**Town Council of Merrillville**
**7820 Broadway Ave - Merrillville, IN 46410**
**Town Council Meeting Minutes of the Regular Meeting of**
**January 14, 2025 - 6:30 P.M.**

**CALL TO ORDER**: Councilor Bella called the meeting to order at 6:30 P.M.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance to the United States Flag was led by Councilor Bella.

**INVOCATION/MOMENT OF SILENCE:** A brief invocation was given, along with a moment of silence, by Pastor Robert Szoke of Impact Christian Church.

**ROLL CALL of COUNCIL:** – Present at the meeting were Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac, Shawn Pettit, Keesha Hardaway, and Rick Bella. Councilor Clerk-Treasurer Eric January was present to memorialize the proceedings. A quorum was attained.

**PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS:**

- **Swearing in of Merrillville Police Department Officers:**
  - Griffin Bell
  - Braden Anderson
  - Lauren Collin

  The Officers were sworn in by Clerk-Treasurer Eric January. Chief Nuses gave a brief overview regarding each officer and announced the new Assistant Chief Matthew Vasel.

- **Town Attorney Letter of Interest**

  Clerk-Treasurer Eric January read the following Town Attorney Letter of Interest into the record:

KDD ATTORNEYS AT LAW
KOPKA PINKUS DOLIN PC
9801 Connecticut Drive, Crown Point, IN 46307
Phone: (219) 794-1888 Fax: (219) 794-1892

Joseph C. Svetanoff
JCSvetanoff@kopkalaw.com

December 31, 2024

VIA E-Mail Only rickbellaward5@gmail.com
Rick Bella, Town Council President
Town of Merrillville
7820 Broadway
Merrillville, IN 46410

RE: Re-Appointment as Town Attorney for 2025

Dear President Bella,

It has been my distinct pleasure to continue to serve as the Town Attorney for the Town of Merrillville Town Council, Plan Commission, Board of Zoning Appeals, Redevelopment Commission,, Economic Development Commission, Abandon and Blighted Properties and Ordinance Violations. At this time, I would like to be considered for re-appointed to fill these positions for the 2025 calendar year. Thank you for your consideration.

Very truly yours,

KOPKA PINKUS DOLIN PC

Joseph C. Svetanoff

JCS/srj

**It was moved by Councilor Pettit and seconded by Councilor Hardaway to reappoint Joseph C. Svetanoff as the Town Attorney for the calendar year 2025.**

President Bella informed the council that rates have been fixed for the last eight years.

Clerk-Treasure Eric January stated that the Town Attorney should be changed for several reasons regarding the MCD, US Constitution's Bill of Rights, and the Town Court Judgement.

**Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac Shawn Pettit, Keesha Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. Town Attorney Svetanoff was reappointed for the calendar year 2035.**

**NOTES ON PLAN COMMISSION MEETING**

On January 7, 2025, the Merrillville Plan Commission conducted a Special Meeting to consider at least five (5) Resolutions that are ironically being considered by the Town Council tonight. During this Meeting certain members of the public violated our Town of Merrillville Civility Ordinance No. 19-11 by raising their voices, speaking out of turn, and by just lacking civility, decorum, and common courtesy for the Plan Commission and its membership. Also, during this Meeting, comments were made about Constitutional Rights and Freedom and Speech, whereby I commented that Freedom of Speech rights do not exist when you are acting out of order and lacking civility, decorum, and common courtesy for the presiding body. Remember in Indiana, public comment is a right and not a privilege and the Town Council at any time limit the public's speech under Constitutionally protected time, place, manner restrictions or eliminate public comment altogether.

Lastly, I would like to read an excerpt from the Indiana Public Counselor's website:

**"CAN A GOVERNING BODY PREVENT A PERSON FROM SPEAKING AT ITS MEETING?**

Yes. The Open Door Law does not guarantee the public's right to speak at a public meeting. Unless a law requires the board to take public comments for a specific issue, a governing body is not required to take public comments during a public meeting. If the governing body allows public comments during an ordinary meeting, the governing body can limit the amount of time allowed for each speaker."

- Attorney Svetanoff read the following statement into the record:

**PUBLIC HEARING:**
***NONE***

**CONSENT AGENDA:**

- Accounts Payable Register Voucher Approval for January 14th, 2025
- AP Register Summary for ARP Purchases for January 14th, 2025.
- Approval of Town Council Meeting Minutes December 30th, 2024

**It was moved by Councilor Uzelac and seconded by Vice-President Neal to approve the consent agenda.**

**Upon a voice vote, the motion passed. The Consent Agenda was approved.**

**PRESENTATION of DECLARATIONS:** ***NONE***

**STANDING & SPECIAL COMMITTEES REPORTS:**

***BUDGET & FINANCE*—NEAL**—Vice-President Neal had nothing to report.

***COUNCIL AFFAIRS- UZELAC*** – Councilor Uzelac had nothing to report.

***STREET DEPARTMENT- UZELAC***– Councilor Uzelac reported the following:

- **Snow Plowing/Salting**– The Street Department was out this past weekend plowing the streets. Residents must not park their cars on the street during snow plowing which hinders the plowing. Salting was done in parking lots at the Town Hall and the Dean & Barbara White Community Center.
- **Potholes Patching** – Potholes patching is being done throughout the Town.

  Upon a question from Councilor Hardaway regarding snow plowing in Ward 7, Director Steve King responded that the streets in Ward 7 were plowed, and he has the pictures to prove it.

***ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL-*** Vice-President Neal reported that there was no meeting with Robinson Engineering regarding the Gateway Signs

***ENVIRONMENTAL AFFAIRS- UZELAC*** – Councilor Uzelac had nothing to report.

***PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY-*** Councilor Hardaway reported that the search for the Parks Director has been narrowed down to three candidates. The committee is going to make a final decision soon.

***PUBLIC SAFETY- HARDAWAY-*** Councilor Hardaway reported that she and Chief Nuses did meet, and she will be scheduling another meeting regarding public safety.

***ECONOMIC DEVELOPMENT-PETTIT*** – Councilor Pettit reported that he, Bob Pillman, and Director Shine took a tour of Amazon's PP04 the million-square-foot building. Councilor Pettit explained the layout of the building and how trucks would come in and out of the property. A ribbon cutting and media event will be scheduled later. There will be 1,000 employees working in Amazon building by April 1, 2025

Councilor Pettit also informed the council that five resolutions are on the agenda related to Economic Development. One is an advertised public hearing that Mr. Pitman and the Director of Economic Development Angie Chilcott completed, which includes public comments. The other four are the third state of adding allocation areas within the Town of Merrillville.

If these four resolutions listed on the agenda are passed by the council, these resolutions will be advertised, and a public hearing will take place on January 28th at the Redevelopment Commission Meeting. This is when the public can make comments.

