

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MEMORANDA & MINUTES OF THE CEDAR LAKE TOWN COUNCIL**

September 1, 2009

**Public Meeting 7:00 PM at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence**

Roll Call:

Present	John Foreman Council Member	Ward 2	Present	Robert Carnahan Vice President	Ward 1
Present	Patricia Wisniewski Council Member	Ward 3	Present	Dennis Wilkening President	Ward 5
Present	Jerry Smith Council Member	Ward 4	Present	Amy J. Sund Clerk-Treasurer	
Present	William Landske Council Member	Ward 6	Present	Ian Nicolini Town Administrator	
Present	Greg Parker Council Member	Ward 7	Present	David Austgen Town Attorney	

PUBLIC HEARING

1. 2010 BUDGET

a. Proof of Publication – Amy Sund stated that the 2010 budget was published in the Cedar Lake Journal on August 18th & August 25th and in the Cedar Lake/Lowell Star on August 20th & August 27th.

b. First Reading of Ordinance No. 1060 – Amy Sund suggested reading Ordinance No. 1060 by title only. Motion by Pat Wisniewski and seconded by Bill Landske to read Ordinance No. 1060 by title only.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Amy Sund read Ordinance No. 1060 by title only. She stated that forms 4A and 4B are part of the budget and she gave an explanation of them. The proposed tax rate is \$1.49; this is a high estimate and will probably go down to around \$.50 once the state approves it. The 2009 tax rate is \$0.5685. The proposed tax levy is \$3,258,721.00 which is subject to change and will fluctuate. This is an approximate 2% overall increase from clerk treasurer down to unsafe building. All other funds including debt service is about a 1% increase. We have been conservative, but cuts might still need to be made. Amy Sund stated that we will probably not hear back from the State on this until June 2010. The total proposed budget for 2010 is \$5,266,588.00 with \$3,648,057.00 being the general fund. The budget for public works was tough, there is a slight increase budgeted, but with revenues decreasing in Local Roads & Streets (LRS) and Motor Vehicle Highway (MVH), cuts will probably be needed next year as well.

c. Public Comment – President Denny Wilkening called for public comment. No comments were made. Public comment was closed by President Wilkening.

d. Council Decision

Motion by Pat Wisniewski and seconded by Bill Landske to accept the first reading of Ordinance No. 1060.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Amy Sund stated that October 6th was set as the date for the final adoption. A new date will need to be set for the final adoption. This item is on the agenda.

DEPARTMENT REPORTS

Police: Chief Roger Patz reported that there was a sobriety check point on Friday on southbound US41. This was in conjunction with other Towns. There were several arrests made. He stated that he hopes to do this monthly; law requires that these are advertised. The blitz of the school zones has begun. A few citations were written. They are looking for out of state plates as well. Officer Kilgore has attended drug training to allow him to conduct drug tests at the police station and conduct field sobriety tests as well. He is one of eight officers selected to go to Arizona to attend four days of training which will make him a drug recognition expert. The State is paying for this. Chief Patz stated that there was a break in at the fire station last night. The person was intoxicated and was attempting to steal smoke detectors. These smoke detectors are given away by the fire department for free if you ask for one. He was arrested. The fire station has medics there 24 hours per day; they heard him and detained him until officers arrived. Ian Nicolini asked Chief Patz to report on his request for uses of the excess levy funds. Chief Patz reported that these items are from the capital projects list over the past several years and are a joint effort with the fire department. Items include a tornado early warning siren on the south side of the lake, communication system upgrades and additional EVP emitters for emergency vehicles. These items would complete capital projects and are items with a long range life expectancy. Ian Nicolini stated that the source of these funds was from when the State took over the welfare system. DLGF paid \$44,698.00 to Cedar Lake; these funds need to be utilized for public safety improvements. Bob Carnahan stated that Amy Sund, Jill Murr and he were in attendance at the 16 Plus Committee meeting. Bob Carnahan stated that he had discussions regarding road salt with them. Bob Carnahan stated that he was told by Ian Nicolini that we are good on salt for this year. Bob Carnahan stated that he has received numerous complaints on the lack of striping on the roads. Ian Nicolini stated that he is not sure if the funds could be used for this. Ian Nicolini stated that there is never enough salt. Ian Nicolini stated that we are part of the state-wide quantity purchase agreement for road salt and that the price is significantly lower than it has been. Bob Carnahan stated that Amy Sund stated that there are decreases for Local Roads and Streets and Motor Vehicle Highway; Ian Nicolini stated that the budget was determined with those constraints in place. Ian Nicolini stated that the items recommended are operational and are a long term investment.



