

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

March 3, 2009

**Public Meeting 7:00 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
Present	John Foreman Council Member	Ward 2	Present	Dennis Wilkening President	Ward 5
Present	Jerry Smith Council Member	Ward 4	Absent	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	

Denny Wilkening directed Bob Carnahan to present plaques to former employees. Bob Carnahan presented a plaque to Paul Zimmerman for twenty-six years of service to the police department. Bob Carnahan presented a plaque to Bill Maleckar Sr. for thirty-one years of service to the Public Works Department and his dedication to the town.

DEPARTMENT REPORTS

Police: Chief Roger Patz has been invited to testify on Senate Bill 29; this is for funding for regional police academies. This would allow the academy to continue in Gary versus going to Indianapolis. He asked for support from the Council for this. The bill proposes adding \$1 on each BMV transaction which would generate about \$10 – 13 million. Chief Roger Patz reported that over the last seven days two warrants and two raids on drug sales were completed. The operation is now closed. Details will be given when available; the prosecutor is completing the paperwork. The Crown Point Police Department assisted with this.

Public Works: Ed Robinson stated that they are working on cleaning up the years of accumulation at Public Works. They are hauling the debris out and utilizing the dumpsters from Lake County Solid Waste. Some of the debris is being hauled to a farmer that can utilize it. At a cost of \$10.75 per cubic yard, the current cost would be over \$98,000 to clean this up. Dennis Wilkening asked if the little dog was still there; Ed Robinson stated that he was adopted. Ed Robinson and Ian Nicolini are working on updating the website to let people know about animal adoptions available; the goal is by the end of the month to have the website up. Ed Robinson stated that any donations of food, supplies and time would be appreciated. Ed Robinson reported that the 140th & Binyon project is 75% complete; completion should be in approximately two weeks and should come in under budget. Ed Robinson reported that they worked on the viaduct project and has seen an improvement in the time water levels are dropping. Bob Carnahan stated that he had mentioned this at the last meeting. Denny Wilkening asked Ed Robinson to brief the Council about the hoist. Public works was visited by the risk management insurance company. Ed Robinson stated that the cost for a lift to be installed for the mechanic would be over \$22,000. A local business has offered their equipment which includes a drive on rack with rolling jacks and side posts, commercial compressor, oil caddy, tire and balance machine for \$10,000. Denny Wilkening stated that this is a good deal. Ed Robinson stated that the equipment is over \$71,000. Denny Wilkening stated that often the mechanic works alone and the equipment would be safer than what he is using. Ian Nicolini, Ed Robinson and Amy Sund will need to meet to discuss the financing of this. Motion by Bob Carnahan and seconded by Bill Landske if the funds are available after Ian Nicolini, Amy Sund and Ed Robinson meet the equipment may be purchased.

Roll Call Vote: 7 to 0

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

Ian Nicolini stated that he is not comfortable speaking for the clerk-treasurer, but a possibility could be the cumulative capital fund.

Parks & Recreation: Mary Joan Dickson submitted a written report to Council. She stated that the Summerfest Committee will be replacing the wooden main electric box with a metal box and a new telephone pole. She will be bringing details and asking for the waiver of fees. Mary Joan Dickson stated that there are plans to put a shed in for Kiwanis Park to hold tools; she will be asking for a waiver of fees for this.

Clerk-Treasurer: No report.

Fire Department: No report.

Planning, Zoning & Building: Ian Nicolini reported that in the months of January and February, there were three new home permits and twenty four alteration permits.

Town Administrator: Ian Nicolini stated that he was contacted at 3:45 pm this afternoon regarding the Cedar Lake Little League Parade. They requested May 2, 2009. Ian Nicolini stated that he needs more information from them; such as the start and end locations. John Foreman responded that he believes they gather at Hanover and make a quick lap around the lake. Motion by John Foreman and seconded by Bob Carnahan to approve May 2, 2009 for the parade. Ian Nicolini stated for clarification that he will look at construction and speak with Walsh & Kelly and Sandra to ensure this is a safe route as construction work is done on Saturdays.

Roll Call Vote: 7 to 0

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

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Ian Nicolini updated on 133rd; Hawk Construction is pulling wires and installing decorative lighting. We could have lights by the end of the week.

