs, or judgments arising from the issuance of a building permit to allow INDEMNITOR to construct a deck addition onto their existing residence which will then extend over and beyond the public way vacated by the adoption of Town Ordinance No. 1456. Said indemnification shall apply solely to liability for claims, demands, costs or judgments against INDEMNITOR as a result of the location and proximity of NIPSCO high tension wires extending over the deck servicing several adjacent residences.
II.
DURATION
Indemnity under this Agreement shall commence on the day of, and shall continue in full force and effect in perpetuity, and shall constitute a covenan running with the land as to the INDEMNITOR, and any and all subsequent purchasers.
This Indemnity Agreement shall be recorded in the Office of the Recorder of Lake County Indiana.
III.
REQUIREMENT OF NOTICE TO INDEMNITOR
INDEMNITEE agrees to notify INDEMNITOR in writing, within days, by certified mail, return receipt requested, and hand delivery, at INDEMNITORS' address as stated in this Agreement, of any claim made against INDEMNITEE on the obligations indemnified against.

IN WITNESS WHEREOF, the Parties have executed this Indemnity Agreement at Cedar Lake, Indiana, on the date and year first above written.

	INDEMNITOR:	INDEMNITEE:
		TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, a Municipal Corporation
Ву:	JOHN RAGO	By:
Ву:	DORYS JEAN RAGO	Title:
		Attest:

March 19, 2024	
ALL TOWN FUNDS	\$239,558.02
WASTEWATER OPERATING	\$31,266.19
SEWAGE BOND	\$445,350.00
WATER UTILITY	\$21,973.76
STORM WATER	\$1,888.82
PAYROLL 3/14/24	\$385,447.80
FEB REMITTANCES	\$323,689.12

#### TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

#### **ORDINANCE NO. 1487**

AN ORDINANCE AMENDING TOWN CODE §71.09, ENTITILED "THROUGH STREETS: PLACEMENT OF STOP SIGNS", REPEALING ALL TOWN CODE SECTIONS AND ORDINANCE, OR PARTS THEREOF, IN CONFLICT HEREWITH, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter the "Town Council"), has reviewed the Regulations, General Provisions and Traffic Rules contained in the Town Code; as amended from time to time and now in current effect; and

WHEREAS, the Town Council has been informed and advised by its Chief of Police that an amendment is recommended to be made to Town Code §71.09 pertaining to designated intersections in the Town at which vehicles are required to stop at one (1) or more entrances to such intersections; and

WHEREAS, the Town Council has determined that it is necessary, appropriate, and advisable to amend Town Code §71.09 pertaining to designated intersections in the Town at which vehicles are required to stop at one (1) or more entrances to such intersections; and

WHEREAS, the Town Council, having reviewed the recommendation of its Chief of Police, applicable Town Code provisions, and all applicable law, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of Cedar Lake, that the amendment be made to the Town Code pertaining to specifically designated intersections at which vehicles are required to stop for the enhancement of public safety.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA:

SECTION ONE: That Town Code §71.09, entitled THROUGH STREETS: PLACEMENT OF STOP SIGNS, of Chapter 71 Entitled TRAFFIC RULES, of TITLE VII, entitled TRAFFIC CODE, of the Cedar Lake Town Traffic Code, be, and the same is hereby amended to add the following intersection to the schedule under subsection (C), namely:

#### §71.09 THROUGH STREETS: PLACEMENT OF STOP SIGNS

(C) The following schedule of public ways, roadways, streets and highways of the Town upon which stop sings have been placed at one (1) or more of the intersections shall be applicable where specifically designated, namely:

"Northbound and Southbound at W 135th Place and Parrish Avenue"

SECTION TWO: That all existing Ordinances, and Town Code provisions, including the Town Traffic Code, or parts thereof, in conflict with the provisions of this Amendatory Town Traffic Code Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Amendatory Town Traffic Code Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

**SECTION FOUR:** That this Amendatory Town Traffic Code Ordinance shall take effect, and be in full force and effect, from and after its passage and adoption by the Town Council of the Town of Cedar Lake, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_ 2024, BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA.

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

Nick Recupito, President	
Greg Parker, Vice-President	
Robert Carnahan, Member	
Julie Rivera, Member	
Chuck Becker, Member	
Mary Joan Dickson, Member	
Richard C. Thiel, Jr., Member	

ATTEST:

Jennifer N. Sandberg, IAMC, CMC, CPFIM Clerk-Treasurer

#### TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

#### RESOLUTION NO. 1347

A RESOLUTION ESTABLISHING THE BASIS UPON WHICH THE TOWN OF CEDAR LAKE SHALL PARTICIPATE IN THE Y2024 CEDAR LAKE SUMMERFEST EVENT, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town of Cedar Lake, Lake County, Indiana (hereafter "the Town"), and Cedar Lake Summerfest Committee Inc. (hereafter "Summerfest"), seek and intend to establish, clarify and make public the relationship between the Town and Summerfest for the Y2024 Cedar Lake Summerfest Event, and all matters related thereto.

## NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: The Town shall provide the exclusive use of the Town Complex grounds, hereafter "Complex", located at Constitution and Morse Avenue, Cedar Lake, Lake County, Indiana, for the conduct of the Y2024 Cedar Lake Summerfest on JULY 4. 2024 through JULY 7. 2024, inclusive, and provide Summerfest exclusive rights to the scheduling of activities at the Town Complex during the dates of JUNE 28. 2024 through JULY 11. 2024, in consideration of payment by Summerfest to the Town of FIVE Thousand Dollars (\$5,000.00), representing payment of the amount of ONE Thousand Dollars (\$1,000.00) for each day of event, and good and valuable consideration, all as set forth hereinafter. Summerfest will minimally provide Fire Works for the residents of Cedar Lake on at least two (2) nights, namely, and \_\_\_\_\_\_\_, 2024.

In addition to the foregoing, the Town shall provide the fireworks barge structure (hereinafter the "barge") for use by Summerfest for the fireworks celebration activities conducted in the Summerfest Event. It is acknowledged that such barge is owned by the Town, but is provided and furnished to Summerfest for the fireworks activities to be presented to the citizens of Cedar Lake, and invitees, pursuant to the terms of understanding herein. The Town will make said barge available to Summerfest for the fireworks activities contemplated, acknowledging that the Town will store same when not in use, and also insure said barge. The Town shall additionally provide its VIPs Building and Garage during the term hereof to Summerfest for its use during said event period. Summerfest shall maintain the barge and preserve the barge in condition acceptable and approved by appropriate jurisdictional authorities for such fireworks activities use.

SECTION TWO: The Town, by this Resolution, concurs and agrees that the Agreement with Summerfest for the Summerfest Event shall be through December 30, 2024, for purposes of contracting by Summerfest for the Y2024 Summerfest Event. No further provisions for the Y2024 Summerfest Event are provided for by this Resolution except for the right of contracting by Summerfest for its appropriate vendors for Y2024. All other matters herein relate exclusively and specifically to the conduct of the Y2024 Summerfest event.