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Amy Sund stated that the funds received will need to go through the additional appropriation process and have a public hearing. The funds were receipted into the general fund until direction is given for their use. Motion by John Foreman and seconded by Jerry Smith to approve use of the funds based upon the recommendations of the Police Chief and Fire Chief and to advertise for this.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Chief Roger Patz recognized the work Ed Robinson does; from being the fill-in coordinator for VIPS to replacing equipment on police cars. He and his wife do this work on their own time. While Ed Robinson is working on the cars, his wife is cleaning them. Chief Patz stated that he estimated that Ed Robinson has saved the police department about \$12,000 in installation costs; the police department just pays for the hardware. Chief Patz stated that Ed Robinson does not bill the Town; he does this work on his own time. Motion by John Foreman and seconded by Bill Landske to give a gift certificate to Ed Robinson and his wife in the amount of \$100 to a restaurant of their choice.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Denny Wilkening stated that Ed Robinson and his wife also take care of the animals at public works as well.

Public Works: Ed Robinson stated that he likes animals. They have been taking care of animal impound and adoption for about a year now. He stated that they have only had to put down two sick animals because they were sick; all others have been adopted. He stated that County is not taking cats and that they have only taken about six dogs there. Ed Robinson thanked Council.

Parks & Recreation: A written report was submitted to Council from Mary Joan Dickson. Mary Joan Dickson thanked Amy Sund for all of her work with the department heads and being so conservative. Mary Joan Dickson stated that because of Amy Sund being conservative the Town has not had to lay-off anyone nor have cuts in pay. Mary Joan Dickson stated that she is looking forward to the Community Development Block Grant to move forward with the handicap accessibility plans and the master plan for the Monastery. John Foreman requested that Mary Joan Dickson submit her report to Council a few days before the meeting so that they can review it. Bob Carnahan asked Mary Joan Dickson to report on the Hometown Fest. She stated that it will be September 26th at the Town grounds. Entertainment and volunteers are needed for the event. There will be a variety of food vendors. Mary Joan Dickson stated that a process and costs will need to be developed for utilization of the Town grounds. There currently are rates for the shelters, but not the grounds. As staff is needed and if we are going to expand services a plan will be needed. Greg Parker inquired if Mary Joan Dickson had a recommendation; Mary Joan Dickson stated that she will work with Amy Sund on rates and timelines. Council will need to approve this. They will research information from other communities. Denny Wilkening inquired on what is going on with the Monastery; Mary Joan Dickson responded that she is awaiting the CDBG funds to move forward with plans. She stated that it was used for graduation parties and for science camp, but it is rough. Mary Joan Dickson stated that her budget can not support heating the building this winter; the NIPSCO bills were over \$1,000 during the winter. Greg Parker inquired if items from the Monastery would be auctioned off at Hometown Fest; Mary Joan Dickson stated no. Greg Parker inquired if these items could be sold on craigslist or ebay; Mary Joan Dickson stated that she would check on it. The equipment to be sold is the bar equipment; the kitchen equipment will stay and be utilized.

Clerk-Treasurer: Amy Sund had no report.

Fire Department: Todd Wilkening had no report.

