

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA  
MINUTES OF THE UTILITY BOARD**

**June 16, 2020**

**Public Meeting Advertised for 6:30 PM  
Conducted at the Cedar Lake Town Hall  
Pledge of Allegiance & Moment of Silence**



*In an effort to maintain transparency and accessibility while keeping accordance with the Governor's Executive Orders relating to COVID-19, the Utility Board meeting limited in person attendance but the live broadcast was streamed and can be viewed at <https://cedarlakein.org/view-town-meetings/>. Questions and comments were accepted electronically and instructions can be found on the agenda or on the Town's website.*

**Roll Call:**

Present*	Robert H. Carnahan	Ward 1	Present	Colleen Schieben	Ward 6
	Board Member			Board Member	
Absent	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7
	Board Member			Board President	
Present	Julie Rivera	Ward 3	Present	Jennifer N. Sandberg	
	Board Member			Clerk-Treasurer, IAMC	
Present	Ralph Miller	Ward 4	Present	Jill Murr, CPM, IAMC, MMC	
	Board Vice President			Town Administrator	
Present	Randell Niemeyer	Ward 5	Present	David Austgen	
	Board Member			Town Attorney	

*\*Council member Carnahan participated remotely.*

**NEW BUSINESS**

**1. Approval of Minutes – May 19, 2020**

A motion to approve minutes was made by Ralph Miller with second by Julie Rivera. Roll call vote: Robert Carnahan – Yes, Julie Rivera – Yes, Colleen Schieben – Yes, Randy Niemeyer – Yes, Ralph Miller – Yes, Richard Sharp – Yes Vote: 6 - 0.

**2. Written Report**

**a. Fund Report**

Clerk-Treasurer Sandberg reported she emailed updated revenue and expenditure reports. As previously requested, Storm Water fund balances were included in the email. She also sent updated utility billing and revenue numbers from May 2019 compared to May 2020. Utility revenue collections are staying steady. A brief discussion continued on storm fund balances.

**3. Consultant(s) & Staff Report(s)**

**a. Engineer - NIES**

**i. Consultant Appointment – Engineering Services**

Mr. Simstad reported his firm previously submitted for appointment in 2019 following the RFP request. This is what they call routine services. They can do it through the end of the year and re-appoint again come January. That way it is on a recurring schedule. Mr. Carnahan asked about a not to exceed amount. Mr. Simstad stated there is no defined scope of work. This would be for routine services or as needed.

A motion to accept the proposal through the end of the calendar year was made by Randy Niemeyer with second by Ralph Miller. Roll call vote:

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Robert Carnahan – Yes, Julie Rivera – Yes, Colleen Schieben – Yes, Randy Niemeyer – Yes, Ralph Miller – Yes, Richard Sharp – Yes Vote: 6 - 0.

- ii. West Side Sanitary Interceptor Update (WSSSI)  
They are working with Mr. Austgen's office to finalize the easement agreements. Once those are completed they can go out to the bidding process and coordinate with Lake County.
- iii. East Side Sanitary Sewer Inspection Update (ESSSI) & SSES Update  
Mr. Simstad reported now that Public Works is on a normal work schedule they will be working on the video process of the sanitary sewers. Once reviewed, they will move forward with local and regional projects.
- iv. Utopia Subdivision Water Main Replacement Updated  
They began survey this week. It took a little longer for utility locates. They met with staff last week and they are doing some exploratory excavation to get locates. They anticipating being done with locates in approximately two weeks.
- v. 2020 Water Utility Preliminary Engineering Report (PER) Update  
They are on and ahead of schedule. They intend on being completed towards the end of June to the first week in July. They will be on schedule to submit by July 17<sup>th</sup> to the Indiana Finance Authority (IFA) for the SRF consistent with the request from Indianapolis from the OUCC for the IURC Rate Petition. One item is needed for the historical architectural review. It's a requirement of the IFA. They have to show there will be no negative impacts to historical landmarks within the community. They are able to provide the PER report from 2010 from the water main project to update instead of recreating. They can provide it to Garner to update rather than recreate. Garner has provided a quote of a not to exceed amount of \$2,000. A brief discussion occurred on the IURC rate petition and extra filing fees incurred. Mr. Niemeyer estimated the extra costs at around \$300,000 when completed.