SECTION THREE: The Town shall provide water, sewer and electrical utilities at the Town Complex during the aforementioned dates, along with the cooperative assistance of the Cedar Lake Street Department and Department of Public Works in the preparation and cleanup, prior to and following the event to Summerfest. The Town grants permission to Summerfest to make necessary repairs and/or alternations to the in-ground electrical system at the expense of Summerfest, provided it is undertaken and completed in conformance with all applicable codes and regulations, and with lawful permitting and inspections.

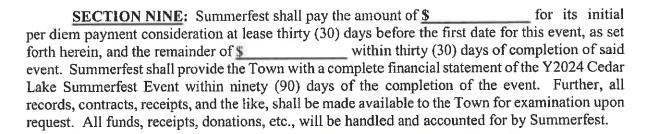
<u>SECTION FOUR</u>: Permission is granted hereby for Summerfest to charge a reasonable fee for automobile parking, and to retain all automobile parking fees collected to defray the costs of conducting the Y2024 Cedar Lake Summerfest event.

SECTION FIVE: The Town shall provide certain office services, at its sole determination, such as photocopying, telephone, secretarial services, and the like, to Summerfest. This provision shall not include the purchase of any materials specifically or solely for use by Summerfest. Summerfest shall provide its own envelopes, copy paper and stamps/postage.

SECTION SIX: The Town will provide and maintain security during the Y2024 Summerfest Event with Town Metropolitan Police Department and Emergency Management Agency personnel. The level and amount of security to be provided shall be in the sole determination of the Chief of Police. Contact information for the designated contract individuals for each of the Town and Summerfest will be provided before the event activities commence. The Town Manager shall be the Town designated official, or his/her delegee.

SECTION SEVEN: The Town, through Town Council approval, shall permit the establishment and operation of a beer garden on the Town Complex for the Y2024 Summerfest Event by Summerfest, or its designee; provided, however, that the beer garden conforms to all applicable Town and State of Indiana rules, regulations, Ordinances and Laws, and further provided that the beer garden is operated under valid license issued and approved by the Indiana Alcoholic Beverage Commission. Summerfest shall provide a Certificate of Insurance naming the Town of Cedar Lake and Summerfest as insureds or additional insureds, as acceptable to the Town of Cedar Lake and Summerfest, in an amount not less than \$1,000,000.00 per incident/occurrence, and not less than the amount of \$2,000,000.000 in the aggregate for the beer garden. Summerfest shall provide the types, form and amount of insurance coverage which are enumerated and listed on Exhibit A, which is attached and incorporated herein by reference, and which is approved by the Town before the establishment and operation of a beer garden on the Town Municipal Complex for the Y2024 Summerfest Event commences. It is understood by the TOWN and Summerfest that a generous portion of the profits, if any, from this activity will be utilized to defray and pay the expense of the annual fireworks display.

**SECTION EIGHT:** Summerfest shall not make any purchase on behalf of or in the name of the Town of Cedar Lake, Lake County, Indiana.



SECTION TEN: Summerfest shall abide by all applicable Ordinances and Regulations of the Town of Cedar Lake, Lake County, Indiana, and all applicable laws of the State of Indiana, all as amended from time to time, in the conduct of the Y2024 Summerfest Event.

SECTION ELEVEN: Summerfest shall provide to the Town a Certificate of Insurance naming jointly the amusement ride company under contract with Summerfest and the Town of Cedar Lake, or a Certificate of Insurance whereby the Town of Cedar Lake shall be an additionally or jointly named insured as is acceptable to the Town of Cedar Lake; further, the Certificate of Insurance shall provide verified coverage in the amount of not less than \$1,000,000.00 per incident/occurrence, and not less than the amount of \$2,000,000.00 in the aggregate. Summerfest shall provide the types, form and amount of insurance coverage which are enumerated and listed on Exhibit A, which is attached and incorporated herein by reference, and which is approved by the TOWN before the establishment and operation of amusement ride activities and operation on the Town Municipal Complex for the Y2024 Summerfest Event commences.

Additionally, the fireworks display company contracted for the fireworks events shall provide a Certificate of Insurance naming the Town of Cedar Lake and Summerfest as insureds or additional insureds, as acceptable to the Town of Cedar Lake and Summerfest, in an amount not less than \$1,000,000.00 per incident/occurrence, and not less than the amount of \$2,000,000.000 in the aggregate for the fireworks display. Summerfest shall provide the types, form and amount of insurance coverage which are enumerated and listed on Exhibit A, which is attached and incorporated herein by reference, and which is approved by the TOWN before the establishment and conduct of fireworks activities on the Town Municipal Complex for the Y2024 Summerfest Event commences.

SECTION TWELVE: Notwithstanding all of the foregoing in this Y2024 Cedar Lake Summerfest Event Resolution, all terms, conditions and requirements set forth herein are subject to continuing review and assessment for the conditions and circumstances of the declared Public Health Emergency due to the COVID-19 Coronavirus Pandemic, and all related consequential circumstances. As a consequence, all requirements and provisions herein for the Y2024 Cedar Lake Summerfest Event are subject to revision, modification, alteration and amendment at any time, related to the event and public safety. This term of Agreement relates to all provisions of this Resolution/Agreement, including operational terms. Further, this term relates to the surety, indemnification and insurance terms herein, including types, coverages, amounts and all other aspects of the required insurance and surety required. These determinations will be made by the Town Council of the TOWN, as it deems appropriate and necessary under the circumstances at that time.

SECTION THIRTEEN: It is recognized that the Members, Directors, Representatives and Volunteers working with Summerfest are Volunteers providing their time, energy and services for the benefit of all residents of the Town of Cedar Lake and invitees to the Town for the Y2024 Summerfest Event.

**SECTION FOURTEEN:** The Town of Cedar Lake will maintain adequate insurance coverage under applicable law for the events to be conducted in the Y2024 Summerfest Event.

**SECTION FIFTEEN:** That this Resolution shall take effect, and be in full force and effect, from and after passage and approval by the Town Council of the Town of Cedar Lake, Lake County, Indiana, in conformance with applicable law.

ALL OF WHICH IS PASSED AND RESOLVED, THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024, BY THE TOWN COUNCIL OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA.

TOWN OF CEDAR LAKE, LAKE COUNTY,

INDIANA TOWN COUNCIL.

