

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



December 17, 2024

**Public Meeting Advertised for 6:30 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, IAMCA, 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	

PRESENTATION

1. Julie Zasada – The Museum at Lassen’s Resort (Heart & Soul Community)

Mrs. Zasada reported the Museum at Lassen’s Resort has received the Community Heart & Soul grant from the Legacy Foundation. Community Heart & Soul is a resident driven process. It engages the entire Town population. That means anyone who lives, works, or plays in the community. Cedar Lake is not only the first Heart & Soul Community in Lake County but the first in the State of Indiana. They will be the non-profit partner working with the municipality to administer the program for the community. It sounds similar to the Town comprehensive plan. This program is more about the people of the Town. It is resident driven and volunteer lead. It is about the stories from the community and the collective culture. It is a two-year process and involves a placemaking action plan. The placemaking action plan will offer some incremental economic development. The core team will conceptualize, plan, and unite the community. She stated they really want to deliver on the Town’s promise of Explore Every day. The action plan will have tangible outcomes. Some examples from across the nation are things like beautification projects, community gardens, wayfinding signage, public art, community events, kids’ activities, family concerts, Christmas lights, lunch programs, a walk to school initiative, downtown revitalization efforts, ESL classes, broadband, etc. She stated she cannot predict what Cedar Lake citizens will decide to have as the output but they know it will be a turning point for the Town. It is the spark that ignites the economic engine in Cedar Lake in an entirely citizen led way. They will have working groups and deliverables. The application is open on the museum website. It can be anyone who lives, works, or plays in the community. She stated on January 25th they will host the Phase One Imagining Kick-Off Meeting at the Cedar Lake Library from 10AM to 12PM. She stated it is extremely flexible for residents to get involved. Mr. Carnahan mentioned the 165 Christmas Trees throughout the Town and the Jean Eberle Parade of Lights. Mrs. Zasada stated those are the types of things that can come out of this. She stated the press release will come out tomorrow. The grant award is \$80,000. That will be distributed over the two years. They do have the fundraising match of \$10,000 and that will be invested back into the community. Mr. Carnahan congratulated Mrs. Zasada on being the first in Lake County and the first in the State of Indiana. Mr. Recupito stated they will be considering a liaison for the position. He asked what would be the roll of the liaison and how soon that person is needed. Mrs. Zasada stated the liaison should be appointed tonight if they can or by January 1st. This person will be part of the core team. They need to start meeting before the January 25th meeting. She is not sure how often they will meet at this time. It will very much be a working group.

2. Mary Nielsen - Cedar Lake Police Gas Mask Grant Recognition

Chief Brittingham introduced Corporal Machalk and Mary Nielsen from the Crown Point Community Foundation. Corporal Machalk stated this past year they partnered with the Crown Point Community Foundation and CSX Railroad. As part of the partnership, they received training from CSX Railroad on railroad safety grade crossings and got some ideas. They were able to receive a 50/50 matching grant of \$6,000 to purchase gas masks for chemical/biologic gases. The reason they got these is because there are to railroads in Cedar Lake that carry a lot of hazardous materials. The officers did not have proper equipment. The equipment was outdated from the 9/11 era and all the cartridges were expired. The gas masks were expensive but they have a shelf life of twenty to twenty-five years. They were able to outfit the officers to have in their patrol cars. Corporal Machalk stated they were thankful for the Crown Point Community Foundation and CSX Railroad for helping to make it a possibility. Chief Brittingham stated in addition to this grant, the Crown Point Community Foundation is always there for them. This is not the first grant.

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He stated this is a thank you for their continued support. They are great people to the community and this part of Indiana. He thanked Mary. A brief discussion continued. Mrs. Nielsen stated they are proud to be able to support the community of Cedar Lake. She stated there are a lot of great people that do so many things in the community. She stated they are blessed to have them. She thanked them for helping the community thrive.

PUBLIC HEARING

1. Ordinance No. 1504 - Lamb Public Way Vacation

- a. Review of Legals – Mr. Austgen stated the publication has been noticed and everything is legal.
- b. Opening Remarks – Glen Boren, DVG Surveying, stated he was present on behalf of the Lambs. He stated they own a piece of property that is south of west 128th Lane and north of west 129th Avenue, just west of Colfax. He stated their position is there is basically a 30-foot strip of land that was platted back in the early 1900s that was never developed or improved as a public way or a road. It is next door to vacant land. This is what brought about the petition to vacate the 30-foot strip. They received a letter of no objection from NIPSCO as there are no facilities within the 30-foot strip. They did due diligence and found they are in fact running east west in 128th Lane and 128th Avenue. They do not go through the 30-foot strip. NIPSCO has their pole line and gas running east west. It does not go through the strip. The storm sewer is on 129th running east west.
- c. Reading of Ordinance No. 1504 – Mr. Parker read Ordinance No. 1504 by title only.
- d. Remonstrators – None.
- e. Town Council Discussion – Mr. Carnahan stated on 128th Lane, as he said before, he has concern about the residents that live west of the property. If a fire was ever to happen, that area would be an area that could be used for people to escape. He stated that is his concern. Mr. Recupito asked Chief Wilkening about previous comments made. Chief Wilkening stated they have adequate room for apparatus. Mr. Recupito asked Tim if anything new came up. Mr. Kubiak stated he did not foresee with the topography or terrain, ever using it for a road. It is pretty much for someone to utilize as a yard as the best use. A brief discussion continued on the topography.
- f. Town Council Decision

A motion to adopt Ordinance No. 1504 was made by Richard Thiel with second by Chuck Becker. Roll Call: Carnahan – No, Rivera – Yes, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 6 – 1.

