

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

**September 3, 2024**



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

**Roll Call:**

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

**OATH OF OFFICE**

Chief Todd Wilkening introduced Jena Reynhout as the newest Firefighter/EMT. Ms. Reynhout received the Oath of Office from Clerk-Treasurer Jennifer Sandberg.

**PRESENTATION**

**1. Hanover Trap & Skeet Team**

The Hanover Central Trap & Skeet Team was recognized by Representative Frank J. Mrvan for their outstanding placement in the USA Clay Target National Competition. He congratulated them for their performance and handed out individual awards.

**2. Corby Thompson – 2025 Budget**

President Recupito welcomed Corby Thompson with Krohn and Associates. Mr. Thompson briefly discussed the budget process and meetings with Council Affairs and Department Heads. Preliminary budgets have been discussed and that is reflected in the presentation. The presentation and supporting documents can be found on the Town's website at <https://cedarlakein.org/town-budget-and-finances/>.

**Public Comment on the 2025 Budget Presentation**

1. Jake Huppenthal, Secretary/Treasurer of Cedar Lake FOP, PO BOX 216, commented on the police department budget. He stated the budget is for 25 officers and they are sitting at 24 currently. Mr. Thompson stated yes. He asked if the 25 included the one hire. Mr. Thompson stated yes. Mr. Huppenthal commented that they could be sitting at 24 plus 3% COLA and additional wage increase so that could be more than 3%. Mr. Thompson stated yes. Mr. Huppenthal commented or they take 25 and stick with 3%. Mr. Thompson stated yes. Mr. Huppenthal asked if there was any talk about offering health insurance after retirement. Mr. Thompson stated he has not had any conversations on that. It has not been included in the budget. Mr. Huppenthal asked if there were talks about any other type of benefits that they can increase. He stated as examples, time off, specialty pay, special jobs, and special positions. Clerk-Treasurer Sandberg stated nothing like that was presented to them in additional meetings. Mr. Huppenthal stated it is no secret the FOP has been trying hard to communicate with the Town Council. He stated they surveyed the entire County and the benefits package is below everybody. He stated they are losing cops to different departments and not getting many applicants. He continued to discuss health insurance after retirement. He asked them to consider and think about it. Mr. Huppenthal stated they discussed health insurance and asked if there was anything with dental or vision or if that was included with health insurance. Ms. Sandberg stated that is included with health insurance but unfortunately, no matter where they go, dental benefits are pretty crappy. She stated they do their best and shop each year to make sure they are not seeing any significant increases in the premiums for dental and vision. She stated there are not many good plans that offer anything above what they are currently receiving. Mr. Huppenthal stated he spoke with Mr. Recupito regarding his concerns with dental insurance. He continued to voice concerns with the dental benefits. Chief Wilkening asked Mr. Huppenthal about the request for health insurance after retirement. Mr. Huppenthal clarified that state statute says the Town has to offer to them to stay on the insurance plan but it does not say they have to pay for it. Mr. Huppenthal stated that is what they are asking. That the Town still pay 90% of the premium and individuals would be responsible for 10% or they meet in the middle. He clarified this request is for retirees. Mr. Huppenthal also discussed the longevity benefit. If the longevity increases, that also increases the certified salary for retirement. He asked them to consider not only blanket salary increases but the small stuff they could spend money on for recruitment and retention. Mr. Recupito stated

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he thinks they need to take a better look at the budget and figure out where they can make some headway.

2. Chad Wilson, 9111 W 137<sup>th</sup> Place, asked Mr. Parker what his issue was with Lake County Dispatch. Mr. Parker stated a lot a time they cannot find their way around the community. If there was a dispatch center in East Chicago and Crown Point, he believes the service in the community diminishes. He stated that was his argument for having their own dispatch center. He thinks Southcom works good for South Lake County and believes it should be the second PSAP. He stated it is a Council decision. It was at the time and he has not heard anyone on this Council that wishes to surrender all dispatch to Lake County. Mr. Wilson discussed the numbers shared and saving money. He stated that working out of one dispatch center is better than two. A brief discussion continued.

