

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



August 6, 2024

**Public Meeting Advertised for 7:00 PM
Conducted at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence**

Roll Call:

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

**Present via Zoom.*

PUBLIC COMMENT

None

CONSENT AGENDA

- 1. Minutes:** June 18, 2024 and July 2, 2024
- 2. Claims:** All Town Funds: \$524,832.67; Wastewater Operating: \$242,601.85; Water Utility: \$42,535.42; Storm Water: \$19,168.61; and Payroll: July 18, 2024 – August 1, 2024 - \$696,277.50
- 3. Tag Day Requests:** Knights of Columbus, September 7, 2024 (rain date September 14, 2024)

Mr. Carnahan noted there were six oil changes in the claims. He asked what the status of the mechanic was. He stated he heard the guy turned them down. Mr. Thiel stated that was not true. He has not given a definite yes as he was out of town. Mr. Thiel will be reaching back out to him. Mr. Carnahan stated they purchased four police vehicles. He stated the black and white vehicles cost \$43,267.75. There are two others, deep red and deep blue, at a cost of \$43,620.75. He discussed the additional cost and asked if it was due to paint. He stated he is inclined to think they should keep white vehicles like they used to. Mr. Thiel stated he was not sure if any were for code enforcement or anything like that. Ms. Sandberg stated no. She stated it was more of a gradient. You cannot tell there is color as the vehicles look black. She stated she could not speak to the cost difference. She would have to go line by line on the invoice. She stated these are the vehicles the Council previously approved. Mr. Carnahan asked Mary Joan to comment on her thoughts of the white cars. Mrs. Dickson stated she was thinking it would be cheaper to have all white cars. She stated there are citizens upset with the black cars because you cannot see the number. A brief discussion occurred on the rain date noted for the Tag Day Request.

A motion to waive the reading of the minutes and accept the consent agenda with clarification of the Tag Day Request Raid Date was made by Richard Thiel with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

ORDINANCES/RESOLUTIONS

1. Ordinance No. 1492 – S-33 Supplement to the Town Code

Mr. Thiel read Ordinance No. 1492 by title only. Ms. Sandberg stated in order to make sure the government can properly function you have to codify your ordinances. The Town uses American Legal Publishing to help in the process of codifying the ordinances. They review all of the ordinances adopted, organize them into the proper structure, they conduct editorial and legal review, draft and finalize as well as publish the code. The code is updated on the Town website.

A motion to adopt Ordinance No. 1492 was made by Chuck Becker with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

2. Ordinance No. 1491 – Amending Park Facility Fee Schedule

Mr. Thiel read Ordinance No. 1491 by title only. Mrs. Ray explained this ordinance is pertaining to the Clubhouse Rentals. The permit had minor updates to the form for clarification. The permit has been updated to include a \$75.00 alcohol permit fee as well as an additional security deposit of \$300 if alcohol use is requested. Mr. Recupito stated

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

it was his understanding the Park Board approved a resolution in favor of the updates. Mr. Austgen stated the resolution was favorable for adoption.

A motion to approve Ordinance No. 1491 was made by Chuck Becker with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

A motion to suspend the rules and allow for a second reading was made by Julie Rivera with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

Mr. Thiel read Ordinance No. 1491 by title only.

A motion to adopt Ordinance No. 1491 was made by Julie Rivera with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

3. Ordinance No. 1495 - Amending Park Rules & Regulations – Animal Access in Town Parks

Mr. Thiel read Ordinance No. 1495 by title only. Mr. Carnahan asked for clarification with the Park Board Resolutions. Mrs. Ray explained this is a clean up because there were issues with the beach area. People believed dogs were permitted. This ordinance states that pets are to be leashed in park spaces, not permitted in playground areas, not permitted in the beach area or athletic fields. It states unleashed dogs are only permitted by membership at Kiwanis Dog Park. Persons are responsible for any dog and shall dispose of dog waste. It touches on farm animals, which has not changed, it states farm animals are not permitted in parks spaces unless there is approval. Mr. Becker questioned not permitting leashed dogs on the fields on the Town Grounds. Mrs. Ray stated not when there is soccer practice or soccer games. He stated they were allowed in the past. Mrs. Ray stated they had issues with dogs by fields. Some children are allergic or scared. Mr. Becker continued to voice his concerns. He stated he did not see a problem with dogs on the sidelines. Mrs. Ray stated it seems to be the best measure when running those types of programs. Mr. Carnahan stated it does not apply to the farmer's market. Mrs. Ray stated no.

A motion to approve Ordinance No. 1495 was made by Julie Rivera with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- No, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 5 – 1.

