Town Council of Merrillville
7820 Broadway Ave - Merrillville, IN 46410
Town Council Meeting Minutes of the Regular Meeting of
May 13, 2025, 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, Margaret Uzelac, Shawn Pettit, Keesha Hardaway, and Rick Bella. Councilor Leona Chandler-Felton was absent. Clerk-Treasurer Eric January was present to memorialize the proceedings. A quorum was attained.

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS*: NONE*

PUBLIC HEARING: *NONE*

MOTIONS ON THE TABLE: *NONE*

CONSENT AGENDA:

- Accounts Payable Register Voucher Approval for May 13, 2025
- ARPA Accts. Payable Register Voucher Approval for May 13, 2025
- Approval of Town Council Meeting Minutes April 22, 2025
- Approval of Town Council Affairs Meeting Minutes May 6, 2025
- Request for Fee Waiver Neal Family Football Camp

TOWN of MERRILLVILLE
Office of the Town Administration

Date: Tuesday, May 13, 2025

Hon. Rick Bella, President and the Merrillville Town Council
Merrillville Parks and Recreation Authority (MMC Sec. 13.6-1)
7920 Broadway Ave
Merrillville, Indiana 46410

Re: Request of a Waiver of Charges for use of Facilities for NEAL GROUP for the ANNUAL FREE COMMUNITY GIVE BACK FOOTBALL CAMP.

Dear Mr. President and Members of the Town Council:

Hello. I hope this arrives to find you all doing well. I ask your consideration and favor to approve the following:

I am writing to seek the waiver of charges for the use as described in the subject line at the Dean and Barbara White Community Center Weiss Field on Sunday, July 6, 2025, from 7:00 a.m. to 6:00 p.m.

This is an annual volunteer effort by a family that gives back to Merrillville. Further no fees are charged for young people to participate. . The cost of use was forgone in the amount of $287.50 recommend for the forgoing reasons your favor and approval of the waiver.

This matter is placed before the Town Council in its role as the Park Authority. I ask that a waiver be granted for this use.

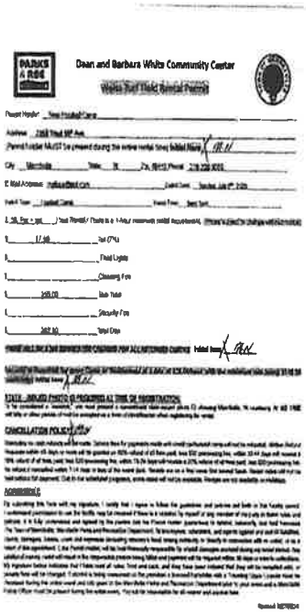
Thank you.

Sincerely,

Michael W. Griffin, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO
Town Manager

Attachment: Weiss Turf Field Rental Permit 2025

7920 Broadway Avenue, Merrillville, IN 46410



PARKS ARE ESSENTIAL

Dean and Barbara White Community Center

Weiss Turf Field Rental Permit

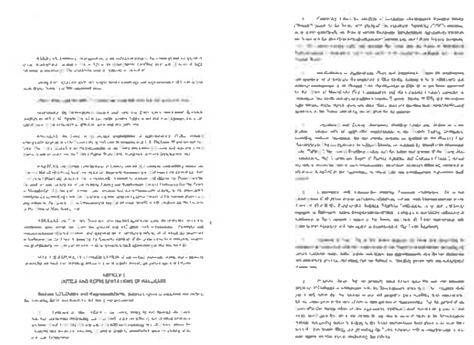


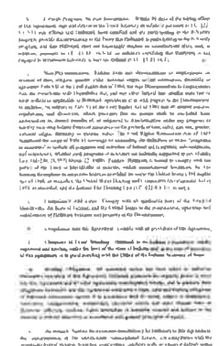


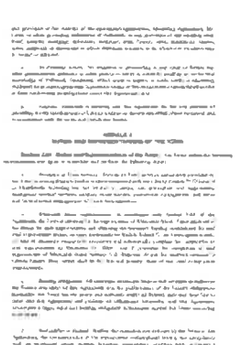
- Development Agreement with Hallmark Approval



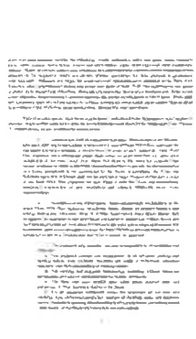
AMENDMENT AND COMPLETE RESTATEMENT OF DEVELOPMENT AGREEMENT

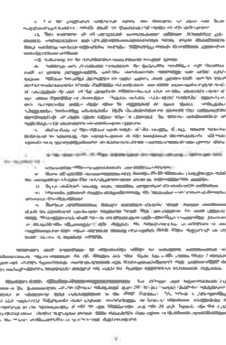


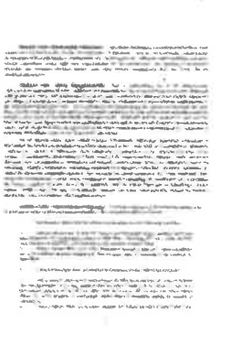












and (b) at each internal entrance for each Phase.

