

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

May 21, 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
Absent	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	
Absent	Greg Parker Council Member	Ward 5	Present	David Austgen Town Attorney	

*\*Present Via Zoom*

**OATH OF OFFICE**

Chief Bill Fisher presented Office #62 Matthew Milan. Officer Milan received the Oath of Office from Clerk-Treasurer Jennifer Sandberg.

**PRESENTATION**

Representative Mark Lopez from Frank Mrvan's Office gave an update on the Cedar Lake dredging project and federal funding opportunities. He gave a brief history on the joint efforts extended to dredge Cedar Lake. He discussed opportunities for federal funds for fiscal year 2025 to complete Phase 3 of the West Side Sewer Interceptor. He stated if the Town would like to reengage, Congressman Mrvan stands ready to work to restart the project from 2019 for the dredging with the United States Army Corps of Engineers and to see if any monies are available. The first obligation would be for the Town to contribute \$800,000 to complete the feasibility study. Comments from the public were allowed. Cheryl Parker stated he mentioned in 2019 things changed so that they were not doing stuff in that mode. She asked what happened. Mr. Lopez stated he could not comment on others actions. He stated he could not speak to the delay or lack of response. He stated newspapers reported the Town elected to pursue an alternative project and funding mechanism. Mr. Recupito asked about the \$3.4 million that was requested. He asked when it would be made available. Mr. Lopez stated the fiscal year begins in October. They will know if March of 2025 the amount of dollars available. That would be for the west side interceptor project. A brief discussion occurred on the application process. Charlie Kortokrax asked if the presentation would be made available. Mr. Lopez stated they are his notes. He stated he can formalize it. He shared his email [mark.lopez@mail.house.gov](mailto:mark.lopez@mail.house.gov) and stated those who wish can email him and request the information. Terry Broadhurst asked whatever progress is made, would it be stopped after the election. Mr. Lopez stated there is recognition on both sides of the aisle regarding water related infrastructure as it relates to economic development. A brief discussion continued on future needs.

**PUBLIC HEARING**

**1. Ordinance No. 1456 - Public Way Vacation Continued Public Hearing – Rago**

A motion to defer was made by Robert Carnahan with second by Richard Thiel. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**PUBLIC COMMENT**

Kevin Toth, 9725 B W. 129<sup>th</sup> Place, asked about the disbursement under New Business for the police and fire stations. He stated they always call it a BOT Agreement. He asked if they are making construction payments on the building or is it because it is a BOT agreement. He stated nobody understands this. Mr. Recupito recalled an email from Ms. Sandberg. Ms. Sandberg stated she did send them an email with both BOT Agreements. The disbursements are made to the developer, GM Development. Mr. Toth asked if it was a traditional BOT Agreement. Mr. Recupito apologized and stated he did not get a chance to read through the agreement. Mr. Toth continued to voice concerns on the BOT Agreement. Mr. Austgen stated they are making construction payments on the construction that is occurring on a monthly basis to and including when they complete the project and operate it and turn it over. Debt service is paid on that through the bond issue. Mr. Toth stated it is not a traditional BOT Agreement. Mr. Austgen stated it actually is a very traditional format for it. Once he reads it, he will see that. Mr. Toth stated the company is going to own the buildings for the next ten years. Mr. Austgen stated the Building Corporation is going to own them. They do not own anything once they turn it over. They will turn it over when it is complete and they have operated it for a period of time. Mr. Toth asked what that period of time is. Mr. Austgen stated short and estimated a month or two. Mr. Toth voiced concerns with the need for a BOT Agreement. Mr. Austgen stated it is a statutory method

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

of capital construction financing. Mr. Recupito asked if the BOT agreement was a public document. Ms. Sandberg stated if he requests it via public record then yes. Mr. Austgen stated absolutely. Mr. Recupito asked if he could request that Kevin get that without him going through the process. Mr. Austgen stated they could do that. Mr. Toth stated he just wanted an explanation of why they did a BOT Agreement. Mr. Recupito asked if it could get to Mr. Toth without going through the process. Ms. Sandberg stated that is the way she keeps track of everything. She stated Mr. Recupito could forward the email if he wanted to. Mr. Toth stated he would request it.