***UTILITY LIAISON – CHANDLER-FELTON*** – Councilor Chandler-Felton had nothing to report.

***PARKS AND DEAN & BARBARA WHITE COMMUNITY CENTER - PETTIT*** – Councilor Pettit reported that he will have to meet with Town Manager Griffin and Interim Parks Director Lisa Roberts regarding the standing meeting where several issues need to be discussed regarding flooring, rentals, and HVAC at the Dean & Barbara White Community Center. The next meeting will be held on Thursday, January 23rd at 5:00 pm at the Community Center.

**SPECIAL COMMITTEES**

***ABANDONED-BLIGHTED PROPERTIES - HAYNES-EDWARDS & CHANDLER-FELTON***– Councilor Haynes-Edwards reported that from December 1st through January 14th Code Enforcement responded to 143 service calls, issued sixteen warnings, and thirty citations. The Town of Merrillville currently has fifteen vacant abandoned building cases as of December 1st through January 14th.

Councilor Hayes-Edwards also informed the council that Code Enforcement will resume citation activity in the Spring.

***SEMI-QUINCENTENN IAL COMMITTEE - HAYNES-EDWARDS*** – Councilor Haynes-Edwards reported that the committee will be meeting in the Spring.

***SPECIAL TOWN PROJECTS - NEAL*** – Councilor Neal reported that she did receive an email regarding th progress of the Gateways Signs. She also informed the council that the committee is working on upcomin Town events for 2025 beginning with the Black History Celebration.

**DEPARTMENT & COMMISSION REPORTS:**

***LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL***– Vice-President Neal reported that a meeting is scheduled for Thursday, January 16th.

***NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY*** – Councilor Hardaway reported that the next meeting will be held on Thursday, January 16th.

***STORMWATER MANAGEMENT RESOURCES-LAKE*** – Director Matthew Lake reported on the following:

- **Hickory Ridge Flood Control Project** – A notice has been issued to proceed to Dyer Construction Company. When the weather permits, a groundbreaking ceremony for this project will be announced.

- **Southmoor Park** – The redesign is about 95% complete. After the redesign is completed, we will start the bid process.

- **Hendricks Street Drainage Improvement**- The plans are about 90% complete with VS Engineering. There is still one easement that must be obtained. We plan to get the project out for bid this year.

- **County Club Additional Phase I and II** – Robinson Engineering is about 75% complete.

- **Independence Hill Third Edition Drainage Design** – This is a large project and going smoothly. We are going to seek grants to help with the cost.

- **CRS Renewal to FEMA** – The annual renewal is in process to maintain our compliance which helps to lower flood insurance for homeowners.

- **Indiana Department of Management** – The end-of-the-year report for our Stormwater Construction is in process,

Director Matt Lake also reported that the department is in the process of purchasing a John Deere tractor and a truck.

***SOUTHSHORE VISITORS AND CONVENTION AUTHORITY-PATENA*** – Deanne Patena was absent.

***FIRE TERRITORY BOARD - NEAL & HARDAWAY*** – Councilor Hardaway and Vice-President Neal had nothing to report.

**DEPARTMENT REPORTS/ TOWN MANAGER**

**Interim Parks Director Roberts – Parks and Recreation**
Interim Parks Director Roberts reported the flooring, HVAC System, and event will be discussed at the January 23rd meeting.

**Chief Nuses – Police Department**
Chief Nuses reported that he met with his administration staff and discussed 2024 activities and what they want to do in 2025 to keep the Town of Merrillville safe. The final statistics for 2024 are being compiled and will be presented to the council upon completion.

**Director Shine - Building and Planning**
Director Shine thanked the Economic Development Team, Merrillville Police Department, Merrillville Fire Department, Engineer, and all involved in the Amazon Project.

Upon a question from President Bella regarding other businesses in the Town of Merrillville beside the hospital with 1,000 employees, Director Shine responded that only Amazon would have 1,000 employees by April 1, 2025.

**Director King – Street Department**
Director King had nothing to add to the Street Report.

**Town Manager Griffin – Town Administration**

Town Manager Griffin reported that a written report was given to the council members and Clerk-Treasurer Eric January according to section 227 of the municipal code.

Town Manager Griffin discussed two items from his report:

- Employee Appraisals – Town Manger Griffin completed employee appraisals for Department Heads and praised their hard work.

- Federal Efficient and Conservation Block Grant Program– The Town of Merrillville was awarded $76,330.00. It will be used for Light Emitting Diode or LED lights to retrofit Town Hall and Pub Works. Town Manager Griffin stated he would start work on the specifications process. If the gra covers all the costs, a local match will not be necessary.

**Clerk-Treasurer Eric January – Clerk's Office**

Clerk-Treasurer Eric January reported the following:

- Cash on Hand – As of November 30, 2024, the Town had a balance of $42,364,395.13 in the bank.
- Check Fraud – There were no fraudulent checks. The positive pay system is working for the Town.
- Payroll Administrator - He is still looking for a payroll clerk.

Clerk-Treasurer January reported that fraud was committed. The closing on bonds occurred without the Clerk-Treasurer's attestation and a payment has been requested. Clerk-Treasurer Eric January stated that the Town Manager attested to the bonds which is unlawful according to Indiana law. Clerk-Treasurer Eric January will seek legal consultation on this matter.

President Bella asked Town Manage Griffin to explain why he had to attest to the Council President's signature.

Town Manager Griffin explained that the Clerk-Treasure Eric January refused to attest to the President's signature without conditions being made even though it was his duty to attest. Town Manager Griffin stated his attestation was legal according to state law.

Clerk-Treasurer Eric January reiterated that he did not receive the bond documents to sign.

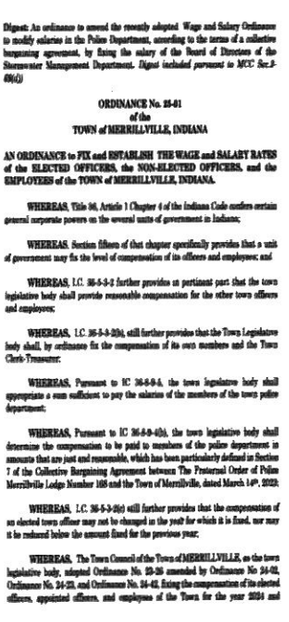
**GENERAL ORDERS**

**A. Ordinances: (Discussion and Roll Call Vote) - NONE**

**Zoning**: (motion to adopt or reject; confer IC36-5-2-10(d)

**First Reading: Ordinance (Discussion and Roll Call Vote)**

1. **Ordinance 25-01 (Discussion and Roll Call Vote)**
   An Ordinance to Fix And Establish The Wage And Salary Rate Of The Elected Officers, The Non-Elected Officers, And The Employees Of The Town Of Merrillville, Indiana