PUBLIC COMMENT

None

CONSENT AGENDA

1. **Minutes:** November 7, 2024 and November 19, 2024
2. **Claims:** All Town Funds: \$368,466.61; Wastewater Operating: \$160,980.91; Water Utility: \$39,789.46; Storm Water: \$8,446.09; Payroll: December 5, 2024 - \$412,894.25; and November Remittances \$209,101.18
3. **Manual Journal Entries:** November 1 – November 30, 2024

A motion to waive the reading of the minutes and approve the consent agenda as listed was made by Mary Joan Dickson with second by Chuck Becker. Mr. Carnahan stated the Lowell Sewer Sinking Fund is \$42,897.88 and the Lowell Sewer Works December estimated charges are \$92,854. He asked if they were the only two charges on there. Ms. Sandberg stated yes. A brief discussion continued on the annual true-up with Lowell. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

ORDINANCES/RESOLUTIONS

1. Ordinance No. 1506 - Salary Ordinance Y2025

Mr. Recupito stated they have had a lot of talks about this recently. They are working seriously on public safety improvements as far as salaries go. He stated he talked with Jennifer about this last night and that might not be ready until right after the first of the year. Ms. Sandberg stated no. They were only notified within the last week to begin working on that project. They need more time with it being the end off the year, bonds

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closing this week, final payrolls, and with two holidays in between; there is not enough time to properly analyze everything and have something on paper in front of them to consider. They want to make sure that if they were to present anything, that there is a proper revenue source that is sustainable in order to handle whatever is proposed regarding salaries and wages. Mr. Recupito stated it is twofold. He spoke with Rich and they talked about some work to do. He stated Dave could chime in too with the salary ordinance and the way it is presented now and then more than likely there will be an amendment after the first of the year if they can tighten up things with the public safety wages and a sustainable flow of revenue for that. Ms. Sandberg stated absolutely. What is before them tonight contemplates exactly what was discussed during the budget process, which was a 3% increase across the board. If that moves forward, they can always amend next year for anything related to public safety or whatever else is the Council's pleasure. Mr. Austgen asked if they could be assured on the record that the minimum increase will be 3% and that is the foundation against which Jennifer, consultants, and staff, are working to assess and identify additional funds for greater increase. Mr. Recupito stated in some aspects there will not be a 3% raise. He stated the Council, for instance, will not be seeking an increase. Mr. Austgen stated he gets it; he stated maybe for the employees. Mrs. Rivera stated to be clear, everyone but the Council will get at least a 3% raise, correct. Mr. Becker stated no. Mrs. Dickson stated no. Mr. Thiel stated they never had an executive session to discuss. He stated to have that openly, could take a long time. Mr. Parker stated it is complicated. Mr. Thiel stated it is extremely complicated. Mr. Austgen apologized and stated he was only looking for their record to reflect a floor so there is no misunderstanding about the work they are doing. Mrs. Rivera stated she wants to make sure employees including the department heads are getting a 3% increase. Mr. Austgen stated that is to be determined. Mr. Recupito stated all he is going to commit to in his opinion for the most part. He stated if he could tell you for sure, he would say let us go ahead and just adopt this tonight. Ms. Sandberg stated to be clear, if they do not adopt tonight, their regular employees will not see a raise. She stated if they want to make changes, that is 100% their prerogative as the Town Council. Mr. Parker stated they will see a raise when it is adopted. Mr. Austgen stated they will. Mrs. Rivera stated this is their only chance. Mr. Recupito asked Dave if this was their only chance. Mr. Austgen stated no, they have until year end and beyond that for rank and file. Mr. Carnahan stated they would have to have a special meeting. Mr. Austgen stated probably. Mr. Parker stated if it takes a special meeting to get it right and make sure that they do everything they can, he thinks that is the right thing to do. He stated rushing things always causes problems. Ms. Sandberg stated they can have the discussion and direct as they want. She stated she has heard department heads mentioned. If they want that pulled, they just need to say that and they can make the amendment to take that out. Mr. Carnahan asked why they cannot pass it and then amend it. Mr. Thiel stated they cannot pass and give a 3% across the board if some were and then take it away. Mr. Parker stated the best thing to do is defer and get it right. Mr. Thiel agreed with him. Mr. Parker stated they need to have an executive session as soon as possible to get it hashed out. Mr. Thiel stated he did share some of the thoughts and stuff as far as the different salaries and percentages with Ms. Sandberg, but as far as the Council as a whole, that has never happened. He stated that is an issue because they should not be doing that until they get it figured out. That will require an executive session. Corby Thompson, Financial Advisor with Krohn & Associates, stated if they have a special session before the end of the year to approve another ordinance, that is great. When they pass the salary ordinance, that is setting the maximum amount of pay per position. That does not necessarily mean anybody authorized to receive additional pay, it is setting the maximum. For the budget, they did have a 3% increase set out across the board among the staff. Mr. Thompson stated that does not mean they have to receive the 3% additional, it is just setting the maximum amount. Mr. Thiel stated he thinks that seems deceiving. Mr. Thompson stated from a legal standpoint, when they authorize the salary and wage ordinance, it is setting the maximum amount that those positions could possibly receive. Typically, that is what they are going to receive. Mr. Recupito stated the problem is it is not ready. To his point, he thinks they will be considering increases above 3% in what they want to see. They do not want to limit to the 3%. Ms. Sandberg clarified that if they approve the 3%, that is what they will move forward with as they have payroll quick into the new year. If they do have an amendment to the salary ordinance for public safety above the 3%, that can be amended in the new year. Mrs. Dickson asked if they could schedule a special meeting before the end of the year. Mr. Parker stated sure they could. Mr. Recupito stated he believed they could. Mr. Carnahan stated he believed they needed one to deal with the appointments for the boards for next year. Mrs. Dickson agreed with him. Mr. Recupito stated they could wrap that into one.

