

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

to accept the bid and give the Park Board the authority on the decision making for the alternatives. Bob Carnahan inquired of Mary Joan Dickson if she was happy with this; Mary Joan Dickson responded yes.

Roll Call Vote: 6 to 0

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

Town Attorney: David Austgen stated that the Water Utility has an obligation to pay property tax bills for the utility that was acquired. The Town was credited at closing for this. The deadline for payment is November 30th to not incur any late charges; the tax bills are over \$62,000. Motion by Bob Carnahan and seconded by Greg Parker to pay the property taxes.

Roll Call Vote: 6 to 0

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

Town Council: Bob Carnahan stated that he attended the Lake County Advancement Committee meeting regarding the 2010 forecast highlights; Amy Sund and Jill Murr were also in attendance. The Chamber of Commerce is having a Christmas decorating contest; the deadline is December 11th. This year pictures will be on their website and votes can be sent via email. There was an article in the Times on what Cedar Lake is doing to promote the census; we are leading the way for others and he is proud of the work the committee is doing. Bob Carnahan recognized all members. Bob Carnahan reported that Linda Engleman and MacArthur Elementary are trying to raise \$1,000 for the museum. Bill Landske stated that he would like the format changed when you call the Town Hall; he stated that the Police Department should be first especially if there is an emergency. Discussions occurred on the phone system. Ian Nicolini stated that he will change the greeting to address this.

PUBLIC COMMENT: Susan Rayski of Drummond in Lynnsway stated that winter is almost upon us and last year there was trouble with snowplowing and salting; there are thirty-nine kids on the block and there are concerns with school buses and safety. Greg Parker inquired if the streets have been accepted by the Town; Ian Nicolini responded no. Ian Nicolini stated that an ordinance was passed to address this. If the streets are not plowed, the Town will plow them and charge the developer. Susan Rayski stated that tax payers live on these streets; they are not private streets. Ian Nicolini stated that when streets are not accepted, they are the responsibility of the developer. There is a liability issue regarding this. Denny Wilkening stated that if we need to plow, we will. Ian Nicolini stated that the developer has not sought to have the streets dedicated as public improvements. Greg Parker stated that we will enforce the ordinance this year. Ian Nicolini explained the road inventory, gas tax distribution and the process. Discussions occurred on what the taxpayers are receiving. She stated that Hawk Development has told her that Hawk Development has told her that they have sold the property and have washed their hands from it; Ian Nicolini stated that they are lying; Greg Parker stated that there is an ordinance in place now. Ian Nicolini stated that he knows this is a burden on the residents living in development until it is complete and an inspection is done by the Town Engineer. Greg Parker stated that there are bond funds that will be held until this is complete. Ian Nicolini stated to call him direct if there are any problems at (219) 374-7000 ext. 127. Public comment was closed by President Denny Wilkening. David Austgen stated that Council may want to direct Ian Nicolini to send a letter to developers regarding the ordinance; Ian Nicolini stated that this was done when the ordinance took effect, but he will resend them.

CONSENT AGENDA

1. Minutes of the Regular Public Meeting of November 3, 2009.
2. Docket: Town Claims 65777 – 65859 for \$242,588.50; Wastewater Claims 25368 - 25401 for \$262,303.55; Storm Water Claims 65780 – 65781 and 65792 – 65797 for \$50,858.55; and Water Utility Claims 80100 - 80109 for \$34,104.11. Bob Carnahan questioned the Christopher Burke invoices for developers and if we are being reimbursed; Amy Sund responded that we are being reimbursed. Motion by Bill Landske and seconded by Greg Parker to accept the consent agenda as read.

Roll Call Vote: 6 to 0

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

UTILITY BUSINESS:

1. **Removal of Utility Billing**
 - a. **7914 Lake Shore Drive**

Ian Nicolini stated that the property has been inspected and is acceptable. This is the property across from the Chamber of Commerce. Motion by Bob Carnahan and seconded by Bill Landske to remove the billing effective November 17, 2009. The effective date of removals was discussed; it was agreed that they will be on the date they are approved by Council.