Indiana, 10 th to only
Nick Recupito, Town Council President
Greg Parker, Town Council Vice-President
Robert H. Carnahan, Town Council Member
Julie A. Rivera, Town Council Member
Chuck Becker, Town Council Member
Mary Joan Dickson, Town Council Member
Richard C. Thiel, Jr., Town Council Member
PFIM,

	VED BY THE DULY AUTHORIZED CEDAR LAKE BOARD OF DIRECTORS, THISDAY
	CEDAR LAKE SUMMERFEST COMMITTEE INC. BOARD OF DIRECTORS
	President
	Vice-President
ATTEST:	
Secretary	

## TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA TOWN COUNCIL/UTILITY BOARD

**RESOLUTION NO: 1349** 

AN AMENDATORY RESOLUTION OF THE TOWN COUNCIL AND UTILITY BOARD OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AMENDING TOWN RESOLUTION NO.: 1348 DECLARING A MORATORIUM ON CERTAIN LAND DEVELOPMENT IN THE TOWN, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council and Town Utility Board, as described and defined in Town Council/Utility Board Resolution No. 1348, concur, and agree with the terms and provisions of Town Council/Utility Board Resolution No. 1348 whereby a Moratorium on certain land development in the Town was declared, among other matters; and

WHEREAS, based upon further review and assessment by the Town Council and Utility Board, and other available information and research, it has been determined that more clarity is needed for the Moratorium declared on said certain land development in the Town described by the terms and provisions of approved Resolution No. 1348; and

WHEREAS, the Town Council and Utility Board of the Town concur and agree that additional clarification will assist in identification of the terms and provisions of the Moratorium declared on certain land development, and particularly, as to process, procedures, and implementation; and

WHEREAS, the Town Council and Town Utility Board, and each of them, hereby ratify the terms and provisions of approved Town Resolution No. 1348, approved February 6, 2024, with the additional terms of clarification provided by this Town Resolution No. 1349 herein for understanding of procedures, process, and implementation; further, that the terms and provisions of this Amendatory Resolution No. 1349 are to supplement the provisions and mandates of Town Moratorium Declaration Resolution No. 1348, to the extent that same are not contradictory or inconsistent with terms of this Amendatory Resolution No. 1349, as set forth hereinafter; and

WHEREAS, the ratified provisions and terms of Town Moratorium Declaration Resolution No. 1348 are ratified consistent with terms and amendatory provisions of this Resolution No. 1349.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL/UTILITY BOARD OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AS FOLLOWS, NAMELY:

SECTION ONE: That SECTION ONE of Town Council/Utility Board Moratorium Declaration Resolution No. 1348, approved February 6, 2024, read and provide as set forth hereinafter, namely:

"SECTION ONE: That the Town Council and Utility Board of the Town of Cedar Lake, Lake County, Indiana, and each of them, hereby declare a Land-Use Approval and Processing Development Moratorium on all parcels of land in the Town to be developed upon Application from Commercial Developer Applicants on parcels greater than one (1) acre in area unless expressly approved by Public Meeting action of the Town Council. This Moratorium shall cause all Permit Applicants for development, improvement, construction,

and all other improvements on parcels of land in excess of one (1) acre in the Town to be held, and not processed, pending completion of due diligence for Town infrastructure services to be undertaken immediately by the Town for Town Council, Town Utility Board, and Plan Commission use in appropriate decision making. This Moratorium shall be construed to mean, and be interpreted to require withholding of <u>all</u> Applications for Development on Project parcels greater than one (1) acre unless said Applicant has applied for and been granted Primary Plat approval or more advanced Project Development Approval for such Project, including Planned Unit Development, or other Zone Map Amendatory Ordinance. It is the intention of the Town Council and Utility Board that such action is required and necessary for the due diligence and evaluation processes deemed in the best interests of the entire Town, including the Developer/Property Owners."

**SECTION TWO:** That the terms and provisions in these covenants of this Amendatory Town Moratorium Declaration Resolution No. 1349 are hereby declared to be the policy and position of the Town regarding certain land development moratorium declaration actions, as set forth herein and noted in the highlighted provisions for amendment terms hereafter, during the pendency of the declared Moratorium; that a copy of the approved Resolution Noi. 1348 is attached to this Resolution 1349.

SECTION THREE: That the Development Moratorium declared hereby is established as a consequence of lack of verified and accurate information, documentation, or relevant materials to identify available and appropriate infrastructure for wastewater, water, and stormwater utility service availability, as well as financing and Town fund availability, for payment of expenses of the Town related to required development improvements, as well as the utilities and infrastructure related and connected to same.

SECTION FOUR: That the Development Moratorium declared hereby shall be only for the time period reasonably needed for the research and due diligence assessment referenced herein, and upon assurance of adequacy in all aspects for resumption of large volume commercial and residential land development in the Town, as described herein.

**SECTION FIVE:** That all existing Resolutions, or parts thereof, in conflict with the provisions of this Development Moratorium Resolution No. 1349, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION SIX: That if any section, clause, provision, or portion of this Development Moratorium Resolution No. 1349 shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this approved Development Moratorium Resolution No. 1349.

SECTION SEVEN: That this Development Moratorium Resolution No. 1349 shall take effect, and be in full force and effect, from and after its passage and approval by the Town Council and Utility Board of the Town of Cedar Lake, Lake County, Indiana, in conformance with applicable law; further that this Development Moratorium Resolution No. 1349 shall be distributed to the Town Clerk-Treasurer, Planning and Building Department, Board of Zoning Appeals, and Plan Commission, and loaded onto the Cedar Lake Website for Cedar Lake Town news.

ALL OF WHICH IS PASSED AND RESOLVED BY THE TOWN COUNCIL AND UTILITY BOARD OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, THIS \_\_\_\_\_DAY OF MARCH, 2024.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, TOWN COUNCIL	TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, UTILITY BOARD
Nick Recupito, President	Nick Recupito, President
Greg Parker, Vice President	Mary Joan Dickson, Vice President
Robert H. Carnahan, Councilmember	Robert H. Carnahan, Board Member
Julie A. Rivera, Councilmember	Julie A. Rivera, Board Member
Chuck Becker, Councilmember	Chuck Becker, Board Member
Mary Joan Dickson, Councilmember	Greg Parker, Board Member
Richard C. Thiel, Jr., Councilmember	Richard C. Thiel, Jr., Board Member
ATTEST:	
Jennifer N. Sandberg, IAMC, CMC, CPFIM Clerk-Treasurer	

## TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA TOWN COUNCIL/UTILITY BOARD

#### **RESOLUTION NO: 1349**

AN AMENDATORY RESOLUTION OF THE TOWN COUNCIL AND UTILITY BOARD OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AMENDING TOWN RESOLUTION NO.: 1348 DECLARING A MORATORIUM ON CERTAIN LAND DEVELOPMENT IN THE TOWN, AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council and Town Utility Board, as described and defined in Town Council/Utility Board Resolution No. 1348, concur, and agree with the terms and provisions of Town Council/Utility Board Resolution No. 1348 whereby a Moratorium on certain land development in the Town was declared, among other matters; and