**Digest:** An ordinance to amend the recently adopted Wage and Salary Ordinance to modify salaries in the Police Department, according to the terms of a collective bargaining agreement, by fixing the salary of the Board of Directors of the Stormwater Management Department. *Digest included pursuant to MCC Sec.2-69(d)*

**ORDINANCE No. 25-01**
**of the**
**TOWN of MERRILLVILLE, INDIANA**

**AN ORDINANCE to FIX and ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of MERRILLVILLE, INDIANA.**

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees; and

**WHEREAS**, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

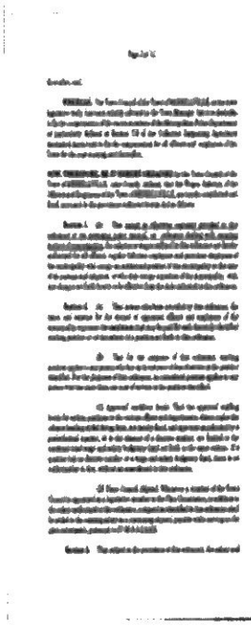
**WHEREAS**, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

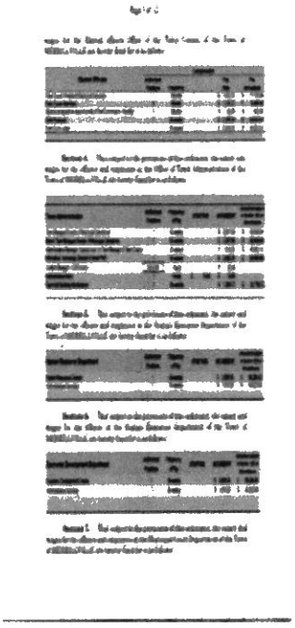
**WHEREAS**, Pursuant to IC 36-8-8-5, the town legislative body shall appropriate a sum sufficient to pay the salaries of the members of the town police department;

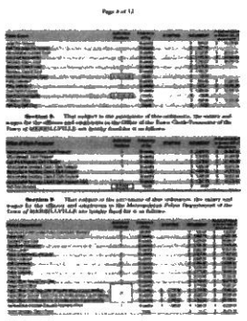
**WHEREAS**, Pursuant to IC 36-8-8-4(b), the town legislative body shall determine the compensation to be paid to members of the police department in amounts that are just and reasonable, which has been particularly defined in Section 7 of the Collective Bargaining Agreement between The Fraternal Order of Police Merrillville Lodge Number 108 and the Town of Merrillville, dated March 14th, 2022;

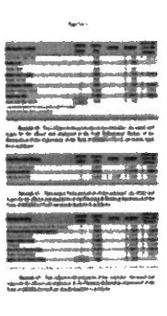
**WHEREAS**, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

**WHEREAS**, The Town Council of the Town of MERRILLVILLE, as the town legislative body, adopted Ordinance No. 23-25 amended by Ordinance No 24-02, Ordinance No. 24-23, and Ordinance No. 24-42, fixing the compensation of its elected officers, appointed officers, and employees of the Town for the year 2024 and

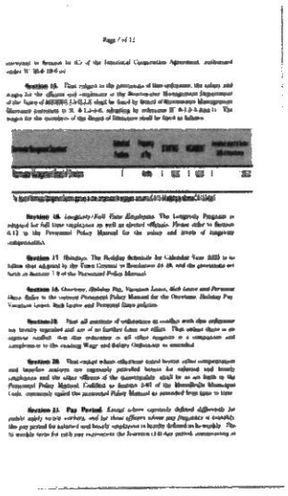


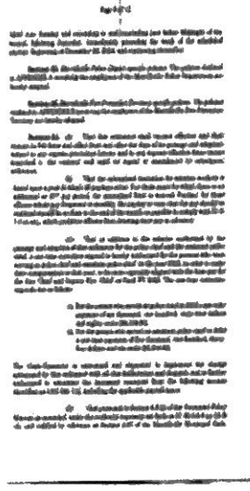












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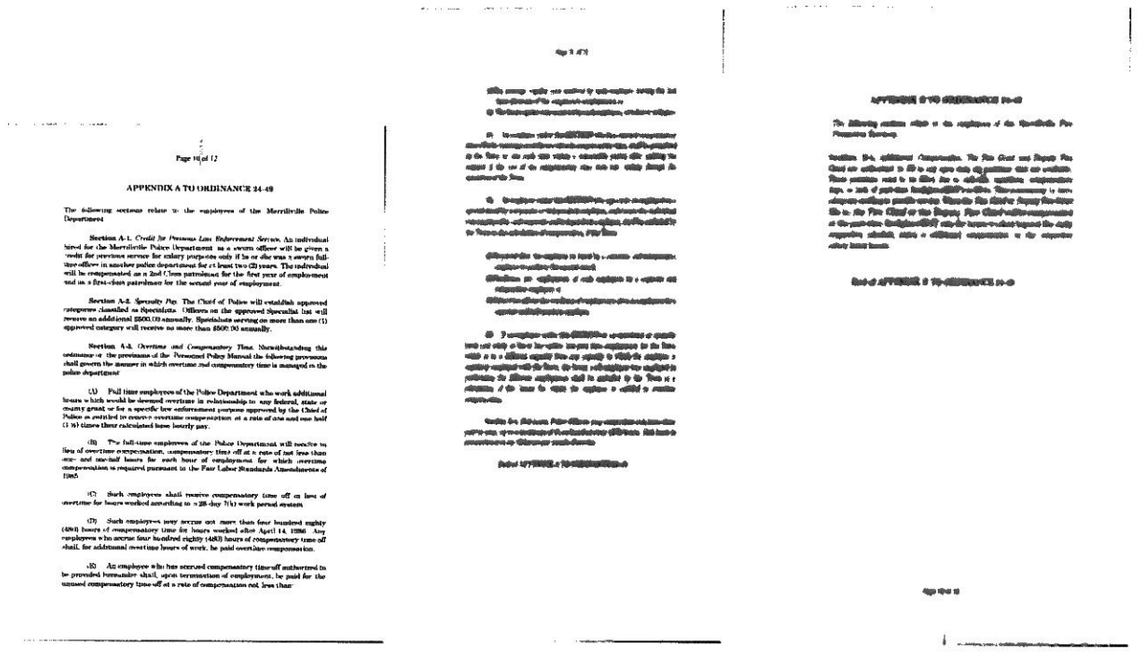
effective as the pay period beginning December 29, 2024 and continuing thereafter, the three percent employee contribution set forth in IC 5-10.3-5-2(b) will be paid by the employer.