c. Monument signs shall be allowed at: (1) all four corners adjacent to the Town designed roundabout entrance to both Liberty Estates East and Liberty Estates West; (2) all entrances into any RS District, (3) internal developer specific project phases as may be necessary per developer requirements to create project specific identity. Wayfinding monument signs (depicted as 2.1; 2.2; 2.3; 2.4) may be similar as illustrated and as generally located in the attached Exhibit D. Phase 3 monument signage shall be permitted at the southeast corner of 84th Place and Whitcomb Street with its design based on the end users requirements and generally located per the attached Exhibit D. 2.4 sign proposed as a Town Developer shared wayfinding sign for future park and Liberty West. Phase 7 monument signage shall be permitted at the roundabout, with its design based on the end users requirements and generally located per the attached Exhibit D.

d. Pylon Signs shall be allowed at the approved entrance of Phase 6 at Whitcomb Street and 86th Avenue) per the approximate location, size and similar to the illustrated signs shown in Exhibit D

e. Town installed wayfinding (directional approach signs) shall be placed in the ROW to the north and south of the roundabout to custom and inform motorists as to the improvements related to the development ahead and through the roundabout. Locations and style similar in design as illustrated in the attached Exhibit D.

Section 3.07. Perimeter Yards.

i. The rear yard setbacks along lots 1-25; 54-61; 102-117 shall be twenty (20) feet, and

ii. The side yard setbacks along lots 45, 46, 49, 50, 53, 54 shall be five (5) feet.

Section 3.08. Parks and Recreation Infrastructure Impact Fee. As part of the PUD Development Plan for Liberty Estates West, Hallmark has proposed and plans for the donation of land necessary for the creation of a twenty (20) acre public park, which park will be directly accessible from Whitcomb Street and shall be known as Liberty Estates Park. The Town acknowledges that said donation of land and the creation of said park will have a significant positive impact on the Town's parks system. In order to support the timely improvement and development of said Liberty Estates Park, the Town and Hallmark agree that a fixed percentage of the total amount of all Park and Recreation Infrastructure Impact Fees collected by the Town from the development within Liberty Estates PUD following the date of this Agreement shall be specifically applied by the Town and used, in accordance with applicable Town Code Section 9-302, for the payment of the capital costs of new park and recreation infrastructure for Liberty Estates Park. Accordingly, the Town and Hallmark agree that seventy-five percent (75%) of all collected Impact Fees from permits issued for construction within the Liberty Estates PUD shall be directly allocated and utilized by the Town for the payment of the capital costs of new park and recreation infrastructure for Liberty Estates Park.

Lunar Homes, Inc., as the primary building entity of residential construction for Hallmark Development, Inc. at Liberty Estates PUD (East and West) hereby agrees to continue paying a contribution to the Monticello town parks upon issuance of each residential permit in 2025, even during the period of time that the Town's Impact Fee may be capped in fiscal 2025. Said contribution will be paid at the time a residential permit is approved and is to be applied to the Monticello town parks. The amount of said contribution shall be equal to the same historical amount Lunar has been paying as an Impact Fee.

ARTICLE 4
LAND USE MATTERS

Section 4.01. Zoning. Zoning for the Development is Planned Unit Development known as the Recreational Unknown Space District (R-U-S District) as approved by the Monticello Plan Commission and the Monticello Council in Ordinance No. 22-06, and any amendments thereto (the "Ordinance"). Zoning classifications within the R-U-S District shall be as approved within Final PUD Plan approvals.

Section 4.02. Land Use Covenants. The Development will be governed by the Ordinance adopted by the Town Council, in addition to any restrictive covenants required or approved by the Town Plan Commission.

ARTICLE 5
RESTRICTIONS ON TAX ABATEMENT AND TAX DISCLAIMERS

Section 5.01. Tax Abatement and Tax Deduction Not Allowed. In the event any portion of the Development is foreclosed upon by a grantee of the developer, lender for real estate within the Development, the Town agrees that for the duration of the repayment of the bonds or other financing mechanism for the TIF revenues were pledged, the Town shall not grant any abatements or deduction of taxes assessments in the TIF revenues and taxes for the stated term of the abatement, development bond fees expired.

ARTICLE 6
ENFORCEMENT

Section 6.01. Enforcement. The provisions of this Agreement may be enforced to enjoin the Town or Hallmark through law and all remedies available at law or in equity. In the event of such litigation, however, in seeking the Parties regarding or alleged breach of this Agreement, the prevailing party will be entitled to recover its reasonable attorney fees and expenses of litigation.

