

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



March 2, 2021

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	Colleen Schieben Council Member	Ward 6
Present	John Foreman Council Member	Ward 2	Present	Richard Sharpe Council Member	Ward 7
Absent	Julie Rivera Council Member	Ward 3	Present	Jennifer N. Sandberg, IAMC Clerk-Treasurer	
Present	Ralph Miller Council Member	Ward 4	Present	Rick Eberly Town Manager	
Present	Randell Niemeyer Council Member	Ward 5	Present	David Austgen Town Attorney	

PUBLIC COMMENT

None

CONSENT AGENDA

Minutes: February 16, 2021

Use and Fee Waiver Requests:

- a. Lynette Kubal – Children’s Snow Painting – Town Grounds use and fee waiver 3/7/2021
- b. Cedar Lake Chamber of Commerce – Town Grounds use and fee waiver 06/12/2021
- c. Cache Creek – Clubhouse use and fee waiver 8/7/2021

Claims: All Town Funds: \$195,255.30; Wastewater Operating: \$12,071.21; Water Utility: \$57,035.16; Storm Water: \$4,236.14; and Payroll: February 4, 2021, and February 18, 2021: \$495,913.00;

A motion to accept and waive the reading of the minutes and accept the consent agenda as listed was made by Ralph Miller with second by Colleen Schieben. Mr. Foreman asked about Cache Creek and who they were. Rick answered they are a non-profit pet rescue organization. Mr. Carnahan commented on the claims for road salt. He stated he’s concerned it’s not enough for the remainder of the year. Clerk-Treasurer Sandberg stated they still have a budget available for road salt. Roll call: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

ORDINANCES & RESOLUTIONS

1. Ordinance No. 1376 – Annexation – Bultema CLBD South, LLC:

Council Member Sharpe read Ordinance No. 1376 by title only. Mr. Austgen stated this is the adoptive reading. This is approximately 28 acres south of the Henn property on US 41. It is proposed as business commercial/industrial park. It has met all of the requirements. If adopted tonight, he’s prepared to notice the adoption.

A motion to adopt Ordinance No. 1376 was made by John Foreman with second by Colleen Schieben. Roll call: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

BZA

1. Sikorevich – Special Use Variance – 13930 Lauerma Street

Special Use Variance to allow the Petitioner to have a multi-Family residence with a B-1 Medical Office in an R-2 Zoning District. Mr. Austgen stated this is a use variance application for the old Hanover House property. The new owner is a doctor and plans to conduct a tele-medicine office. There are conditions noted on the certification that were part of the BZA meeting dialogue. *A copy of the certification and minutes can be found at the end of these minutes.* The petitioner, Steve Sikorevich, discussed his profession and the plans for the business and building. It will be a hybrid office focusing on tele-medicine and in-office appointments. A brief discussion continued.

A motion to approve was made by Robert Carnahan with second by Ralph Miller. Mr. Austgen asked for the motion to include the certification and the minutes. Mr. Carnahan and Mr. Miller both concurred. A brief discussion occurred on the number of units on the premises. Roll call: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

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NEW BUSINESS

1. Soccer Shots Agreement for a Fee Waiver and use of the Town Grounds

Mr. Eberly stated he didn't think Mr. Austgen had a chance to put an agreement together. It will be similar to the Farmers Market agreement. Emily Lenehan wants to operate the Soccer Shots program in Cedar Lake on the Town Grounds. The Town wasn't prepared to have a spring soccer program. She has shared the requested insurance information as requested. Mrs. Lenehan handed out information packets to all the Council members and spoke about the Soccer Shots program. She runs the program in Dyer, Schererville, and St. John. She's looking to expand Soccer Shots in non-competitive and teaches the fundamentals. Mr. Niemeyer asked if she was prepared for the amount of people in Cedar Lake. Mrs. Lenehan stated she is prepared for Saturdays in Cedar Lake. This program is unique and offered one time a week. There is a maximum limit of ten (10) per class with five (5) classes. The program is for age's two to eight. She is seeking a waiver for the grounds use and will do a revenue share of the registration fees with the Town. A very lengthy discussion continued on the program as well as a soccer program in Town for older children. Mr. Austgen added he wasn't sure what the direction of the Town was in terms of an agreement. He is unsure what to draft unless given direction. Mr. Eberly and Mrs. Lenehan both stated they would be happy to provide whatever other information is necessary.