WHEREAS, based upon further review and assessment by the Town Council and Utility Board, and other available information and research, it has been determined that more clarity is needed for the Moratorium declared on said certain land development in the Town described by the terms and provisions of approved Resolution No. 1348; and

WHEREAS, the Town Council and Utility Board of the Town concur and agree that additional clarification will assist in identification of the terms and provisions of the Moratorium declared on certain land development, and particularly, as to process, procedures, and implementation; and

WHEREAS, the Town Council and Town Utility Board, and each of them, hereby ratify the terms and provisions of approved Town Resolution No. 1348, approved February 6, 2024, with the additional terms of clarification provided by this Town Resolution No. 1349 herein for understanding of procedures, process, and implementation; further, that the terms and provisions of this Amendatory Resolution No. 1349 are to supplement the provisions and mandates of Town Moratorium Declaration Resolution No. 1348, to the extent that same are not contradictory or inconsistent with terms of this Amendatory Resolution No. 1349, as set forth hereinafter; and

WHEREAS, the ratified provisions and terms of Town Moratorium Declaration Resolution No. 1348 are ratified consistent with terms and amendatory provisions of this Resolution No. 1349.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL/UTILITY BOARD OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, AS FOLLOWS, NAMELY:

SECTION ONE: That SECTION ONE of Town Council/Utility Board Moratorium Declaration Resolution No. 1348, approved February 6, 2024, read and provide as set forth hereinafter, namely:

"SECTION ONE: That the Town Council and Utility Board of the Town of Cedar Lake, Lake County, Indiana, and each of them, hereby declare a Land-Use Approval and Processing Development Moratorium on all parcels of land in the Town to be developed upon Application from Commercial Developer Applicants on parcels greater than one (1) acre in area unless expressly approved by Public Meeting action of the Town Council. This Moratorium shall cause all Permit Applicants for development, improvement, construction,

and all other improvements on parcels of land in excess of one (1) acre in the Town to be held, and not processed, pending completion of due diligence for Town infrastructure services to be undertaken immediately by the Town for Town Council, Town Utility Board, and Plan Commission use in appropriate decision making. This Moratorium shall be construed to mean, and be interpreted to require withholding of all Applications for Development on Project parcels greater than one (1) acre unless said Applicant has applied for and been granted Primary Plat approval or more advanced Project Development Approval for such Project, including Planned Unit Development, or other Zone Map Amendatory Ordinance. It is the intention of the Town Council and Utility Board that such action is required and necessary for the due diligence and evaluation processes deemed in the best interests of the entire Town, including the Developer/Property Owners."

SECTION TWO: That the terms and provisions in these covenants of this Amendatory Town Moratorium Declaration Resolution No. 1349 are hereby declared to be the policy and position of the Town regarding certain land development moratorium declaration actions, as set forth herein and noted in the highlighted provisions for amendment terms hereafter, during the pendency of the declared Moratorium; that a copy of the approved Resolution Noi. 1348 is attached to this Resolution 1349.

SECTION THREE: That the Development Moratorium declared hereby is established as a consequence of lack of verified and accurate information, documentation, or relevant materials to identify available and appropriate infrastructure for wastewater, water, and stormwater utility service availability, as well as financing and Town fund availability, for payment of expenses of the Town related to required development improvements, as well as the utilities and infrastructure related and connected to same.

SECTION FOUR: That the Development Moratorium declared hereby shall be only for the time period reasonably needed for the research and due diligence assessment referenced herein, and upon assurance of adequacy in all aspects for resumption of large volume commercial and residential land development in the Town, as described herein.

**SECTION FIVE:** That all existing Resolutions, or parts thereof, in conflict with the provisions of this Development Moratorium Resolution No. 1349, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION SIX: That if any section, clause, provision, or portion of this Development Moratorium Resolution No. 1349 shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this approved Development Moratorium Resolution No. 1349.

SECTION SEVEN: That this Development Moratorium Resolution No. 1349 shall take effect, and be in full force and effect, from and after its passage and approval by the Town Council and Utility Board of the Town of Cedar Lake, Lake County, Indiana, in conformance with applicable law; further that this Development Moratorium Resolution No. 1349 shall be distributed to the Town Clerk-Treasurer, Planning and Building Department, Board of Zoning Appeals, and Plan Commission, and loaded onto the Cedar Lake Website for Cedar Lake Town news.

ALL OF WHICH IS PASSED AND RESOLVED BY THE TOWN COUNCIL AND UTILITY BOARD OF THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, THIS \_\_\_\_\_DAY OF MARCH, 2024.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, TOWN COUNCIL	TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, UTILITY BOARD
Nick Recupito, President	Nick Recupito, President
Greg Parker, Vice President	Mary Joan Dickson, Vice President
Robert H. Carnahan, Councilmember	Robert H. Carnahan, Board Member
Julie A. Rivera, Councilmember	Julie A. Rivera, Board Member
Chuck Becker, Councilmember	Chuck Becker, Board Member
Mary Joan Dickson, Councilmember	Greg Parker, Board Member
Richard C. Thiel, Jr., Councilmember	Richard C. Thiel, Jr., Board Member
ATTEST:	
Jennifer N. Sandberg, IAMC, CMC, CPFIM Clerk-Treasurer	

#### TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

RESOLUTION NO.	
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A RESOLUTION AMENDING PREVIOUSLY APPROVED RESOLUTION NO. 1377 "AUTHORIZING THE PHYSICAL TRANSFER OF PREVIOUSLY PLEDGED FUNDS BY THE CLERK-TREASURER TO FUND THE ECOSYSTEM RESTORATION PROJECT", AND ALL MATTERS RELATED THERETO.

WHEREAS, the Town Council of the Town of Cedar Lake, Lake County, Indiana (hereinafter, the "Town Council"), as then constituted, acted in a Public Meeting to consider, and approve, its Resolution No. 1337, with said Resolution "AUTHORIZING THE PHYSICAL TRANSFER OF PREVIOUSLY PLEDGED FUNDS BY THE CLERK-TREASURER TO FUND THE ECOSYSTEM RESTORATION PROJECT", then about to commence for what is commonly known as the Town Ecosystem Restoration Project (hereinafter, the "Project"); and

WHEREAS, the Town Council, and its predecessor Town Council bodies, as the duly elected and constituted legislative and fiscal body of the Town had, over many years, considered, evaluated, studied, and analyzed an Ecosystem Restoration Project for Cedar Lake so that same would enhance use of Cedar Lake by persons interested in same; and

WHEREAS, the Town Council had been engaged with the United States Army Corps of Engineers (hereinafter, the "ACOE"), in undertaking analysis, study, investigation, and all form of water restoration and upgrade of water quality from at least 2007 to the present; it should be noted this issue and condition of water quality in Cedar Lake had been an issue of substantial interest before 2007, but without appropriate components and requirements coming together for same; and