(f) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6(a) (b) & (d)

Introduced and Filed 14th day of February 2025.

DULY ORDAINED and ADOPTED this __Day of _____ 2025, by the Town Council of the Town of MERRILLVILLE, Lake County, Indiana.

TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA



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APPENDIX A TO ORDINANCE 24-48

The following sections relate to the employees of the Merrillville Police Department

Section A-1. *Credit for Previous Law Enforcement Service.* An individual hired for the Merrillville Police Department as a sworn officer will be given a credit for previous service for salary purposes only if he or she was a sworn, full-time officer in another police department for at least two (2) years. The individual will be compensated as a 2nd Class patrolman for the first year of employment and as a first-class patrolman for the second year of employment.

Section A-2. *Specialty Pay.* The Chief of Police will establish approved categories classified as Specialists. Officers on the approved Specialist list will receive an additional $800.00 annually. Specialists serving on more than one (1) approved category will receive no more than $800.00 annually.

Section A-3. *Overtime and Compensatory Time.* Notwithstanding this ordinance or the provisions of the Personnel Policy Manual the following provisions shall govern the manner in which overtime and compensatory time is managed in the police department

(A) Full time employees of the Police Department who work additional hours which would be deemed overtime in relationship to any federal, state or county grant or for a specific law enforcement purpose approved by the Chief of Police is entitled to receive overtime compensation at a rate of one and one half (1 ½) times their calculated base hourly pay.

(B) The full-time employees of the Police Department will receive in lieu of overtime compensation, compensatory time off at a rate of not less than one- and one-half hours for each hour of employment for which overtime compensation is required pursuant to the Fair Labor Standards Amendments of 1985

(C) Such employees shall receive compensatory time off in lieu of overtime for hours worked according to a 28-day 7(k) work period system.

(D) Such employees may accrue not more than four hundred eighty (480) hours of compensatory time for hours worked after April 14, 1986. Any employees who accrue four hundred eighty (480) hours of compensatory time off shall, for additional overtime hours of work, be paid overtime compensation.

(E) An employee who has accrued compensatory time off authorized to be provided hereunder shall, upon termination of employment, be paid for the unused compensatory time off at a rate of compensation not less than

Town Manager Griffin explained Ordinance 25-01.

Upon a question from President Bella asked regarding clarification on his request for a first reading tonight, Town Manager Griffin responded that he is requesting the rules be suspended to read Ordinance 25-01 on the second reading.

**It was moved by Councilor Pettit and second by Counselor Uzelac to approve Ordinance 25-01 on the first reading.**

**Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac Shawn Pettit, Keesh Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passe The ordinance was approved on first reading.**

**It was moved by Councilor Uzelac and second by Vice-President Neal to suspend the rules and read Ordinance 25-01 on the second reading.**

**Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac Shawn Pettit, Keesha Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The rules were suspended to read Ordinance 25-01 on the second and final reading.**

**It was moved by Councilor Pettit and second by Vice-President Neal to approve Ordinance 25-01 on the second and final reading.**

**Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac Shawn Pettit, Keesha**

**Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the second and final reading.**

**Second Reading:** (Discussion and Roll Call Vote): ***NONE***

**B. Resolutions:**
***Public Hearing on 25-01***

President Bella read the following statement into the record:

**Announcement from the Town Council**

As the new year begins, the council and I are committed to fostering a positive and productive meeting environment. To this end, we ask everyone to follow the rules that ensure our sessions remain lawful, orderly, and respectful.

These guidelines are in place to allow for meaningful discussion and decision-making. Personal attacks, insults, threats, disruptive behavior, excessive interruptions, irrelevant comments, speaking out of turn, offensive language, or any actions that disrupt the meeting's decorum will not be tolerated. Such behavior hinders constructive dialogue and prevents others from participating fully and respectfully.

If you violate these rules, you will be asked to leave the meeting. Failure to comply may result in removal and, if necessary, legal action.

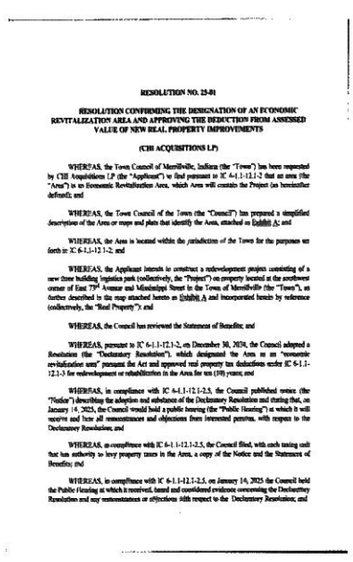
We understand that specific topics may evoke strong emotions or opinions, but sharing these perspectives at the appropriate time during the meeting is crucial. Doing so ensures your voice is heard in a way that contributes positively to the discussion. Interruptions or speaking out of turn only disrupt the process and create unnecessary challenges, which, as we've seen in the past year, impede progress for our town.

Let's come together to ensure our meetings are respectful, focused, and productive for the benefit of Merrillville. Thank you for your cooperation and commitment to positive change.

**a) Town Attorney Review of Proof of Legal Notices**

Attorney Svetanoff reported that he has reviewed the Legal Notices, and everything is in order and conforms with the Indiana Code. The council may proceed with the public hearing on Resolutions 25-01.

**1. <u>Resolutions 25-01 (Discussion and Voice Vote</u>**
A Resolution Confirming The Designation Of an Economic Revitalization Area And Approving The Deduction From Assessed Value Of New Real Property Improvements (Chi Acquisitions LP).



RESOLUTION NO. 25-01

RESOLUTION CONFIRMING THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA AND APPROVING THE DEDUCTION FROM ASSESSED VALUE OF NEW REAL PROPERTY IMPROVEMENTS

(CHI ACQUISITIONS LP)

WHEREAS, the Town Council of Merrillville, Indiana (the "Town") has been requested by CHI Acquisitions LP (the "Applicant") to find pursuant to IC 6-1.1-12.1-2 that an area (the "Area") is an Economic Revitalization Area, which Area will contain the Project (as hereinafter defined); and

WHEREAS, the Town Council of the Town (the "Council") has prepared a simplified description of the Area or maps and plans that identify the Area, attached as Exhibit A; and

WHEREAS, the Area is located within the jurisdiction of the Town for the purposes set forth in IC 6-1.1-12.1-2; and

WHEREAS, the Applicant intends to construct a redevelopment project consisting of a new three building logistics park (collectively, the "Project") on property located at the southwest corner of East 73rd Avenue and Mississippi Street in the Town of Merrillville (the "Town"), as further described in the map attached hereto as Exhibit A and incorporated herein by reference (collectively, the "Real Property"); and

