

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

March 15, 2022

**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	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	Absent*	Jennifer N. Sandberg, IAMC	
	Board Member			Clerk-Treasurer	
Present	Ralph Miller	Ward 4	Present	Chris Salatas	
	Board Vice President			Town Manager	
Present	Randell Niemeyer	Ward 5	Present	David Austgen	
	Board Member			Town Attorney	

**Chief Deputy Clerk Margo Nagy was present.*

NEW BUSINESS

1. Holy Name Church: Municipal Water Request

Fr. Patrick Gawrylewski, Holy Name Parish, discussed a water issue for the school. They recently installed a new well and are having issues with it passing IDEM required tests. He stated a letter was sent to Mr. Sharpe requesting municipal water to Holy Name School. Holy Name requested a variance be issued not requiring it to install the water line to the end of the property. He stated they were told in order for water to be brought to the school, they needed a tap at 133rd and Schneider all the way to the end of the property. He discussed the ordinance and requirements. Wayne discussed the ordinance and the section on water line extension. The church receives Town water, not the school. He discussed the property line. He stated they want to take the line from 133rd to the school. They would also pay for the sidewalk and hydrant. He further discussed the issues the school is having with the new well. Mr. Salatas stated for development it is preferred to have the water line go through the entirety of the property. He understands it is a field at this time. There are developments proposed and existing just to the north of there that have extended the water line which leads to the possibility of looping. Looping the water lines is the preference. There is a water line coming south behind the Dodge dealership, that comes up to the storage facility that with development in the area, would provide for that looping between 133rd Avenue and 129th Avenue. Discussion continued on looping the water mains. Mr. Niemeyer briefly discussed the water main developments over the last few years. He discussed looping also being important for the fire department. Mr. Austgen stated the language is mandatory in the Town's codes that there be an extension and looping occur. Extension to the subdivision or property boundary line is the language and its mandatory language. That is how it's been interpreted. That's in fact accurate for the long-term plans of the Town. He briefly discussed development and looping in the area. Mr. Carnahan asked if they could deviate from that. Mr. Austgen stated they are the Utility Board and have the legal authority to do what they deem is appropriate. Mr. Niemeyer stated if a development does come in, they could end up with another stub. Mr. Austgen discussed issues with easements and access. Mr. Niemeyer voiced concerns with dead end streets. Mr. Austgen stated they kind of had that on Great Oaks Drive. The water main was not extended. A very lengthy discussion continued on water main extensions and looping. Mr. Niemeyer discussed water main installs and connections between properties. He stated they had this recently with Father John at St. Michael. He

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

wanted the policy waived as well because water mains would have to have been laid along 133rd Avenue. That would've been a substantial cost. At the time the decision was made not to allow that to happen. The policy is there for the purpose of the totality of the utility. Father Patrick asked about the possibility of getting water from the Town. Mr. Niemeyer asked Mr. Kubiak where the nearest main is. Mr. Kubiak stated the nearest main is the one at 133rd and Schneider. Mr. Niemeyer stated the possibility is high. Mr. Kubiak stated they would have to install the main to get it to the school. It was discussed the location is in the right of way. Mr. Niemeyer stated he believes they would just need to get permission from the Town to access the easement and then repair it in the way it was when they found it and then finish the water main as it states in the standards. Father Patrick asked why would they have to incur the costs from 133rd to the beginning of their property which is not their property. He understands through their property but why a portion outside. It was discussed that the cost is incurred by that who wishes to access the water that is there. The Town will provide the access and the access to the public easement but they would need to provide the connection. A lengthy discussion continued on who's responsibility it is to extend water. Mr. Miller further discussed the policy on water extension. Mr. Niemeyer stated that is what they enforce. A lengthy discussion continued on policy and future connections. Mr. Simstad stated the voice of the Utility Board and Attorney Austgen are correct. The extension to the boundary line of the property is consistent with past policy as well as the guidance and direction to extend those mains. That is so the last person that extends the main or if the Town extends the main for the ability for that connection. It provides for the next person to be able to provide that extension. Wayne further discussed extension through their boundary line. He questioned the way it reads. Mr. Austgen stated it means all of the boundary lines. Mr. Niemeyer stated the Town would definitely be willing to give access to the easement. He stated there is a precedent with this policy. They want people to have water but they don't force them to. They also don't put it on the ratepayers to be responsible for the cost of extending mains. Father Patrick thanked the board for listening to them and stated they would continue to work at this. A brief discussion continued on the next steps if they decide to connect.

A motion to deny the request as submitted was made by Randy Niemeyer with second by Julie Rivera. Roll call vote: Carnahan – No, Rivera – Yes, Niemeyer – Yes, Schieben – No, Miller – Abstain, Sharpe - Yes. Motion does not carry.

A motion to defer was made by Randy Niemeyer with second by Colleen Schieben. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe - Yes. Vote: 6 - 0.

2. Dixon Proposal for Engineering and Inspection Services: East Side Elevated Storage Tank

Mr. Simstad reported this is for the elevated tank at Krystal Oaks. Dixon Engineering has worked with the Town in the past. The scope of work is defined in the agreement. The agreement is in an amount not to exceed \$62,000. That covers their work regarding inspection of the steel, facility it is produced in, the erection as well as the welds, testing, x-rays, and coating. The representative from Dixon is local. He has worked with Public Works on recent projects.

A motion to accept the proposal was made by Randy Niemeyer with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe - Yes. Vote: 6 - 0.

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

3. NIES Construction Proposal for Construction Engineering: East Side Elevated Water Storage Tank

Mr. Simstad stated this is his firm's proposal regarding coordinating the work by Caldwell Tanks with Dixon and AES regarding the site work. Coordinating the pay requests and the work in addition to the coordination of scata and communication with Public Works and IT. It is for an amount not to exceed \$42,500.

A motion to accept the proposal was made by Colleen Schieben with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe - Yes. Vote: 6 - 0.

4. AES Proposal for Soils/Foundation Geotechnical Testing Work: East Side Elevated Water Storage Tank

Mr. Simstad stated this is the proposal for the soil consultant. AES did the initial soil work at the site and the subsequent work when they considered moving the tower slightly to the north. They prepared this in terms of the preliminary schedule by Caldwell Tanks. Mr. Niemeyer asked if the site of the tower is still going to be where they discussed and agreed upon after having meetings with residents. Mr. Simstad stated absolutely.

A motion to accept the proposal was made by Randy Niemeyer with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe - Yes. Vote: 6 - 0.

5. NIES Construction Proposal for Construction Engineering: East Side Transmission Main

Mr. Simstad this is for the east side transmission main which will connect the Paradise Cove production facility to the southwest corner of what is being considered Lakeside South. They've been in coordination with the developer on that project to extend their water main through Lakeside and Lakeside South down to 141st to their southwest property. They did get the facilities construction permit from IDEM for this project. They are working with Public Works and Ortman on the Paradise Cove facility. They are doing the well tests currently. This is so they can make improvements like the hydromantic tank and automatic disinfection equipment on that site to meet IDEM requirements. This is in an amount not to exceed \$79,350.

A motion to accept the proposal was made by Colleen Schieben with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe - Yes. Vote: 6 - 0.

6. Utility Service Co., Inc.: Master Services Agreement

Mr. Salatas reported this is the master services agreement for the current water tower on the north side. This is for repainting and maintenance. This is part of the SRF agreement. It has come down in cost from the last quote. There were several questions by Sue Haase. Suez has responded back. The pricing matrix was shared previously. If it is approved tonight, he asked it be contingent upon attorney review and the answered questions from Sue Haase and Suez be memorialized within the contract.

A motion to approve the master services agreement contingent upon legal review as well as inclusion of the commentary provided by Utility Billing Specialist Sue Haase as well as the comments of the Town Manager was made by Randy Niemeyer with second by Julie Rivera. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe - Yes. Vote: 6 - 0.

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

7. Utility Service Co., Inc.: Parrish Avenue Water Tank Maintenance Agreement

Mr. Salatas reported this was similar to the previous item. It needs to be done. He asked for the same contingencies as the previous item. The annual amount is \$44,014 in year nine it will drop down.

A motion to approve the maintenance agreement pending legal review and including the comments of Utility Billing Specialist Sue Haase as well as the comments of the Town Manager was made by Randy Niemeyer with second by Colleen Schieben. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote: 6 - 0.

8. Lakeview Business Park Water Recapture Agreement

A motion to defer was made by Colleen Schieben with second by Ralph Miller. Roll call vote: Carnahan – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote: 6 - 0.

9. Written Report

- a. Fund Report – Mrs. Nagy reported the cash and expenditure reports were sent by Jen last Friday.

10. Consultant(s) & Staff Report(s)

- a. Engineer – NIES – Neil Simstad
 - i. West Side Sanitary Interceptor Update - They have received and reviewed what drawings have been submitted thus far. They are coordinating with Lake County Highway Department on access. They have confirmed that the insurance covers the needs.
 - ii. West Side Sanitary Interceptor Project 2 Update – Design is proceeding. They anticipate submitting IDEM permits within the next 60-90 days.
 - iii. East Side Sanitary Sewer Inspection (ESSSI) Update – Lining is proceeding. Staff is handling.
 - iv. SSES Update – Data has come from the sewer department. They have requested additional data during the wet weather flows.
- b. Director of Operations/Superintendent
 - i. Operation & Maintenance Report – Mr. Kubiak reported they are working on well pump upgrades for the west side. The testing has been done in the last few years and they need to upgrade the size of two of the pumps. They are looking into upgrading the electric system at the pumphouse at the water tower facility. They want to make sure everything is compatible. They are getting prices on a new generator for the Robin's Nest facility. They are working on upgrades to Lift Station #8. Mr. Niemeyer stated he is a Utopia customer. He stated he noticed an extremely strong chlorine smell. There is also a bit of discoloration. Mr. Kubiak stated he knows they did some water tests for Schilling last weekend. It had some high flows that could be the reason for the discoloration. They monitor daily so he'll have to check on the chlorine with Ryan.
- c. Town Attorney
 - i. Water Rates – The rate case petition settlement is set for April 6th. Filings are being made for the settlement negotiated. It appears they have an agreement with the OUCC for that.

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

11. JMOB Report – No update.

PUBLIC COMMENT

None

ADJOURNMENT President Sharpe adjourned the meeting at approximately 8:15 PM.

TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA UTILITY BOARD

Richard Sharpe, President

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.