Town Administrator: Ian Nicolini reported that the draft job descriptions and personnel policy manual were distributed to Council for review; these items will be on the next agenda. Bob Carnahan inquired on the cost of these; Ian Nicolini responded that Council voted to approve the personnel policy being outsourced, but the job descriptions were done by him in conjunction with department heads. Ian Nicolini recommended having a work session at 6:00 pm before the next meeting to discuss the Water master plan and the wastewater treatment upgrades. There would not be an executive session before the meeting. Ian Nicolini reported that there was no flooding last week in Wicker Meadows; work is almost complete. Greg Parker stated that they have done an outstanding job there. Ian Nicolini stated that he spoke with Andy Moore of AJP; he has hired a contractor to mow the grass. Ian Nicolini stated that he and Bob Carnahan attended the South Suburban Council of Mayors and Managers Meeting for discussions on the Illiana Expressway. This was an information session discussing the highlights of the feasibility study and the next steps. Ian Nicolini reported that there were 15 new home permits and 35 alteration permits applied for in August. Denny Wilkening spoke on Utopia storm drainage and the cost share regarding this; Ian Nicolini stated that he has another meeting scheduled with Kay Whitlock. Denny Wilkening inquired why we needed to get involved if they didn't do the job right in the first place; Ian Nicolini stated that our cost is 35%. Bob Carnahan agreed. Ian Nicolini stated that this is funded out of wastewater. Ian Nicolini stated that he is still negotiating this; Kay Whitlock will explain the rationale and the opinion of the Corps.

Town Attorney: David Austgen stated as a follow-up to the meeting regarding the Illiana Expressway; the Village Mayors of Beecher and Crete, Illinois will be meeting on Tuesday, September 22nd at the Washington Township Municipal Building which is located on Indiana Avenue. An agenda and talking points will be distributed prior to the meeting; discussions should be on procedure and IDOT will be in attendance.



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Town Council: Bob Carnahan referred to the Census sign at the back of the room. Bob Carnahan stated that Summerfest donated the first sign and the Fraternal Order of Eagles donated the funds for the second sign. Bob Carnahan gave a history on census numbers for the Town. Bob Carnahan stated that when 1,000 people are not counted that is a \$4,000,000.00 loss over ten years for the Town. He stated the importance of all to complete their forms and send them in. The Town needs the funds to operate and a lot of the funding is based upon population. Bob Carnahan read the Proclamation for National Constitution Week. He stated "Now, Therefore, The Town Council of Cedar Lake, Indiana, does hereby proclaim the week of September 17th through September 23rd as Constitution Week and urges all citizens to reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves. Motion by Bob Carnahan and seconded by Jerry Smith to Proclaim September 17th – 23rd as Constitution Week.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

The Lowell Labor Day Parade will be Monday, September 7th. The Cedar Lake Complete Count Committee will have a float in the parade and the theme of the parade is "Its in Your Hands" to promote the census.

UPDATE: Wastewater Treatment Plant Upgrades by Nies Engineering – Ian Nicolini stated that this item is not ready and will be part of the work session in two weeks.

PUBLIC COMMENT: Dan Berrisford of 143rd Avenue reported on the west 143rd beautification and distributed pictures to Council. He stated that they have graded, filled in and leveled the ground to the lake. A silt fence was installed and the grass seed is under a straw blanket. Residents in the area have helped; they have about \$1,800 into the project this year and are working on plans for next year. Dan Berrisford stated that since the Town owns this; Ian Nicolini stated that it is a Town right of way. Dan Berrisford stated that they would need to go through DNR to put in a break wall and stated that the Town would need to be the petitioner. Dan Berrisford stated that they want to make it look like a park and so that they can enjoy the lakefront. Dan Berrisford stated that the area would need to be re-staked so that there is no confusion on what part is the right of way. Bob Carnahan stated that it looks nice. Ian Nicolini stated to put in writing what they want to do for the record. Dan Berrisford stated that for now they would like to put in a picnic bench, nothing permanent. Bill Landske inquired when they will be doing this; Dan Berrisford responded next year.