ARTICLE 7
OTHER PROVISIONS

Section 7.01. Waivers; Consents. Hallmark acknowledges and agrees that its agreements to perform and refrain from performance in this Agreement are material considerations for the commitments of the Town to perform and refrain from performance obligations contained in this Agreement.

Section 7.02. Cooperation. In the event of any administrative, legal or equitable action or other proceeding instituted by any person not a party to this Agreement challenging the validity of any provision thereof, the Parties shall cooperate in defending such action or proceeding to settlement or final judgment including all appeals. Each Party shall select its own legal counsel and retain such counsel at its own expense, and in the event shall the Town be required to bear the fees and costs of Hallmark's attorneys, nor shall Hallmark be required to bear the fees and costs of the Town's attorneys. The Parties agree that this Section 7.02 shall constitute a separate agreement should any other provision of this Agreement, or this Agreement in its entirety, be declared invalid, unenforceable or void by a court of competent jurisdiction, the Parties agree to be bound by the terms of this Section, which shall survive such invalidation or unenforceability.

Section 7.03. No Agency, Joint Venture or Partnership. It is specifically understood and agreed to by and between the Parties that the Project is a private development. The Town and Hallmark hereby acknowledge the existence of any duties or agency relationships, joint venture or partnership between them and agree that nothing contained herein or in any instrument executed in connection herewith shall be construed as creating any such relationship between the Parties.

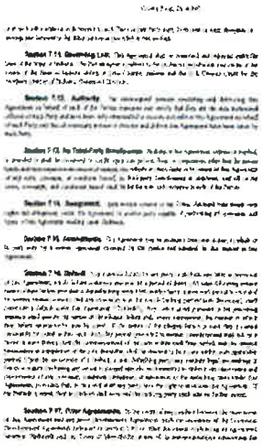
Section 7.04. Conflict of Interest; Representations of Town. No member, official, or employee of the Town shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official, or employee participate in any decision relating to this Agreement which affects his/her personal interests or the interests of any corporation, partnership, or association in which he or she is directly or indirectly interested. No member, official, or employee of the Town shall be personally liable to Hallmark or to any successor in interest, in the event of any default or breach by the Town or for any amount which may become due to Hallmark or their successors or assigns, or any obligations under the terms of the Agreement. No current officer, shareholder, employee, or agent of Hallmark or Hallmark's successors shall be personally liable to the Town or to each other under this Agreement.

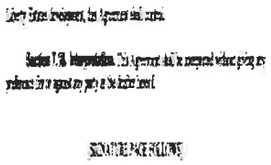
Section 7.05. Future Acts and Good Faith. The Parties acknowledge and understand that the Parties must take future actions to implement and construct their respective obligations under this Agreement, and the terms of the representations, performances of the covenants, and agreements of the Town are subject to and contingent upon compliance with and compliance of applicable statutory and administrative procedures, including, without limitation, any applicable public notice and public hearing requirements, official actions by governing bodies, and any administrative and appeal rights. Subject to compliance with and in the future manner permissible by applicable laws for such statutory and administrative procedures and the use best efforts to do all things reasonably within its power, in order that future actions may be timely with all applicable statutory and administrative requirements in such form and in such manner as is reasonable and acceptable for the purposes and goals of this Agreement to the extent consistent or reasonable with the time limits set forth herein, law and the ordinance.

Section 7.06. Waiver of Jury Trial. The Parties acknowledge that Indiana statute state this Agreement are subject to numerous and many duties and obligations that are contingent upon the same third party, or possibly arising out of the Agreement. This waiver applies to all claims against all parties in such actions and proceedings. This waiver is knowingly, intentionally and voluntarily made by all parties.

Section 7.07. Severability. If any one or more such one of the provisions, terms or conditions of this Agreement should be determined by a court of competent jurisdiction to be







It was moved by Councilor Pettit and seconded by Councilor Uzelac 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.

STREET DEPARTMENT & PARK MAINTENANCE - UZELAC– Councilor Uzelac reported the following:

- **Local Parks** – The local parks in the Town of Merrillville are being mowed and maintained.
- **Crack Sealing** – The cracks are being sealed throughout the Town of Merrillville.
- **Street Sweeping**– Street Sweepers are still cleaning the main roads and subdivisions.

President Bella requested an update regarding the neighborhood Paving Projects. Director Steve King responded that the project is almost completed south of US 30. The landscaping is in process. The only two locations that are ongoing are Harms Road and 101st, which are part of the Community Crossing. Director King informed the council that he would have an update on curbs and asphalt at the next council meeting.

