

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

**February 17, 2009**

**Public Meeting 8:00 PM at the Cedar Lake Town Hall  
Pledge of Allegiance & Moment of Silence**

**Roll Call:**

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

**DEPARTMENT REPORTS**

**Police:** No report.

**Public Works:** Bob Carnahan reported that Ed Robinson and his crew went from the viaduct to the lake and uncovered a 24" manhole about 4 feet deep which they cleared out so that it can flow. During the last rain the viaduct did not flood. Jerry Smith and Bob Carnahan went and looked at it. Dye was put into this drain and it took four days to get to the lake. In the spring, the plan is to televise this pipe and see where it goes.

**Parks & Recreation:** Mary Joan Dickson reported on the Monastery; Sheehy Well took care of the well. She has been in contact with Daniel Atilano for renderings of the building. The next step will be working with AT&T on the phone lines. She would like permission from Council for other departments to help with the roadside clean-up, such as picking up the bags, etc. Motion by Pat Wisniewski and seconded by Bob Carnahan to allow other departments to assist with the roadside cleanup of the Monastery.

**Roll Call Vote: 5 to 0**

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

**Clerk-Treasurer:** Amy Sund reported that she has been informed by the state that our appeals were denied. The DLGF denied the annexation appeal for growth in the amount of \$3,990,000 and the math error regarding the Salesians property in the amount of \$48,444. The shortfall appeal for \$101,850 was reduced to \$30,945 which has not been received yet. She stated that they were told to wait two years and try again. Ian Nicolini reported that assessed area hasn't increased as they weren't developed. Once the areas that were annexed in are developed, they should go back and appeal. Amy Sund stated that budgetary cuts will be necessary this year.

**Fire Department:** Denny Wilkening reported that the new rescue truck is in and is very nice. The new engine should be coming in April. The rescue truck was not paid for by the town, this was in the works prior to the contract between the fire department and the town. On March 6<sup>th</sup> at 6 pm there will be an in-service to see the new rescue truck.

**Planning, Zoning & Building:** Ian Nicolini will report on February at the March meeting.

**Town Administrator:** Ian Nicolini reported on road reconstruction projects. 126<sup>th</sup> Avenue and Reeder Road projects will be considered as one bid; the county will be working on the bridge and we will be coordinating working north of the bridge to approximately 147<sup>th</sup> Court with work expected to bid in March. Huseman Street and East Lake Shore Drive is expected to be bid in May; this would be from Hilltop to the curve to improve drainage as well. West Lake Shore Drive to extend the viaduct project including the Parrish Avenue outfall is expected for bid in June. The s-curve realignment on 127<sup>th</sup> will need some property acquisitions, vacations and right of ways. Bob Carnahan questioned 133<sup>rd</sup> & Morse project cost savings which was in the report. Ian Nicolini stated the he should have the completion certificate for the next meeting. The original contract was \$584,173.85 and the actual value of work was \$531,269.91 for a difference of -\$52,903.94. Ian Nicolini stated that \$495,000 was from a HUD grant and the remainder from casino funds. Ian Nicolini recommended applying the difference to another project. Bob Carnahan asked about the ecosystem restoration meeting of February 4<sup>th</sup>. Ian Nicolini stated that during the meeting they reviewed the preliminary project schedule, ways to save money, if the affluent treatment facility needs to be on site, the group critically looked at costs, the slurry pipe to the lake and the value engineering study; it was a meeting to catch up and get back on track. Bob Carnahan inquired as to who is on the team; Ian Nicolini will get a list together. Ian Nicolini stated that there should be a report from Kay in April/May regarding the railroad parcel and Cedar Lake Marsh.

**Town Attorney:** No report.

**Town Council:** Bob Carnahan commented for Chuck Becker; he is concerned about the two 8" lines going through his property, will it put more water into his house? Ian Nicolini stated that he has spoken with Chuck Becker and that he seemed satisfied each time they spoke; that the water may back-up but will no longer just sit there. The pipe from 136<sup>th</sup> to the lake is limited. Greg Parker inquired if the house is still going to flood. Ian Nicolini stated that according to all involved it should

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not; however, if there is an 11" rain, we can't design for this. If there is an average large to significant rain there could be water on his property, but it will no longer sit for days as his property is the lowest point in the subdivision. The system is designed to move as much water as possible to limit flooding. Dennis Wilkening stated that he needs to give the system a chance. Bob Carnahan stated that on February 20<sup>th</sup> at 3 pm and February 21<sup>st</sup> at 10 am the Lake County Public Library, Cedar Lake branch will be doing census application testing. Greg Parker inquired on how people apply; Ian Nicolini reported that information is out on the board for the public. Dennis Wilkening questioned how long these jobs last; Ian Nicolini stated that they will be from six months to two years. Jerry Smith stated that the banner is out at the Lighthouse Restaurant stating that they are taking applications.