CONSENT AGENDA

- Minutes of the Regular Public Meeting of August 18, 2009.
- Docket: Town Claims 65372 - 65443 for \$294800.48; Wastewater Claims 25198 - 25225 for \$116,305.23; Storm Water Claims 65376 – 65377, 65392 - 65397 for \$13,711.38; and Water Utility Claims 80038 - 80051, for \$24,018.06. Motion by John Foreman and seconded by Pat Wisniewski to accept and waive the reading of the minutes and to accept the consent agenda and claims. John Foreman stated that the minutes from August 18th referring to rough terrain should be 125th Avenue not 126th Avenue.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

TOWN BUSINESS

1. Ordinances

a. Ordinance No. 1056 – Public Way Vacation – Second Reading

Ian Nicolini referred to Ordinance No. 1056 which was revised to reserve an area for a utility easement. David Austgen clarified that the request was to reserve and dedicate a utility easement but still grant the vacation. Motion by Jerry Smith and seconded by Pat Wisniewski to read Ordinance No. 1056 by title only.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Ian Nicolini clarified that this is the second reading of Ordinance No. 1056. David Austgen read Ordinance No. 1056 by title only. Motion by Pat Wisniewski and seconded by Bill Landske to accept the second reading of Ordinance No. 1056.

Roll Call Vote: 6 to 1

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	NO	YES

Ian Nicolini stated that this is to vacate the road; David Austgen confirmed that the road will be vacated as of the recording of this Ordinance; it will be strictly an easement.

b. Ordinance No. 1061 – Amending Ordinance No. 1002 – Storm Water Utility User Fee – Billings & Terms of Payment

Ian Nicolini referred to Ordinance No. 1061; he recommended reading by title only. Motion by Jerry Smith and seconded by Pat Wisniewski to read Ordinance No. 1061 by title only.

Roll Call Vote: 6 to 1

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	NO	YES

David Austgen read Ordinance No. 1061 by title only noting Section Five: Billings and Terms of Payments. This section refers to the back billing procedure. Section Five stated that the Town may back bill, or adjust, the fee up to the known date of error or for a period of one (1) year, whichever



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period is shorter, after written notice to the parcel owner. The parcel owner may request that payment of the back billed charges be spread over the next twelve (12) monthly billing cycles. David Austgen stated that this is consistent with the regulations of the IURC and our financial advisors at London Witte. Bob Carnahan questioned this; that we may come back and bill them back a year in arrears. David Austgen explained that the utility mapping that was used to identify the parcels was mapping from the Lake County Surveyor and the mapping was not current. When the original storm water ordinance was made, the data was not complete; therefore, some parcels were not included in the master listing for billing purposes. The Clerk-Treasurer's Office and her staff have determined that there are parcels that need to be billed, therefore a policy is needed. Bob Carnahan inquired if a business was not billed correctly, they could get a back bill; David Austgen stated that it is possible. This procedure is to ensure fairness in billing. John Foreman questioned ordinance amending ordinances; David Austgen explained the codification process. Greg Parker stated that he thought we corrected the mistakes and go from that date forward, Bill Landske had the same thought. David Austgen stated that we needed a uniform policy and that other utilities and the IURC were looked at in developing this. Ian Nicolini inquired where the direction comes from; who ultimately says we are or not going to back bill; David Austgen stated that it would be the utility department utilizing supplemental data typically from the engineer consultants based upon current mapping. This will be a uniform and fair way to deal with this. John Foreman inquired if there are a lot of issues with this. Ian Nicolini clarified that these are non-residential parcels. Ian Nicolini explained the disconnection which resulted in the need for this policy. Ian Nicolini stated that there were less than twenty (20) parcels pertaining to this, Amy Sund agreed. This policy gives guidance on how to handle adjustments. Ian Nicolini stated that he would personally speak to each parcel owner that this pertains to. David Austgen stated that we always need a non-discriminatory uniform fashion to treat all the same. This needed to be reconciled so that Amy Sund and her staff can bill correctly. Motion by John Foreman and seconded by Jerry Smith to accept the first reading of Ordinance No. 1061.