Mr. Thompson stated depending on how further conversations go, there is time to push the public hearing back. If done, it does not give any further wiggle room in the schedule. A brief discussion continued.

**PUBLIC HEARING**

**1. Ordinance No. 1499 - Y2024 Garbage/Refuse and Recyclables Rate Ordinance Amendment**

Mr. Recupito stated he has not had an update with the garbage provider. He was looking for a seventh-year option. He has not heard anything. Mr. Carnahan discussed the rates recommended. Ms. Sandberg discussed restructuring the rate ordinance for year over year increases to match the service contract. She also requested that the work papers provided by her and Sue Haase not be exhibited to the ordinance as the work papers showed multiple considerations for rate increases. She noted that currently they do not pay for administrative or operational costs out of the garbage fund. They have included those some of those costs in the recommended rate.

A motion to defer and continue the public hearing on October 1<sup>st</sup> was made by Chuck Becker with second by Greg Parker. Mrs. Dickson asked if on October 1<sup>st</sup> they would have something established. Mr. Parker stated it would be finished. Mr. Recupito stated he will get on the horn tomorrow with the gentlemen from Republic. As Ms. Sandberg said, they can lay out what the costs will be each year until the seventh year. That way there is no shock. A brief discussion continued. Mrs. Rivera asked Jen what the collection rate was and what happens if someone does not pay. Ms. Sandberg estimated the collection rate to be about 89% – 90%. What happens when a customer does not pay a bill, they send out past due notices. Those are sent out periodically and get to the point of placing a lien. She briefly discussed the lien process. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**PUBLIC COMMENT**

Dean Wilkening, 15011 Euclid, addressed Mr. Parker and stated he does not understand the problem. He voiced concerns with the cost for the Schererville PSAP. He proposed being able to hire additional police or fire personnel with the potential savings by moving to Lake County Dispatch. He stated no other community around them have a problem with County doing dispatch. He stated there is a pool of dispatchers that can do the job. He voiced concerns with the training of individuals at Schererville. Mr. Parker stated he just disagrees with him. He voiced concerns with the good government initiative. Mr. Wilkening discussed there being an opportunity by switching to Lake County Dispatch. Mrs. Dickson asked Ms. Sandberg about the LIT monies and what happens if they switch. Ms. Sandberg responded they would not lose the funds they would reallocate them.

Jerry Conner, 10330 Paramount Way, addressed Mr. Parker and the comments made by Mr. Wilkening. He stated he is a retired Deputy Fire Chief for Beecher. He stated they changed dispatch four times over the last twenty-five years, it works. He did not understand Mr. Parker's hesitation to switch centers with the potential savings. Mr. Parker stated he appreciated his opinion but did not feel the same way. Mr. Conner continued to voice his concerns with the matter. Mr. Parker and Mr. Conner continued to disagree.

**CONSENT AGENDA**

1. **Minutes:** August 6, 2024 and August 20, 2024
2. **Claims:** All Town Funds: \$225,731.60; Wastewater Operating: \$230,143.56; Sewage Bond: \$6,750.00; Water Utility: \$61,391.60; Storm Water: \$12,351.38; and Payroll: August 29, 2024 & August 30, 2024 - \$\$292,376.02
3. **Donations:** K9 Donations to include the following: Heather Dessauer **\$25.00**; John & Irene Rokaitis **\$100.00**; Cedar Lake Lions Club **\$200.00**; American Legion Post 261 **\$150.00**; Veridus Group **\$250.00**; Elmwood Funeral Chapel **\$100.00**; Eenigenburg Exteriors **\$500.00**; Law Enforcement Partners **\$1,295.00**; Illiana Eye Care **\$1,187.00**; Michelle & Daniel Price **\$50.00**

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Police Donation: Larry Nagy – In-Kind Donation of Federal Signal Lights (7)

Fire Donation: Larry Nagy - In-Kind Donation of Bar Light

- 4. Tag Day Request:** Rick Larsen Wrestling Club, October 5, 2024 (rain date: October 12, 2024)

Mrs. Dickson stated on the tag days, in the ordinance it requires them to distribute something. Whether that be candy or a tag, something that shows proof a donation was made. She stated she would like to see that letter given reiterate that. Mr. Carnahan stated he see's it is Rick Larson Wrestling Club. New insurance will be in place after 9/24/24.