Town Attorney: No report.

Town Council: Jerry Smith brought up the sign issue from the February 24, 2009, meeting in reference to the temporary lighted signs. He stated that he was not aware of the situation until he drove around saw the situation that was being discussed. Motion by Jerry Smith to amend the agenda to make a motion to allow temporary signs not to exceed 60 days for special events such as a grand opening and based upon circumstances a business can not control, for instance renters who can not control when a property is going to be properly excavated and constructed, they would not be able to abide by the sign ordinance of the town, I would like to amend that to allow them up to a six months period where they can use the temporary sign based upon mitigating circumstances and that in the event the six months wasn't enough they can come in for a variance to extend it. Pat Wisniewski seconded the motion. Dave Austgen asked for clarification from Jerry Smith for the record that the permit of the temporary signs during the period of time and for the purposes indicated be authorized to be issued on an administrative basis by the Town Administrator and the Planning & Building department staff so that there is a processing path. Jerry Smith stated that through their approval any time after the six months they would need to apply for a variance. John Foreman asked if this would be a modification to the existing ordinance; Jerry Smith responded yes. Denny Wilkening stated that they are working on this with the plan commission. Ian Nicolini stated that they are not proposing a modification. Jerry Smith stated that this is what he would like to see go into effect until they modify that policy and this is what should probably be in that policy. Ian Nicolini asked for clarity; if someone comes in tomorrow and wants to put up an arrow board sign can they; Jerry Smith asked if it was a new business, grand opening or special event. Ian Nicolini asked on extenuating circumstances. Jerry Smith responded that extenuating circumstances would be like at Lincoln Plaza. The sign was taken down and the property owner is not going to put a sign up because his entrance is not ready because the 133rd project is not at its completion point. This should not be held against the person renting for the use of a business; that they should not have to suffer the loss of business for the lack of a sign. Ian Nicolini stated that the point he was trying to make last week that he has a clear direction on how you want this policy to be formulated and that it treats every one underneath it fairly; he felt this is a better thought out plan. Ian Nicolini's only recommendation then was that if you want to change the policy, change the whole policy. For all intents and purposes if this is his direction, that is fine as long as the attorney is okay with it. Jerry Smith stated that this is what he would like to see enacted until we can sit down and rewrite the entire policy on this. John Foreman stated that they are working on the zoning ordinances now; there is a works session tomorrow night. Denny Wilkening asked for clarification from Jerry Smith, Jerry Smith responded that 60 days for a special event such as a grand opening for a new business and in an event of mitigating circumstances such as the situation with Lincoln Plaza that they would be able to have a variance awarded to them for a period of six months and if there is a problem they can reapply for a period of time to be determined at that time. Dave Austgen stated to Jerry Smith that you are deeming exigent, emergency and unusual circumstances based on current situations; you are directing by your motion that the town administrator staff handle these signs on a case by case basis under the parameters you outlined. Bob Carnahan stated that we serve the people and the businesses of Cedar Lake and we need to have those business' open; he would like to accommodate them the best we can in the future. Ian Nicolini addressed Bob Carnahan that he knows this. Denny Wilkening stated that there is a motion on the floor. Dennis Wilkening restated that the motion was made by John Foreman and seconded by Pat Wisniewski.

Roll Call Vote: 7 to 0

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

Ian Nicolini addressed Bob Carnahan and Council; he understands the importance of business and has spoken to him about this. There is a set of policies that he is to enforce; his direction is to institute your ordinances. He takes offense on the idea that he is some type of anti-business town administrator. He is simply doing what your laws tell him to do; it is his job. Jerry Smith stated that they are not saying that he is anti-business; we are giving you the tool you need to enforce this. This is what he asked for the entire time.