Roll Call Vote: 6 to 0

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

TOWN BUSINESS

1. **Resolutions**
 - a. **Resolution No. 1001: Transfers**

Ian Nicolini read Resolution No. 1001 in its entirety. Motion by Pat Wisniewski and seconded by Greg Parker to accept Resolution No. 1001.

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Roll Call Vote: 6 to 0

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

2. New Business

a. Chamber of Commerce Request – NWI Symphony Contribution

Bob Carnahan stated that he has spoken with Pat Wisniewski and the Chamber of Commerce is requesting matching funds of \$7,500.00. Bob Carnahan stated that this would be out of the promotion fund; Amy Sund stated that it would be out of the general fund, promotion is just a line item. This would be encumbered for next year. Bill Landske stated that the State is laying people off and the outlook with taxes being lower than estimated, yet we are still spending money. John Foreman inquired if we have to do this now. Bob Carnahan suggested continuing this to the December 15th meeting. Motion by Bob Carnahan and seconded by Pat Wisniewski to defer this to the December 15th meeting.

Roll Call Vote: 6 to 0

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

b. Parking Regulations on Huseman Street

Ian Nicolini referred to the letter submitted by Chief Roger Patz. Chief Patz recommended no parking on the south side of the street; the south bound lane would have no parking. There is parking behind the houses here. Discussions occurred on the width of the street, the speed limit and the pictures of the street were reviewed. Motion by Bob Carnahan and seconded by Pat Wisniewski to have the attorney draft an ordinance.

Roll Call Vote: 6 to 0

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

3. 133rd Avenue Phase II Business

a. Request for Proposal

Ian Nicolini referred to the draft version of the request for proposals for the 133rd Avenue second phase. This is the step where architects and engineers submit their designs and the second phase is proforma stuff. The letters of interest content will need to have identification and qualifications, list of proposed sub consultants, list the project manager and key staff, and an affirmative action certification. Ian Nicolini listed the project description requirements, the estimated construction amount is \$4,352,897.00, local funds will be used to match federal funds, and the contract term would be April 2010 to September 2011. Ian Nicolini stated that he will get the DBE goal number from INDOT on December 3rd. The required prequalification categories were listed. The document will be sent out and advertised on INDOT's website. The scope of work is general. The RFP selection rating scoring sheet was reviewed; Ian Nicolini stated that this is a standard INDOT form. Ian Nicolini recommended approving as presented. Motion by Pat Wisniewski and seconded by Bill Landske.

Roll Call Vote: 6 to 0

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

b. Appointments to Letter of Intent Review Committee

Ian Nicolini stated that the review committee would make the firm selection. Ian Nicolini recommended that the committee consist of himself, Ed Robinson, Rex Sherrard, Pat Conlon, and an additional RDC member which will be selected at the December 9th meeting. Ian Nicolini stated that he recommended having the RDC appoint the fifth member. This committee will begin the negotiations as part of the second phase. Motion by Pat Wisniewski and seconded by Greg Parker.

Roll Call Vote: 6 to 0

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

PUBLIC COMMENT: Nicki Vesper of the Cedar Lake Journal inquired of Bob Carnahan the status of the museum's roof fund. Bob Carnahan reported on the contributions; \$1,000 was raised at the Ladies Night Out and \$3,400 was raised from contributors and local businesses. Bob Carnahan stated that Tim Brown submitted an Application to submitted to the Anderson Foundation for a grant. Bob Carnahan stated that the paper recycling is going well. Public comment was closed.

FINAL COMMENTS:

- 1. Town Council:** Bob Carnahan stated that effective January 1, 2010, the food pantry will loose its support it has received to pay utility bills. The Church will be working with other churches to seek funds. Greg Parker inquired on the East Lake Shore Drive project; Ian Nicolini responded that they are ahead of schedule on the project and ahead of schedule on the other projects. John Foreman stated that Hanover Basketball will be at the Genesis Center the day after Thanksgiving.
- 2. Town Administrator:** Ian Nicolini had no comments.
- 3. Town Attorney:** David Austgen had no comments.

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ADJOURNMENT: At approximately 8:27 pm President Wilkening called for adjournment.

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

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.