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

**ORDINANCES/RESOLUTIONS**

- 1. Ordinance No. 1500 - Cedar Lake/Water Y2024 Sprinkling Usage Regulation Amendatory Ordinance**

Mr. Recupito asked Mr. Kubiak to report on what is going on and the changes in Beacon Point with the irrigation schedule. Mr. Kubiak stated some headway has been made. On Monday, the lowest point was 45.12 PSI and the maximum was 53.27 PSI. The average was 51.45. Monday is historically the worst day. It was tremendously better. He thinks it made a difference. They still need to plan for production and storage. He thinks the ordinance should still be on the books for something to use as needed. Mr. Austgen stated they got a good report from the Director of Operations. He suggested a first reading only. Mr. Carnahan asked Mr. Recupito for an update on what is happening with the Indiana Department of Environmental Management (IDEM) and the letter received. Mr. Recupito stated he reached out to the folks at IDEM. They are working on scheduling a date to meet. A list of was received from IDEM of what and who they wanted the Town to bring. The meeting will still be a few weeks out. Mr. Kubiak stated he was able to give them the numbers because of Cliff and Tim in the IT Department. He stated they put in a new monitor so they can check the pressures every ten minutes. He stated it is amazing he can see that every ten minutes. That was possible because of them. He thanked Cliff and Tim for getting that done. Mr. Parker read Ordinance No. 1500 by title only.

A motion to approve the first reading of Ordinance No. 1500 was made by Richard Thiel with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**BZA/PLAN**

- 1. Approve Birchwood Phase 4 conversion of Performance Letter of Credit to Maintenance Letter of Credit to expire on August 17, 2027 for a total of \$73,938.50**

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

- 2. Approve Centennial Estates, Phase 2 conversion of Performance Letter of Credit to Maintenance Letter of Credit to expire on August 21, 2027for a total of \$53,012.84**

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

- 3. Approve Centennial Villas, Phase 2 extension of Performance Letter of Credit to expire on September 5, 2025 for an amount of \$103,940.34**

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

**NEW BUSINESS**

- 1. Allow for the advertisement and acceptance of applications for the position of Police Chief**

Mr. Recupito stated Ms. Sandberg sent out an email with the policies and some information. Ms. Sandberg stated Mrs. Dickson reached out with some questions and clarifications. Mrs. Rivera also reached out with some information from a prior hiring. Ms. Sandberg stated she has not received any further feedback and is still unclear on the parameters they wish to set. Ms. Sandberg stated it is the Chief of that department and she believes they need to be specific on what they are looking for. Mr. Recupito stated he went through the application and has never seen one so lengthy. Mr. Austgen asked if

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they wanted the Board of Safety to get involved and get some parameters together. Mr. Recupito stated it was mentioned at the last meeting. Mrs. Rivera discussed the 2017 posting. She stated they would have to change the salary and that application said five to seven years of experience and she would like to see ten to fifteen years of experience. She stated it is what got them Chief Coulson in the past. Mr. Parker stated he thinks it is fine. Mr. Carnahan agreed. Mrs. Rivera stated it would need a couple tweaks. Mrs. Dickson asked about past practices. Mr. Austgen stated past practice is the seven of them giving direction. Mr. Parker stated in the past they have gotten applicants, sat down to interview, and the best candidate was picked. It will take some time and require some extra meetings. What Julie is suggesting is the best way to go about it. Mrs. Dickson asked Julie if she would be willing to update the application since she is on the safety board. Mrs. Rivera stated she is not on it anymore. Mrs. Rivera stated if you look at it there are just a few tweaks. They have to decide on salary and years of experience. Ms. Sandberg asked if there was a residency requirement or other requirements. She stated if there is a discussion on having Board of Safety involved, they would need to figure out their timeline. Mr. Parker stated he is not hung up on residency. Mrs. Rivera asked Interim Chief Brittingham if he wanted to take a look at it and see if anything needed to be changed. Mr. Brittingham stated he can look at it but it is really established by state law and policy. Even the salary is set by ordinance. He stated five years is the minimum requirement. Mr. Bunge asked if they can be more restrictive. Mr. Brittingham stated they could ask for whatever they want. Ms. Sandberg stated it is a policy call by the Council for what they are looking for. A discussion occurred on the 2017 posting and process. Mr. Recupito asked Ms. Sandberg if she is comfortable if they make a motion tonight. Ms. Sandberg stated if that is what they direct, she will type it up and send it out to them later this week. Mr. Recupito discussed the timeframe for the posting. Mr. Thiel stated he did not think a month was long enough. Mr. Parker stated start with a month and if they have to extend it, they extend it. Ms. Sandberg stated she would send them the post before it goes live.