A motion to approve the agreement for services from Garner in an amount not to exceed \$2,000 was made by Ralph Miller with second by Randy Niemeyer. Roll call vote: Robert Carnahan – Yes, Julie Rivera – Yes, Colleen Schieben – Yes, Randy Niemeyer – Yes, Ralph Miller – Yes, Richard Sharp – Yes Vote: 6 - 0. Mr. Simstad stated he has spoken with Mr. Garner and it is estimated work will be complete within 5 to 8 days.

**b. Director of Operations/Superintendent**

- i. Operation & Maintenance Report  
Mr. Kubiak reported they are televising the sewer lines. They are approximately at 142<sup>nd</sup>. Staff has been clearing out areas as needed to continue the televising. Storm projects are ongoing. A couple areas of Havenwood have been started and completed. Mr. Carnahan reminded Mr. Kubiak that Storm reports should be made to the Town Council.
- ii. Xylem Proposal – Sanitary Lift Station #5  
Lift station #5 is in need of equipment replaced. A quote is before them for a pump, controls, back-up generator, etc. The specifications adhere to the standards in place. Mr. Carnahan stated the cost is \$162,930.78. Mr.

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Kubiak stated this is for equipment only. Not install. Mr. Niemeyer asked where this puts them on the list of needed equipment replacements. Mr. Kubiak stated they have a couple more that need to be replaced but they are getting along. This is the worst one by fair. They've redone five lift stations so far. A brief discussion continued on the location of the lift station and necessary equipment.

A motion to approve the equipment proposal from Xylem in the amount of \$162,930.78 was made by Randy Niemeyer with second by Julie Rivera. Roll call vote: Robert Carnahan – Yes, Julie Rivera – Yes, Colleen Schieben – Yes, Randy Niemeyer – Yes, Ralph Miller – Yes, Richard Sharp – Yes Vote: 6 - 0.

- c. **Town Administrator** – Currently working with the Lowell Town Manager to schedule a JMOB meeting and the Joint Council meeting. She anticipates bringing dates back to them.
- d. **Town Attorney** – Mr. Austgen reported on the IURC Rate Petition. Discovery is ongoing. September 9<sup>th</sup> is the projected hearing date.

**4. Barnes & Thornburg LLP Engagement Agreement**

Mr. Austgen stated this is in regards to the issuance of bonds for the water tower and similar, essential water utility projects. This is to engage bond counsel. This is necessary for the financing. Mr. Carnahan asked what they are paying them. Mr. Sharpe responded for time and material. Mr. Niemeyer stated they've done many of these bond closings over the years for the Town. A brief discussion continued.

A motion to approve the engagement agreement was made by Julie Rivera with second by Ralph Miller. Roll call vote: Robert Carnahan – Yes, Julie Rivera – Yes, Colleen Schieben – Yes, Randy Niemeyer – Yes, Ralph Miller – Yes, Richard Sharp – Yes Vote: 6 - 0.

**5. JMOB Report** – Previously reported.

**PUBLIC COMMENT** - None

**ADJOURNMENT** President Sharpe adjourned the meeting at approximately 7:05 PM.

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Richard Sharpe, President

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Ralph Miller, Vice President

\_\_\_\_\_  
Robert H. Carnahan

\_\_\_\_\_  
John Foreman

\_\_\_\_\_  
Julie Rivera

\_\_\_\_\_  
Randy Niemeyer

ATTEST:

\_\_\_\_\_  
Colleen Schieben

\_\_\_\_\_  
Jennifer N. Sandberg, IAMC  
Clerk-Treasurer

The Minutes of the Cedar Lake Utility Board 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 IC 5-1.5-2-2.5.