A motion to approve was made by John Foreman with second by Richard Sharpe. Mr. Miller asked if the attorney would be reviewing. It was stated no. That wasn't part of the motion. Mr. Foreman stated he would add to his motion to make sure the insurance is adequate based on the Town's requirements. Mr. Sharpe concurred. Roll call: Carnahan – Yes, Foreman – Yes, Miller – No, Schieben – Yes, Sharpe – Yes, Niemeyer – No. Vote: 4 – 2.

2. Placemaking Pier – Cedar Lake Historical Association

Julie Zasada, Executive Director of the Cedar Lake Historical Association, presented a request to the Council to have a pier placed in front of the museum. The grant they received requires their approval. Mr. Miller stated they had a follow up meeting with Public Safety officials yesterday. One of the problems that arose was the distance of the pier. Mr. Miller shared a draft picture of how far out they would take the pier. Approximately 200 feet and include a 30ft by 40ft platform with benches for viewing. Four slips would be for Public Safety and the other side would have three slips for public use. The pier will be handicapped accessible and will include proper lighting. Mr. Miller stated they want to put the project out to bid and use park impact fees for the project. Mr. Miller stated they hoped the Historical Association could use their grant for lighting and signage. Mr. Foreman stated the Public Safety slips should be on the north side of the pier. Chief Fisher stated the slips on the south is to not obstruct the view of the museum and signage. This also gives them an area to block the swimming area from other boaters. It is a few feet deeper on the south side. A lengthy discussion continued on the number of placement and number of boat slips. Mr. Niemeyer asked about the possibility of utilizing CDBG funds. Mr. Eberly stated they need to use that on an ADA compliant project. That money has to be spent by June 1st. The Town plans to update the ADA curb ramping throughout the town. He put in an inquiry with CDBG if they could use the funds from them for this pier. But it would depend on if it qualified as low to moderate income. Mr. Carnahan asked about the grant the association received. Mrs. Zasada stated this is part of a larger program. They raised \$44,000 to fund the special Steam Week in July. \$18,000 of that was earmarked for the pier. Mrs. Zasada added part of the program would be augmented reality. People will be able to download an app that will pan two points on the shoreline and people will be able to see historically what used to be there. The plan is to expand that to anywhere on the lake. A brief discussion continued on the steam program.

A motion to approve the placemaking pier with the increase of public slips to four as well as utilizing the park impact fee fund for the project was made by Ralph Miller with second by Colleen Schieben. Roll call: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

3. Monastery Clubhouse Lease Rental Agreement

Mr. Eberly stated the lease agreement is for the renter in the apartment above the Clubhouse. He pays \$500 a month in rent currently. The agreement does have a blank space for the rent amount. Mr. Miller made a motion to defer so they could discuss the lease agreement.

A motion to defer and have Council Affairs meet and discuss the agreement and come back with a recommendation was made by Ralph Miller with second by Colleen Schieben. Roll call: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

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4. New Street Sign Funding (Lennar Infrastructure Improvements Fund)

Mr. Eberly stated Mr. Kubiak would like to order new street signage to go with the updated standards of the Town. Mr. Kubiak stated this is for the street sign pole and the black backer as well as the brackets. They have the signs ordered from 147th and Morse to Constitution. They need 17 posts to achieve change out of the signs. They have a quote from Traffic Control Specialists. If fifty are ordered they receive the best price. Public Works will install them. Mr. Kubiak requested to utilize some monies from the Lennar Infrastructure Improvement Fund. The total cost of the quote is \$13,750.60.

A motion to approve the New Street Signage and allow the project to be paid from the Lennar Infrastructure Improvement Fund was made by John Foreman with second by Colleen Schieben. Roll call: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

5. Cedar Lake Historical Association – New HVAC Installation Consent and Permit Fee Waiver

Mrs. Zasada reported the association received a grant of \$6,200 from the Crown Point Community Foundation to go towards the install of another mini-HVAC unit. It will be placed in what they call the Café, which is a large gathering room. At this point they don't do any food service. The hope is to expand programming at the museum in the off season. They are asking for permission to install.

A motion to approve the install and permit fee waiver was made by John Foreman with second by Richard Sharpe. Roll call: Carnahan – Yes, Foreman – Yes, Miller – Yes, Schieben – Yes, Sharpe – Yes, Niemeyer – Yes. Vote: 6 – 0.

