

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

November 6, 2008

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

Roll Call:

Absent	Robert H. Carnahan Council Member	Ward 1	Present	Patricia Wisniewski Vice President	Ward 3
Present	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	
Present	William Landske Council Member	Ward 6	Present	Ian Nicolini Town Administrator	
Present	Greg Parker Council Member	Ward 7	Absent*	David Austgen Town Attorney	

**Attorney Austgen appeared at approximately 8:15 PM.*

DEPARTMENT REPORTS

Police: Chief Patz received a quote on removal and replacement of the rooftop HVAC unit which services the police department and part of the town hall in the amount of \$7,448 for a 5 Ton HVAC unit. He will solicit a minimum of three quotes. Halloween patrol consisted of a foot patrol this year with positive feedback. Congress has approved a grant for \$3,600 for bullet proof vests which was applied for in April. This is a fifty/fifty grant with a two year draw down period. Funds are held by the Department of Justice. Bullet proof vests average in cost from \$350 - \$400.

Public Works: Ed Robinson reported the application for reimbursement for expenses associated with the August/September floods regarding public works and street departments has been filed at the Lake County Government Center Office of Homeland Security. The reimbursement could be as much as 75% of the total costs associated with the flood which could include lift stations, man hours, equipment and such. Within two weeks an appointment should be scheduled to meet regarding what is eligible for reimbursement. There are three leaf vacuums on the streets weekly for leaf pick up. Leaves should be curbside for pickup. People are leaving animals at the public works building; the county will not take them.

Planning, Zoning & Building: There were 17 new building permits in October up from nine last year. Year to date there has been 107 new building permits and 115 alteration permits for a total of 222 permits this year.

Parks & Recreation: A written report was distributed. Mary Joan Dickson reported on the upcoming National Cup Stacking contest which will be held in the town hall and the meeting will be at the park building. Soccer has concluded and the partnership with the Hanover Central Key Club on the Haunted Trails went well. She reported that the Southlake Community Center will no longer be doing the angel tree. She is working with private citizens and Mr. Hunley to ensure our community children have a Christmas; this is in addition to what our community and churches are already doing. She will be requesting use of the Monastery Clubhouse as a distribution area from the Park Board.

Clerk-Treasurer: Amy Sund reported that in a letter dated October 21, the Department of Local Government Finance (DLGF) requested that we withdraw our annexation appeal as there are two excess levy appeals downstate at this time for 2009. Ian Nicolini stated that he will contact DLGF staff as the policy has changed since the application was submitted and obtain our options. Amy Sund presented a list of Boards and Commissions that need to be filled. She will be working with Ian Nicolini and Laurie Wyrick in the office to get these openings publicized. Prior applications were incomplete as some positions require a democrat or republican and this information was not completed. The person recommended for the unsafe building authority was not interested in the position. Ethics committee member Chris Lea is now employed by the Clerk-Treasurer's office part time, the Council might want to replace her. Directors for a Board of Water Works are needed. The 2009 Salary Ordinance will have a few additions to the previous amendments. The Clerk-Treasurer does not recommend across the board raises due to our current financial situations. Amy Sund requested authorization to do bid advertising for a tax anticipation warrant for 2009. David Austgen usually works with the Clerk-Treasurer on the paperwork. Jerry Smith moved to approve authorization to advertise and Patricia Wisniewski made the second.

Roll Call Vote: 6 to 0

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

Fire Department: Todd Wilkening reported that the recent food drive collected \$5,000 in cash and 6000 lbs of food. The rescue truck should be delivered by Christmas and the new pumper truck by April 30, 2009. This has been a record year for fire and ambulance calls; over 1,300 calls. Abandoned buildings specifically the Salesians buildings were discussed as a public safety problem. Ian Nicolini and Doug Wynkoop are scheduled to meet with the property owners next week. The fire department has received a \$6,000 matching grant, \$5,000 from the Dean & Barbara White Foundation and \$1,000 from John Peterman, for the purchase of the GlideScope. Information was distributed on the GlideScope, which is a video camera to assist in establishing airways safely to the correct tube. Todd Wilkening requested \$4,000 from the town for this purchase. Jerry Smith reported on the benefits of this equipment. Ultimately the department would like to purchase two of these. Jerry Smith recommended checking into the Crown Point Community Foundation grants as the department serves Center Township and for the council to

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assist the department in obtaining future grants. Amy Sund reported that there is funding in the EMS non-reverting fund for this purchase. Amy Sund noted that a procedure to transfer funds from EMS revenue to EMS non-reverting will need to be developed. Jerry Smith motioned to approve the appropriation for this equipment and Pat Wisniewski made the second.

Roll Call Vote: 6 to 0

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

Town Administrator: Deed conveyance regarding the 40foot parcel north of the restaurant will be deeded to the town as lake access and maintained by WPM. It was noted that this parcel should be 30 feet for a total lake front access of 60 feet. Jerry Smith moved to accept the deed conveyance contingent upon legal description being corrected as agreed upon by the plan commission in 2007, and John Foreman made the second.