WHEREAS, the then-seated Town Council, in 2022, acted to approve the latest proposed concept and design, for Lake Ecosystem Restoration public benefit, and with engineering/permitting processed, acted to approve a Lake Ecosystem Restoration Project, as well as award a Project Public Work bid, following public work project bidding, with a Contractor, Dredge America, on or about July 5, 2022; further, that the bid award to Dredge America occurred on or about July 5, 2022, with funding as set forth and planned as set forth hereinafter. At such time, the sources of funds for said Project was the amount of \$9,250,953.00, which sources of funds identified are hereinafter as follows, namely:

#### Sources of Funds:

Wastewater Funding-Committed Cash	2,000,000
Supplemental Wastewater Funds-Committed July 5, 2022	2,241,153
RDEA Lease Rental Bonds	3,900,000
LARE Grant (\$150,000 per year for 4 years)	600,000
Cedar Lake Ecosystem Non-reverting Fund #807-Cash	409,000
Total Source of Funds	\$9,250,953

WHEREAS, the source of funding for the Project referenced above included committed cash from Wastewater funds of the Town in the amount of \$2,000,000.000, with supplemental Wastewater funds

committed July 5, 2022, in the amount of \$2,241,153.00, and funding from the Cedar Lake Ecosystem Non-reverting fund No. 807, of \$409,000.00. This amount of \$4,400,000.00 (+/-). The foregoing sources of funds were anticipated to be the funds for the Project; and

WHEREAS, from commencement of Project on or after July 5, 2023, funds authorized to be transferred included the amounts of \$2,000,000.00 pledged April 7, 2022, upon bond closing for the bond financing fund set forth in the preceding Recital, and resulted in approval of Town Resolution No. 1337 by the Town Council authorizing the physical transfer of previously pledged funds by the Clerk-Treasurer to fund the Ecosystem Restoration Project as set forth hereinafter, namely;

FROM WASTEWATER FUND #633-WWTP SPECIAL TO FUND #807-ECOSYSTEM NON-REVERTING AS FOLLOWS:

PLEDGED APRIL 7, 2022 (BOND CLOSING)	\$2,000,000
PLEDGED JULY 5, 2022 (DREDGING BID AWARD)	2,423,376
TOTAL TRANSFER OF PLEDGED FUNDS	\$4,423,376

WHEREAS, the Town Council has been further informed and advised that approximately \$4,400,000.00 was committed from Wastewater funds to the Project financing, and that approximately \$2,100,000.00 remains from said Wastewater funds transferred and authorized for use for the Project. The Town Council further acknowledges that the Project is in process, and that the Project is not completed. These funds have been segregated pursuant to transfer authorization by the then-Town Council and transferred from Wastewater Fund No. 633-WWTP Special Fund, to Ecosystem Non-Reverting Fund No. 807, as set forth in said approved Town Resolution No, 1337, a copy of which is attached hereto and marked as Exhibit "A"; and

WHEREAS, Town Council membership has changed on January 1, 2024, as a consequence of election results from the election cycle in Y2023. At such time, and thereafter to the present, the current Y2024 duly elected Town Council body has been informed of significant reduction in funds available for the purposes of Town Wastewater Fund No. 633-WWTP Special Fund for needs and requirements of the Town Wastewater Utility, and particularly as a consequence of the recent substantive information provided to the current Town Council regarding capital improvement requirements, expenses to be incurred as a consequence, and appropriate fund usage for addressing such by the Town Council; and

WHEREAS, the Town Council, being duly advised and presently engaged in intensive review analysis of each of the Town Wastewater fund circumstances and mandatory responsibilities therefore, as contrasted to the more discretionary use of such Wastewater funds, as referenced above, by the Town Council for the Project, and being advised to the most extent possible during the aforementioned review and discernment time period, now deems it necessary, appropriate, and in the best interests of the Town of Cedar Lake, its citizens, residents, and its Wastewater Utility Rate Customers, now concurs that it is necessary and appropriate to amend the previously approved Town Resolution No. 1337 "AUTHORIZING THE PHYSICAL TRANSFER OF PREVIOUSLY PLEDGED FUNDS BY THE CLERK-TREASURER TO FUND THE ECOSYSTEM RESTORATION PROJECT", and all other matters therein, including notification to the Project Contractor, as well as for undertaking all legal actions required and needed for same.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL BY THE TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, THAT THE PROVISIONS OF TOWN RESOLUTION NO. 1337 ARE HEREBY AMENDED TO AUTHORIZE AND DIRECT THE TOWN CLERK-TREASURER TO PHYSICALLY TRANSFER FUNDS PLEDGED AND DIRECTED TO BE PHYSICALLY TRANSFERRED BY THE TOWN COUNCIL IN APPROVED RESOLUTION NO. 1337, AS FOLLOWS, NAMELY:

SECTION ONE: That of the total amount of Wastewater Funds pledged for the Project and/or physically transferred by the Clerk-Treasurer for the purpose of funding the Ecosystem Restoration Project shall be transferred from and to the specified Funds noted, as set forth hereinafter.

SECTION TWO: That of the amount of \$4,400,000.00 (+/-), pledged and/or transferred, in total, from Wastewater Funds of the Town to the Ecosystem Non-Reverting Fund No. 807, the Clerk-Treasurer is now hereby directed and authorized to physically transfer the amount of \$2,100,000.00 from said Fund No. 807 to Wastewater Special Fund No. 633, at the earliest opportunity, for the reasons set forth hereinabove.

SECTION THREE: That the Clerk-Treasurer, upon making said physical transfer of funds from said Fund # 807 to Wastewater Fund # 633, shall report same to the Town Council immediately in confirmation of such.

SECTION FOUR: That notification of said transfer action and authorization by the Town Council to the Clerk-Treasurer regarding funds pledged to the Project now being withdrawn for availability and project expenditure use, all as specified for the reasons stated herein, shall appropriately notify, and inform the Project Contractor, Dredge America and proceed accordingly under the Project Public Work Contract for same.

<b>SECTION FIVE:</b>	That this Resolution shall ta	ike effect, and be in ful	ll force and effect	t, from and
after its passage and approv	al by the Town Council of th	e Town of Cedar Lake	, Lake County, Ir	idiana, this
day of	. 2024.			

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA, TOWN COUNCIL
Nick Recupito, President
Greg Parker, Vice President
Robert H. Carnahan, Councilmember
Julie A. Rivera, Councilmember
Chuck Becker, Councilmember
Mary Joan Dickson, Councilmember
Richard C. Thiel, Jr., Councilmember

DEPARTMENT

Request

CLERK-TREASURER

Receive



Date: 2-27-29

Date: 2 22 24



## **Appropriation Transfer Request**

Each department is responsible for monitoring its budget(s) accordingly. In the event that a line item becomes low, please prepare your request to transfer appropriations within the major budget classes assigned. Transfers between major budget classes will require a resolution to be approved by Town Council.