REPORT

- 1. Town Council** - Mr. Carnahan asked if they spoke of Cleta Walker at the beginning of the meeting. It was answered in the affirmative. Mr. Carnahan briefly spoke of the history during Ms. Walker's tenure.
- 2. Town Attorney** - No report.
- 3. Clerk-Treasurer** - Clerk-Treasurer Sandberg reported she has finished the Annual Report for the Town and the RDA as well as all of the other required annual reporting. They will be moving forward with personnel items, the sustainability plan, storm fund analysis, and they will have a public hearing at the next meeting to re-establish the Cumulative Capital Development Fund.
- 4. Town Manager** - Mr. Eberly added to what Clerk-Treasurer Sandberg said. They plan to have the sustainability plan ready for Council by April 20th. The working group plans to meet on March 30th to review. They are keeping an eye on proposed legislation as well as the federal stimulus bill.
- 5. Director of Operations** - Mr. Kubiak stated they are okay in the way of salt. They still have more on the way as the waitlist is long. They are trying to be smart with usage. They did order some slag sand as a backup if necessary. Mr. Niemeyer stated the efforts of the crew are much appreciated. Mr. Kubiak added they will be updating the sewer line at Town Hall. They've had nothing but issues and this reroute is necessary. Mr. Carnahan discussed issues with garbage trucks getting up the roads. He said some streets in Town have gone two weeks without trash pickup. Mr. Kubiak said they did have some ice issues and they have gone out as quick as their able to get the roads cleared. Mr. Carnahan asked where they stand on getting a new total patcher. He discussed the cost savings by using the total patcher. Mr. Kubiak stated he's in discussions with Jen on what kind of capital funds they have available. He stated they are trying. Ms. Sandberg reported the capital funds are limited. They only have so much available and they have multiple capital items already planned.
- 6. Police Department** - Chief Fisher discussed the death of a citizen in Town. Her husband was left alone and one of the Chaplains tried to get ahold of him to help make arrangements. An officer was tasked with checking in and assisting this citizen each day for a few days. They contacted Holy Name Church and the church sent over Mary Joan Dickson. She spent the last two weeks making sure someone was with this gentleman and helped him get things in order. Chief Fisher stated he couldn't say enough about Mary Joan. She helped this citizen in his time of need. He thanked Mary Joan and Corporal Allande for their efforts towards this gentleman during this time. They are now looking into a program to help check in with the local senior citizen community.
- 7. Fire Department** - Chief Wilkening spoke to the efforts everyone took to help the citizen during his time of need. They escorted him to the funeral. The new ambulance should be ready about mid-May. They'll make a trip down during April to review the build so far. The Township Trustee will be taking bids for a new tanker. He is getting quotes for the updates to the Fire Station that were budgeted. He asked for an update on the discussions in regards to dispatch issues. Mr. Niemeyer stated they are working on finalizing a date. Hopefully they will have in update in the next several days. Mr. Carnahan applauded the

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fire department for their efforts in regards to the emergency at the Lighthouse. A brief discussion continued.

Mr. Niemeyer congratulated the Crown Point Girls Varsity Basketball Team on their State Championship win. It was the first win since 1985. He would like to put together a proclamation and honor team. He would like to honor them at a future meeting.

WRITTEN COMMUNICATION

- 1. Building Department Review** – Mr. Eberly stated the report is included in their packet. January saw 42 new home permits.

PUBLIC COMMENT

Mary Joan Dickson thanked the Fire Department for their help in getting the citizen in need to his wife's funeral. The department went above and beyond. She thanked them on behalf of the citizen. Mrs. Dickson asked about the executive session with the historical association and how it qualified for an executive session. Mr. Austgen stated ground lease discussion.

Kevin Toth stated he thinks the pier is a great idea. He suggested they use some of the park funds to improve the existing parks. The park at Monastery Woods only has one picnic table. He urged them to come up with a plan. Mrs. Schieben stated the committee would be meeting soon to discuss future plans for improvements. Mr. Niemeyer stated some of those items qualify for use of the park impact fee and others don't.

Linda Bettenhausen, 10426 Imperial Place, asked about a local ordinance in regards to dog waste. They have a problem with neighbors walking their dogs and not picking up after them. Mr. Austgen stated there is an animal control ordinance. A brief discussion continued on local ordinances and recourse. Ms. Bettenhausen asked about the avenue to take for issues. Mr. Austgen stated the most efficient form of enforcement is through the HOA Board. The board management can take control and enforce the covenants. Chief Fisher stated Town Code 99.28 covers waste. Officers can issue citations.

ADJOURNMENT President Niemeyer called the meeting to adjournment at 8:25 PM

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

Randell Niemeyer, President, Ward 5

Richard Sharpe, Vice President, Ward 7

Robert H. Carnahan, Ward 1

John Foreman, Ward 2

Julie Rivera, Ward 3

Ralph Miller, Ward 4

ATTEST:

Colleen Schieben, Ward 6

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.