

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

November 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	
Present*	John Foreman	Ward 2	Present	Richard Sharpe	Ward 7
	Board Member			Board President	
Present	Julie Rivera	Ward 3	Present	Jennifer N. Sandberg, IAMC, CMC, CPFIM	
	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	

**Present via Zoom*

NEW BUSINESS

1. Approval of Minutes – October 18, 2022

A motion to accept and waive the reading of the minutes was made by Randy Niemeyer with second by Colleen Schieben. Roll Call: Carnahan – Yes, Foreman – Yes, Rivera – Yes, Niemeyer – Yes, Schieben – Yes, Miller – Yes, Sharpe – Yes. Vote 7 - 0.

2. NIES Pay Request No. 1 for the East Side Water Utility Elevated Storage Tank in the amount of \$100,602.00 payable to Caldwell Tanks

President Sharpe entertained Public Comment on the East Side Water Utility Elevated Storage Tank before taking a vote on the matter.

Kyle Caves, 12716 Wheeler St, stated the water tower project on the park property was brought to his attention recently. He stated it was his understanding when he moved to Krystal Oaks that the park was to remain a park. He voiced concerns with lack of formal notification regarding the project. He stated he was present on behalf of a lot of residents of the neighborhood. He stated in the past forty-eight hours, 155 residents of Krystal Oaks have reached out to him with concerns. He stated the concern is the project has been pushed forward without formal notification. He discussed traffic and safety concerns as well as property values. He voiced concerns about the water tower creating a floodplain and residents need for flood insurance. He stated the residents are worried about their property values and the playground. Mr. Caves asked if the construction could be delayed for another month. He stated he wished to gather more data. He stated he would like to have a petition signed by the neighbors so they know it's not just him speaking. He stated he wished to gather more data to see if there is another viable option for the tower.

John Grelak, 12829 Colfax, stated he is located a house down from the water tower location. He stated he has lived there for two months. He was not informed at all about the project. Mr. Niemeyer stated they've been working on the project for approximately three years. Mr. Niemeyer stated residents were notified of the project. Mr. Grelak stated the proximity to the park was a huge draw when they bought their home. He voiced concerns about bacteria growth as well as flood insurance. Mr. Niemeyer stated he's not sure where they heard about a water tower creating a need for flood insurance. He's not sure if that's even true. Mr. Grelak voiced concerns about a fall zone.

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Mr. Niemeyer wished to address some of the comments. He stated he has an email from a resident of the neighborhood from February 2019 and they knew about the project. The newsletter was used, public forums, and public hearings have occurred. He stated the problem with trying to delay anything is with the State Revolving Fund financing. That bond financing is dependent on timelines. Any change would throw out the financing and would cause them to start all over. He stated delaying is not an option but they do want to hear their comments. President Sharpe added that the original location was changed. Mr. Carnahan stated that was due to a resident that asked. Mr. Niemeyer stated residents came to a few meetings and asked if it could be slightly moved. The original location was due to elevation. He stated Mr. Simstad could talk more about that. Mr. Niemeyer stated they looked at working with the Lake County Parks to get the location on unused park land but they didn't want to participate.

Mr. Simstad stated the location is specifically due to elevation. The hydraulics of the system, an area 50 feet to the south lower in elevation, would require a tower to be 50 feet taller to make the same static elevation. He stated they spent three months talking to Lake County, option to look at Lemon Lake and those discussions were fruitless. They had looked at that specifically because of those similar elevations. Mr. Simstad stated discussions on location have gone back as far as 2015. Mr. Niemeyer stated the actual connection with the community started about late 2018 or early 2019. Mr. Simstad stated the design of the tower started in 2017. The site, while the park will be removed temporarily, it is his understanding it will be relocated to the north so there will be no loss of amenities. A resident asked about the tree line and if the location could be further in the tree line. Mr. Simstad stated they can't go past the tree line because that is Lake County Park property.