A motion to allow for the advertisement and acceptance of applications for Police Chief was made by Mary Joan Dickson with second by Richard Thiel. Mrs. Rivera stated they still need to decide on the years of experience and salary. Ms. Sandberg stated since no one has suggested anything else, she will type it up based on what was previously sent. She will send it out to them all with the current salary rate and they can decide if it works. Roll Call: Carnahan – Yes, Rivera – Yes, Becker- Yes, Dickson – Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

**2. Approve and accept the Training Reimbursement agreement for Fire Department - Jena Reynhout**

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

**3. 141<sup>st</sup> Avenue Survey Proposal at the cost of \$9,500**

Mr. Recupito explained this proposal is from Christopher B. Burke Engineering for surveying along the 141<sup>st</sup> Avenue Corridor to the west of Parrish Avenue. It is necessary to provide the basis for a concept design to prepare a cost estimate for reconstruction. A brief discussion continued. Mr. Thiel asked how it ties in with the possible railroad crossings being done in that area. How asked about the timing and if they found out more information with the railroad. Mr. Carnahan stated he gave Jeff contact information. He asked if he got ahold of anyone. Mr. Bunge stated he has not. Mr. Recupito stated there was a proposal that was being worked on. Mr. Thiel estimated it was about \$20,000 they had to give to Norfolk Southern for their engineers. He discussed a potential light going in. Ms. Sandberg stated they need the survey first before Don can even tell them an estimated cost. Without the estimated cost, she cannot tell them whether or not it would fit into the budget next year.

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

**4. Consider applications for Park Board**

Mrs. Rivera asked Ms. Sandberg about the three applications received. She stated someone reached out to her and stated a Noel Blue turned one in. That name was not on the list. Mr. Parker stated just because of that they should not act on it. Ms. Sandberg stated she will double check the file as those all came in through her office. She'll find out what is going on.