4. Ordinance No. 1496 – Amending Park Rules & Regulations – Metal Detector Use

Mr. Thiel read Ordinance No. 1496 by title only. Mrs. Ray explained this is cleaning up an ordinance that previously stated metal detecting would be prohibited by permit. A permit never existed. The ordinance has been revised to state the use of metal detectors in Town parks is prohibited. Mr. Recupito asked why. Mrs. Ray stated her understanding was that when people would metal detect they would leave divots and holes. Repairing was too much to monitor. She discussed safety in the parks.

A motion to approve Ordinance No. 1496 was made by Julie Rivera with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

A motion to suspend the rules and allow for a second reading was made by Julie Rivera with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

Mr. Thiel read Ordinance No. 1496 by title only.

A motion to adopt Ordinance No. 1496 was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

5. Ordinance No. 1497 – Amending Park Rules & Regulations – Motorized Vehicles

Mr. Thiel read Ordinance No. 1497 by title only. Mrs. Ray explained the ordinance does not address motorized vehicles but addresses bicycles, skateboards, and roller skates. Section C has been updated to read as: *“Bicycles, skateboards, roller skates are permitted in Park spaces but are expressly prohibited from being placed or used upon play equipment and picnic tables.”*

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

A motion to approve Ordinance No. 1497 was made by Chuck Becker with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

A motion to suspend the rules and allow for a second reading was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

Mr. Thiel read Ordinance No. 1497 by title only.

A motion to adopt Ordinance No. 1497 was made by Julie Rivera with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

6. Ordinance No. 1498 - Amending Park Rules & Regulations – Beach-Sandbox and Pier Rules

A motion to defer was made by Julie Rivera with second by Chuck Becker. Mr. Carnahan asked for the reason. Mrs. Rivera stated they were going to have a meeting with the Park Board and liaisons to clarify some things. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

NEW BUSINESS

1. Agreement for Conditional Offer of Employment as a Police Officer for Randall Lukasik (Approved by Board of Safety on July, 24, 2024, with a 4-0 vote)

A motion to rescind and withdraw was made by Robert Carnahan with second by Richard Thiel. Mr. Becker asked if they could find the money to be able to afford this. Mr. Recupito stated it is not in the budget and the position was filled. Ms. Sandberg stated there were no additional police department positions contemplated in the 2024 budget. A brief discussion continued. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

2. Peterson Consulting Services Agreement – Assist in Preparation of GASB 34 Compliant Capital Asset Report for FY 2024

Ms. Sandberg explained this is an annual engagement with Peterson Consulting. They assist with preparation of the GASB 34 compliant capital asset report. The engagement is for year end December 31, 2024. This is so a proper report can be filed with the Annual Financial Report. Mr. Recupito noted the fixed fee is in the amount of \$3,725.

A motion to approve was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

3. CBBEL pay request #7 in the amount of \$308,007.51 for Shades Subdivision Improvements, Phase 1

A motion to approve based on the recommendation from Christopher B. Burke was made by Robert Carnahan with second by Chuck Becker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

4. CBBEL Pay Request #9 in the amount of \$277,452.56 for Dredge America

A motion to approve based on the recommendation from Christopher B. Burke was made by Robert Carnahan with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

5. Allow for the advertisement and acceptance of applications for Park Board position

Mr. Carnahan noted it needs to be a democrat. Mr. Recupito stated they recently received the resignation of Park Board President Mr. Holsti. A motion to advertise was made by Robert Carnahan with second by Julie Rivera. Mr. Thiel stated he spoke to Mrs. Dickson early and wanted to know if it was possible to have the application run until the 28th of the month. That way a decision can be made to have somebody on by their next meeting in September. Mr. Recupito asked if that would work. Ms. Sandberg stated no. She previously stated in an email that it does not work as it is a holiday and short week. There is no way she would be able to onboard and give someone the oath of office the day before their meeting. Mr. Recupito asked how long they want to run the advertisement until. Ms. Sandberg stated previously they have not had a long application window. If they direct it to be noticed, it can be done tomorrow morning. They can accept applications until Friday, August 16th, then those applications can be compiled and ready for the August 20th meeting. If by chance no applications are received, then they can extend it. Mr. Recupito asked Mrs. Dickson if that was okay. Mrs. Dickson responded yes. She stated she was not aware of the holiday weekend and how it shorted up their

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

opportunities for onboarding. She stated this sounds doable. She stated she wants it filled for the September 5th Park Board meeting. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 – 0.