Kelly Dykstra, 13701 Lauerman, stated she came to introduce her friend Phil. He provides the ATM for the Farmers Market. There was discussion on having the ATM on site permanently. Phil filled them in on the details. Phil discussed the placement agreement. He stated he placed the ATM at a majority of the Farmers Market events last year. He ran the numbers and the machine dispensed over \$10,000. He stated that is a great thing for the community. He stated he previously spoke with Chief Fisher about other events on the grounds where cash may be needed. He stated they do not charge the Town. They earn income off of the surcharge to customers. Mr. Carnahan asked about location. Phil stated the plan is for it to be placed in the hallway of the Police Department. Mr. Recupito asked about the fee. Phil stated the national average is \$3.19. They charge \$3.50. They would take care of all maintenance, filling the machine, bolting it to the ground, they have their own wireless router too. They ask to be able to bolt it to the ground and be near a 110 receptacle. It uses less than five amps. They typically cost less than \$5 in electricity each month. Mr. Carnahan asked about Chief Fisher working with him on a location. Chief Fisher stated no. He was approached by the Farmers Market. He stated he did not care as there are cameras on site but it was not a decision he could make. He went to the Town Manager so it could be placed on a Town Council agenda. Phil stated he does have insurance. He spoke to his agent prior to coming. They said they would like both to be additionally insured on each other's policies. Phil stated he had a copy of his policy with him.

**CONSENT AGENDA**

1. **Minutes:** April 2, 2024
2. **Claims:** All Town Funds: \$739,332.66; Wastewater Operating: \$280,588.27; Water Utility: \$83,980.72; Storm Water: \$17,469.48; Payroll: April 25, 2024; May 1, 2024; and May 9, 2024 - \$669,218.38; and APR Remittances \$202,052.05
3. **Manual Journal Entries:** April 1 – April 30, 2024
4. **2024 Conflict of Interest Disclosure Agreement:** Barbara Littles

Mr. Carnahan asked what the conflict was. It was stated that Mrs. Littles husband owns the Auto Touch repair shop. He has worked on public safety vehicles. Mr. Carnahan asked about three funds related to Strack and Van Til and asked if the money could be moved somewhere else. Mr. Austgen stated probably. Ms. Sandberg stated that could be a separate discussion as that is not a consent agenda item. Mr. Carnahan stated it is a claim. Ms. Sandberg stated it is not a claim. Mr. Carnahan stated it is on the report. Ms. Sandberg stated it is on the fund report which is not part of the consent agenda. Mr. Carnahan stated it is in the figures. Ms. Sandberg stated the claims are the expenditures. Mr. Carnahan stated it is not a claim it is in the financial report. Ms. Sandberg stated that report is given to them monthly and not part of the consent agenda. Mr. Austgen asked Jennifer if documentation for that is in tonight's agenda. Ms. Sandberg stated no it is not part of the agenda. It is part of the monthly reports that go out to the Town Council. Mr. Carnahan asked about the Community Crossing Grant figure of \$639,713.61. He asked if that money was already obligated. Ms. Sandberg stated yes because they give you the cash up front for the project. She stated he is looking at the cash balance.

A motion to waive the reading of the minutes and approve the consent agenda was made by Chuck Becker with second by Richard Thiel. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**ORDINANCES/RESOLUTIONS**

1. **Ordinance 1488 Regulations for Bus Vehicles and the Discharge of Passengers**

Mr. Recupito reported they had the first reading at the last meeting. It did not pass unanimously. A couple Council Members wished to see the exhibit. He stated they are missing a few of those members. He stated he does not feel it is fair to vote on it without all members present.

A motion to defer was made by Robert Carnahan with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

2. **Ordinance 1489 Special Events Amendment (2<sup>nd</sup> Reading Required)**

Mr. Recupito stated it is on the agenda as a second reading required but he believes it was an item that was deferred last meeting. Mr. Recupito stated they had a deferral to today's meeting. He asked if there were any updates or discussion on the item. A discussion occurred on whether or not the item had been deferred or passed on first reading. Mr.