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

**REPORTS**

1. **Town Council** – Mr. Carnahan stated September 17<sup>th</sup> through the 23<sup>rd</sup> is Constitution Week. Each year on September 17<sup>th</sup>, Constitution Day and Citizenship Day is celebrated. He stated they used to do a program years ago where they had all the kids from the school come and ring a bell for Constitution Day. Mr. Carnahan stated he received a bill from the Town of Lowell on the 2023 calculation. He stated if he reads it right, they owe Lowell \$512,489. Ms. Sandberg stated according to them. Mr. Thiel stated they have a meeting next Wednesday with Sue Haase. Mr. Thiel stated he spoke with Sue Haase about that today and questions regarding capital improvements. They did get invoices for some of it but not all of it. Mr. Carnahan asked if it is the true-up. Ms. Sandberg stated yes. Mr. Thiel stated the report was done June 6<sup>th</sup> and they received it on August 28<sup>th</sup>. Ms. Sandberg stated she sent it to them as soon as she got it. Mr. Carnahan stated they have been asking for a meeting and they are now scheduling it. Mr. Thiel stated September 24<sup>th</sup>. Mr. Carnahan stated they have sent them questions and they have not received answers. Mr. Thiel stated no answers yet. They have received a letter from their attorney regarding impasse. Mr. Carnahan stated the questions were given to them a couple years ago. Mr. Thiel stated in recent and multiple times. Mr. Recupito stated the last half of 2023. Ms. Sandberg stated the questions started as soon as they received the 2022 true-up. Some of the questions were answered. Not all of them were. She stated Ms. Haase developed a memorandum to give to Judy before she left office as she expressed, she wished to get everything cleaned up. No response was received. Ms. Sandberg stated she sent it to the new Clerk-Treasurer, Mrs. Murr, at the beginning of the year and no response was received. Mr. Austgen asked about an acknowledgement from her that you sent it. Ms. Sandberg stated not regarding that memorandum. She has corresponded with her regarding monthly bills and the reimbursement calculation and supporting documentation. She stated there will be additional information requested regarding the true-up. Mr. Thiel stated Mrs. Haase has been compiling information and questions. Mrs. Rivera stated she would like to add to the Utility Board agenda the \$650,000 from the Lake County ARPA funds. She stated she wished to add it for discussion for the project they would be using it on. She stated she does not want to lose sight of it. Mr. Recupito discussed the Paradise Cove improvements. Mr. Kubiak stated they would be getting the control panel and other upgrades for Robin's Nest soon and they would pay for those upgrades from that fund. He stated there was discussion of building a pump house on the east side of the WPM site. He believes they were up to \$400,000 or \$500,000. A brief discussion continued on water improvement plans and permitting.
2. **Town Attorney** – No report.
3. **Clerk-Treasurer** – No report.
4. **Town Manager** – No report.
5. **Director of Operations** – No report.
6. **Police Department** – Mr. Brittingham stated they had a busy weekend. One of their officers was rear ended on US 41. He is sore and needs to be released to come back to work. Luckily, he had just gotten back into his vehicle when the accident occurred. They do not yet know if the vehicle is a total loss. A reminder to folks to merge over for emergency vehicles but they should also not be on their cell phones. In addition to the crash, the vehicle that hit him crossed over US 41 into oncoming traffic. Luckily, that did not occur. He stated they had the illegal immigrant from Honduras. All agencies assisted in that search and holding perimeters. He has been charged with five felonies. That same night Crown Point had a serious incident and Newton County had a pursuit that went into Illinois and came back. The Newton County Deputy Sheriff was shot. He is in critical condition. Mr. Parker stated it is becoming a lot more dangerous with a lot more challenges all of the time. A brief discussion continued.
7. **Fire Department** – Chief Wilkening reported on the monthly calls. In July, there were 186 calls. He stated a statistic that gets higher every day is the overlapping incidents. Mr. Recupito asked if it was a typo having eight incidents at one time. Chief Wilkening stated no. A brief discussion occurred on the monthly calls. He stated they are down to one ambulance. One ambulance is in the shop having front end work done. The newest ambulance has an electrical problem. It has been worked on the last couple of days. All second ambulance calls are mutual aid. The Township engine is set up as an advanced life support engine. It will go directly to a call and be able to start treatment immediately. He stated they had a defibrillator fail on a call. It is one of the older defibrillators that needs to be replaced. He stated he will be bringing a plan to the Board of Safety on replacing that. They do have CCD funds left. Mr. Recupito asked if there were updates on the new fire engine. Chief Wilkening stated they did have a meeting. They have not heard anything back from either side. He stated the ambulance has to also be part of the project. Mr. Thiel stated some of the discussion was on anticipated delivery date. Once delivered

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it would go to be outfitted with the equipment. Sutphen would need payment for the ruck prior to it going out to be outfitted. Some places do withhold a portion of the total until receipt of the truck. Mr. Recupito asked if they were going to have timing issues with the bond. Ms. Sandberg stated that is her question. What route will they take with the ambulance? Will they use Sourcewell or put it out to bid? Will it take three plus years like the truck has turned out? She discussed setting appropriate timelines. Mr. Parker stated he believes they can get an ambulance faster. Chief Wilkening continued to voice concerns with the current vehicles. He discussed the public comment earlier on retention and having personnel. He stated they have not even got the second person hired this year. They are in the process right now. He stated next year, getting zero additional personnel would not help. They need to concentrate on keeping the people they have. He stated he has seven people that have applied elsewhere. He stated they are losing one in October that will need to be replaced. He stated they have to consider moving on somethings like salary and benefits. He stated there is not a big pool of paramedics. They have to streamline the process. He stated the Board of Safety has been working on things for so long that applicants are no longer applying. He stated he has recruited a guy that previously worked for him. He is a paramedic that knows the community. He continued to voice concerns with staffing and a shortage of paramedics.