A motion to defer Ordinance No. 1506 was made by Greg Parker. Mr. Thiel asked Mr. Austgen if they should have the specific date in mind for the posting of such meeting. Mr. Austgen stated if they have it tonight and then posting it is the most expedited form

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of notice. They have to have at least 48 hours advance notice. Mr. Thiel stated he thinks it needs to happen as soon as possible. Mr. Parker suggested next Monday. Mrs. Dickson stated the 23rd at what time. Mr. Recupito stated they have the 26th and 27th too. Mr. Thiel stated he preferred the 23rd. Mr. Austgen stated there is work to do. Both staff and you all. Mr. Parker stated he would amend his motion to defer the item until the 23rd. Discussion continued on the time for the executive session and public meeting on the 23rd. Mr. Parker stated to make the executive session at 5PM and the public meeting at 7PM. Mr. Thiel stated yes. Mr. Parker amended his motion to defer the item to the 23rd and have the executive session at 5PM and the public meeting at 7PM. A second was made by Richard Thiel. Mr. Carnahan stated hopefully, everything gets advertised properly. Mr. Recupito stated to Jeff that is going to be a priority. Mr. Bunge stated absolutely, they are on it already. Roll Call: Carnahan – Yes, Rivera – No, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 6 – 1.

2. Resolution No. 1365 – Transfer Resolution

Ms. Sandberg explained this is a transfer resolution for year-end transfers. A majority of them are related to personnel and final pay they had this week as well as some equipment repairs. Total transfers requested out of the General Fund are \$167,995.50. The transfers requested are as follows:

<u>GENERAL FUND #101</u>		<u>TOTAL TRANSFERS \$167,995.50</u>	
Police Dept. 003		Total Transfers \$15,012.00	
\$ 1,650.00	From: 112 – Full Time Officers	To: 111 – Chief Salary	
\$ 3,512.00	From: 112 – Full Time Officers	To: 113 – Full Time Clerks	
\$ 9,380.00	From: 112 – Full Time Officers	To: 116 – Overtime	
\$ 470.00	From: 112 – Full Time Officers	To: 124 - Longevity	
Planning Zoning Building 004		Total Transfers \$2,285.00	
\$ 385.00	From: 112 – Full Time Staff	To: 118 – Building Inspectors	
\$ 1,900.00	From: 315 – IT/Tech Services	To: 312 – Engineer	
Fire Dept. 005		Total Transfers \$150,698.50	
\$ 1,805.00	From: 112 – Full Time Officers	To: 115 – Part Time Officers	
\$ 115,535.00	From: 112 – Full Time Officers	To: 116 – Overtime	
\$ 183.50	From: 112 – Full Time Officers	To: 119 – Leave Payout	
\$ 31,145.00	From: 112 – Full Time Officers	To: 362 – Vehicle Repairs	
\$ 2,030.00	From: 352 – Town Utilities	To: 351 – Nipsco	
<u>LAKE COUNTY SOLID WASTE #104</u>		<u>TOTAL TRANSFERS \$8,650</u>	
Lake County Solid Waste 001		Total Transfers \$8,650.00	
\$ 8,650.00	From: 112 – Full Time Employ	To: 361 – Equip Repairs	
<u>MOTOR VEHICLE HIGHWAY #201</u>		<u>TOTAL TRANSFERS \$24,000</u>	
Motor Vehicle Highway 001		Total Transfers \$24,000.00	
\$ 12,300.00	From: 221 – Fuel	To: 362 – Vehicle Repairs	
\$ 7,400.00	From: 231 – Repair Parts	To: 362 – Vehicle Repairs	
\$ 3,100.00	From: 233 – Vehicle Maint Supply	To: 362 – Vehicle Repairs	
\$ 1,200.00	From: 396 – Misc Services	To: 362 – Vehicle Repairs	

Mr. Parker read Resolution No. 1365 by title only.

A motion to approve Resolution No. 1365 was made by Robert Carnahan with second by Greg Parker. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

BZA/PLAN COMMISSION

1. Summer Winds, Unit 2 – Performance Letter of Credit to expire on December 20, 2025 in the amount of \$279,817.13, contingent upon Plan Commission approval at the December 18, 2024 Plan Commission Public Meeting.