Council.							
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#### **TOWN OF CEDAR LAKE**

Mindi Ray, Superintendent
Parks and Recreation
7408 Constitution Ave – PO Box 707 – Cedar Lake, IN 46303
Tel (219) 374-7400 x 161



March 14, 2024

Cedar Lake Town Council,

On behalf of the Cedar Lake Park Board, I am following up on our March 7, 2024 Park Board Meeting agenda items; Kiwanis Park Pour & Play Surfacing and additional playground amenities.

The Park Board is making a recommendation to the Town Council for use of park impact fees, not to exceed \$50,000 for Pour & Play Surfacing and \$5,710.00 for additional playground amenities at Kiwanis Park.

The goal of this project is to create the first ADA compliant playground in the park system.

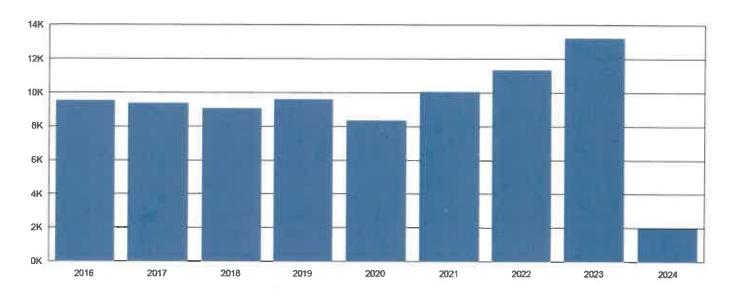
Thank you for your consideration in this matter.

Kindly,

Mindi Ray, Superintendent Cedar Lake Parks & Recreation

## Calls for Service Analysis 1/1/2016to 2/29/2024





	2016	2017	2018	2019	2020	2021	2022	2023	2024
Jan	616	768	600	672	765	745	859	1,248	917
Feb	608	801	582	782	733	692	685	1,145	1,072
Mar	917	797	633	825	602	956	926	1,186	
Apr	745	808	652	891	350	836	844	1,209	
May	859	867	837	838	723	850	1,104	1,071	
Jun	924	862	846	821	763	940	946	1,255	
Jul	1,001	843	933	842	806	956	1,006	1,087	
Aug	744	800	837	901	888	878	1,060	1,091	
Sep	753	807	828	826	728	782	974	945	
Oct	787	666	860	742	682	829	977	1,060	
Nov	830	703	744	743	642	<b>74</b> 3	917	970	
Dec	738	645	705	710	641	815	1,020	954	
Total	9,522	9,367	9,057	9,593	8,323	10,025	11,318	13,221	1,989

Calls Per Day: 33.15

## **Traffic Stop Analysis**

1/1/2016 to 2/29/2024



	2016	2017	2018	2019	2020	2021	2022	2023	2024
Jan	279	353	180	260	321	351	389	738	400
Feb	221	400	161	331	300	285	257	651	559
Mar	489	372	225	380	190	460	373	632	
Apr	328	266	229	415	21	376	324	534	
May	361	277	250	345	119	318	418	435	
Jun	325	269	260	345	182	318	283	576	
Jul	393	245	292	371	285	372	359	476	
Aug	258	249	236	366	303	364	421	479	
Sep	264	284	286	259	212	281	378	430	
Oct	356	191	302	285	182	348	417	471	
Nov	407	257	280	329	172	320	397	519	
Dec	311	186	269	317	203	357	474	415	
Total	3,992	3,349	2,970	4,003	2,490	4,150	4,490	6,356	959

## Warning Analysis 1/1/2016 to 2/29/2024



	2016	2017	2018	2019	2020	2021	2022	2023	2024
Jan	171	215	105	202	275	291	305	753	400
Feb	122	236	99	299	253	235	236	694	542
Mar	267	221	125	343	154	395	396	729	
Apr	194	195	148	376	15	323	301	544	
May	210	210	225	289	112	263	461	452	
Jun	198	211	191	309	136	273	334	634	
Jul	203	166	271	316	234	338	356	504	
Aug	177	173	220	313	218	270	438	499	
Sep	158	182	228	223	188	205	433	448	
Oct	228	128	322	222	154	265	419	490	
Nov	235	161	243	260	182	258	404	506	
Dec	215	115	193	272	180	251	465	437	
Total	2,378	2,213	2,370	3,424	2,101	3,367	4,548	6,690	942

### **Citation Analysis**

1/1/2016 to 2/29/2024



	2016	2017	2018	2019	2020	2021	2022	2023	2024
Jan	106	136	92	120	207	169	165	191	120
Feb	96	200	80	148	148	156	103	203	167
Mar	244	187	108	120	122	215	164	207	
Apr	145	142	123	102	38	126	152	215	
May	193	148	122	98	74	144	159	163	
Jun	180	164	122	107	140	156	167	189	
Jul	245	147	118	112	156	163	213	150	
Aug	137	113	83	112	193	123	232	180	
Sep	122	91	97	106	137	147	166	121	
Oct	163	85	87	113	110	147	140	148	
Nov	183	84	92	92	107	129	117	162	
Dec	123	94	93	111	85	117	149	101	v
Total	1,937	1,591	1,217	1,341	1,517	1,792	1,927	2,030	287

## **Cedar Lake Police Department**

## **Law Incident Analysis**





	2016	2017	2018	2019	2020	2021	2022	2023	2024
Jan	341	440	460	433	499	459	503	513	540
Feb	385	404	451	484	454	460	433	502	495
Mar	458	443	461	461	427	522	546	550	
Apr	488	564	471	512	334	508	501	649	
May	512	629	624	518	642	556	674	630	
Jun	612	628	644	505	625	663	659	700	
Jul	629	659	682	510	575	652	630	661	
Aug	505	614	.656	572	633	555	637	630	
Sep	489	573	575	602	573	525	578	557	
Oct	439	511	594	476	562	499	539	605	
Nov	425	488	507	444	495	429	514	495	
Dec	441	488	455	420	460	481	546	538	i.
Total	5,724	6,441	6,580	5,937	6,279	6,309	6,760	7,030	1,035

T. .

## **Cedar Lake Police Department**

## Arrest Analysis 1/1/2016 to 2/29/2024



	2016	2017	2018	2019	2020	2021	2022	2023	2024
Jan	25	35	21	28	40	32	31	27	33
Feb	15	17	8	37	22	29	30	29	32
Mar	20	14	20	26	10	27	31	27	
Apr	33	21	31	31	7	13	31	30	
May	18	33	39	26	24	30	26	23	
Jun	39	25	28	38	25	36	28	41	
Jul	38	21	26	25	23	26	27	27	
Aug	26	30	40	43	25	17	26	23	
Sep	19	19	34	22	31	28	20	28	
Oct	28	26	34	23	27	32	38	11	
Nov	15	24	19	20	23	20	18	20	
Dec	16	24	16	18	10	20	27	22	
Total	292	289	316	337	267	310	333	308	65