**8. Parks Department – No report.**

**WRITTEN COMMUNICATION**

None

**UPDATE/DISCUSSION**

**1. Town Council Liaison for the Museum**

Mr. Recupito stated it was brought up at the last meeting. Since then, he has spoken with Julie at the museum. She is okay with the arrangement of using Jeff. Jeff is Town Manager and he is going to be that contact. Mr. Carnahan asked if he would be required to attend their meetings. Mr. Recupito stated no. They were just looking for somebody for if the museum came to discuss issues or conflicts. Mrs. Ray discussed having someone to help facilitate conversations regarding grounds use, events, and scheduling.

**2. Bond – Fire truck, ambulance, street sweeper, and payload**

Mr. Recupito stated they discussed this earlier. He stated his opinion is he would like to get updated information from Corby on what they can afford and where it will put them without a tax increase. Mr. Austgen suggested in the pro formas developed that BAN's be considered.

**3. Resolution 1348 – Moratorium on land development**

No update

**4. Master Plan Update**

Mr. Recupito stated he spoke with Mr. Bunge about this earlier. Mr. Bunge discussed the last current update for the master plan that was done in 2021. The last full plan completed was 2012. There was also an interim plan in 2018 that explored the Town Grounds and Midway Gardens concepts. He asked them to scroll to page ten. He added for the public that this information was available on the Town's website. He asked Ms. Sandberg if it was under administration. Ms. Sandberg stated if you go to Government, Town Council, Strategic and Comprehensive Plans and scroll to the bottom of the page, you will find all four plans. Mr. Bunge stated it seemed like in the last one, page ten is the nuts and bolts of the update. It is mostly the Route 41 Corridor. He discussed a map regarding that area. He shared a planning tool from NIRPC regarding comprehensive plans. He discussed Chapter Two where they discuss what a long-range master plan is. Mr. Parker stated he thinks they ought to do one that is respectful of the infrastructure or lack thereof that they have currently and the ability to provide going forward. He stated this does not do that. Mr. Bunge discussed page 22 of the document from NIRPC. He stated it has a test for if they feel they are ready for a comprehensive master plan either complete or if an update would be in order. He discussed the frequency for a master plan and updates. He discussed property and potential development both inside and outside of town limits. He stated this is the start of where conversation will lead them. He stated the next thing to do is figure out what the next steps could be. Mr. Recupito asked if the 2025 budget left anything for master planning. Ms. Sandberg stated they did decrease the professional services line item but she believes they left enough in there that they could. She stated they previously discussed utilizing current year budget and encumbering funds if they put together an RFP and have it out before the end of the year. Mr. Recupito asked about what kind of timeframe they would be looking at. Ms. Sandberg stated that depends on the parameters they set and how long they wish to accept proposals. It is entirely up to them. It is similar to the Police Chief posting. They are setting the parameters for what they are looking for. The request for proposals needs to be put together before they can send it out. Mr. Bunge asked if this would be something with Council Affairs so they could get together and brainstorm. He discussed getting together to discuss the vision for what they choose to explore. Mr. Recupito stated he would like to be involved in

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discussions. Mr. Carnahan asked Mr. Bunge if he had a contact at NIRPC to assist. Mr. Bunge stated Ty Warner is who he reached out to and told him about the document discussed earlier. A brief discussion continued.

**PUBLIC COMMENT**

Bob Groszek, 14055 Deodor Street, thanked them on behalf of the folks in Beacon Point East for being diligent in helping them alleviate the issues with the drainage ditch behind them. The boots are on the ground. Things have been working fine. Landscapers came out to look at it today. He thanked Schilling Development for being diligent in getting the work done. He voiced concerns with the parking at Bugaboos. The parking on the north side is very unsafe. Cars are parked on the north side on the road right next to where they play bags. He stated three cars are parked there all the time. If someone walks between the cars, you cannot see them. He continued to voice concerns with the parking in the area. Mr. Recupito asked Mr. Brittingham if anything could be done. Mr. Kubiak stated they have ordered more no parking signs for that stretch. Mr. Thiel stated there are signs that say Bugaboos parking only. Mr. Brittingham stated there is no parking lot there. Discussion continued on the area of concern and conflicting signage.