PUBLIC COMMENT:

Keith Pizaro, Broadway Street, South Side Pizza, stated that he does not believe that any council members are business owners with signs out there. He reiterated Jerry Smith's statement that every circumstance is different. He recommended including business owners in committees to work on circumstances and rules that need to be addressed; we need to work together. John Foreman stated for the record that the motion made last week was for a moratorium on the ordinance for up to two years. Keith Pizaro stated that all need to work together on this. Bob Carnahan clarified that the moratorium was until June 9th. Keith Pizaro that business' and council need to work together; work with the chamber and business owners. Ian Nicolini stated there was a safety concern involved; public safety needs to be part of all decisions and a primary concern. Greg Parker stated that they should get a committee together with business' and the chamber; Bob Carnahan could be liaison and they could work on this at public work session meetings. Bob Rajski of Lynswey stated that he is having a problem with the builder AJP and he needs help. AJP, Andy Moore, does not return phone calls and does not do repairs. His taxes were \$4,400 for five months in 2007. Ian Nicolini stated that he has had conversations regarding taxes, assessments, and workmanship and the unresponsiveness of Andy Moore. The taxes are twice as much as duplexes across the street. Ian Nicolini stated that this would need to go through an appeal process with the Hanover Township Assessor. He stated that the builders' role is not the tax assessment. Jody Vander-Zee of Euclid Street, Lynswey, stated that she moved in June 2007 and received a tax bill for the whole year, but only lived there for six months. She stated that she went to the assessor. The taxes were not prorated as they should have been in closing. Greg Parker inquired if she received and affidavit at

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closing; Jody responded that there was nothing on her closing statement. Ian Nicolini offered contact information. He stated that this is a county jurisdiction matter and the issue with the builder is a private thing. Dave Austgen stated that this is outside of the town's jurisdiction; this is a property tax issue. Dave Austgen suggested that they need an attorney of their own; unfortunately there is not a lot the Council can do. Ian Nicolini stated that we can give contact information out, but this is a county issue. Denny Wilkening called Bob Rajski back up. Bob Rajski stated that Mr. Moore should be responsible, but he doesn't call back. There is a quality issue. Ian Nicolini stated that there is a process inspections follow; codes must be met or exceeded prior to issuing occupancy. Ian Nicolini stated that whenever there is a quality issue to contact the building department. Greg Parker stated that is why they have to get a license. Ian Nicolini stated that the building department has contact and license information, and that they must have insurance and worker's compensation insurance. They are expected to work to code standards. This is to protect the citizens. There is accountability for structures. John Foreman stated that in regards to snowplowing; they are putting things in place. They are trying to help the people out and are working on it. Ian Nicolini stated that this is on the agenda. Linda Ramirez of Euclid St., Lynsaw stated that she has spoken with Ian Nicolini and he has given her direction on taxes and the quality of the builder. She thanked him for his advice. Linda Ramirez asked Ian Nicolini if he invited the builder as they were going to discuss his quality of work; Ian Nicolini responded that he invited him, but was told that he would not show. Linda Ramirez stated that they wanted to bring it to the attention of the town before this area becomes a ghost town. Ian Nicolini questioned if tax assessments were done prior to the structure being there; he stated that there is an appeal process through the assessor's office. Greg Parker stated to make sure you apply for all of your exemptions. Linda Ramirez spoke on the quality of construction; there is a crack in her tile and a crack in her foundation which the builder refuses to repair. Linda Ramirez stated that the town inspector called Andy Moore and he received a call back from him. She stated that her pipes are banging and that she could have a list of items. She thanked all for their direction. Ian Nicolini's advice was to document everything and let the town inspector know of problems. Dave Austgen stated that there is a contractor registration. He stated to provide as much detail in your reports, for formal and legal reasons, including deficiencies, not responsive, defects, inattentive and negligence; then consider what to do next. Dave Austgen stated that if other remedial measures, seek council and advice of an attorney; we can only deal with the contractor and there is a limit. Bob Carnahan inquired of Dave Austgen if there is proof that items are not taken care of; Dave Austgen responded permits can be removed as well as removing privilege of doing business in town. Greg Parker suggested moving this to the next meeting; Ian Nicolini is to get information, homeowners should include in their reports pictures and date stamps. There are probably more. Denny Wilkening stated to get documents for the next meeting; we will pull permits if needed. James Reihel of 147th Avenue, Lynsaw, reported a problem of flooding in approximately five units. Pipes in the wall to the outside spigot broke. He questioned if this is a builder or inspector problem. He stated that his house was not under warranty. Three of six units flooded. Ian Nicolini stated that Doug knows the codes and he would need to see in the wall. Ian Nicolini inquired if this happened on one of the very cold subzero days. Greg Parker stated that it could be a defective part. Ian Nicolini stated that the inspector could look at the line, but the wall would need to be opened up and it would need to be documented. Denny Wilkening stated that something is not right. James stated that there is no concern, he does not return calls, and we need to get him to take care of the problem. He stated that the pipe broke in his neighbor's wall and his unit flooded. Ian Nicolini stated that he needs documentation including pictures and dates. Denny Wilkening asked Linda when she moved in, she responded April 2008, and the foundation was poured in 2007 toward the end of the year. Bob Carnahan addressed the residents of Lynsaw. He informed them that there are two dumpsters on the town grounds for recycling and that the money from this goes to the parks department. This helps the department raise funds and any help would be appreciate it. The dumpsters at the street department raise funds for the Lake County Solid Waste. Ian Nicolini stated that he is going to NIRPC on Thursday.

CONSENT AGENDA

1. Minutes of the Regular Public Meeting of February 17, 2009.
2. Docket: Town Claims 64418 – 64472 for \$210,346.52; Wastewater Claims 24812 - 24832 for \$75,572.03; Storm Water Claims 64432, 64446-64451 for \$65,130.25. Motion by Bill Landske and seconded by Greg Parker to accept and waive the reading of the minutes and to accept the consent agenda.

Roll Call Vote: 7 to 0

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

PLANNING/ZONING & BZA BUSINESS

1. Zoning Ordinance Amendments

a. Ordinance No. 1048 – Requiring Rear Yard Drainage in New Subdivisions

Ian Nicolini referred to the certification from the Plan Commission where a favorable recommendation by a vote of 7 in favor and 0 against to amend Subdivision Ordinance No. 498 Section 4 regarding rear yard drainage. Section 4 states that the subdivider shall provide a four inch storm sewer stub from the rear year storm water catch basin to each lot for the purpose of connecting sump pump drains and gutter storm water discharges shall not be directed at adjoining lots. Dave Austgen stated that only one reading of this ordinance is required. Motion by John Foreman and seconded by Greg Parker to read Ordinance No. 1048 by title only.

Roll Call Vote: 6 to 1

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

Dave Austgen read Ordinance No. 1048 by title only. Ian Nicolini's explanation described Section 4: Storm Drainage. Bob Carnahan questioned how they know where to put the pipe; is it user friendly. Dave Austgen answered that it is not user friendly, the Storm Water Management

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Ordinances have technical requirements; the technical requirements involve an engineer. Ian Nicolini stated that they need to meet with engineers with plat and drawings; they are given copies of the subdivision ordinances and amendments. Greg Parker stated that this is to keep us from having draining issues in random subdivisions. Motion by Greg Parker and seconded by Bill Landske to accept Ordinance No. 1048 – Requiring Rear Yard Drainage in New Subdivisions.

Roll Call Vote: 7 to 0

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

b. Ordinance No. 1049: Snow Plowing Streets Not Accepted by the Town

Ian Nicolini stated that Ordinance No. 1049 is an amendment to Subdivision Ordinance No. 498. Ian Nicolini read the certification from the Plan Commission which came with a favorable recommendation; 7 in favor and 0 against. Motion by Bob Carnahan and seconded by Greg Parker to read Ordinance No. 1049 by title only and section 16.

Roll Call Vote: 6 to 0

Wisniewski	Foreman	Smith	Landske	Parker	Carnahan	Wilkening
YES	YES	N/A	YES	YES	YES	YES

Jerry Smith was not in the room for this roll call vote due to illness, he returned to the meeting after this vote.

Dave Austgen read Ordinance No. 1049 by title and section 16 states that upon snow accumulation of one (1) inch or greater, the Subdivider shall provide snow removal on the Subdivision streets in every Subdivision Plat Phase that has received occupancy permits for housing units. This snow removal requirement shall cease upon the acceptance of the streets by the Town. In the event that the Subdivider does not timely remove the snow within four (4) hours of the snowfall as required herein, the Town may remove the snow, and charge the Subdivider the cost to provide the same. In the event that the Subdivider does not pay within thirty (30) days of the statement, then the Town may place a lien on any property owned by the Subdivider in the Platted Subdivision where the Town snow removal occurred. The Town shall not be responsible or liable for any damage caused by the Town providing snow removal. Greg Parker stated that this was a problem and this is the tool needed to correct it; Ian Nicolini was being ignored by developers. Motion by Bob Carnahan and seconded by Bill Landske to accept Ordinance No 1049 as read.