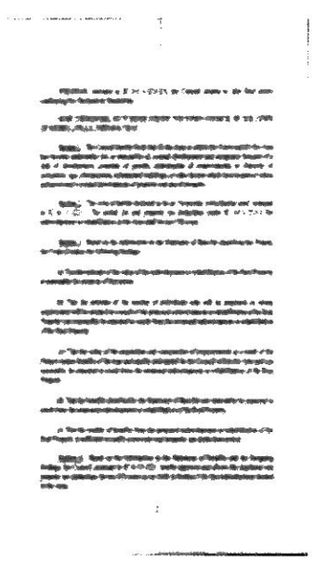
WHEREAS, the Council has reviewed the Statement of Benefits; and

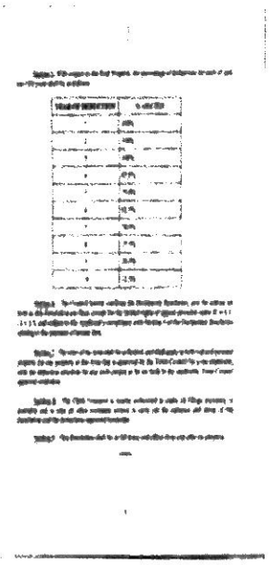
WHEREAS, pursuant to IC 6-1.1-12.1-2, on December 30, 2024, the Council adopted a Resolution (the "Declaratory Resolution"), which designated the Area as an "economic revitalization area" pursuant the Act and approved real property tax deductions under IC 6-1.1-12.1-3 for redevelopment or rehabilitation in the Area for ten (10) years; and

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, the Council published notice (the "Notice") describing the adoption and substance of the Declaratory Resolution and stating that, on January 14, 2025, the Council would hold a public hearing (the "Public Hearing") at which it will receive and hear all remonstrances and objections from interested persons, with respect to the Declaratory Resolution; and

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, the Council filed, with each taxing unit that has authority to levy property taxes in the Area, a copy of the Notice and the Statement of Benefits; and

WHEREAS, in compliance with IC 6-1.1-12.1-2.5, on January 14, 2025 the Council held the Public Hearing at which it received, heard and considered evidence concerning the Declaratory Resolution and any remonstrances or objections with respect to the Declaratory Resolution; and

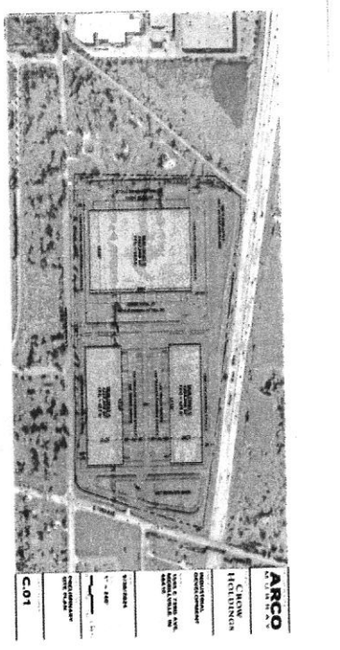


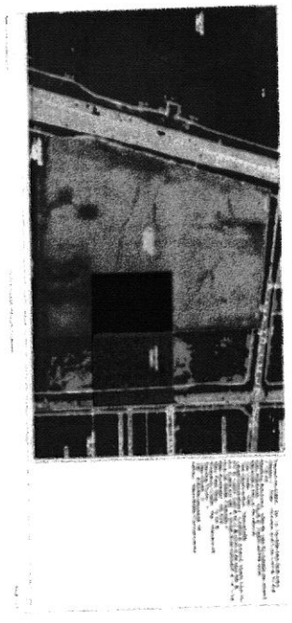


**ALL OF WHICH IS PASSED AND ADOPTED THIS 14TH DAY OF JANUARY, 2025, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.**

**TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TOWN COUNCIL**

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**DEDUCTION FEE AGREEMENT**

This Deduction Fee Agreement (the "Agreement"), is entered into as of the __ day of _____, 2025, by and among the Town of Merrillville, Indiana (the "Town"), the Merrillville Redevelopment Commission (the "Commission"), and CHI Acquisitions LP (the "Applicant").

WHEREAS, the Applicant is pursuing the construction of a redevelopment project consisting of a new three building logistics park (the "Project") on property located at the southwest corner of East 73rd Avenue and Mississippi Street in the Town of Merrillville (the "Town"), as further described in the map attached hereto as Exhibit A and incorporated herein by reference (collectively, the "Real Property"); and

WHEREAS, the Applicant has requested that the Real Property be designated an economic revitalization area (an "ERA") for purposes of permitting real property tax deductions pursuant to I.C. 6-1.1-12.1, as amended; and

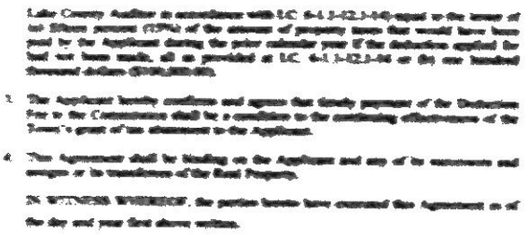
WHEREAS, the Applicant has further requested that the Town Council of the Town of Merrillville, Indiana (the "Council") approve a ten-year real property tax deduction schedule for the Project (the "Tax Abatement"); and

WHEREAS, the Council adopted a Resolution on December 30, 2024 (the "Preliminary Resolution") preliminarily approving the Tax Abatement, but provided therein that the effectiveness of the Preliminary Resolution be conditioned on the receipt by the President of the Town Council of written consent of the Applicant that the Preliminary Resolution be deemed to incorporate the provisions of Indiana Code 6-1.1-12-14, imposing on the Applicant an annual payment of a deduction fee (the "Deduction Fee") in an amount not to exceed the lesser of (a) fifteen percent (15%) of the amount of property taxes that would have been paid by the Applicant during any given year if the deduction applied for had not been made, all as provided at I.C. 6-1.1-12.1-14, or (b) one hundred thousand dollars ($100,000.00);

NOW, THEREFORE, the Town, the Commission, and the Applicant agree as follows.

1. The Applicant hereby consents and agrees that the Preliminary Resolution be deemed to incorporate the provisions of Indiana Code 6-1.1-12-14, imposing on the Applicant an annual payment of a deduction fee (the "Deduction Fee") in an amount not to exceed the lesser of (a) fifteen percent (15%) of the amount of property taxes that would have been paid by the Applicant during any given year if the deduction applied for had not been made, all as provided at I.C. 6-1.1-12.1-14, or (b) one hundred thousand dollars ($100,000.00).

2. On or before February 1 of each year through a period ending on the February 1 following the end of the period in which the Tax Abatement remains in effect, the Applicant hereby agrees to pay to the Lake County Treasurer, who shall promptly transfer such payment to the Commission, a Deduction Fee (determined by the



Councilor Pettit explained Resolution 25-01.

Managing Director Matt Kurues of Crow Holdings Industrial explained Crow Holdings Development's business relationship with the Town of Merrillville, development of buildings, zoning, and tax abatements.

Clerk-Treasurer Eric January commented that the Town of Merrillville will get more revenue with this agreement.

**Public Comments**:

- Randy Palmateer Building Manager for Northwestern Indiana Building and Construction Trades Council voiced his concerns regarding the opposition against Resolution 24-01 and his support for it.

- Pablo Payan of Merrillville Indiana voiced his concerns regarding the use of tax abatements.

- Bryor Mesarch of Merrillville Indiana voiced his concerns regarding TIF Zones, tax abatements, statement of benefits (SB1), and community programs.

- Phil Schneider, Research Librarian, reported on tax abatement from his research he completed for the Merrillville Change Agency.

- Chris Holtz of Merrillville Indiana voiced his concerns regarding tax abatements, TIF Zones, quality of life for Merrillville residents, and historical sites in Merrillville.

  Councilor Pettit informed the council and residents that Crow Holdings gave the Town of Merrillville $350,000.00 as part of Silos at Sanders Farms which was given to the Fire Department for new radios. Crow Holdings has also committed to purchasing a truck for the Public Works (Street Department).

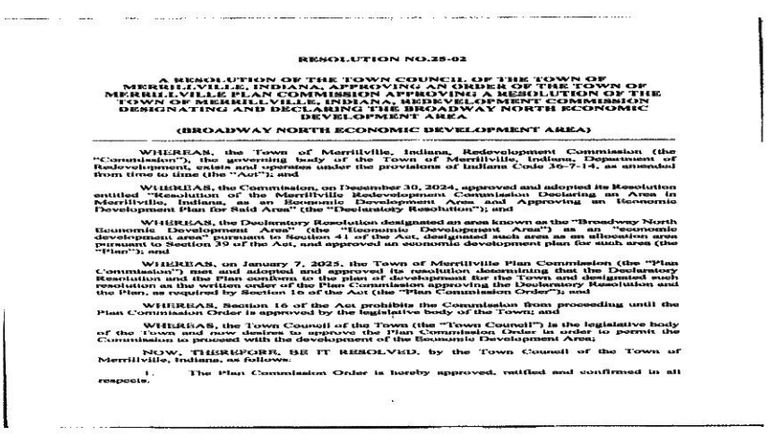
**It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Resolution 25-01.**

**Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac Shawn Pettit, Keesha**

**Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The resolution was approved.**

2. **Resolutions 25-02 (Discussion and Voice Vote**
A Resolution Of The Town Council Of The Town Of Merrillville, Indiana, Approving An Order Of The Town Of Merrillville Plan Commission Approving A Resolution Of The Town Of Merrillville, Indiana, Redevelopment Commission Designating and Declaring The Broadway North Economic Development Area (Broadway North Economic Development Area).

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RESOLUTION NO.25-02

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, INDIANA, APPROVING AN ORDER OF THE TOWN OF MERRILLVILLE PLAN COMMISSION APPROVING A RESOLUTION OF THE TOWN OF MERRILLVILLE, INDIANA, REDEVELOPMENT COMMISSION DESIGNATING AND DECLARING THE BROADWAY NORTH ECONOMIC DEVELOPMENT AREA

(BROADWAY NORTH ECONOMIC DEVELOPMENT AREA)

WHEREAS, the Town of Merrillville, Indiana, Redevelopment Commission (the "Commission"), the governing body of the Town of Merrillville, Indiana, Department of Redevelopment, exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission, on December 30, 2024, approved and adopted its Resolution entitled "Resolution of the Merrillville Redevelopment Commission Declaring an Area in Merrillville, Indiana, as an Economic Development Area and Approving an Economic Development Plan for Said Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution designated an area known as the "Broadway North Economic Development Area" (the "Economic Development Area") as an "economic development area" pursuant to Section 41 of the Act, designated such area as an allocation area pursuant to Section 39 of the Act, and approved an economic development plan for such area (the "Plan"); and

WHEREAS, on January 7, 2025, the Town of Merrillville Plan Commission (the "Plan Commission") met and adopted and approved its resolution determining that the Declaratory Resolution and the Plan conform to the plan of development for the Town and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolution and the Plan, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the Town; and

WHEREAS, the Town Council of the Town (the "Town Council") is the legislative body of the Town and now desires to approve the Plan Commission Order in order to permit the Commission to proceed with the development of the Economic Development Area;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Merrillville, Indiana, as follows:

1. The Plan Commission Order is hereby approved, ratified and confirmed in all respects.

Town Manager Griffin explained Resolution 25-02.

**It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Resolution 25-02.**

Councilor Pettit reminded the council and audience that this resolution and subsequent resolutions will go back to the Redevelopment Commission, a legal notice will be published, and a public hearing will be held at the Redevelopment Commission Meeting on Tuesday, January 28th at 6:00 p.m.

**Upon a voice vote, the motion passed. The resolution was approved.**

3. **Resolutions 25-03 (Discussion and Voice Vote**

**A Resolution Of The Town Council Of The Town Of Merrillville, Indiana, Approving An Order Of The Town Of Merrillville Plan Commission Approving A Resolution Of The Town Of Merrillville, Indiana, Redevelopment Commission Designating and Declaring The Mississippi Crow Economic Development Area (Mississippi Crow Economic Development Area)**

**RESOLUTION NO. 25-03**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, INDIANA, APPROVING AN ORDER OF THE TOWN OF MERRILLVILLE PLAN COMMISSION APPROVING A RESOLUTION OF THE TOWN OF MERRILLVILLE, INDIANA, REDEVELOPMENT COMMISSION DESIGNATING AND DECLARING THE MISSISSIPPI CROW ECONOMIC DEVELOPMENT AREA**

**(MISSISSIPPI CROW ECONOMIC DEVELOPMENT AREA)**

WHEREAS, the Town of Merrillville, Indiana, Redevelopment Commission (the "Commission"), the governing body of the Town of Merrillville, Indiana, Department of Redevelopment, exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission, on December 30, 2024, approved and adopted its Resolution entitled "Resolution of the Merrillville Redevelopment Commission Declaring an Area in Merrillville, Indiana, as an Economic Development Area and Approving an Economic Development Plan for Said Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution designated an area known as the "Mississippi Crow Economic Development Area" (the "Economic Development Area") as an "economic development area" pursuant to Section 41 of the Act, designated such area as an allocation area pursuant to Section 39 of the Act, and approved an economic development plan for such area (the "Plan"); and