Roll Call Vote: 6 to 0

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

A \$250,000 grant for construction of sidewalks from INDOT as part of "Safe Route to School Program" was awarded. Grant will be used to connect existing sidewalks and construct new sidewalks within 2 miles of Hanover Central and Jane Ball. Congressman Pete Visclosky will be at the ribbon cutting for 133rd and Morse at 10:00 AM on November 10th. NIPSCO is working on installing a meter to turn on street lights. 133rd Avenue fiber course is being installed on the north side. A change order regarding the rerouting of storm sewer lines where there is a utility conflict is on the agenda. Meyer Manor is progressing; some scheduling conflicts are being worked out.

Town Attorney: No report.

Town Council: Pat Wisniewski motioned to transfer the proceeds from the sale of squads to the non-reverting police fund, and Greg Parker made the second.

Roll Call Vote: 6 to 0

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

Jerry Smith discussed the issue of foreclosures in regards to the clean-up of unsightly items left at the curb. This should not be a financial burden to the town. The town should develop an ordinance to impose penalties for unsightly debris in front of homes in regards to foreclosures and distressed properties and have clean-up companies be licensed and bonded with the town. This would be an administrative duty under code enforcement. Ian will work on this for 2009. Greg Parker asked Louise to speak with Doug regarding the people involved with the restoration work at the museum. Ian will work on a press release. Update on Wicker Meadows, the storm sewer was completed and McCallister will start on restoration work weather pending. Ian Nicolini gave a review of easements regarding the 136th Avenue drainage project and an explanation of difficulties was discussed.

PUBLIC COMMENTS: Father John stated what an outstanding job the police and fire departments are doing. He inquired about the removal of graffiti on the south side and garage of JoJo's building; it resembles gang symbols. Solutions were discussed. Julie Zasada inquired on obtaining information regarding water utility. Ian Nicolini informed her to check for agendas posted online with items regarding water issues. She can follow-up with Ian Nicolini on any information needed. Mary Yardley reported having trouble with bills. Ian Nicolini informed her of the cost involved with capping off the sewer and tap fees. Staff & council informed her of assistance available. Amy Sund spoke on providing bills to show that no one is living there and the information needed to put this in front of council for approval. Betty Elliott inquired on ordinance regarding her shed. She needs to apply for a variance.

CONSENT AGENDA

- Minutes of the Regular Public Meeting of October 21, 2008.
- Docket: Town Claims 62809-62905-62807 for \$466,151.15 Wastewater Claims 24538-24578 for \$229,473.37, Storm Water Claims 62828, 62830, 62747-62750 for \$102,837.92. Motion made by John Foreman and second by Greg Parker to waive the reading of the minutes and to accept the consent agenda.

Roll Call Vote: 6 to 0

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

UTILITY & TOWN BUSINESS

Utility and Town business were not separated on the agenda.

1. Town Business

a. Ratification of Appointment – Deputy Police Chief

Roger Patz reported that this would be an appointed position for the department based upon amending ordinance #1042. The position would not change the rank. Bill Landske questioned if there was a salary freeze; Denny responded yes. As Lt. Zimmerman's position will be replaced by Patrolman Allande with probationary pay, there would be a savings for the first year of the appointment. A motion to approve was made by John Foreman and seconded by Pat Wisniewski. Ian Nicolini suggested combining this item with item #3a. Motion for ratification of appointment was withdrawn and concurred. John Foreman made the motion for the first reading of Ordinance #1042 by Ian Nicolini, and was seconded by Pat Wisniewski. Motion to amend the agenda to section #3a was made by Jerry Smith and seconded by Greg Parker.

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Roll Call Vote: 6 to 0

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

The first reading of Ordinance #1042 in its entirety was made by Ian Nicolini. David Austgen commented that this amendment to the existing ordinance requires two readings. Motion to accept the first reading of Ordinance #1042 was made by Pat Wisniewski and John Foreman made the second.

Roll Call Vote: 5 to 1

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

Ian Nicolini recommended against ratifying this appointment until the ordinance is accepted.

b. Request for EMS Funds-Equipment

Addressed in Fire Department Report

c. Change Order – 133rd Avenue Rerouting Stormwater to Minimize Utility Conflicts

Ian Nicolini discussed the stormwater and utility conflict addressed in the memo from the town engineer. The towns share for the change would be \$5,606. Jerry Smith inquired if there was funding available from TIF. Amy Sund reported that there was. Jerry Smith made the motion for the change order utilizing funding from TIF and Pat Wisniewski made the second.

Roll Call Vote: 6 to 0

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

2. Resolutions

a. Resolution No. 964 – Authorizing Transferring of Money within the General Fund

Amy Sund read the resolution in its entirety. Pat Wisniewski moved to approve the resolution and Greg Parker made the second.

Roll Call Vote: 6 to 0

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

PUBLIC COMMENTS: None

FINAL COMMENTS:

1. Town Council – None
2. Town Administrator – None
3. Town Attorney – None

ADJOURNMENT: At approximately 8:32 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 and following this meeting with discussion consisting of personnel matters, litigation issues and land acquisition concerns. Those in attendance were President Dennis Wilkening, Vice President Pat Wisniewski, Council Members John Foreman, Bill Landske, Jerry Smith, Greg Parker, 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, Vice President, Ward 3

Robert H. Carnahan, 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.