REPORTS

1. **Town Council** – Mr. Carnahan reported the golf outing is coming up. He is not sure if they have filled all their spaces. Mr. Recupito asked if they were still looking for sponsors. Mr. Kaper stated they are still looking for sponsors and spots to play are available. Mr. Carnahan stated the Town Council and Clerk-Treasurer got an invitation to the 90th Anniversary of the Cedar Lake Yacht Club. Mr. Thiel stated last Friday the committee met for the Fire Department Equipment. Norm Stick, Charlie Kaper, Rich Thiel, Mary Joan Dickson, Clerk-Treasurer Jennifer Sandberg, Chief Wilkening, Nick Mager, and Kevin Toth were all present. There was good discussion on the current equipment conditions and projected needs. They came to the decision they will not pursue the used engine from Fire Services. They are planning another meeting with Mr. Herb from Sutphen. They will go through and discuss the truck and equipment. Mr. Thiel stated he was contacted by the Henn's regarding the test well in Railside. There is interest in the lots where the test well is. He discussed an email from Don Oliphant. It stated based on the anticipated setbacks from the proposed well to allow future uses of parcels within Railside Industrial Park, it is recommended that a well site not be further pursued in the subdivision. There are too many unknowns. They believe it would be more responsible to utilize Town funds in pursuit of a production well on another site on the west side. Mr. Thiel talked about the wide range of permitted uses in an industrial park and well protection sites. He stated there would be use restrictions which the Henn's would not agree with. A brief discussion continued. Mr. Thiel discussed the Council chairs. He stated he went over the HDW the other day to look at chairs. He stated he spoke with them and got quotes. He stated he received two quotes and he has shared them. Jen did have funds set aside after we agreed with that. He added that both quotes are well within the set aside funds. He discussed the chairs in his office. He stated the lesser of the quotes is that one. He stated he sat in a more comfortable chair there but it is more money. He stated whatever the Council's decision. They do come installed, with a ten-year warranty, and delivery. They will do all of the service on them as well. Mr. Carnahan asked if it was the quote for \$335. Mr. Thiel stated \$385. He stated the first one is on the third page with a total cost of \$3,770. Option two is the one he sat in there. That total was \$3,490. That is for eight chairs delivered, installed, and the warranty. It does not include removal of the old chairs. They would need to find a dumpster. Mr. Carnahan suggested selling them. A brief discussion continued on the chairs. Mr. Kubiak stated the have zero value and he would throw them in the garbage. Mr. Carnahan stated they could offer them to anyone that would want them. Mr. Kubiak stated it is very difficult to give away public stuff properly. Mr. Recupito stated they have a couple options to consider. A brief discussion continued on the style of chair. Mr. Recupito stated he trusts Mr. Thiel's judgement and they all have a copy.
2. **Town Attorney** – No report.
3. **Clerk-Treasurer** – Ms. Sandberg reported last week they had a follow up meeting with Council Affairs and Corby Thompson. They have preliminary numbers together. They are working with updated financials and going line by line through items. Mr. Thompson recently welcomed his first child and they are going to give him a little time. They hope to present a draft to the Council by the next meeting or the first meeting in September.
4. **Town Manager** – No report.
5. **Director of Operations** – Mr. Kubiak reported he spoke to Mr. Recupito about Lift Station #15. He stated the pumps are bad and they need to get new ones ordered. That will get them up to date. It is \$4,900 to rebuild one of the pumps. The mechanical seals are bad and the pump is old. It is one of the older stations that needs updates. The new equipment for that as well as the pumps and new rails is \$18,386. They need to order them as they are on bypass now. It will be on the Utility Board agenda. He stated he would like their blessing to get them ordered. The new pumps will take approximately one week. They are beginning culvert work on 129th Avenue by Oakbrook. They finally got locates and everything ready. They will get concrete poured and the new pipe put in. Mr. Carnahan asked about the guardrail by Sunset Harbor. Mr. Kubiak stated they received a preliminary price but the guy was checking on something with the curb to ensure the specs were proper. Initial price was \$15,000 without anything more. He was out last Monday and called to say he may have to update the quote. Mr. Thiel asked if they were the flared ends. Mr. Kubiak stated he believed so. Mr. Carnahan noted the cabinet at Lift Station #3 looks like it is rusting. He asked about a coat of paint. Mr. Kubiak stated they will look at it.
6. **Police Department** – No report.
7. **Fire Department** – No report.
8. **Parks Department** – No report.

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

UPDATE/DISCUSSION

1. Bond – Fire Truck ambulance and street sweeper

Mr. Recupito stated they are still probably discussing the needs. Mr. Thiel stated he does not know if it is wise to talk about the fact that it is probably good, they did not get the bond last year because of the timing of the fire truck. Ms. Sandberg stated the most recent update she was given is that the truck from Sutphen is further delayed. She discussed precarious timing with the issue of a bond and receipt of equipment. She stated at this time once more equipment needs are discussed and Town Council decides on their goals and objectives, that is when the Council will have to decide which route they wish to go with a bond. Mr. Carnahan stated they also discussed reconstructing 141st Avenue off of Parrish. He asked if she had talked with Corby and Sue about the bonding capacity. Ms. Sandberg stated they are working on it but they have to remember that there was the discussion of using the economic development income tax monies. She stated those funds have also been discussed for the 133rd Avenue Road Raising project. Currently, Christopher B. Burke Engineering is working on design of that project. Design is being paid for with those funds. She stated she believes 2025 is anticipated construction. She added that they did instruct Christopher B. Burke Engineering to apply for the Community Crossing Grant for Shades Phase II. That is a significant project and they will need to utilize the remainder of any economic development income tax funds that could potentially be available. That means they will have to consider a general obligation bond. She reminded them that if they do issue a general obligation bond, it will affect the tax rate. Mr. Recupito stated he would like to know at some point soon whether it is going to be feasible or not to do 141st without having an impact on the tax rate. He stated they received a price from Don for surveying. That is the next step. He stated he did not give him the go ahead as there is no sense in pursuing that if the Council thinks that they do not want to have a negative impact on the tax rate. Ms. Sandberg stated she cannot tell them whether or not until somebody gives her a potential cost. They do not know whether or not it would fit within the capabilities. Mr. Carnahan asked how much for the survey. Mr. Recupito stated he thought it was somewhere around \$23,000-\$25,000. Mr. Carnahan asked if they could afford that. Ms. Sandberg stated if it is in that range, they may have the capacity within the current year budget, whether it is between the engineering line item or professional consulting line item. She stated that seems reasonable. Mr. Thiel spoke on the upcoming meeting with Sutphen and asking about surety on the truck. In the contract now, there is nothing other than there can be delays. They are fortunate they did not do the bond. Mr. Recupito asked what their window is for determining what they are going to need. Ms. Sandberg stated it depends on which route they wish to go. Whether or not they are going to do one, the other, or both. She stated if it is going to be a general obligation bond, that is backed by property tax revenue, they have to make sure they issue it timely. She stated Council needs to narrow down their goals and objectives. She further discussed timing of projects. Mr. Carnahan discussed the street sweeper. Mr. Kubiak stated Public Works needs a payloader. He stated the payloader is a 1999 and used every day for operations. Discussion continued on the street sweeper, debris going into the lake, and a payloader.

2. Master Plan Update

Mr. Recupito stated he requested this item be put on the agenda. He stated it is something he believes a handful of them have been thinking about since last year. He thinks it is necessary as it has been years since a Master Plan Update. He thinks some of the stuff in the plan is not what the public wants. He asked where they go from here. Mr. Austgen stated it is pretty simply. They solicit qualified proposals from professionals who do this work. Get pricing on a comprehensive master plan service and get it going. Mr. Carnahan stated they also meet with the public to get input from them. Mr. Austgen stated that is all part of it. Ms. Sandberg stated such plans can be quite costly. If it is something they wish to pursue, she needs to know now that way she can go back to Corby and budget accordingly for next year. Mr. Recupito asked if it was something that they had to amend the agenda for or simply have Jennifer talk with Corby to see what the numbers look like. Mr. Austgen stated there are two things going on here. Jennifer has her job to do and deal with the money. The other is in Council developing a proposal. Mr. Recupito discussed putting it on the next Council agenda, if wanted.

WRITTEN COMMUNICATION

None

PUBLIC COMMENT

None

ADJOURNMENT President Recupito called the meeting to adjournment at approximately 8:17 PM.

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

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

Robert Carnahan, Ward 1

Julie Rivera, Ward 2

Nick Recupito, Ward 3

Chuck Becker, Ward 4

Greg Parker, Ward 5

Mary Joan Dickson, At-Large

ATTEST:

Richard C Thiel Jr., At-Large

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

The Minutes of the Cedar Lake Town Council are transcribed pursuant to IC 5-14-1.5-4(b), which states:

(b) As the meeting progresses, the following memoranda shall be kept:

- (1) The date, time, and place of the meeting.
- (2) The members of the governing body recorded as either present or absent.
- (3) The general substance of all matters proposed, discussed, or decided.
- (4) A record of all votes taken by individual members if there is a roll call.
- (5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.