Roll Call Vote: 6 to 1

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	NO	YES

c. Ordinance No. 1062 – Designating Local Depositories – First Reading

Amy Sund read Ordinance No. 1062 in its entirety. Amy Sund stated that this needed to be updated to allow her to shop around for the best rates. Motion by Jerry Smith and seconded by Bob Carnahan to accept the first reading of Ordinance No. 1062.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Motion by Jerry Smith and seconded by Bob Carnahan to suspend the rules and amend the agenda to have the second reading of Ordinance No. 1062 by title only.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Amy Sund read Ordinance No. 1062 by title only. Motion by Bob Carnahan and seconded by Jerry Smith to accept the second reading of Ordinance No. 1062.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

d. Ordinance No. 1063 – Amending Ordinance No. 496 – Rezoning Residential Property R-2 to Neighborhood Business B-1

Ian Nicolini stated that this if for the zone additional property to commercial for Lighthouse Restaurant. This ordinance ties into the variance of use. Motion by Pat Wisniewski and seconded by Jerry Smith to read Ordinance No. 1063 by title only.

Roll Call Vote: 6 to 1

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	NO	YES

Ian Nicolini read Ordinance No. 1063 by title only. Ian Nicolini stated that this if for the Lighthouse Restaurant parking lot to zone it commercial. This ordinance ties into the variance of use request. Motion by Pat Wisniewski and seconded by John Foreman to accept Ordinance No. 1063. David Austgen stated that this ordinance only needs one reading. Bob Carnahan inquired if this is a parcel that had a house and is now going to be part of the parking lot; Ian Nicolini responded that it is; it is lots 11 – 15.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

2. Variance of Use Requests

a. 7309 Constitution Avenue – Request to Allow Parking Lot with No Principle Structure

i. BZA Issued a Favorable Recommendation

Ian Nicolini explained that this item was returned favorable from the BZA, to allow a parking lot without a principle structure. Motion by John Foreman and seconded by Pat Wisniewski to grant the variance of use based upon the findings of the BZA. Bill Landske asked for a sketch showing the improvements; one was not available, but Ian Nicolini will include it in future packets.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

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Ian Nicolini recommended amending the agenda to include the Variance of Use for the South Shore County Club at 14400 Lake Shore Drive.

b. 14440 Lake Shore Drive – Request to Allow Dining and Alcohol Beverages at the Outdoor Dining

i. BZA Issued a Favorable Recommendation

Ian Nicolini stated that the BZA sent a favorable recommendation to the Town Council requesting a Variance of Use to allow outdoor dining and the consumption of alcohol beverages within the outdoor dining area, in a Residential (R-1) Zoning District with a 3 in favor and 0 against at their August meeting. Motion by Jerry Smith and seconded by Pat Wisniewski to accept the variance of use based upon the favorable recommendation of the BZA.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

3. Resolutions

a. Resolution No. 992: Transferring Money within the General Fund

Amy Sund read Resolution No. 992 in its entirety. The transfers within the general fund include:

CLERK-TREASURER:

\$ 700.00 From: 333 – Print/Ads To: 222 – Operating Supply
 \$ 300.00 From: 333 – Print/Ads To: 229 – Other Supplies

PLANNING, ZONING & BUILDING

\$ 400.00 From: 114 – Administrator To: 221 – Office Supply
 \$ 1,100.00 From: 114 – Administrator To: 222 – Operating Supply
 \$ 6,000.00 From: 114 – Administrator To: 331 – Attorney
 \$ 2,500.00 From: 114 – Administrator To: 339 – Misc. Service