Dean Wilkening, 15011 Euclid, stated he previously lived with someone that worked at Southcom. He stated she was promised training like at Lake County with simulators. Southcom does not. He reported the individual would be upset because she was not understanding what they are doing. That is a safety factor. He stated talking to two centers becomes a safety issue. He stated they would agree to disagree but he pleaded with him to hear his concerns. Mr. Parker asked him if he expressed his concerns with Southcom. Mr. Wilkening stated he has. Mr. Parker asked Mr. Austgen if they could get a meeting with them. Mr. Austgen stated they could. Mr. Wilkening discussed the issues with cars and parking at Bugaboos. He stated there is no way they would have gotten a fire truck or ambulance through there with the cars sitting on the road. He continued to voice concerns.

Mark Pickaro, Sunset Harbor Condo Association, 13300 Lake Shore Drive, he stated he was at a meeting in May in regards to the installation of a guardrail and approximately six hours later there was another car crash through the gate. Some marking has been done by Public Works. He has spoken to Tim since then. They think it should extend another twenty or twenty-five feet. They will need to talk to someone from the Fire Department so it does not infringe on emergency vehicle access to the lake. He stated he wished to keep it on the radar. Mr. Recupito stated they received a proposal a few weeks ago but some tweaks were needed. Mr. Kubiak stated Rich and him met Nick out there to look at the entrance to the gate. He does not know if the additional request being made will work out due to the access needed at the fire gate. He discussed the proposed area. Chief Wilkening discussed the boat lifts blocking the lane in years past. He asked Mark to have a discussion with who take them out of the water. That lane is the only access to the lake right there. Mr. Carnahan asked about the cost being approximately \$17,000. Mr. Kubiak stated that was correct. Mr. Carnahan asked Jen if they had any avenues of getting money to cover that. Ms. Sandberg stated not in the current year budget unless they take away from other line items. Mr. Pickaro asked if they would have to wait until next year. Mr. Recupito stated he thinks they need to come up with a solid plan first. Mr. Parker asked if someone drives through it won't insurance cover it. It was stated if you can get them and if they have insurance. Mr. Pickaro stated that is the problem with the last accident. minimal insurance coverage was unable to cover the cost of the damage.

Sue Fiene, 13835 Huseman Street, stated they came into Town Hall Friday with an issue. Her neighbor is Bob Fleming at 13839 Huseman Street. She stated back in 2015 he did a teardown of the house on the property. She stated her mother was still alive and she was down in Florida. She stated they had issues with the Town inspector at the time, Tim Kubiak. Mr. Fleming had issues and by the time she got up to the area it was June 2016. She discussed an offer from Mr. Fleming to fill their hill in to try to level it off. She stated things spun out of control. She discussed issues with decisions being made by individuals on the property still owned by her mother at that time. She discussed coming in to Town Hall to discuss the issues with the Town Manager at the time. She left a note for Mr. Kubiak to discuss that no one has the authority to make decisions on the property. She stated she never received a call back. She stated she left multiple messages with no return call. She discussed a message sent to Mr. Carnahan asking how she could get a response back from Mr. Kubiak. Mr. Carnahan passed the message on and on September 20<sup>th</sup> she received a phone call from Mr. Kubiak. She discussed the conversation with Mr. Kubiak and missed opportunities. Mrs. Fiene discussed Mr. Fleming and the work to be completed getting shut down. She discussed getting the work authorization moving forward. She stated Mr. Fleming put his house on the market recently. She received a message from a friend with the GIS survey showing that Mr. Fleming had put a fire pit in and it was seven feet onto their property.