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

Recupito asked if there were any other questions. He stated the thirty-day requirement was rescinded. Mr. Austgen stated this was intended to expedite review for approval. Mr. Austgen stated deferral may be warranted as the number of days for processing is still empty.

A motion to defer to was made by Chuck Becker with second by Mary Joan Dickson. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0. Mr. Austgen suggested before the next meeting that some assessment of the number of days be considered.

**3. Resolution No. 1353 Appropriation Transfer in the amount of \$17,800.00**

Ms. Sandberg reported she combined two actions as traditionally a resolution is not needed to move from line item to line item within the same series. This is for total transfers within the General Fund of \$17,800. That is for \$1,050 within Planning, Zoning, and Building from Line 112 Full-Time Staff to Line 119 Paid Leave Buy Out. That is also for \$16,750 within Parks and Recreation. That is for \$15,000 from Line 399 Facilities to Line 222 Operating Supplies and \$1,750 from Line 399 Facilities to Line 396 Misc. Services. Mr. Carnahan asked about the \$15,000 being moved to supplies. He asked about those supplies. Mrs. Ray responded that when the budget was put together, they did not have a full operating year. They are finding they are needing to buy more supplies to maintain or repair facilities. She discussed the difference between supplies and services for repairs. Ms. Sandberg added that Parks has found they do not need to outsource repairs, they can handle projects in house. They just need the proper appropriation to buy supplies. Mr. Recupito asked when they work on the budget for next year if these items would be taken into consideration. Ms. Sandberg stated absolutely. She stated a lot of the focus of the first couple of years was making sure the Parks had the capital in equipment to function as well as personnel. Now they are able to look and see what the true expenses are for necessary operating. Mr. Carnahan asked about the \$1,050 transfer. Ms. Sandberg stated a PZB employee left and their vacation had to be paid out. Mr. Recupito asked if that was at 100%. Ms. Sandberg stated yes as there is no other policy on the books. Mr. Thiel read Resolution No. 1353 by title only.

A motion to approve Resolution No. 1353 was made by Chuck Becker with second by Richard Thiel. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**BZA/PLAN COMMISSION**

**1. Accept a Performance Letter of Credit Extension to November 19, 2024, in the amount of \$212,835.71 for Beacon Pointe West, Unit 5. (Approved at Plan Commission 6-0 on 5/15/2024)**

A motion to approve was made by Robert Carnahan with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**2. Accept a Performance Letter of Credit Extension to June 14, 2025, in the amount of \$4,430.25 for KNR – Perez (Approved at Plan Commission 7-0 on 5/15/2024)**

A motion to approve was made by Robert Carnahan with second by Richard Thiel. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**3. Accept a Performance Letter of Credit Extension to May 24, 2025, in the amount of \$373,557.25 for Hanover Community School Corporation. (Approved at Plan Commission 7-0 on 5/15/2024)**

A motion to approve was made by Robert Carnahan with second by Mary Joan Dickson. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**4. Accept a Performance Letter of Credit to expire on April 22, 2025, in the amount of \$473,445.50 for 141 Partners LLC. (Self-Storage Development) (Approved at Special Plan Commission 7-0 on 5/1/2024)**

A motion to approve was made by Robert Carnahan with second by Richard Thiel. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

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

**NEW BUSINESS**

**1. Approve and accept the Training Reimbursement agreement for Police Department- Police Officer Matthew Milan**

A motion to approve was made by Robert Carnahan with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**2. Disbursement Request No. 13 from the 2022A Construction Fund for the Police Department Project in the amount of \$360,609.81**

Mr. Carnahan asked for an update on the building. Chief Fisher stated it is looking great. The floors are in and trim is up. Some minor things and doors are needed. Mr. Thiel stated Cliff would be installing some items soon. Once the water main project is complete, they will be continuing with finishing the concrete and other items out front.

A motion to approve was made by Robert Carnahan with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**3. Disbursement Request No. 12 from the 2022B Construction Fund for the Fire Department Project in the amount of \$816,038.18**

Mr. Carnahan asked for an update. Deputy Chief Mager stated everything is moving along on schedule. Painting and flooring are being done.