**PUBLIC COMMENT:** Father John Kowalczyk stated that on Sunday, March 8<sup>th</sup> at 2pm the Bishop will ordain mass and there will be a groundbreaking ceremony at 133<sup>rd</sup>, mass will be on the first floor. There will be a dinner following at 4:30 pm at \$10.00 per adult; reservations will be taken to anticipate the amount of food needed. He thanked the Council for their support.

**CONSENT AGENDA**

1. Minutes of the Regular Public Meeting of February 3, 2009.
2. Docket: Town Claims 64330-64417 for \$255,996.81; Wastewater Claims 24773-24811 for \$255,865.43; Storm Water Claims 64345, 64352, 64355-64359 for \$35,278.00. Motion by Pat Wisniewski and seconded by Jerry Smith to accept and waive the reading of the minutes and to accept the consent agenda. Bob Carnahan questioned the two petroleum bills for the fire department for \$445.77 and \$632.75; since we negotiated to pay these bills, we should do a comparison to see the costs. He stated that he noticed that the claim for the defibrillators was on the list of claims. Jerry Smith stated that this was a safety issue as they were three years past due; it needed to be done. The portable unit has been repaired and will be transferred to the park department. They were out of date when the fire department took them over.

**Roll Call Vote: 5 to 0**

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

**TOWN BUSINESS**

**1. Resolutions**

**a. Resolution No. 973: Transferring within the General Fund**

Amy Sund read Resolution No. 973 in its entirety transferring \$3,000 from General Fund Police 336 Repairs to 223 Repair/Maintenance. Motion by Pat Wisniewski and seconded by Greg Parker to accept Resolution No. 973. Bob Carnahan questioned the difference between repairs and repair/maintenance; Amy Sund responded that these are different classifications, 3 is for miscellaneous services and 2 is for materials and supplies. The money is needed for repairs which will be done through public works.

**Roll Call Vote: 5 to 0**

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

**2. Old Business**

**a. Tag Day Requests**

Amy Sund stated that the tag dated requested were available. The organizations and dates were reviewed. Hanover Dollars for Scholars knows that there is not a rain date for the date they selected.

<u>Date</u>	<u>Organization</u>	<u>Rain Date Allowed</u>
June 27	Hanover Dollars for Scholars	None
July 11	Susan G. Komen Walk for the Cure <i>Havenwood Group</i>	July 18
Sept 19	Cedar Lake Boys & Girls Club	Sept 19
Oct 17	Cedar Lake Lions Club	Oct 24

Amy Sund was concerned about the Susan G. Komen, Havenwood Group supplying a certificate of insurance. Ian Nicolini stated that the Susan G. Komen Foundation is a large breast cancer research foundation and he is not sure if they would be covered under this group. David Austgen stated that as long as they provide a certificate naming Cedar Lake it works. Motion by Pat Wisniewski and seconded by Greg Parker to accept the tag day requests.

**Roll Call Vote: 5 to 0**

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

**PUBLIC COMMENT:** No comments.

**FINAL COMMENTS:**

1. **Town Council:** Dennis Wilkening asked Chief Patz about a grant for off duty weapons. Chief Patz responded that it was not a grant; they applied to the military for military surplus weapons. They received sixteen 45 caliber hand guns which they were trained on for back up weapons. These are valued at \$18,700. They were given to us to use and after time they will become property of the town. They have not been issued yet. Dennis Wilkening talked about revisiting the Salesians property. The building is just hanging there; it needs to come down. Bob Carnahan stated that the fence along the road needs to be repaired as well. Ian Nicolini stated that as the Council knows the property owner does not cooperate. Dennis Wilkening stated that they have been red flagged and fined and has not paid his fines. Dennis Wilkening inquired of David Austgen as to what to do; David Austgen stated sue them, that is all that is left. They have been cited and fined;

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enforcement people can not get their attention. Dennis Wilkening asked Ian Nicolini to set up a meeting with the property owner.

**2. Town Administrator:** No comment

**3. Town Attorney:** No comment

**ADJOURNMENT:** At approximately 8:35 pm President Wilkening called for adjournment.

An Executive Session was advertised and conducted pursuant to IC 5-14-1.5-6.1(b) for 7:00 PM with discussion consisting of personnel matters, litigation issues and land acquisition concerns. Those in attendance were Robert Carnahan, Greg Parker, Jerry Smith, 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

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Patricia Wisniewski, Ward 3

\_\_\_\_\_  
Robert H. Carnahan, Vice President, Ward 1

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John Foreman, Ward 2

\_\_\_\_\_  
Jerry Smith, Ward 4

\_\_\_\_\_  
William Landske, Ward 6

**ATTEST:**

\_\_\_\_\_  
Greg Parker, Ward 7

\_\_\_\_\_  
Amy J. Sund, 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.