Brett Zandstra, 12826 Colfax, stated he lives right across the street from the park. He asked about the location of the tower within the park lots. Mr. Niemeyer stated if you're looking at the park from west to east, the original location was further south. Mr. Simstad stated now the location is generally along the property line, directly west. Mr. Niemeyer stated they couldn't move it too far due to the soils. He stated they looked at a lot of areas. Mr. Zandstra discussed the park not being kept up in the past. Mr. Carnahan discussed previous conversations and work done to the park area. Mr. Kubiak stated mulch has been placed in the park the last two years. He stated now they will be establishing a parks department to help with projects. Mr. Niemeyer stated they submitted a \$1,000,000 budget to the state for the parks department. Mr. Zandstra stated they bought in the neighborhood due to the greenspace nearby. He stated his family utilizes the park area a lot. Mr. Niemeyer encouraged Mr. Zandstra to stay engaged with the Park Board. A lengthy discussion continued on the water tower project and the future needs of the neighborhood. Mr. Zandstra stated he knew about the water tower. But he understood how some folks don't read everything in the mail. He asked about delaying another two weeks. Mr. Niemeyer discussed contracts already being signed. Mr. Zandstra asked if the water tower would be surrounded by a fence. Mr. Simstad stated there is security fencing required by Homeland Security. Mrs. Schieben asked if they could landscape around it. Mr. Simstad stated absolutely. Mr. Zandstra asked about future landscaping maintenance. Discussion continued on landscaping the area. Mr. Niemeyer discussed the recent maintenance completed on the water tower on Parrish Avenue. He stated it looks great with the white paint and Town logo. Chief Fisher added the loss of property value is untrue. He stated he lives less than 200 feet from a water tower and his property value increased. Chief Fisher stated insurance rates should go down once the tower is up because of fire protection. He stated once it is done, they'll go through an ISO rating. A resident asked if they are digging another well. Mr. Niemeyer stated they are digging several wells but not in Krystal Oaks. The supply will come from the Lighthouse well that the Town owns and the Robin's Nest well facility. They are looking at an additional

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well. The system is being set up so that the supply can provide fire protection at peak use. A lengthy discussion continued on the water supply and future needs of the community. Mr. Grelak asked if the water tower would have lights on it. Mr. Simstad stated there would be one on top per FAA regulations and there would be security lighting for the area. He couldn't say for certain what the lumens are. He stated screening is absolutely something that could be done. The Council and Park Board will work through the aesthetics of the property. Discussion continued on the matter. Mr. Grelak asked about a break on property taxes for being right next to the tower. Mr. Niemeyer stated there are none he is aware of. Mr. Carnahan stated the Council has no control over taxes. Mr. Simstad added that the Lake County Parks was not receptive about the location being on their site, the director was receptive to making a formal connection between the Town park area and the County park. He stated he would provide all the data to Chris. Mr. Caves asked about the newsletter and asked the Council to consider the process for notification. Discussion continued on notification.

Mr. Simstad stated the pay request was for Caldwell Tanks in the amount of \$100,602. A majority of the work is related to bonds, insurance, and engineering of the structural equipment for the tower and foundation design.

A motion to approve 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.

3. Written Report

- a. Fund Report – Clerk Treasurer Sandberg reported the cash and expenditure reports were previously sent out.
- b. Engineer - NIES
 - i. Sanitary Update – West Side Sanitary Sewer Interceptor Project 1 is proceeding to start in January 2023. Project 2 design is complete. They are working on some issues internally. Those are with locations of septic and wells with the County. Nothing relative to the Town sewer. He's been speaking to the County Health Department. All the data has been provided and will be reviewed. Mr. Niemeyer asked about land acquisition. Mr. Simstad stated once that final acquisition is complete, they will work on the projected schedule and proceed to IDEM permitting. After that will come the bidding process.
 - ii. Water update – Utopia Subdivision is proceeding. Mr. Niemeyer discussed the trees in the Utopia Subdivision that were removed due to the ongoing project. He discussed working getting them replaced at the end of the project. East Side Transmission Main is on schedule as well as Robin's Nest and Paradise Cove improvements. They are all proceeding.
- c. Director of Operations/Superintendent
 - i. Operation & Maintenance Report – Mr. Kubiak stated they had the second test done on the water tower after all of the maintenance. They received the all clear and got the tower back online late this afternoon. Mr. Carnahan asked about a claim for a door replacement. Mr. Kubiak stated that was a door removed out of the pumphouse building. That is so they could have the wall space to mount the needed equipment. Mr. Kubiak stated they final received the pumps for Lift Station #8. The control panel is still approximately three months out.
- d. Town Attorney – No report.

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4. JMOB Report - None

PUBLIC COMMENT

Previously occurred. See above.

ADJOURNMENT President Sharpe adjourned the meeting at approximately 7:14 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, CMC, CPFIM
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.