A motion to approve was made by Robert Carnahan with second by Richard Thiel. Mr. Thiel asked why there is a discrepancy in the payment request numbers. He asked why they are not the same. Ms. Sandberg stated when the bonds closed there was monies that was distributed to the Town. Everything else was held by Regions Bank in the construction fund. They expended the cash on hand first. Since the Fire project is slightly larger and the percentage split, those first pay requests had enough cash on hand to pay for a portion of the request. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**4. Approve Capital Improvements Plan**

Mr. Recupito asked Ms. Sandberg if she was reporting. Ms. Sandberg stated she could not recall the specific statute she quoted in her email to them. She stated this is related to the certified economic development income tax distribution. There is a statute that requires a capital improvement plan be certified to Lake County every three years. Mr. Thiel asked if it was the statutes at the top. Ms. Sandberg stated she did not have an iPad in front of her to confirm. Mr. Carnahan asked her if she knew what the capital improvement plan identified. Ms. Sandberg again stated she did not have an iPad in front of her. She stated it is in their packet. Mr. Thiel stated it is item seventeen. Ms. Sandberg stated in the past what they have used the shares for is road construction. There is an outstanding 2015 bond. They have used it for cash on hand for road projects. A brief discussion continued on projects and anticipated schedule.

A motion to approve was made by Chuck Becker with second by Richard Thiel. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**5. Consider Approving new Fire Department Full-Time Firefighter/EMT Jena Reynhout (*Favorable recommendation (3-1) from the Board of Safety on April 24, 2024*)**

Deputy Chief Mager stated Jena is currently a part-time employee. She has some more testing to go through. It was approved by the Board of Safety. Mr. Recupito asked if it was to replace a vacant position or in regards to one of the two new positions approved this year. Mr. Mager stated they have one of those positions open as well as a recent resignation. He does not know for certain. Mr. Thiel asked if the application is closed or ongoing. Ms. Sandberg stated the Board of Safety approved an open hiring list. No close date was made related to that.

A motion to approve was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**6. Rescind offer of Full-Time Employment offer to Mark Whitlock. (*Favorable recommendation (4-0) from the Board of Safety on April 24, 2024*)**

A motion to defer was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

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

**1. Approve Posting a Notice to Accept Applications for a Mechanic**

Mr. Recupito stated there has been discussion since last year to hire a mechanic to work on the fleet of equipment in Town. He stated he has talked about it a lot with Mr. Kubiak. Mr. Kubiak stated it is an effort to hire a mechanic with some certification. They increased the hourly rate. Previously, the mechanic position was equal to a crew worker. They created a higher position to get a mechanic with certifications and qualifications to do more than change oil. They have a lot of stuff broken all of the time and need someone in there to fix it. This will help fill the void and stop outsourcing so much out. Mr. Carnahan stated a lot of claims tonight were oil changes. Mr. Kubiak stated they are doing their best to keep up with their own. Mr. Recupito asked Ms. Sandberg if it was a budgeted item. Ms. Sandberg stated it was budgeted and it would be paid 50% from the Motor Vehicle Highway Fund, 25% from Wastewater, and 25% from Stormwater.

A motion to approve the posting of a notice to accept applications was made by Robert Carnahan with second by Richard Thiel. Mr. Recupito stated this is just to consider approving posting for the notice. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**2. Approve Placement Agreement for a full-time ATM in the Police Station**

Mr. Recupito stated there is an agreement in the packet. It is between the firm Station 21 LLC and the Town of Cedar Lake. He asked Mr. Austgen if he had reviewed it. Mr. Austgen stated he has not seen it. Mr. Carnahan asked what the Town gets out of it. Phil stated \$0.50 per transaction. Mrs. Dickson stated Summerfest has a contract with the carnival. She asked if this would interfere. Phil stated if required, he can disable it for the week. He stated he has no problem with them being on the grounds at the same time as his unit. He stated they are willing to work with them. Mr. Recupito stated the agreement states that it shall be in effect for a term of sixty months. Other cash dispensing machine may be used on the premises and the agreement will renew for an equal term of sixty months unless the ATM owner receives written notification to cancel within sixty days of the end of the term. Mr. Thiel stated they need the agreement amended to reflect that. Mr. Recupito stated he is leaning toward deferring. Mr. Thiel stated he would like Dave to review. Mr. Austgen stated they can put it on the June 4<sup>th</sup> agenda as long as they get him the document. Mrs. Dickson asked about the term length of the agreement and if they could do it as a Council further than their term. Mr. Austgen stated it is a service type agreement and could. Chief Fisher asked if they would allow it to be put in under the Farmers Market until they decide. He stated they have events upcoming. Mr. Thiel asked if that would be putting it in prematurely. Mr. Austgen stated it would with no agreement in place. A brief discussion continued.

A motion to defer until Mr. Austgen could review and make updates based on the comments made was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0.

**REPORTS**

**1. Town Council** – Mr. Carnahan stated Chuck and he had a Street Committee meeting. Based on what Don Oliphant told them, they should continue with Shades for the July application for Community Crossing Grant. He stated they directed Jen to get with Corby to determine what kind of bonding ability they have. She will discuss with Corby and get them information on bonding. Mr. Carnahan discussed getting 141<sup>st</sup> done from Parrish to the railroad tracks once some of their current obligations are satisfied. Mr. Recupito asked if they are waiting on information from Corby. Ms. Sandberg stated she has requested from Corby how large of a bond issue they could go. Mr. Recupito stated if they get the \$1.5 million from the State, they have to match it. Don estimated the cost of around \$1.8 million. They would have to bond part of that or maybe all of it depending on where Jen can find the money. He stated they would look at bonding out for reconstructing 141<sup>st</sup> Avenue from Parrish to the tracks. Mr. Recupito asked if it was possible for that project to be paid for with TIF revenue. Mr. Carnahan stated it is not in the TIF area. Mr. Austgen stated it is adjacent to. Mr. Carnahan asked to make a motion to do this so Don can make application in July. Mr. Recupito asked for him to clarify his motion request. Mr. Carnahan stated his motion is to have Shades Phase II continue and have Don prepare the grant application. Mr. Recupito asked if they can wait to June or if it has to be public action. Mr. Austgen stated the direction Bob wants to make is for the due diligence to commence the road project including concept engineering, financing, and grant application filing. Mr. Carnahan stated he wants to get Don direction with filing out the application. Mr. Austgen asked if an engagement was needed for this. Ms. Sandberg stated applications have fallen under the general services agreement with CBBEL. Mr. Recupito asked if they needed public action. Mr. Austgen stated they should. Mr. Carnahan made a motion to amend the agenda. A second was made by Chuck