Mr. Recupito stated they ended up getting something. Same as well for Unit 3. Mr. Parker stated they were told Kirsten has them in hand. Mr. Bunge stated that is the message he received. Mr. Recupito stated he has residents that call from the subdivision that have problems. He asked if there is really nothing they can do. Mr. Kubiak stated they have done the inspection and given them the list. That is why the bonds are in place. It is similar to the Rose Garden thing; it has to come to an end sooner. He stated they tried being patient. They are just at the threshold of reaching the 80% build out. Certain phases in the community are at 80% but others are not. If they take the whole thing as a

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whole, they are right there. Really, this portion of getting these and moving into a maintenance bond are able to start happening as of recent. He stated he would not anticipate redoing this again. He stated the road connecting through to the south to Beacon needs to get done. That is one of the largest things. He said the timing of the 80% is what is slowing it down. He stated it needs a little bit to kind of push it along. Mr. Carnahan asked if they would have a representative come in like with Rose Garden. Mr. Recupito stated that would probably be smart. Mr. Parker stated they will talk about it tomorrow night.

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. Summer Winds, Unit 3 – Performance Letter of Credit to expire on December 23, 2025 in the amount of \$14,575.48, contingent upon Plan Commission approval at the December 18, 2024 Plan Commission Public Meeting.

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.

NEW BUSINESS

1. Appoint a liaison for Community Heart & Soul

A motion to defer to December 23rd was made by Greg Parker 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. Park Board recommendation to appoint Kathy Broomhead, Cheryl Parker, and Marie Sumara to the Park Foundation (passed at the December 5, 2024 Parks & Recreation Board meeting with a vote of 4-0)

A motion to defer to December 23rd 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.

3. Utilize GovDeals for 2012 Dodge Charger

Chief Brittingham stated another vehicle has reached its end of use for the Town. The only legal way to get rid of it is by auction.

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

4. Update to Town Manager’s Job Description

Mr. Bunge stated in their packet are two job descriptions. Characteristics that had been provided. He held up a copy and stated this is what the Town statute says is the duties and responsibilities for the Town Manager for the Town of Cedar Lake. Mrs. Dickson asked if that is the Cedar Lake one because they never could find it. Mr. Bunge stated that is the Cedar Lake one. Ms. Sandberg stated that is not a job description that is the Town Code which follows statute. Mr. Bunge stated that is verbatim out of the AIM Municipal Handbook. He stated no frills, no nothing, no upgrades, and no clarifications. He stated he was tasked with coming up with a couple of options. The first one was sourced out by Mrs. Dickson. Mr. Bunge stated he does not know. He asked if the Town of Cedar Lake was added to any of this. He stated he was not sure exactly. Mrs. Dickson stated she researched communities that she felt are going through or have gone through what they are going through. For instance, Whitestown has development on I65 and they need development on US 41. She stated they want someone with that expertise. Brownsburg grew very fast, very quickly and could not keep up with their infrastructure. She stated they need someone that can also identify with that. She stated of course the last one is Carmel but they strive to bring in the arts and culture into their community to make it an asset. She stated they need more to bring in to the community. She stated it is a combination of three that she felt they need to thrive for Cedar Lake. Mr. Bunge stated the only thing they found that was anywhere close was the one little burb about Town budgets, which obviously Ms. Sandberg takes care of. Mr. Bunge stated one was provided to him from the Town of North Judson. He stated it is very similar. The North Judson one he thought was interesting because a number of their qualification bases, they do quote Indiana Code, which he knows Mr. Austgen is fond of doing. He stated he did his homework and this is what he presented. He offered to sit down with them and tweak

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and customize to their needs. He stated he would be willing to be a part of that. Mrs. Dickson stated in the North Judson one, it is a much smaller community. She discussed the experience of the individual. She stated they need someone with experience as they have a lot of problem. Discussion continued on the matter and it not being ready yet.

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

5. Requisition No. 20 Disbursement of funds from 2022A Construction Fund in the amount of \$22,280.72 to GM Development Companies LLC

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.

6. Requisition No. 19 Disbursement of funds from 2022B Construction Fund in the amount of \$132,924.31 to GM Development Companies LLC

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

7. Fire/EMS agreement with Hanover Township

Kevin Toth, Hanover Township Trustee, reported this is the same contract. This is the sixth year. They want to continue the partnership with the Town and the Fire Department. He stated he believes they have a plan and hopes they will accept it. Mr. Recupito stated the terms are the same from 2024. They eliminated a section that really did not have bearing on the contract. Mr. Toth stated they will be in good shape next year. They will have completed some goals with their budget as far as operational balances.