## **Cedar Lake Police Department**

# Arrest Offense Analysis 1/1/2016 to 2/29/2024



	2016	2017	2018	2019	2020	2021	2022	2023	2024
Jan	28	58	26	62	71	51	51	43	50
Feb	25	26	15	71	37	59	47	50	57
Mar	23	25	35	52	18	42	69	48	
Apr	53	40	45	45	16	21	54	48	
May	26	52	63	37	31	51.	45	34	
Jun	63	35	43	61	41	68	45	63	
Jul	60	34	35	42	42	46	58	37	
Aug	33	50	49	70	44	29	49	48	
Sep	26	35	46	38	55	61	34	37	
Oct	42	40	55	33	61	63	63	13	
Nov	29	33	31	35	40	34	39	46	
Dec	28	35	19	32	21	30	59	32	
Total	436	463	462	578	477	555	613	499	107

## **Cedar Lake Police Deparment**

**Town Ordinance Warnings** 1/1/2024 to 2/29/24 Grouped by Offense

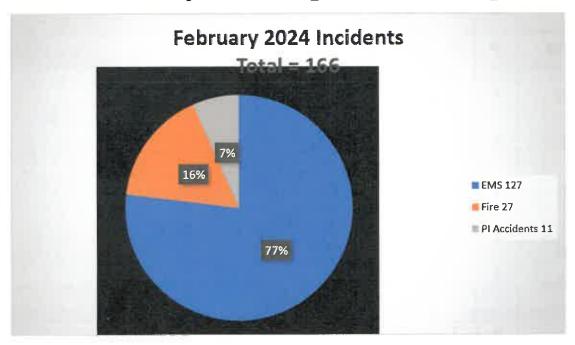
	Jan	Feb	Total
Abandoned Vehicle	13	30	43
DOGS - RUNNING AT LARGE	1	0	1
House Numbers	0	1	1
Non-Use Refuse Container	0	1	1
NUISANCES - ACCUMULATION	0	6	6
NUISANCES - DWELLINGS UNFIT	0	1	1
OPERATION OF VEHICLE AT STOP	0	1	1
Parking - Blocking Traffic	2	0	2
Parking - Signs/Postings	0	1	1
Parking - Traveled Portion RDWY	0	1	1
Scattering of Refuse	0	1	1
TRUCK ROUTE	0	1	1
Unauthorized Accumulation	2	2	4
Total	18	46	64

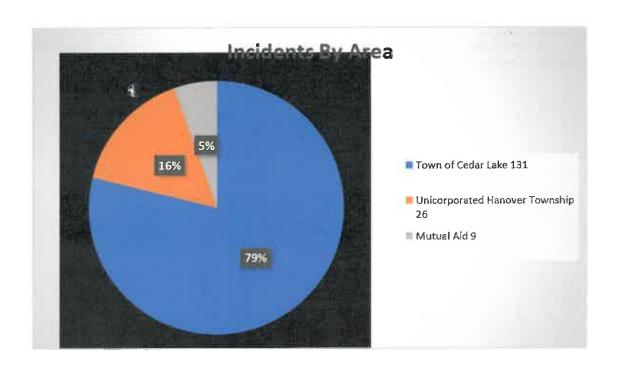
## **Cedar Lake Police Deparment**

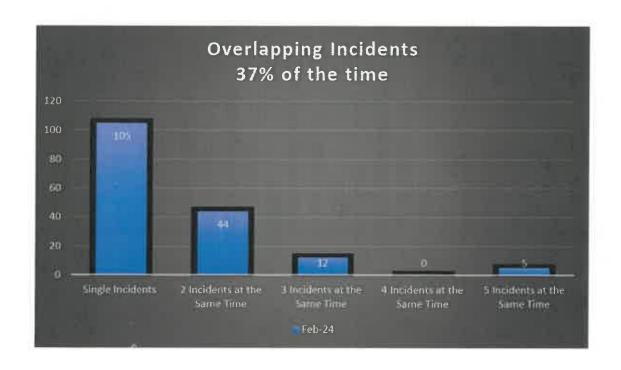
### Town Ordinance Citations 1/1/2024 to 2/29/2024 Grouped by Offense

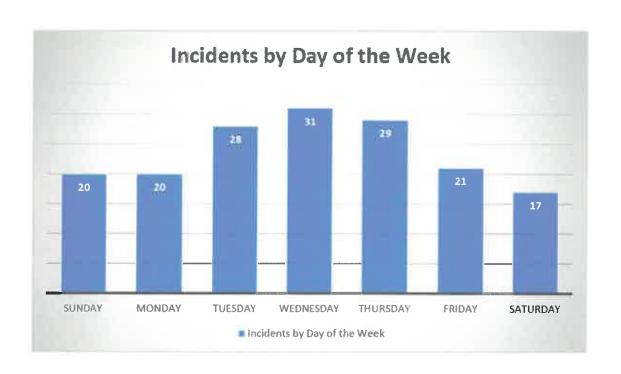
	Jan	Feb	Total
Abandoned Vehicle	28	33	61
DOGS - LICENSE AND	0	1	1
DOGS - RABIES PROTECTION	0	1	1
Non-Use Refuse Container	0	1	1
NUISANCES - ACCUMULATION	2	10	12
Scattering of Refuse	1	4	5
SPEED LIMITS - 11-20 MPH OVER	0	2	2
SPEED LIMITS - 21-30 MPH OVER	0	2	2
Total	31	54	85