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

Becker. A motion to approve was made by Robert Carnahan with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0. Mr. Carnahan made a motion to have Don Oliphant with Christopher B. Burke Engineering prepare an application for Community Crossing Grant in the amount of \$1.5 million for the Shades Phase II project. A second was made by Richard Thiel. Mr. Recupito opened the floor for public comment. Mr. Kubiak stated he does not know why he was not included in the streets meeting. He stated he would like to see not all the money be committed to the Shades 2 project. He discussed 131<sup>st</sup> and 132<sup>nd</sup> being in dire need of resurfacing. Mr. Carnahan stated this recommendation was made by Don. A brief discussion continued. Terry Broadhurst commented on Blue Sky by Olthof off of 141<sup>st</sup> and Parrish. He stated on the entrance it was discussed to have a turn lane and all of the things they would need to do. He stated he would imagine those projects would coincide. Mr. Carnahan stated Mr. Oliphant discussed that with them. There are obligations from developers on 141<sup>st</sup> that they would try to pull their money so the Town does the project with their help with funding. Mr. Recupito stated he understands Mr. Kubiak's concerns. A brief discussion continued on estimated project costs as well as the east side sidewalk project. Roll Call: Carnahan – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 0. Mr. Carnahan reported the Kids Free Fishing Derby would be on Saturday, June 1<sup>st</sup> at the Cedar Lake Chamber. No registration necessary. First 100 kids will receive a free fishing pole. Mr. Recupito stated someone sent him a link for Safewise.Com. Cedar Lake was ranked the fourth safest city in Indiana. He commended law enforcement. Mr. Thiel asked if they need to mention anything with the IT position. Mr. Thiel stated they had a meeting with one of the applicants on Friday. Mary Joan and him took the recommendation of Cliff and staff. This is the person they would like to go with. He stated he would like to see something on the next agenda. Mr. Thiel stated he spoke with Sue about JMOB and shared the engineering report on the expansion. He stated they are trying to figure out estimated cost per ratepayer. Ms. Haase stated she did not the number yet but she is in the process. She stated she found a couple cost items that are missing from their estimate of probable costs. She stated it may not be material. Mr. Thiel asked if she would be present for the public hearing at Lowell for the PER and if she had any questions to please email those to them. Mr. Recupito asked about customers in Lake Dale and what was the mechanism for notifying them. Mr. Austgen stated the website, monthly billing, notice of meetings. Mr. Recupito asked if they have a quasi-government entity. He stated maybe they could get in touch with them. Mr. Thiel stated they should send an apology for not inviting them to the last meeting. Mr. Bunge stated Nicole from Lake Dale reached out recently. She stated they have an annual meeting in July between the two entities. They would like to set a date for a meeting. She was looking for them to meet on July 22<sup>nd</sup>. Mr. Recupito asked if they could wait that long. Mr. Bunge stated it was her request. Mr. Recupito asked him to work on scheduling that. A brief discussion continued. Mr. Carnahan asked Sue about Lake Dale and if she was calculating what they would have to charge to them. Ms. Haase stated they are on a contract basis. As the amount the Town gets billed from Lowell changes, Lake Dale's monthly bill changes. It is also based on their percentage of flow. They will have to pay the increased debt payment but based on the percentage they are paying. A discussion occurred on the monthly estimated charges from Lowell and if the \$75,000 should increase. Ms. Haase stated the PER presented proposed operating costs for the plant. She is looking at how that compares from the 2022 true-up. She stated she is looking into it to get a more solid number for what they could anticipated their monthly cost to go up to. Right now, the \$75,000 is more than the 2022 true-up. She stated since the budget for 2024 is less, she is not sure it will go up.

2. **Town Attorney** – No report.
3. **Clerk-Treasurer** – No report.
4. **Town Manager** – Mr. Bunge reported on an update from Don Oliphant on the Paradise Cove wells.
5. **Director of Operations** – Mr. Kubiak reported a storm pipe failed on the curb near the Sandbar Restaurant. About 145 feet of 24-inch pipe needed replaced. PGX helped get the new pipe in. They will fill the old pipe with flowable fill and move on to restoration. Two houses have been torn down in the last two weeks for Unsafe. Mr. Carnahan asked which houses. Mr. Kubiak stated the houses were on 139<sup>th</sup> Place and 135<sup>th</sup> Avenue. Mr. Kubiak asked to move forward with changing the lighting ordinance from the zoning ordinance to the Town Code. This way police officers would be able to enforce. He stated there have been a couple of complaints and items that need to be addressed. If it was in Town Code, building would be able to get a little help.

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

6. **Police Department** – Chief Fisher reported on the monthly calls report. He reported the pier is in. The emergency response side is completed. He stated he spoke with DNR and they were approved for a new boat from the State for the lake.
7. **Fire Department** – Deputy Chief Mager reported on the monthly calls report.
8. **Parks Department** – Mrs. Ray stated she would like to let the public know to continue to like their Facebook page and website for all of the things going on in the Parks Department. A brief discussion continued on facilities at Bartlett/Wahlberg Park. She reported the gazebo was destroyed by a tree during the storm.

**UPDATE/DISCUSSIONS**

1. **Morse Street Water Line Extension** – No further update.