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

REPORTS

- 1. Town Council** – Mr. Carnahan reported Project Love Food Pantry would be open tomorrow from 9AM to 11:30AM. He stated they like taking care of the community. Pastor Ken from Cedar Lake United Methodist Church will be retiring on December 31st. They will be celebrating him after Sunday services. He has been a minister for over 35 years. Mr. Carnahan wished everyone a Merry Christmas and Happy New Year. Mr. Carnahan stated this will have an interim minister. A brief discussion continued. Mrs. Rivera discussed the liaison for Community Heart & Soul. She asked Jeff to work with Kirsten and get it on Facebook. She also asked if they could send an email to all the staff to see if any staff member would be interested. Mr. Bunge stated they could work on that. Mrs. Dickson stated she attended an AIM meeting via Zoom. It was a Council Members seminar. It covered topics such as their role as a Council Member, ethic requirements, the 411 on fire districts, and website accessibility and design. She stated she would forward all the information to them. She stated she would like them all to agree and instruct the department heads as well as engineer and attorney to submit an annual report by January 21st. She stated that would give them information that may be they did not have when they started. She stated it would show the community that they do believe in transparency and accountability. Mrs. Rivera asked what sort of report. Mrs. Dickson stated an annual report. She stated they get a monthly report from the police and fire. She asked them to compile it. Parks has to submit one to the State anyway. Multiple conversations overlapped. Mr. Parker voiced concerns with including the attorney as there are items with litigation. Mr. Thiel did not think specifics would be required. Mrs. Dickson stated just projects are where they are at. She asked if anyone objected. Mr. Thiel stated he had some discussion with Mr. Austgen. It would almost be like a direction to him to provide that for them. He asked Dave if he wanted to elaborate. Mr. Austgen stated he has been here a long time. What he has learned is there is a lot of fluidity in what goes on. He stated in his position from day to day. He discussed his phrase of initiatives. His bills will show project or initiative. It is their work he is doing. He stated it is a bit confusing the way it was phrased. He has never done this. It is not wrong, just different. He discussed monitoring and reviewing of his billing invoices. They will get the picture. It is all in there. Discussion continued on the matter. Mr. Thiel stated he had a couple of items. He stated he saw they started doing fire inspections again. He asked if there was a way for them to include photos for infractions. That way there is a clear understanding when it gets sent to Mr. Kubiak. Mr. Carnahan asked if that is with the Town items. Chief Wilkening stated it should be very clear in the report. Mr. Thiel stated he read through them himself and some of them, he thinks photos would go a long way for better

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understanding. Chief Wilkening stated okay. Mr. Carnahan asked for clarification. Chief Wilkening stated they recently trained two more firefighters to be fire inspectors. They stopped during COVID. His father was the fire inspector for many years. He discussed issues with staffing. He stated recently they hired a new firefighter who is a fire inspector. He stated they typically start with the bars and restaurants. He stated he took the US 41 corridor with the new inspector. Deputy Chief Mager took another inspector to the east side. He stated there was nothing detrimental. In all, the businesses were very receptive. It was nice to get out and talk to property owners and help them get back into compliance. He stated they found a few businesses with a few corrections that need to be made. He stated this will be the first year they transfer reports to the Building Department. He discussed uploading once a week to Tim's office. Discussion continued on the matter. Mr. Thiel stated he wanted to touch base as far as the Planning Director position. He stated Mr. Conley is present this evening. Mr. Thiel stated he has had several conversations as far as the offer of employment and specifics to the terms and stuff like that. He stated he spoke to most of the Council. Basically, they would need to give direction to the Town attorney to create the offer of employment to include the planning director job description and the conditions and compensations of that position. The start date would be December 30th. Mr. Carnahan asked if he could elaborate on the compensation for the public. Mr. Parker stated it is not ready yet. Mr. Thiel stated it is not drafted yet. He stated he does not know if it is something that can be discussed after it is drafted on the 23rd. Mr. Austgen stated that cow is out in the field running. Mr. Carnahan stated he did talk to him about some of it. Mr. Thiel stated everyone knows the amounts. Mr. Austgen stated they are meeting on the 23rd. It is probably best to get it concrete. Mr. Thiel stated he would rather have it on paper. There is a start date of the 30th.

2. **Town Attorney** - Mr. Austgen stated they made the last connection and collection of the Lust lawsuit for 133rd and Fairbanks. He stated he would have it by year end. Mr. Carnahan asked if that was the gas station. Mr. Austgen stated for the gas station. He stated that started in 2014. They have collected all of the principal payment.
3. **Clerk-Treasurer** – No report.
4. **Town Manager** – Mr. Bunge stated the Road and Street Committee received a memorandum on Monday from Don Oliphant. It includes a number of ongoing and completed projects. He stated it was an impressive list. He stated a meeting has been scheduled for tomorrow night after Plan Commission. A brief discussion continued.
5. **Director of Operations** – No report.
6. **Police Department** – Chief Brittingham discussed the FOP lodge holding their annual Cops and Kids program. It was a great event. It was a good turnout. He stated the community helped with donations and support to help make this happen. He stated the social media page for both the Police Department and the FOP have pictures of the event. It goes without saying it was a great event. A brief discussion continued. Chief Brittingham briefly reported on the monthly calls for service report.
7. **Fire Department** – Chief Wilkening stated the Board of Safety last night approved the part-time hiring of an individual that could switch to full-time soon. They are in the process of getting his Illinois certifications switched over to Indiana. They plan to temporarily get him going part-time. He thanked the Council for their hard work this year. He stated they have accomplished stuff. They have four volunteers into the academy. They should have them hitting the streets in July. He stated they do have one out on medical. He stated they will be able to help curb the overtime for next year by running minimum staffing. They will have a little extra staffing to be able to do that. He stated a year and a half ago the Council approved them to write a grant for air packs. They did not get the grant. With the recent donation, they have an opportunity to finish the grant and buy the packs needed for the fire department. He stated in their expert opinion, the grant they wrote for the needs of the department, is what is needed for the department moving forward. A part of the donation was given to the Clerk-Treasurer today. He stated he knows the Council has to accept it. He asked if there way any way for it to be done tonight. They would like to get a verbal or public approval to move forward with the air pack grant to benefit from the \$40,000 savings. If they do not get it done by the 20th, they will see a \$40,000 increase in cost. He stated Deputy Chief Mager has done an extensive report. He stated he had Councilman have concerns. He stated that is rightful and the standards that require air packs to fire apparatus have been sent out to everyone. Mr. Parker asked the shelf life of the air packs. Chief Wilkening stated ten to fifteen years. Mr. Parker asked how old were the ones they currently have. Chief Wilkening stated fifteen. A few of them are a little more. They are at the expiration of their lifespan. They are switching manufacturers. He discussed the need of switching. He stated one concern was the need for so many packs. Chief Wilkening discussed the standards for trucks and individuals. He stated he has to provide the packs for those going to the academy. Chief Wilkening discussed the donation and getting the project completed. Mr. Parker asked him to expand on the savings. Chief Wilkening stated the bottles that go with the packs, 27 of them, will have spare. If you get a bottle, you get a spare free. Over the whole project it is a \$40,000 savings. He stated if they miss out, they will have to purchase the