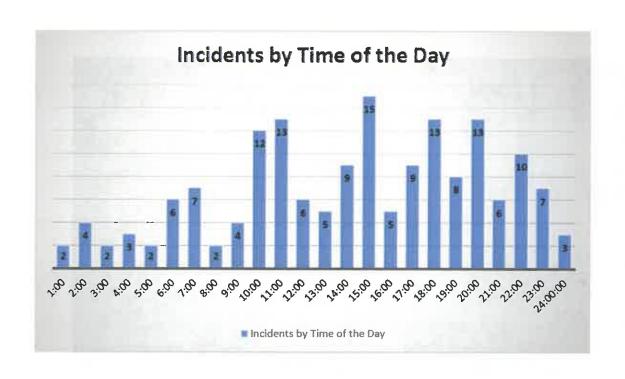
## **February 2024 Operations Report**



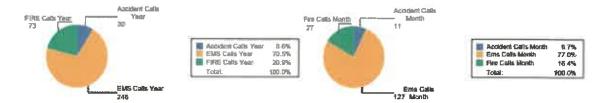








### Cedar Lake Fire Department Monthly Summary Report 1/1/2024 to 2/29/2024



Average Daily Calls for Service: 5.97

Yearl	уT	ota	Is
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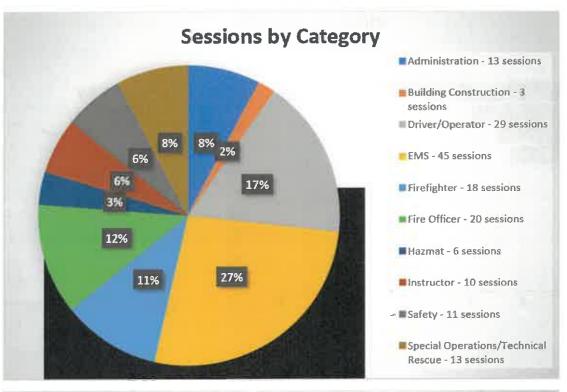
rearry	lotais
Death Investgtn	1
EMS Abdominat	4
EMS Allergic	3
EMS Animal Bits	1
EMS Assault	2
EMS Back Pain	1
EMS Bleeding	4
EMS Breathing	14
EMS Chest Pain	10
EMS Choking	2
EMS Death	2
EMS Diabetic	
EMS Fall	38
EMS Full Arrest	4
EMS Gunshot	1
EMS Headache	1
EMS Heart Prob	3
EMS Heat / Cold	1
EMS Lift Assist	36
EMS Misc	1
EM5 Overdose	6
EMS Psych	16
EMS Seizure	7
Elts Sick Person	37
EMS Stabbling	1
EMS Standby	5
EMS Stroke	7
EMS Traume	5
EMS Uncons	13
EMS Unknown	12
Fell	1
FIRE Alarm	10
FIRE Appliance	1
FIRE Assist	6
FIRE Brush	1
FIRE CO Alarm	14
FIRE Electrical	2
FIRE Garage	1
FIRE Gas IN	6
FIRE Gas OUT	9
FiRE Inspection	4
FIRE Mutual Aid	1
FIRE Odor	2
FIRE Outside	1
FIRE Standby	4
FIRE Structure	15

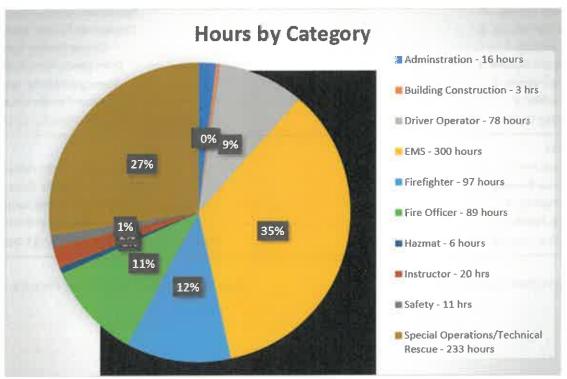
### **Monthly Totals**

Total for Month:	166
Pl Accident	11
IRE Water Reac	1
IRE Washdown	1
IRE Structure	4
IRE Standby	1
IRE Outside	1
RE Mutual Aid	1
IRE Gas IN	3
RE Electrical	1
IRE CO Alarm	5
IRE Brush	1
RE Assist	2
RE Appliance	1
FIRE Alumn	5
Fadl	1
EMS Unknown	8
EMS Uncons	5
MS Trauma	3
EMS Stroke	2
EMS Standby	3
MS Stabbing	1
MS Sick Person	19
MS Seizure	5
MS Paych	8
MS Overdose	4
EMS Lift Assist	20
EMS Heart Prob	3
EMS Full Arrest	2
EMS Fall	18
EMS Disbetic	4
EMS Choking	1
EMS Chest Pain	7
EMS Breathing	7
EMS Bleeding	2
EMS Back Pain	1
EMS Animal Bite	1
EMS Allergic	3

Total for Vone	262
Welfare Check	1
Pl Accident	30
FIRE Water Resc	1
FIRE Washdown	1
FIRE Utility	3

## February 2024 Training Report Hours Logged: 853



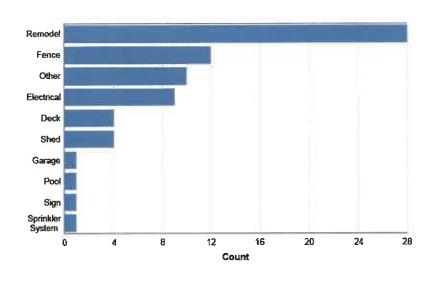


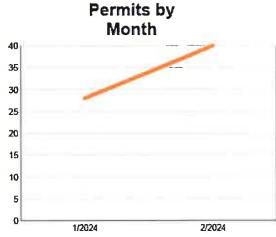
#### Town of Cedar Lake

Office of Building, Zoning, and Planning 7408 Constitution Ave - PO Box 707 - Cedar Lake, IN 46303 Tel (219) 374-7000 - Fax (219) 374-8588



### Report of All Other Permits 1/1/2024 to 2/29/2024 Grouped by Month





#### January 2024

Residential Permits: 21 Commercial Permits: 3 Church Permits: 1 Open Space Permits: 1 Municipal Permits: 1 Other Permits: 1

Total of Other Permits: 28

Residential Permits Value: \$635,009
Commercial Permits Value: \$48,304
Church Permits Value: \$3,000
Open Space Permits Value: \$750
Municipal Permits Value: \$8,876
Other Permits Value: \$28,355

Total Value of All Other Permits: \$724,293

#### February 2024

Residential Permits: 35
Commercial Permits: 2
Church Permits: 2
Municipal Permits: 1
Total of Other Permits: 40

Residential Permits Value: \$687,608 Commercial Permits Value: \$382,987 Church Permits Value: \$28,951 Municipal Permits Value:

Total Value of All Other Permits: \$1,099,546

Grand Total of Other Permits: 68 Grand Total Value of All Other Permits: \$1,823,839

#### Town of Cedar Lake

Office of Building, Zoning, and Planning 7408 Constitution Ave - PO Box 707 - Cedar Lake, IN 46303 Tel (219) 374-7000 - Fax (219) 374-8588



### Report of All New Construction Permits 1/1/2024 to 2/29/2024 Grouped by Month

### **New Construction Type**

### 

### January 2024

Residential New Construction Permits: 4
Industrial New Construction Permits: 1

**New Construction Permits: 5** 

New Residential Construction Value: \$1,491,250
New Industrial Construction Value: \$680,000

2/2024

Total Value of Construction for January: \$2,171,250

1/2024

**Permits by Month** 

#### February 2024

Residential New Construction Permits: 14

**New Construction Permits: 14** 

New Residential Construction Value: \$4,634,093
Total Value of Construction for February: \$4,634,093

**Total New Construction Permits: 19** 

Total Residential New Construction Permits: 18

Total Commercial New Construction Permits: 0

Total School New Construction Permits: 0

Total Value of New Construction: \$6,805,343

Total Value of New Residential Construction: \$6,125,343

Total Value of New Commercial Construction:

Total Value of New School Construction: