

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

June 21, 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	
Present	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7
	Board Member			Board President	
Present	Julie Rivera	Ward 3	Present	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	

OLD BUSINESS

1. CLBD South/Lakeview Water Utility Infrastructure Agreement

Mr. Austgen reported they were able to negotiate the agreement. During the negotiation of the water main extension reimbursement agreement, they learned the law had changed. The law changing made a tremendous impact on what the Indianapolis Utility Consultant and Council thought about how the approach should be. He discussed the traditionally path for reimbursement. Mr. Niemeyer stated most developers don't even realize the law has changed. Mr. Austgen stated negotiating the way they've calculated, everyone agreed on the cost of the oversized value. That number is a number that can be identified for a special contract for making a lump payment versus another variable type payment. The developer is in agreement. Mr. Austgen further explained, what they started a year ago is not what is before them tonight. If the agreement is acceptable, they will be agreeing that the infrastructure already in the ground and this is complete. The payment will satisfy all obligations for oversizing and will constitute the Town's reimbursement for payment consistent with the statute but not exceeding it. If this agreement is accepted, there is no further payment down the path. As an example, the next parcel coming into Town might be the Kretz Farm. If that does happen, that development will develop on the specifications that are in the ground. The sizing has already been calculated and the infrastructure requirement is already designed and built. Mr. Carnahan asked about the cost being \$260,000. Mr. Austgen stated that was the correct cost. Mr. Carnahan asked if they agreed to that. Mr. Austgen stated he previously reported they had.

A motion to approve the agreement was made by Randy Niemeyer with second by Colleen Schieben. Mr. Carnahan confirmed that will be for \$260,000. It was stated yes. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 7 – 0.

Mr. Austgen asked for a motion to consider payment to the developer consistent with the agreement they just approved. Mr. Carnahan asked where that payment would come from. Clerk-Treasurer Sandberg stated previous discussion was to utilize the system development fund, the previous fund and not the recently approved rate and fund. But

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there was also discussion on utilizing the water improvement fund. There are multiple water projects going on at the moment. Ms. Sandberg stated she will confirm with the Utility Accounting Specialist. A brief discussion continued on spending the money outside of the rate petition.

A motion to approve payment of \$260,000 to CLBD South was made by Colleen Schieben with second by Julie Rivera. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 7 – 0. Mr. Austgen added that the developer has been tremendous to work with. A brief discussion continued on working with developers.

NEW BUSINESS

1. Approval of Minutes – May 17, 2022

A motion to accept and waive the reading of the minutes was made by Randy Niemeyer with second by John Foreman. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Sharpe – Yes. Vote 6 – 0. **Mr. Miller stepped out of the meeting during this item.*

2. Lift Station 8: Xylem proposal in the amount of \$153,897.63

Mr. Salatas explained this lift station was struck by lightning. It is Lift Station #8 over by Corky's. Virtually everything was destroyed as far as electrical components. This was an emergency purchase because they need to get it back up and running and the lead time is approximately 60-90 days. This lift station had already been next for upgrades so they will be moving forward with repairs and upgrades. A claim has been put in with insurance for the cost to replace what was existing but they will be taking it a step further and upgrading some. Mr. Niemeyer asked if the insurance agents have been responsive and will the claim get processed. Mr. Salatas stated yes. The next step is a quote from All Services Electric. Mr. Kubiak stated the insurance sent out an investigator to go over everything and assess the damages. They sent the investigator out within a week of submitting the claim. Mr. Niemeyer asked if they have any idea what amount the insurance will cover. Mr. Salatas stated Mr. Kubiak is getting a quote for the replacement only as the quote in front of them is for replacement and upgrading. Mr. Kubiak stated they pulled the pumps are getting those quoted as well as the other destroyed items. He further discussed how they were already planning to upgrade the lift station due to the increased development in the area.

A motion to approve the proposal for Lift Station #8 in the amount of \$153,897.63 was made by Colleen Schieben with second by Julie Rivera. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 7 – 0.

3. All Services quote in the amount of \$25,600

Mr. Kubiak reported this quote is for the new electric service at Lift Station #8. This is needed to power the lift station. This is one of the numbers they were waiting for the insurance claim. A brief discussion continued.

A motion to approve the proposal from All Services in the amount of \$25,600 was made by Colleen Schieben with second by Ralph Miller. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 7 – 0.

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4. Written Report

- a. Fund Report – Clerk Treasurer Sandberg reported the cash and expenditure reports were sent out via email. She is continuing to work on the various projects with staff and consultants.

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

b. Engineer - NIES

- i. Utopia/East Side Water Main/Water Tower - Mr. Simstad reported all contract documents are complete. Shop drawings and schedules are being prepared and submitted. Coordination is occurring with Town staff.
- ii. West Side Sanitary Interceptor Update - The CSX coordination and material acquisition is proceeding subsequent to approval of the shop drawings.
- iii. West Side Sanitary Interceptor Project 2 Update - Design is proceeding and they are coordinating with Dave's office in terms of residents and acquisition of the easements submitted.

- iv. East Side Sanitary Sewer Inspection (ESSSI) Update – Staff is proceeding with data collection.

- v. SSES Update - There has been incredible dry weather metering. They are looking for wet weather data that they haven't seen lately due to the weather. Tony and staff are collecting data needed.

Mr. Carnahan asked about the water line on the east side. He asked about the time table. Mr. Simstad stated they just recently received the certificates of insurance and bonds from the contractor. Rick signed the contracts and Jen attested and they have been submitted back to the contractor. The shop drawings were approved back in March. They will now secure materials and submit a construction schedule. That will also coordinate with Lakeside II and their water main extension and improvements being worked on this week by Ortman at the Lighthouse facility. Mr. Carnahan asked about the water tower. Mr. Simstad stated all the contract documents are in place and they are coordinating with the contractor, Caldwell Tanks and Dixon Engineering on the shop drawings. Once those are all approved, Dixon will go down and inspect everything that is being fabricated so that when it comes up, everything is consistent with the plans as required.

- vi. Development Standard Update - Mr. Simstad stated they've made minor updates to the development standards. Looking at what the best practices are for moving forward. They make sure those updates get forwarded to Don and the Plan Commission. They've gone out to current developers and as new ones come in; they'll make sure they get them.

c. Director of Operations/Superintendent

Operation & Maintenance Report - Mr. Kubiak gave a brief update on the interceptor lining project. During the first day of the Parrish project, they found a six-inch water main loop that they had no idea existed. An inch and quarter service line was struck. They found the shut off on the opposite side of the road. A brief discussion continued on the water main. The well pump upgrade for Havenwood will be starting soon as the parts were received today. Mr. Kubiak stated they had a drop in the water tower today. Approximately, 150,000-gallon drop. They searched for a water main leak or break but after investigating, they found no break and it was due to all the new construction homes watering sod. This occurred between five and seven a.m. Mr. Foreman asked about the sprinkler schedule. Mr. Kubiak stated the new construction doesn't have to

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adhere to the sprinkler schedule. Mr. Niemeyer discussed a conversation with representatives from Schilling looking to expand their warehouse. They were told by Mr. Kuiper to contact a Councilman. There is a main by the funeral home that is choking off the necessary water needed for fire suppression. He was told there is a main coming from the north end of Centennial that may be tapped into that would be sufficient. They were told Cedar Lake doesn't have time to do any of this or have the staff or resources. He asked Mr. Kubiak what they can do to mitigate this. Mr. Kubiak stated the point Mr. Kuiper was trying to make was they are pressure testing and filling the main in Beacon West right now that will connect Summer Winds to the south. Ryan was trying to explain to them that there is no sense in doing the test until that main is activated. The water quantity will increase after this is done. What Ryan was trying to explain to Mr. Slager was that if he does the test now, it will basically be testing the same thing. The results will be the same. Once the main going through current testing is activated and goes online, then that test they need will be proper. Mr. Niemeyer asked about a timeline. Mr. Kubiak stated it is going through filling and testing right now. He gave an approximate timeframe of one week. A brief discussion continued. Mr. Niemeyer asked about maintenance of Town owned facilities. He understands they are short staffed with people to cut grass but he got a call about Havenwood. Some facilities had fourteen-inch-tall grass. People get tickets for that. If they can't maintain it, the Utility Board needs to know so they can contract help. Mr. Kubiak stated the parks guys were sent to mow it at the beginning of spring. When the problem was again brought to his attention and he asked the Water Department, they stated they thought Parks staff were doing it. Mr. Foreman asked if the Water Utility would be open to a company installing, at no cost, an automatic mower. This would be for the remainder of the year. Mr. Niemeyer stated they needed to see if it was necessary to contract with a company to handle the mowing of the facility. Mr. Kubiak stated they had a second guy lined up for mowing but he had to quit. It's been hard to find help. Mr. Kubiak stated they should have it under control by tomorrow. Mr. Niemeyer asked when the fencing around that facility will be finished. Mr. Kubiak stated the fencing has been installed. The only thing remaining is the gate in the front. The decorative fencing is on the sides. A brief discussion continued on the fence. Mr. Niemeyer asked if Mr. Kubiak thought contracting was the way to go. Mr. Kubiak stated he needs more for the hourly wage in order to get people. A discussion continued on Mr. Foreman's offer.

A motion to amend the agenda and to allow for the remainder of the season, the use of the donated robotic mowing system to maintain the Havenwood Well Site was made by Randy Niemeyer with second by Colleen Schieben. Roll Call: Carnahan – Yes, Foreman – Abstain, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 6 – 1 Abstain.

d. Town Attorney

- i. Water Rates – Mr. Austgen stated it has been confirmed to him that in the next few days, they will have the rate order.

Mr. Austgen recommended they amend the agenda to consider a transfer resolution to be added. This is for transfer of funds within the water utility. Mr. Sharpe asked if this is the one on the Town Council agenda. Mr. Austgen suggested it be added to the Utility Board and removed from the Town Council agenda.

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A motion to amend the agenda and to remove Item 1 from the Town Council Agenda Ordinances and Resolutions and move Resolution No. 1309 – Water Fund Transfer to the Utility Board meeting agenda was made by Randy Niemeyer. A second by was made by John Foreman. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 7 – 0.

Resolution No. 1309 was read by title only by Richard Sharpe.

A motion to approve Resolution No. 1309 was made by Randy Niemeyer with second by Julie Rivera. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 7 – 0.

- 6. JMOB Report** – No JMOB meeting date is scheduled yet but a meeting date is set with Lake Dalecarlia for June 27, 2022. It is to be held at the Lake Dalecarlia clubhouse. It is the annual meeting.

PUBLIC COMMENT

None

ADJOURNMENT President Sharpe adjourned the meeting at approximately 7:15 PM.

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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.