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spare bottle. He stated they have to have spare bottles. They will lose that part of the deal if they do not act on it. Chief Wilkening stated the company is looking for a written signature. He stated the executor of the account is a little upset that the project had not moved quicker. He stated it is important to have the check in hand. He called and brought the check in. He stated he wants the money spent by May 1st. He stated that was put in an email from the executor. Discussion occurred on the procedures to be followed. Mr. Carnahan stated Dave had a problem with the way the check was coming in. Mr. Austgen stated he had a problem with the whole thing. Mr. Recupito asked what the next steps are. Mr. Austgen stated they are now on a path that is probably not as consistent with that trust document as it should be. Mr. Austgen stated his perspective is not about the equipment purchase but the process and legalities of it. He stated he did not know what happened this morning but it needs to be accepted as a donation by the Town. The Fire Department is a department of the Town. It is not the Town. He stated he's sure Jennifer probably has some concerns about receipt and processing of payment. He stated he did not know if it is miscellaneous revenue or an additional appropriation. He stated there are procedures to be considered. Ms. Sandberg stated first steps would be for the Council to actually accept the donation. She stated at that time she would want it clear on the record where that is supposed to be receipted into. She stated she has a recommendation. She stated this way everyone is clear on the donation and what the anticipated use is for and whatever else the Council wishes to throw in there. She stated it is locked up until they act. Mr. Carnahan asked what her recommendation was. Ms. Sandberg stated that it goes into Fund 114, which was specifically created a few years back for fire equipment donations. It is a capital, non-reverting fund. Chief Wilkening stated they did talk about that. Mr. Recupito asked if it is something that can be ready tonight. Mr. Austgen stated they can act on it if they want. It is their call by way of acceptance. Mr. Recupito stated it has all happened so fast. Chief Wilkening stated he understands. Like Dave said, first thing is for them to accept the money. He stated he would think they could do that. The project is in front of them. They met as a committee. Everyone knows what the project is. Mr. Parker asked who had the funds. Chief Wilkening stated Jennifer. Mr. Parker asked her if she had the check. Ms. Sandberg stated it is locked away. Chief Wilkening brought it to her this morning. Mr. Carnahan asked her if she has accepted it officially. Ms. Sandberg stated she does not accept it; they accept it as Council. As soon as they accept it, she will receipt it and deposit it into the account. Mr. Carnahan asked Mr. Austgen if he was saying the procedure is not right. Mr. Austgen stated so far. If they act on it and accept the donation, they will begin to head down the proper path. There is a deposit to be made and there is a fund for it to be deposited into and procedures for the expenditure of those funds. It is a lot of money. It will be looked at. Mr. Carnahan asked if it is for \$500,000. Chief Wilkening stated the first check is for \$500,000 and it was specifically spelled out in the will for how it is to be spent. Discussion continued on acceptance of the donation and acceptance of the project. Mr. Austgen asked Jennifer if they could spend the money once it is donated and accepted. Ms. Sandberg stated yes as it is a non-reverting fund. Mr. Austgen stated so it would just take some documentation from either the trustee or the department head. Ms. Sandberg stated with a purchase this big, she would think it would be Council approving the purchase. It is not like she can turn around and cut a check to whoever the vendor is right after. Mr. Austgen discussed putting the cart before the horse. Chief Wilkening stated he was specific on not wasting the money on delays. He was very specific on that. They want to make sure they get the savings. Talking to the vendor, payment would not be required until February.

A motion to amend the agenda to consider this item was made by Greg Parker with second by Julie Rivera. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

A motion to accept the funds in the amount of \$500,000 and have the Clerk-Treasurer deposit the funds into Fund 114 Fire Non-Reverting Fund was made by Greg Parker with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

Chief Wilkening discussed the intentions with the money. He stated they met with the committee that include Mary Joan, Rich, Jeff, fire staff, executor of the account, and Trustee Toth. They discussed the overall package put together that included EMS equipment and rescue tools including lifting airbags for extraction. He stated they lined up things they needed and prioritized them. He stated they decided after talking to Mr. Blandford, they knew they would not be getting all of the money at once. He stated there has been a lot of dialogue. He stated they did an extensive review and know the department best. He stated with the needs of the department, the quantity and quality of the packs are what they are proposing to spend the money on. He stated Mr. Blandford wants the Fire Department's input on all of it. He was blunt with him that he was hoping it would get done so it could get off his books quickly. Chief Wilkening stated what he