Amy Sund stated that the administrator position does not exist any more. Motion by Jerry Smith and seconded by Pat Wisniewski to accept Resolution No. 992.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

b. Resolution No. 993: Lease-Purchase Agreement for an Ambulance

Amy Sund read Resolution No. 993 in its entirety. The lease financing for the ambulance will be through Horizon Bank. Amy Sund stated that she was told that the 1993 ambulance we have cost over \$150,000.00. Amy Sund stated that she received five (5) bids on rates. The committee agreed to put \$40,000.00 down on the ambulance which is from 15% of the funds transferred from ambulance collections. The remaining \$94,530.00 will be financed at a rate of 4.29%. The actual cost is \$134,530.00; one bid was received from Marque Ambulance. Greg Parker stated that it is the best rig for the price. It is a 4500 series on a GMC chassis. Bob Carnahan inquired of Amy Sund if she is comfortable with the purchase; Amy Sund responded yes. She stated that she did badger Todd Wilkening and the committee about this; Greg Parker agreed. The purchase is being made out of collections, not the general fund. This resolution will allow the Town Council President to sign the documents and the Clerk-Treasurer to attest for the acquisition of the ambulance. Bill Landske inquired of Bob Carnahan if we were still under no spending for the rest of the year. Amy Sund stated that the lease payments will be in arrears and that the committee met to discuss this purchase. Motion by Pat Wisniewski and seconded by Jerry Smith to accept Resolution No. 993.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

4. New Business

a. Town Council Meeting Conflicts

i. October 6, 2009 – IACT

ii. November 3, 2009 - Tentative

Ian Nicolini stated that there will not be a majority of Council in attendance at the October 6, 2009 meeting. Amy Sund and staff will be out of the office the following week. Ian Nicolini recommended cancelling the October 6th meeting and having the budget hearing on October 20th. If needed, an emergency meeting could be called on October 13th. Motion by Bob Carnahan and seconded by Jerry Smith to cancel the October 6, 2009, meeting and have one meeting on October 20, 2009.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

Ian Nicolini stated that he has no final work on the election for the referendum; he stated that he is assuming that they are not having it. David Austgen stated that he had conversations with Larry Blanchard and that they are not planning on having the election; they are not paying it.

5. Old Business

a. Mutual Aid Agreement – Mutual Aid Box Alarm System

Motion by Bob Carnahan and seconded by Pat Wisniewski to deny as the fire department as it is not a part of the Town; the fire department can do this on their own. Jerry Smith stated that we do own some of the equipment that will be used. Greg Parker stated that he wants to approve the use of some of our equipment if needed by other towns. David Austgen stated that he spoke with Todd Wilkening concerning the legal aspect even though the equipment is assigned to the fire department,



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we do not have control over it. MABIS is enhanced mutual aid. Council should consider ratifying the concept and suggest in the motion that we endorse it, but the fire department enters into it. We have assigned control to the fire department. Pat Wisniewski withdrew her second on the motion. Motion by Bob Carnahan to defer this to the next meeting; motion died with a lack of a second. Denny Wilkening suggested having Todd Wilkening explain the inclusions of the agreement. Todd Wilkening explained the MABIS agreement. Todd Wilkening stated that we do have the right to refuse assistance to others if we do not have enough available. Todd Wilkening stated that Greg Parker, Jerry Smith and John Foreman have asked good questions regarding this and he thinks that this needs to be revisited more. Bob Carnahan stated that the fire department does an excellent job, but he can not support this as the fire department is not a part of the Town. David Austgen stated that IC 36-1-7 would apply here and we not to look at this as we do not have authority over the fire department; the Town does not control the fire department. David Austgen suggested having a motion ratifying the concept and the fire department act as a contracted agent for public safety. Motion by Greg Parker and seconded by Pat Wisniewski to ratify the concept and have the fire department act on behalf of the Town as a contracted agent for public safety.