WHEREAS, on January 7, 2025, the Town of Merrillville Plan Commission (the "Plan Commission") met and adopted and approved its resolution determining that the Declaratory Resolution and the Plan conform to the plan of development for the Town and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolution and the Plan, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the Town; and

WHEREAS, the Town Council of the Town (the "Town Council") is the legislative body of the Town and now desires to approve the Plan Commission Order in order to permit the Commission to proceed with the development of the Economic Development Area;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Merrillville, Indiana, as follows:

1. The Plan Commission Order is hereby approved, ratified and confirmed in all respects.

[redacted]

**It was moved by Councilor Pettit and seconded by Vice-President Neal to approve Resolution 25-03**

**Upon a voice vote, the motion passed. The resolution was approved.**

4. **Resolution 25-04 (Discussion and Voice Vote**

**A Resolution Of The Town Council Of The Town Of Merrillville, Indiana, Approving An Order Of The Town Of Merrillville Plan Commission Approving A Resolution Of The Town Of Merrillville, Indiana, Redevelopment Commission Designating and Declaring The Silos East Economic Development Area.**

**RESOLUTION NO. 25-04**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, INDIANA, APPROVING AN ORDER OF THE TOWN OF MERRILLVILLE PLAN COMMISSION APPROVING A RESOLUTION OF THE TOWN OF MERRILLVILLE, INDIANA, REDEVELOPMENT COMMISSION DESIGNATING AND DECLARING THE SILOS EAST ECONOMIC DEVELOPMENT AREA**

**(SILOS EAST ECONOMIC DEVELOPMENT AREA)**

WHEREAS, the Town of Merrillville, Indiana, Redevelopment Commission (the "Commission"), the governing body of the Town of Merrillville, Indiana, Department of Redevelopment, exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission, on December 30, 2024, approved and adopted its Resolution entitled "Resolution of the Merrillville Redevelopment Commission Declaring an Area in Merrillville, Indiana, as an Economic Development Area and Approving an Economic Development Plan for Said Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution designated an area known as the "Silos East Economic Development Area" (the "Economic Development Area") as an "economic development area" pursuant to Section 41 of the Act, designated such area as an allocation area pursuant to Section 39 of the Act, and approved an economic development plan for such area (the "Plan"); and

WHEREAS, on January 7, 2025, the Town of Merrillville Plan Commission (the "Plan Commission") met and adopted and approved its resolution determining that the Declaratory Resolution and the Plan conform to the plan of development for the Town and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolution and the Plan, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the Town; and

WHEREAS, the Town Council of the Town (the "Town Council") is the legislative body of the Town and now desires to approve the Plan Commission Order in order to permit the Commission to proceed with the development of the Economic Development Area;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Merrillville, Indiana, as follows:

1. The Plan Commission Order is hereby approved, ratified and confirmed in all respects.

2. The determination that the Economic Development Area constitutes an "economic development area" under the Act is hereby approved pursuant to the Act.

3. This Resolution shall be in full force and effect from and after its passage by the Town Council.

**ALL OF WHICH IS PASSED AND ADOPTED THIS __ DAY OF _____, 2025, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.**

**TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TOWN COUNCIL**

**It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve Resolution 25-04.**

**Upon a voice vote, the motion passed. Resolution 25-04 was approved.**

5. **<u>Resolution 25-05 (Discussion and Voice Vote</u>**
**A Resolution Of The Town Council Of The Town Of Merrillville, Indiana, Approving An Order Of The Town Of Merrillville Plan Commission Approving A Resolution Of The Town Of Merrillville, Indiana, Redevelopment Commission Designating and Declaring The Liberty Estates West Economic Development Area (Liberty Estates West Economic Development Area)**

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**RESOLUTION NO. 25-05**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, INDIANA, APPROVING AN ORDER OF THE TOWN OF MERRILLVILLE PLAN COMMISSION APPROVING A RESOLUTION OF THE TOWN OF MERRILLVILLE, INDIANA, REDEVELOPMENT COMMISSION DESIGNATING AND DECLARING THE LIBERTY ESTATES WEST ECONOMIC DEVELOPMENT AREA**

**(LIBERTY ESTATES WEST ECONOMIC DEVELOPMENT AREA)**

WHEREAS, the Town of Merrillville, Indiana, Redevelopment Commission (the "Commission"), the governing body of the Town of Merrillville, Indiana, Department of Redevelopment, exists and operates under the provisions of Indiana Code 36-7-14, as amended from time to time (the "Act"); and

WHEREAS, the Commission, on December 30, 2024, approved and adopted its Resolution entitled "Resolution of the Merrillville Redevelopment Commission Declaring an Area in Merrillville, Indiana, as an Economic Development Area and Approving an Economic Development Plan for Said Area" (the "Declaratory Resolution"); and

WHEREAS, the Declaratory Resolution designated an area known as the "Liberty Estates West Economic Development Area" (the "Economic Development Area") as an "economic development area" pursuant to Section 41 of the Act, designated such area as an allocation area pursuant to Section 39 of the Act, and approved an economic development plan for such area (the "Plan"); and

WHEREAS, on January 7, 2025, the Town of Merrillville Plan Commission (the "Plan Commission") met and adopted and approved its resolution determining that the Declaratory Resolution and the Plan conform to the plan of development for the Town and designated such resolution as the written order of the Plan Commission approving the Declaratory Resolution and the Plan, as required by Section 16 of the Act (the "Plan Commission Order"); and

WHEREAS, Section 16 of the Act prohibits the Commission from proceeding until the Plan Commission Order is approved by the legislative body of the Town; and

WHEREAS, the Town Council of the Town (the "Town Council") is the legislative body of the Town and now desires to approve the Plan Commission Order in order to permit the Commission to proceed with the development of the Economic Development Area;

NOW, THEREFORE, BE IT RESOLVED, by the Town Council of the Town of Merrillville, Indiana, as follows:

1. The Plan Commission Order is hereby approved, ratified and confirmed in all respects.

2. The determination that the Economic Development Area constitutes an "economic development area" under the Act is hereby approved pursuant to the Act.

3. This Resolution shall be in full force and effect from and after its passage by the Town Council.

**ALL OF WHICH IS PASSED AND ADOPTED THIS __ DAY OF _____, 2025, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.**

**TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TOWN COUNCIL**

**It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve Resolution 25-05.**

**Upon a voice vote, the motion passed. Resolution 25-05 was approved.**

6. **<u>Resolution 25-06 (Discussion and Voice Vote</u>**
**An Exigent Resolution Providing For The Transfer of Appropriation Balances From And Among Major Budget Classifications In The Police Department And In The Parks Department In The General Fund As Requested By The Proper Officer And Forward To The Town Council For Its Action Pursuant To I.C. 6-1.1-18-6, Retroactive To December 31, 2024.**

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**RESOLUTION No. 25- 06**
**TOWN OF MERRILLVILLE, INDIANA**

**AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the POLICE DEPARTMENT and in the PARKS DEPARTMENT in the GENERAL FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO I.C. 6-1.1-18-6, retroactive to December 31, 2024.**

**WHEREAS,** It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the Police Department and the Parks Department in the GENERAL Fund; and

WHEREAS, The need revealed itself as the year-end processing was occurring and due to the calendar, the Council is only now able to address the need; and

WHEREAS, The Council is aware that the Bookkeeper has not yet closed the books for 2024 and wishes this transfer posting occur as of December 31, 2024, in order to be effective in the 2024 budget year.