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needs to get the savings to get the air bottles would be a commitment from the Council and a signature on the paperwork. They need to lock in a deal with MSA, the manufacturer. Mr. Carnahan asked Mr. Thiel and Mrs. Dickson if they were happy in the meeting with all of the items. Mr. Thiel stated he has had several discussions with Chief about it. He stated for clarity, there was never any thought or discussion as far as any misuse of the funds. They understand the terms as stated. They understand it needs to go for equipment for the fire department. He said the fact that at the meeting with the needs committee, the complete amount was basically already accounted for. Discussion he had was regarding would it be possible to not spend it all at once and maybe set aside for a rainy day. Yes, there are needs, more than what the full amount of the donation is. He asked what if there is a greater need in six months. He stated it is not an issue of not spending it but spending it wisely. Perhaps reserving it. Chief Wilkening stated the executor stated he was giving the date of May 1st. That is when he wants it all completely done. Mr. Thiel stated that is confusing because it was not stated in the committee meeting as far as a deadline of May 1st. The minute he wrote the check and it gets deposited into the funds, it is off his books. The second remaining of the donation, whenever the timing of that final payment, it would be off the books. Chief Wilkening stated he wanted all of the public relation stuff done and all of the equipment displayed so he could have it completely done by a certain time. Chief Wilkening stated he asked for a year. The executor stated the intention was to get the money to the department and spent so they could get publicity for his donation and what was purchased. Chief Wilkening stated since then and talking with the Trustee about an ambulance, that EMS equipment could now be diverted to help equip the new ambulance. The new ambulance will not be here for some time if the Trustee and his board make a commitment it could be the middle of next year. He stated the additional funds could be used to buy the monitor and stuff and have it ready for the ambulance. He stated he knows the township is interested in helping them with the ambulance but wants them to equip it as a town. He stated the wish list of equipment included a monitor and stuff like that. They need two new monitors. Those are \$40,000 a piece he said. He discussed their fortune to have someone so generous in the community. The total will be somewhere around \$750,000. Mr. Carnahan asked about a date not being discussed. Chief Wilkening stated no date was discussed at the initial meeting. Mrs. Dickson stated at that work session she did stated it should go into a non-reverting fund so they would have better access to it. She discussed the possibility of investing some. She discussed them not having the kind of money in the future. Chief Wilkening stated they discussed financing the air packs. Discussion continued on air packs and financing. Mr. Recupito asked Chief Wilkening if he needed official action if that is what they want to do. Mr. Parker asked about the total number of air packs and the total cost. Chief Wilkening stated 27 air packs and 27 spare bottles. He could not recall the total cost. Mr. Bunge had a copy and stated it was \$415,045. Mr. Becker asked about the extra masks and if they could just get three extras for now. Chief Wilkening stated they are custom fit masks to the employee. Mr. Becker voiced concerns with high turnover and extra masks. Mr. Parker asked if they could be refitted. Chief Wilkening stated yes. Discussion continued on fitting of the masks and need. Mr. Parker stated every time something is explained, it helps him better understand. Mr. Thiel asked if they charge for lift assists. Chief Wilkening stated they do not. Mr. Thiel stated there was a discussion after Southcom and Schererville charging for lift assists and other communities as well. He stated that is something he thinks they need to consider. Chief Wilkening stated years ago they charged \$150 for lift assists. If not paid, it would go to collections. He stated they ran into cases of elderly folks, that would call often and eventually sent to collections, they would stop calling. They would lay on the floor for days before someone would find them. Mr. Thiel asked if that is an issue of other communities that are charging. Chief Wilkening stated it is. He said they have documented cases. He continued to voice concerns about what occurred in the past. He stated he asked the prior Council to suspend that billing. He stated insurance does not pay for a lift assist. It is a policy call. Mr. Thiel stated that is some of his concern. He voiced concerns of the service being abused at the expense of the rest of the taxpayers. Chief Wilkening stated they do have people that call between six and ten times a week, some even twice a day. A lengthy discussion continued on the matter. Mr. Parker asked if the air packs were approved by the Board of Safety. Mr. Thiel stated he spoke with Norm Stick about the email that went out. He stated he has not had a chance to watch it but Norm did fill him in that they were okay with it. Mr. Parker discussed the potential savings. He stated he did not want to lose it and discussed acting.

A motion to amend the agenda and consider the item was made by Greg Parker with second by Richard Thiel. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

A brief discussion continued on the equipment and proposal.

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A motion to approve the spending on the quote from MacQueen, estimate #07027991 in the amount of \$415,045.00 was made by Richard Thiel with second by Greg Parker. Mr. Carnahan stated that is for 27 air packs and accessories. Chief Wilkening asked for a signature. He stated if there is a PO it will be signed. Mr. Thiel stated if there is a PO that is where it would come from. Ms. Sandberg stated since it is year end, everything is such down so they can close. Mr. Thiel asked how do they handle this by the 20th since that is the deadline. Chief Wilkening stated the need a signature. Mr. Thiel asked about signature of the Council President. Ms. Sandberg stated when the program opens back up in January, they can put it into the requisition system. Mr. Thiel amended his motion to include signature of the Council President. Mr. Parker agreed with the amended motion. Roll Call: Carnahan – Yes, Rivera – Yes, Becker – Yes, Dickson- Yes, Thiel – Yes, Parker – Yes, Recupito – Yes. Vote 7 – 0.

- 8. Parks Department** – Mrs. Ray reported she submitted her annual report for the Parks Department to the Park Board and Town Council via email. She wished everyone Happy Holidays.

WRITTEN COMMUNICATION

- 1. Building Department Report** - Mr. Carnahan stated there were 192 new construction permits for the year. He stated they only estimated 100. He stated they did better than they estimated.
- 2. Christopher B. Burke Report** - Mr. Bunge stated this was just received by his office at 3PM. Mr. Oliphant has been busy. It is commendable he was able to put something together for them. He stated the highlight is under the Community Crossing Grant 2024-2, Shades Phase II was submitted. It had a construction estimate of \$1.583 million. They did receive 50% funding. The full request of \$791,789.69 was fulfilled with the 50/50 match from the Community Crossings Grant Program. Mr. Bunge stated the project will go out to bid next month. The project will be on the February 18th Town Council meeting for award. The contract must be executed by March 7th. It will move pretty fast. Mr. Carnahan stated there will be a 2025 grant application. He asked if he said anything about that. Mr. Bunge stated he has not got that far yet. He stated he knows they did a lot of pre-qualifying with CDBG and road safety upcoming programs and grants. That was done with the safety studies that were completed last year. He discussed the INDOT Safety project notice of funding availability. CBBEL submitted three applications on behalf of the Town. Two of the three were awarded. Signage and striping modifications just over \$30,000 total with an estimated funding of \$28,000 with Town share of \$2,800. They will see progress in the first quarter of next year. Mr. Carnahan stated that sounds like a 90/10 match. Mr. Bunge stated the second was signage and striping modification pavement restoration on Parrish Avenue with the Town share of \$16,200. This is a 90/10 match. He stated these would be coming in the next few months. Mr. Recupito stated the Roads and Streets Committee would be getting together tomorrow night to discuss projects. He stated Jennifer asked to be kept in the loop. Ms. Sandberg stated yes, if they wished for them to be able to take a closer look at CEDIT to see if there is any availability to move expenses from the General Fund to CEDIT. She stated she has to know what capital projects they plan on completing. A brief discussion continued.

PUBLIC COMMENT

Angie Mikolijczak, 12806 Lee Court, she stated she lives in Lee Cove and her Ward 1 Representative is Robert Carnahan. She stated she believes she has been treated unfairly in many ways by the Town of Cedar Lake. She stated she is kindly asking for their attention. She stated she has tried to remedy this matter in person and in emails without speaking in public comment, nothing has been done. She stated that is why she stands before them. She stated in 2021 she purchased her first home and it was built in 2010 according to Building Permit 10-015 in Cedar Lake's permit database. She stated due to the many questions she had regarding their property; she made an official records request with the Town. She stated a response was given only an initial permit application and subsequently a sewer application from 2009. The Town stated no further records exist. Mrs. Mikolijczak stated that left her with further questions as to how someone could have lived in its years before it was officially built. She stated a copy of the permit from 2010, labeled complete house has never been provided. She stated she is also requesting assistance to get copies of property records including contactor information, any violations issues, and public meeting minutes that reflect no more development in Lee Cove and any records that may reflect the adjoining property being condemned as stated to her by a nearby resident. She stated today she is bringing one item to their attention that indicates unfairness towards her. She stated it is a written violation she finds unreasonable. She stated it was a red tag for a fence that was posted in the early morning after a late-night public meeting where she spoke against the Town approved contractor. She stated no verbal warning was given at any time prior

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to receiving the red tag. She stated she contacted the Town to explain the fence was there when she purchased the property. She was told it did not matter. Mrs. Mikolijczak questioned how that could be when there are no other records available to her. She continued to discuss the red tag and discussions with the town regarding the fence panel. She stated she removed the fence panel from the property. She stated it was stated during a public hearing of the Town that it was a neighbor that complained about the fence. Mrs. Mikolijczak stated she inquired why the neighbor did not receive a red tag for their fence. She stated she was told by the Town not to worry about it. She stated she would like to show them a few images. She shared copies with the Town Council. She stated it was a GIS image of the property that showed the fence in violation. She stated it was not actually a fence but a fence panel. She stated she also included a GIS image of the neighbor's property reflecting a non-permitted fence that was erected in the subdivisions drainage easement and extended over several property lines. She stated it is currently on the market. It unfairly manipulates the fair market value of the homes in Lee Cove. She voiced concerns with future issues. She asked the Town to remedy the matter. She asked them to give a red tag violation to the property owner. She stated the property owner is Bruce R. Young. She stated she believes favoritism has been shown to this owner. She stated she was requesting their assistance with this matter. She again voiced concerns. She stated she wanted to see it wrapped up before the end of the year. She stated the red tag received was upsetting to her. She discussed how upsetting it was for her. She again voiced concerns with being treated unfairly. Mr. Recupito asked Mr. Austgen about the lines on the GIS photo. Mr. Thiel stated the west side could be a discrepancy. The east side of the property, there is no question. Mr. Austgen stated the Building Department needs to go out there and do their job. Mr. Kubiak asked for a copy. A brief discussion continued on the red tag violation and the GIS photo. Mrs. Mikolijczak explained. Mr. Recupito stated they will be going out there tomorrow. Mrs. Mikolijczak recognized Public Works for their help in removing some dead trees on Vermillion. She stated she appreciates the Town work in other areas. Mr. Carnahan stated he had discussion with Council members about removing the red tag but no action was taken.

ADJOURNMENT President Recupito called the meeting to adjournment at approximately 9:09 PM.

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, IAMCA, 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