Roll Call Vote: 7 to 0

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

2. Zoning Business

a. Zoning Map Proposal – LSL Planning

Ian Nicolini referred to the proposal from LSL Planning for the preparation of the zoning map. Ian Nicolini stated that the cost to do this in house versus LSL whom already has a draft parcel zoning map. In house would require GIS training and there is no template to begin with; John Foreman stated that this cost would be at least \$8,500.00. The LSL proposal would be for \$1,900.00. Motion by John Foreman and seconded by Bob Carnahan to accept the LSL Planning zoning map proposal in the amount of \$1,900.00.

Roll Call Vote: 7 to 0

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

TOWN BUSINESS

1. Resolutions

a. Resolution No. 974: Temporary Transfer to Town Hall Debt Fund

David Austgen read Resolution No. 974 in its entirety. The sum of \$250.00 shall be transferred from the Cumulative Capital Improvement Fund #401 to the Town Hall Debt Fund #302 in order to make timely payment to the paying agent for the semi-annual base fee. The amount transferred shall be repaid to the appropriate fund on or before December 31, 2009. Motion by Bill Landske and seconded by Greg Parker to accept Resolution No. 974 as read.

Roll Call Vote: 7 to 0

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

2. Old Business

a. Tag Day Requests

Ian Nicolini stated that the American Legion originally requested May 2nd for a tag date. This date was not available; they changed their request to May 30th with a rain date of June 6th. Motion by John Foreman and seconded by Greg Parker to accept the tag day request from the American Legion for May 30th.

Roll Call Vote: 7 to 0

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

3. New Business

a. Hoosier Equipment Lease Program Application

Ian Nicolini referred to the information and application that was submitted to the IN Bond Bank for the HELP program. This is to replace the oldest and worst equipment and begin a rotation schedule. Greg Parker inquired if the equipment listed would still be used; Ed Robinson stated that it could still be used for plowing. Ed Robinson commented on the condition of the older vehicles. Ian Nicolini stated that this would be property tax funded and that the application is pending; we are looking for low rates and to see if we qualify, but there is no obligation. He wants to know if Council would like to proceed. Dave Austgen stated that this is not a tax levy; there is

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special financing available for the lease purchase and could be paid for out of existing funds. Ian Nicolini stated that the information he had came from London Witte. It was suggested to move this to the next agenda. Dave Austgen stated that the IN Bond Bank is not the only financing available through the HELP lease program. Bob Carnahan and David Austgen stated that the monthly payments would be about \$10,000. Ian Nicolini stated that this is a way to fund it if we rely on existing funding; we are trying to get away from that. Dave Austgen stated that this needs further legal review and should be moved to the next meeting. Dave Austgen stated that financing is a question as property taxes are uncertain; this would be over a five year period. Dennis Wilkening moved this item to the next agenda.

Jerry Smith excused himself from the meeting for illness at approximately 8:50 pm.