**NOW, THEREFORE BE IT RESOLVED** by the Town Council of the Town of Merrillville, Lake County, Indiana, as follows:

**Section 1.** That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred and posted as of December 31, 2024, unless otherwise stipulated by law;

**Section 2.** That it has been shown that certain existing unobligated appropriations of the Police Department of the GENERAL Fund, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to another category of appropriation in order to satisfy an existing need:

| **Decrease:** | | |
|---|---|---|
| 1101.005.211 | General/Stationary | $ 1,376.00 |
| 1101.005.212 | General/Office Supplies | 1,432.00 |
| 1101.005.213 | General/Postage | 353.00 |
| 1101.005.214 | General/Official Rcds. | 2,895.00 |
| 1101.005.222 | General/Tires | 4,796.00 |
| 1101.005.241 | General/B of I Supplies | 2,094.00 |
| 1101.005.243 | General/Other Supplies | 3,903.00 |
| 1101.005.321 | General/Freight | 2,675.00 |
| 1101.005.361 | General/Repairs to Eqpt | 2,999.00 |
| 1101.005.390 | General/Clothing | 5,402.00 |
| 1101.005.393 | General/Hdwe/Software | $ 6,900.00 |
| | **Total Decrease:** | **$ 34,825.00** |

| **Increase:** | | |
|---|---|---|
| 1101.005.187 | General/ Overtime | $ 34,825.00 |
| | **Total Increase:** | **$ 34,825.00** |

**Section 3.** That it has been shown that certain existing unobligated appropriations of the Parks Department of the GENERAL FUND, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to another category of appropriation in order to satisfy an existing need:

| **Decrease:** | | |
|---|---|---|
| 2211.010.243 | PNR/Janitorial Supplies | $ 282.00 |
| | **Total Decrease:** | **$ 282.00** |

| **Increase:** | | |
|---|---|---|
| 2211.010.333 | PNR/Marketing & Advertising | $ 140.00 |
| 2211.010.399 | PNR/Bldg Repair & Maint. | $ 142.00 |
| | **Total Increase:** | **$ 282.00** |

**DULY RESOLVED and ADOPTED** by the TOWN COUNCIL of the TOWN of MERRILLVILLE, LAKE COUNTY, INDIANA, this 14TH day of JANUARY, 2025.

**TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA**

Town Manager Griffin explained Resolution 25-06.

**It was moved by Councilor Uzelac and seconded by Councilor Haynes-Edwards to approve Resolution 25-06.**

**Upon a voice vote, the motion passed. Resolution 25-06 was approved.**

7. **Resolution 25-07 (Discussion and Voice Vote)**
**A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code to Support Cash Flow in the Redevelopment General Fund.**

**TOWN of MERRILLVILLE**
**RESOLUTION NO. 25-07**

**A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE TO SUPPORT CASH FLOW IN THE REDEVELOPMENT GENERAL FUND**

**Whereas,** The Clerk-Treasurer, in consultation with the Town Manager, has advised the Town Council that cash balance in the Redevelopment General Fund is not sufficient to meet its regular expenses prior to the receipt of the semi-annual distribution of tax levy revenues, so it has become necessary to temporary borrow money under the provisions of IC 36-1-8-4(a) to enhance the fund for cash flow purposes;

**Whereas,** The Clerk-Treasurer has advised that there is sufficient money on deposit to the credit of the Corporation General Fund that can be temporarily transferred; and

**Whereas,** I.C. 36-1-8-4 provides that the fiscal body of a political subdivision, may, by ordinance or resolution, permit the transfer of a prescribed amount, for a specific period, to a fund for cash flow purposes.

**Now, Therefore Be it Resolved** by the Town Council of the Town of Merrillville, Lake County, Indiana as follows:

**Section 1.** That the amount of $115,000 be borrowed for the Redevelopment General Fund (2216) with the amount of $115,000 to be loaned by the Corporation General Fund (1101).

**Section 2.** That said loan in the amount of $115,000 be repaid to the Corporation General Fund (1101) of the Town of Merrillville upon receipt of sufficient tax levy revenues or other monies in the Redevelopment General Fund (2216) with such loan to be repaid no later than December 31, 2025, subject to IC 36-1-8-4(a).

**Duly Passed and Adopted by** the Town Council of the Town of Merrillville, Lake County, Indiana, this 14th day of January, 2025.

**TOWN of MERRILLVILLE,**
**LAKE COUNTY, INDIANA**

Town Manager Griffin explained Resolution 25-07.

**It was moved by Councilor Uzelac and seconded by Vice-President Neal to approve Resolution 25-07.**

**Upon a voice vote, the motion passed. Resolution 25-07 was approved.**

*C.* **BZA & LARGE GATHERING ACTIONS: NONE**

**OLD BUSINESS :**

***NONE***

**NEW BUSINESS:**
***NONE***

**PUBLIC COMMENTS:**

1. Elizabeth Scott of Merrillville Indiana voiced her concerns regarding the lack of communication between the council and residents, questions, and answers sessions with the council.

2. Sabine Miller of Merrillville Indiana voiced her concerns regarding snowmobiles driving through residential neighborhoods.

3. Samuel Payan of Merrillville Indiana voiced her concerns regarding tax abatements and ethics boards.

4. Pablo Payan of Merrillville Indiana voiced his concerns regarding the First Amendment and Public Comments.

5. Bryor Mesarch of Merrillville Indiana voiced his concerns regarding ADA Compliance, questions, and answers sessions, and coming together on one accord to be a better community.

6. Joe Burger of Merrillville, Indiana voiced his concerns regarding abandoned and blithe properties.

**ANNOUNCEMENTS**

The Town Council President announced the following:

- Town Council Meeting Tuesday, January 28th at 6:30 p.m.
- RDC Meeting January 28th at 6:00 p.m.

**ADJOURNMENT**

Having completed all items on the agenda, the Town Council President announced the meeting adjourned at 8:05 p.m.

***Rick Bella, Town Council President***

***Eric O. January, Clerk-Treasurer***

**Respectfully Submitted By Angela Lewis**