**WRITTEN COMMUNICATION**

2. **Christopher B. Burke Report** – Mr. Bunge summarized the report. The dredging project is officially ceased as of May 16<sup>th</sup>. The volume cap available has been reached on available funding. The sub-consultants will begin an as-built survey. CBBEL will review the survey to establish final quantities. Dredge America crews will leave the site this week while the as-builts are completed. The dredge will be removed from the lake in about a week to go to another project site. Final demobilization will occur in August unless additional funding is provided. If additional funding is provided, there will be an additional mobilization fee assessed by Dredge America. Operation of the sediment dewatering facility will transfer to the Town once the project is formally closed. An MS4 education course was held at Town Hall today by CBBEL for builders and developers. There were 14 participants. The crack sealing and striping project is almost complete. They are finishing up the last bit of striping. The 2023 CDBG ADA project in Lynnsway is substantially complete. They are working with H3 on final pay applications. A brief discussion continued on the report.

Mr. Carnahan asked Mr. Recupito if he contacted Jerry Tippy. Mr. Recupito reported that he had made contact last week. There was a verbal agreement with the last group that the money was to be used at the end. If the Town does not find a way to put the \$2.1 million of sewer money that was taken out of the eco-system fund and put back into the sewer fund, they will not get the money. He stated he was surprised because after the first of the year he was told there were no strings attached to the request. He stated there is money there from the class action settlement.

3. **Building Department Report** – Mr. Bunge reported through the end of April new construction permits were up. Mr. Carnahan stated there were 17 new construction permits in April for a total of 52 for the first four months of the year.

**PUBLIC COMMENT**

Gayle Brannon, 7014 W. 139<sup>th</sup> Place, thanked the board and departments involved in getting the house on 139<sup>th</sup> Place torn down. She discussed the ATM and the service contract. She asked if it should be put out to bid. She also voiced concerns with the length of the term. She discussed Lake Dale and their sewer bill. She discussed grey water and sewer storage containment tanks. A brief discussion continued.

Angie Mikolajczak, 12806 Lee Court, discussed the ATM on the grounds and stated they should give the opportunity to the local community and banks. She stated there should be a bid out. Mr. Carnahan discussed the open ATM location at the Hanover Township Trustee building and the difficulty in filling it. Mr. Toth stated no one is interested and they will be removing the pad. Mrs. Mikolajczak voiced concerns with the light ordinance mentioned by Mr. Kubiak. She stated she had garden lights. She asked for more information. Chief Fisher stated that is in relation to those with too bright lights. The watt power is too bright and violates the Town ordinance. Right now, the ordinance does not allow for Police enforcement. Her garden lights would not be in violation. A brief discussion continued on the process for updating the ordinance.

Mark Porcaro, 13238 Lake Shore Drive, spoke on behalf of the Sunset Harbor Condo Association. He asked if they would consider installing a guard rail along the property. Somewhere between their property and Sandbar. He stated there have been a series of accidents over the years. It has become a safety issue. He stated he spoke with Mr. Carnahan and Mr. Becker as well as Public Works. They do not have an opposition to it. He asked how they get the ball rolling. Mr. Becker discussed the safety concerns. Mr. Kubiak stated he has TJ coordinating with the company that put in the guard rail in the Shades project. He stated they are finishing up the storm sewer project and would mark out and get proposals to get back to them. Mr. Recupito asked if there was anything decorative that could be done. Mr. Kubiak voiced concerns with having something decorative and if it would be able to stop the speeding vehicles. A brief discussion continued on the prior decorative posts. Deputy Chief Mager stated they need to consider the draft point. That is important for fire protection of the buildings. He stated there is a pretty big section that will not be able to be covered. A brief discussion continued.

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

Brenda Roberts, 15008 Morse Street, discussed the NIPSCO pole on 153<sup>rd</sup> and Morse that was torn in half by the microburst that went through. She stated she spoke with a representative and thirty-six poles in Lowell had to be repaired. Mrs. Roberts appealed to everyone to observe the speed limit on Morse. She voiced concerns with speeders in the area and not observing the stated speed limit. She voiced concerns for the wildlife in the area. A brief discussion continued on the signs.

**ADJOURNMENT** President Recupito called the meeting to adjournment at approximately 9:29 PM.

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

\_\_\_\_\_  
Robert Carnahan, Ward 1

\_\_\_\_\_  
Julie Rivera, Ward 2

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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.