

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



December 3, 2019

Public Meeting Advertised for 7:00 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	Greg Parker Council Member	Ward 6
Present	John Foreman Council Member	Ward 2	Present	Richard Sharpe Council Member	Ward 7
Present	Julie Rivera Council Member	Ward 3	Present	Jennifer N. Sandberg, IAMC Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	Jill Murr, CPM, IAMC, MMC Town Administrator	
Present	Randell Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

**PRESENTATION**

Council Member Niemeyer stated a few months ago he was invited to engage with the Jane Ball Lego Robotics Team. He discussed their project on sidewalks within the community. Mr. Niemeyer discussed wanting the Town to partner with the team for the students to take ownership of a future project. Mr. Eckert, Jane Ball Principal, discussed the team and their hard work this season. The competed at the IUN Regional Tournament and received 1<sup>st</sup> place for robot design and placed Top 7 of the 25 teams in attendance and will advance to the State Tournament at Purdue Fort Wayne. He stated the children will present part of their research on their community project. One step of their process is to share their research. Members of the Jane Ball Lego Robotics Team presented their project on holographic sidewalks.

**PUBLIC COMMENT**

None

**CONSENT AGENDA**

- 1. Claims:** All Town Funds: \$131,560.04; Wastewater Operating: \$74,923.93; Water Utility: \$11,074.10; Storm Water: \$14,720.35; Payroll: November 27, 2019 and November 29, 2019 - \$174,219.07
- 2. Usage & Fee Waiver Request:** Hanover School Penguin Plop – March 7, 2020 (Lion's Den)

A motion to accept the Consent Agenda as listed was made by Robert Carnahan with second by Julie Rivera. Mr. Niemeyer asked about the listed 2017 A, B, & C Claims. Clerk-Treasurer Sandberg explained that was a placeholder on the agenda and there were no claims from that fund for this docket. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

**ORDINANCES & RESOLUTIONS**

**1. Ordinance No. 1346 – 2019 Salary Ordinance Amendment**

Councilmember Rivera read Ordinance No. 1346 by title only. Town Administrator Murr explained this is to add the position of part-time custodian back in. This is for the remainder of this year. It's retroactive to the pay period beginning November 24, 2019. It was reviewed by legal.

A motion to approve Ordinance No. 1346 was made by Randy Niemeyer with second by Julie Rivera. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

A motion to suspend the rules and allow for a second reading was made by Randy Niemeyer with second by Ralph Miller. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

Councilmember Rivera read Ordinance No. 1346 by title only.

A motion to adopt Ordinance No. 1346 was made by Greg Parker with second by Ralph Miller. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

**2. Ordinance No. 1344 – 2020 Salary Ordinance**

Councilmember Rivera read Ordinance No. 1344 by title only. Mrs. Murr explained this ordinance includes 2% raises as discussed during the budget work session. It also

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includes the changes to the Council's salary as well as the changes to the Clerk-Treasurer's base salary. Under Fire Department is the addition of a part-time firefighter. The rate will be the same as a part-time EMT. One amendment needed is to change all of the Boards and Commissions to be \$100 per meeting. Mr. Carnahan voiced his displeasure with the increase to the Council salary. He thinks it is an extreme amount when they can't pay more to police and fire. Mr. Niemeyer explained that they are paid out of different funds. Utility funds can't be used for police and fire pay. Mr. Niemeyer agreed with the need to raise the pay for public safety. He explained there is only a pot so big to split. The pot is getting bigger but slowly. The Town needs a commercial district developed that will help support a diverse tax base which would help. He also believes they need to review the wage and benefit package to address competitiveness. Mrs. Rivera asked if this was the first Mr. Carnahan was learning of the wage increase. Mr. Carnahan stated it was the first he was seeing on paper. He knew it was going to happen but didn't have it in writing. A lengthy discussion continued on Council wages historically.

A motion to approve Ordinance No. 1344 was made by Julie Rivera with second by Ralph Miller. Roll call vote: Carnahan – No, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Abstain, Rivera – Yes, Foreman –Yes. Vote: 5 – 1; 1 Abstention. The second reading will be at the next meeting.

**NEW BUSINESS**

**1. 2020 Meeting Calendar**

Mrs. Murr discussed the proposed meeting calendar for Boards and Commissions. There was discussion on moving some meeting times. She asked if they wanted to discuss that. Mr. Foreman thought it was a good idea to move the time for the Utility Board meeting so staff didn't have to stay late. Mr. Niemeyer stated they need to look at evaluating on a meeting by meeting basis if staff is needed. A brief discussion continued.

A motion to approve the 2020 Meeting Calendar as presented was made by Robert Carnahan with second by Richard Sharpe. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

**2. New Focus HR Agreement**

Mrs. Murr stated this item was previously deferred. It was asked if the firm would review a policy written by someone else. They most definitely would but if re-writes were needed they would almost pay double. They gave some other references on municipalities they have worked with. The other items on the agreement are ala carte. Item 1 is the employee handbook at a fixed rate fee of \$4,800. Item 2 is the optional annual subscription for handbook updates at a fee of \$125 per year. Item 3 is outsourced HR consulting services at a fee of \$150 per hour. Item 4 is anti-harassment and discrimination training at a fee of \$2,800 for two sessions. A brief discussion continued.