Roll Call Vote: 6 to 1

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	NO	YES

b. Request to Use Council Chambers – Lake County Board of Elections

Ian Nicolini stated if the election goes through, it will shut down the entire Town complex. Motion by Greg Parker and seconded by Pat Wisniewski to grant the authority to the Town Administrator to make the decision once information is available.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

c. Request for Waiver of Ambulance Fees

Motion by Greg Parker and seconded by Jerry Smith to have Ian Nicolini and David Austgen administratively review this account.

Roll Call Vote: 7 to 0

Foreman	Wisniewski	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	YES	YES	YES	YES	YES

PUBLIC COMMENT: Mary Joan Dickson of 132nd Place stated that as secretary for the Hanover Central School Board she had a question regarding their account regarding storm drainage. Will they have time to make the payment or will it be one payment? David Austgen stated that this would be at the discretion of the billing department. Ian Nicolini stated that there are improvements that are under construction that will probably be wanted to be submitted for credit. Amy Sund stated that the ordinance stated that it payments would be able to be made over twelve months. **Todd Wilkening** of Kennedy thanked Council for their commitment to public safety. Todd Wilkening stated that the other day they had to move a patient from one ambulance to another during transport; this new ambulance is coming in the nick of time. Todd Wilkening thanked Chief Patz for putting the stuff together regarding public safety; Chief Patz did 99% of the leg work. These items are needed, especially to increase communication levels on the outskirts of town. Todd Wilkening stated that the Town has many dead areas and more warning sirens are needed. He stated that the fire department is getting closer to getting a new fire truck. Todd Wilkening stated that he would like to meet with the committee again regarding income ideas to recoup our costs and he would like to update all. Todd Wilkening stated that Ed Robinson wears many hats in this town; from directing traffic to operating the backhoe. Todd Wilkening thanked the police department and Jerry Smith for their quick response to the recent break in. Denny Wilkening inquired of Chief Patz if the water towers could be used to the signals and communication; Chief Patz responded that power would be needed and if they are too high signals could get mixed with other towns. Jerry Smith suggested asking Neil for input.

FINAL COMMENTS:

- 1. Town Council:** Bob Carnahan stated that the Lake County Solid Waste Hazardous Waste Collections will be from 9 am to 2 pm on October 3rd at the Lake County Fairgrounds in Crown Point and on October 24th at Munster Public Works. Bill Landske and John Foreman stated that engineers at Federal Signal are from the Cedar Lake and Crown Point area. John Foreman suggested having flags with the Cedar Lake logo displayed next year; possibly every third pole. He stated that he knows that the flags are supplied by Summerfest and the Chamber. Todd Wilkening stated that the fire department will be having their boot drive soon to support the food pantry. He encouraged all to help out; \$7,400 was raised last year. The bag drive will begin soon as well. Discussions occurred regarding the needs of the food pantry and that their funding is being eliminated next year.
- 2. Town Administrator:** Ian Nicolini stated that employee's photo ID's are being processed; he stated that he was one of the first employees to get one.
- 3. Town Attorney:** David Austgen had no further report.

ADJOURNMENT: At approximately 8:55 pm President Wilkening called for adjournment.

An Executive Session was advertised and conducted pursuant to IC 5-14-1.5-6.1(b) for 6:00 PM before the meeting with discussion consisting of personnel, litigation, and land acquisition. Those in attendance were Robert Carnahan, John Foreman, William Landske, Greg Parker, Jerry Smith, Dennis Wilkening, Pat Wisniewski, Town Administrator Ian Nicolini, Clerk-Treasurer Amy Sund and Town Attorney David Austgen.



**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MEMORANDA & MINUTES OF THE CEDAR LAKE TOWN COUNCIL**

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

Dennis Wilkening, President, Ward 5

Patricia Wisniewski, Ward 3

Robert H. Carnahan, Vice President, Ward 1

John Foreman, Ward 2

Jerry Smith, Ward 4

William Landske, Ward 6

ATTEST:

Greg Parker, Ward 7

Amy J. Sund, IAMC, CMC, 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.