Mr. Fiene, 13835 Huseman Street, shared photos with the Town Council. He stated Mr. Fleming applied for a variance to build the house. He stated the contractor hired did not follow the blueprints. The house was built straight when the property lines are at an angle. The lake side of his house is right on the property line. The backside of the house is four foot off the property line. The variance was never followed. The contractor that built it, built it wrong and the inspector that came out agreed with the contractor to let it go. Mr. Fleming claimed he had no idea it happened but there was a modification made on the roof. Mr. Fiene continued to voice concerns. He voiced

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concerns with the lack of inspection and the variance not being followed properly. Mr. Fiene stated he wants to know how this happened and how it would be made right. Mr. Recupito asked if a new survey was done. Mr. Fiene stated one was done by Mr. Fleming. Mr. Fiene stated Mr. Fleming stated he would move the fire pit. Now the landscaping is messed up and part of the hill was cut to build Mr. Fleming's house. Mrs. Fiene voiced concerns with her not being able to fill the hill but the build of the house was allowed. Mr. Recupito stated he thinks they need to do some homework. There should be an as-built survey. Mr. Kubiak stated he was dumbfounded by the accusations. The house was staked out by a surveyor. He found out about this the other day that the house was not five feet off the line. He stated when they go out for a pre-pour inspection, they have stakes by the surveyor out. This was prior to the Town requiring as-built surveys as part of the final construction. He stated he had no clue the house was closer than five feet. He stated he recalled there was turmoil between individuals and he was not getting involved in the conflict. He stated he said a permit was needed to put dirt on the hill. Mr. Parker stated it is a civil matter. Mr. Fiene voiced concerns and asked who allowed this to go on. Mr. Kubiak stated they use the stakes that are there. It was staked out by an engineer. In the past, they assumed those stakes were proper. They have had instances where they were not. That is why they started to require the as-builts. Mr. Fiene continued to voice concerns. Mr. Kubiak stated it was not his rules and at that time they did not require as-builts. He stated they are not surveyors. They only have the engineer stakes to go by. He continued to discuss the prior process. Mr. Kubiak discussed seeing the newest survey. The furthest northeast property corner. It is basically an encroachment. Mrs. Fiene discussed issues with having to go around the corner of Mr. Fleming's house to access her property. Mr. Recupito stated he was on the BZA for many years. It was towards the end of his tenure when they started requiring as-builts. Mr. and Mrs. Fiene continued to voice concerns with the impact to their property. Mr. Austgen stated Greg was right. It is a civil issue between neighbors. It pertains to the impact on the encroachment and trespass by Mr. Fleming into the Fiene's property. He stated on the government side, there is a violation of the developmental variance approved. Mr. Parker asked if it was enforceable eight years later. Mr. Austgen stated that is part of the problem. He asked what took so long. Mr. Fiene stated they lived in Florida at the time. Any reasonable person would have never allowed something like this to happen. Mrs. Fiene stated they assumed everything was measured out and done right. They would have never known anything about this if Mr. Fleming had not put his house up for sale and had a surveyor come out. Mr. Fiene stated had it gone three more years, he would have got away with it. Mr. Austgen stated he was not in great shape right now. Mr. Fiene stated he was right. And that is because an inspector did not do his job and a contractor did something that should have never passed. Mr. Parker stated some things happened. They started getting bombarded by people moving here and deciding to build big houses on the water. It happened in such a way that they did not necessarily have the tools to deal with it at the time. He stated he thinks that is fair. Mr. Austgen stated that is spot on. Mr. Parker stated people come in and ask for a variance. It gets granted based on information provided and the Town requires professionals to create that information. He stated that is what they have to rely on. He stated it irritates him that they try to squeeze in the giant houses on the lakefront. That is the environment and he does not know what they do about it after all the time that has passed. Mr. and Mrs. Fiene continued to voice concerns. Mr. Parker stated it is unfortunate. He stated he does not know what they do after all of the time. Mr. Fiene asked about the time limit. Mr. Austgen stated he thinks it is six. Mrs. Fiene stated she Googled it and it said ten. Mr. Fiene asked if the city would do anything about the variance not being followed. Mr. Parker asked if they had a leg to stand on. Mr. Austgen stated they do and unfortunately for the folks, they have immunities in the statute that protect the Town. He stated they need to review the records on this. A lengthy discussion continued on the matter.

**ADJOURNMENT** President Recupito called the meeting to adjournment at approximately 10:22 PM.



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**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