A motion to approve items 2, 3, and 4 was made by Randy Niemeyer with second by Julie Rivera. Mr. Niemeyer explained that Mr. Austgen was working on a handbook update for the Town free of charge. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

**3. Y2020 Hanover Township Fire/EMS Agreement**

Mr. Foreman asked Mr. Austgen if he had any comments. Mr. Austgen stated he wasn't asked to look at the agreement. Mrs. Murr stated as directed she reached out to Mr. Toth to discuss the agreement. It is the same as last year. It is identical except for the dates. Mr. Toth stated the contract is identical to last year with no changes to amounts. He's giving everything they have. They are working on some things this year. Their LOIT fund is receiving a 3% increase. They raised their levy for their cumulative fire. Mr. Niemeyer asked if the language was verbatim. Mrs. Murr stated yes it was verbatim. She typed the document. A brief discussion continued on attorney review of contracts.

A motion to approve Y2020 Hanover Township Fire/EMS Agreement contingent upon review by the Town Attorney was made by Robert Carnahan with second by Greg Parker. Mr. Niemeyer asked if the contingency was authorizing signatures tonight. Mr. Carnahan stated after. Mr. Niemeyer stated if would then be deferred. A brief discussion continued. Mr. Carnahan amended his motion to include the authorization of signatures tonight. Mr. Parker concurred. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

**REPORTS**

- 1. Town Council** – Mrs. Rivera discussed a ribbon cutting ceremony at the Boys and Girls Club for their new gym. A dodgeball game of Police and Firefighters will follow. Mr.

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Miller stated the Police Department did a phenomenal job with the celebration of life event for Mr. Paul Zimmerman. Mr. Foreman and Mr. Carnahan shared memories of Mr. Zimmerman.

2. **Town Attorney** – None
3. **Clerk-Treasurer** – Clerk-Treasurer Sandberg stated she will make the updates to the 2020 Salary Ordinance as discussed and anticipates having budget reductions at the next meeting.
4. **Town Administrator/Staff** – Town Administrator Murr stated the roundabout is open. A brief discussion continued on the roundabout project. Commander Fisher presented a project that he asked for the Council to approve. On the west side of MacArthur Elementary at the fence line, the woods have overgrown. Lighting is awful and the area becomes a danger. The school corporation is going to address the issue with lighting and access but the school doesn't have the equipment to cut the overgrowth. The Public Works Department has the equipment needed. Commander Fisher asked the Council to approve for a public works staff member to take the necessary equipment and cut the overgrowth. A brief discussion continued. Mr. Coulson briefly spoke about working on threat assessments with the school corporation. Many calls are received for vandalism at the area in question. He discussed the lighting project. Mr. Foreman asked that Mr. Coulson reach out to Michelle in the Building Department to discuss the lumens of the lighting and building permits.

A motion to approve the clearing of the brush at MacArthur School was made by Randy Niemeyer with second by Greg Parker. Roll call vote: Carnahan – Yes, Parker – Yes, Miller – Yes, Niemeyer – Yes, Sharpe – Yes, Rivera – Yes, Foreman –Yes. Vote: 7 - 0.

**WRITTEN COMMUNICATION**

1. **CLHA** – Thank You Letter

**PUBLIC COMMENT**

Mary Joan Dickson, 8711 W 132<sup>nd</sup> Place, thanked the Council for approving the Penguin Plop and voiced concerns about having meeting times as early as 6PM. Some folks may not be able to make such an early time.

Pat Scoleri, 15714 W. 131<sup>st</sup>, voiced his displeasure with the salary ordinance. He feels public safety is getting ignored. He stated he is here to establish a dialogue. Mr. Craft is working on a contract that will probably be presented to in February. Mr. Scoleri discussed some of the needs of the department. He discussed pay rates. He stated people are leaving and new people don't have the experience. He thinks they are putting the Town of jeopardy. He wants to work with the new Council on an agreement. Mr. Niemeyer asked about his research on the revenue to pay for the contract. The General Fund is limited. The levy can only go so far. Mr. Scoleri again voiced concerns with things not being addressed again. Mr. Niemeyer disagreed. When the department merged with the Town in 2013 the department had 6 full-time members. As of this next year the department will have 12. He stated the Town can't be compared to other communities with different tax bases. Mr. Niemeyer discussed the purchase of an ambulance and the new ladder truck. Mr. Craft stated his goal is to meet with Council members and open a line of communication. He stated they don't want it to seem like they are demanding things. But they want to discuss the needs of the department. A very lengthy discussion continued on public safety.

**ADJOURNMENT** Council President Foreman called the meeting to adjournment at approximately 8:10 PM.

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COUNCIL OF THE CIVIL TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA

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Robert H. Carnahan

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John Foreman

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Julie Rivera

\_\_\_\_\_  
Ralph Miller

\_\_\_\_\_  
Randell Niemeyer

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

ATTEST:

\_\_\_\_\_  
Richard Sharpe

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Jennifer N. Sandberg, IAMC  
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 IC 5-1.5-2-2.5.