b. Professional Services Agreement

i. Sidewalk Grant Design

Ian Nicolini asked Council for direction on the sidewalk grant design. Ian Nicolini stated that if we pay all of the funds to the engineer for the design there will not be funds for the project. Greg Parker stated that it would be nice, but is it necessary. Ian Nicolini stated the tasks listed in the scope of services from Christopher Burke Engineering which includes requirements of INDOT. The fee estimate was \$61,500; John Foreman stated that we will spend \$61,500 to get free sidewalks. Ian Nicolini stated that this will be in 2010. Ian Nicolini stated that there will be a RFP for construction, but design and location is needed before a construction proposal. It was noted that the proposal stated that they will bill you monthly, on a time and material basis in accordance with out attached standard charges for professional services and establish our contract in accordance with the attached general terms and conditions. Dave Austgen suggested checking with other firms. Dave Austgen noted that there are INDOT Environmental requirements. Dave Austgen noted that the proposal includes that Christopher Burke Engineering reserves the right to increase these rates and costs by 5% after December 31, 2008. Greg Parker inquired as to the width of the sidewalks; they would be five feet wide. The cost for excavation and right of way is not included in this. Ian Nicolini inquired on how to proceed, if we want the proposal and pay out of the grant. The RFP process can be paid for out of grant or another funding source. Ed Robinson stated that there would be approximately 9 miles of sidewalks. Discussions were on the sidewalks being on both sides or if they are single sided with crosswalks. They would connect the park, 137th, Jane Ball, Utopia, Monastery to 133rd. This project would be with FY 2010 funds. Ian Nicolini will talk to Christopher Burke Engineering and do a RFP for the design. Motion by Bill Landske and seconded by Bob Carnahan to move this to the next agenda.

Roll Call Vote: 6 to 0

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

Dave Austgen suggested considering not to exceed numbers.

c. Road Improvement Project – Vermillion Dr. S-Curve Realignment and Parrish Avenue

Ian Nicolini discussed the change to the angle of the s-curve on Vermillion Drive. The process is moving along well. He asked for direction and if the improvement is acceptable to move to the design phase of the project. Ian Nicolini stated that there are not enough funds to do from Fairbanks to Cline Avenue. Motion by John Foreman and seconded by Bob Carnahan for Ian Nicolini to direct Christopher Burke to begin with the design phase of the project and give a not to exceed cost before they start. Dave Austgen questioned costs; Ian Nicolini responded that he has an estimate.

Roll Call Vote: 6 to 0

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

d. Request for Additional Federal Cost-Share Funding for 133rd from NIRPC

Ian Nicolini referred to a letter from NIRPC dated February 23, 2009. We are eligible for stimulus funding. The design at West Lake Shore Drive does not include Parrish Avenue outfall. Dennis Wilkening and Ed Robinson discussed water flow on 133rd from the fire station to the viaducts and the temporary easement. The current storm water design has most water flowing across the street and to the east towards the viaducts. David Austgen stated that staff and Christopher Burke recommended including drainage to the pond behind Jane Ball and to Cedar Lake. Ian Nicolini asked Council if they want to look at this project if NIRPC will not fund it; the proposal would include the Parrish Avenue outfall and drainage. Ian Nicolini stated that he met with the school and they seemed receptive to the idea that expansion of the pond is of significant importance to take on new water. Motion by Bob Carnahan and seconded by John Foreman to proceed and try to get stimulus funding and if funding is not obtained bring back to Council.

Roll Call Vote: 6 to 0

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

Ian Nicolini stated that he is requesting \$750,000 from NIRPC in an 80/20 cost sharing to pay for cost overages, quantity busts and increased claims for 133rd Avenue. Motion by Bob Carnahan and seconded by Pat Wisniewski to authorize Ian Nicolini to proceed with seeking out the funding.

Roll Call Vote: 6 to 0

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

e. Acceptance of Substantial Completion of 133rd and Morse

Ian Nicolini stated that 91% of the work is completed on the 133rd & Morse Intersection Improvement. Motion by Bob Carnahan and seconded by John Foreman to accept the substantial completion of 133rd and Morse.

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Roll Call Vote: 6 to 0

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

PUBLIC COMMENT: No comments.

FINAL COMMENTS:

- 1. Town Council:** Motion by Bob Carnahan and seconded by Pat Wisniewski to change the March 17th meeting date to March 24th. This change was requested by the Town Attorney for executive reasons.

Roll Call Vote: 6 to 0

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

March 28th will be the household hazardous waste date. Denny Wilkening stated that on March 6th the Fire Department will have their event for the new equipment.

- 2. Town Administrator:** Ian Nicolini will meet in executive session after the meeting.
- 3. Town Attorney:** No comment

ADJOURNMENT: At approximately 9:30 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 with discussion consisting of personnel matters, litigation issues and land acquisition concerns. Those in attendance were Robert Carnahan, John Foreman, William Landske, Greg Parker, Jerry Smith, Dennis Wilkening, Pat Wisniewski, Town Administrator Ian Nicolini, 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, 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.