President Bella asked about car removal problems encountered with residents during the paving project. Director Steve King responded that the contractor has not reported any problems.

COUNCIL AFFAIRS—PETTIT—Councilor Pettit reported that a Council Affairs Committee meeting was held last week. The committee reviewed seven ordinances, three of which are listed on tonight's agenda under general orders. The remaining four will be on the next council workshop's agenda, scheduled for May 21st.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway reported that there is a job opening for a Park Crew Maintenance position. The position is posted on the Town's website at www.merrillville.in.gov/departments/human_resources and indeed.com. The position will close on May 20th. If

you are interested or know of someone who meets the qualification requirements, please do not hesitate to apply.

ENVIRONMENTAL AFFAIRS- UZELAC – Councilor Uzelac reported that chemical treatment has been added to Bon Aire Lake and several retention ponds to reduce algae. This was done by the Merrillville Stormwater Management.

PUBLIC SAFETY- HARDAWAY- Councilor Hardaway had nothing to report.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Vice-President Neal reported that the final designs for the Gateway and Parks signs are finished. The committee met on Monday, May 12th, and had a couple of minor changes to the design that were passed out to you. The early locations for signs are Stefek Park (Park Sign), and the 93rd Merrillville Road Northeast Corner (Gateway Sign).

Vice-President Neal asked Director Steve King to give an update on beautification.

Director Steve King reported the following:

- **Plants**– The plants are blooming, and Content Manager Chas Reilly posted an article and pictures on the Town's website at https://www.merrillville.in.gov/news_detail_T27_R434.php

- **Hanging Basket –** The hanging baskets have been delivered, and next week the planting will increase throughout the Town.

Vice-President Neal and Director King also added that the Town saved money by doing the gardening for the Town of Merrillville.

ECONOMIC DEVELOPMENT-PETTIT – Councilor Pettit reported that two weeks from tonight, there will be a Redevelopment Authority (RDA) and a standing Redevelopment Commission (RDC) meeting to approve claims. One week ago, an organizational RDA meeting was held, which is required by statute. At the meeting, we elected officers, and resolutions will be forthcoming to fund the following:

- Whitcomb Street Project
- Merrillville Fire Station Project
- Phase II of the Ones and Twos Pavement Project

There are going to be three resolutions: RDA, and a Town Council Resolution. After the resolutions are approved then the bonds are out for sale, we are anticipating closing by the end of June or the middle of July.

Upon a question from President Bella regarding explaining the RDA and RDC, Councilor Pettit responded by explaining the following to the public:

- Redevelopment Commission (RDC) – The RDC is made up of five council members, including Councilor Pettit as the President which, oversee the allocation areas projects.
- Redevelopment Authority (RDA) - The RDA has leasing authority.

Councilor Pettit also added that all the Town's right-of-way will be under control of the RDA for future pavement maintenance.

UTILITY LIAISON –CHANDLER-FELTON – Councilor Chandler-Felton was absent.

PARKS AND DEAN & BARBARA WHITE COMMUNITY CENTER - PETTIT – Councilor Pettit reported that the next committee meeting is on Thursday, May 22nd at 5:00 p.m. at the Dean and Barbara White Community Center.

Councilor Pettit updated the council on the following.

- **Flooring** – Director McCartney and staff from the Dean and Barbara White Community Center (D&BWCC) visited ICC Flooring Plus to look at samples to replace some of the floors in the Hallway, Commercial Insight, McDonald and two other smaller rooms at the D&BWCC. The general contractor and contract manager are absorbing this cost because of the flooring subcontractor.
- **Review the Projects List in the Adopted 5-Year Master Plan** - We are going to discuss how to implement some of the projects using the Food & Beverage Tax funding and bring it before the council.

SPECIAL COMMITTEES

ABANDONED-BLIGHTED PROPERTIES - HAYNES-EDWARDS & CHANDLER-FELTON– Councilor Haynes-Edward reported the following statistics for April 2025:

- Code Calls Including Follow-ups – 66 Warnings
- Citations – 17
- Current Abandoned Properties Cases – 15
- Blighted Properties - 6

Councilor Haynes-Edwards also encouraged the public to reach out to her, Code Enforcement, or Town Manager Griffin regarding abandoned blighted properties.

SPECIAL TOWN PROJECTS - NEAL – Vice-President Neal reported on the following events:

- **July 4th** – The Fourth of July details are posted on the Town's website at merrillville.in.gov under Town Events.
    - Applications – Applications are still being accepted to participate in this year's parade. The applications are available online at the Town's website or the Town Hall Administration.

    - The parade is going to take place on Friday, July 4th, at 11:00 a.m. This year's parade will have a Sensory Sensitivity Zone (SSZ) where no sirens, loud noises, or other high-volume effects will be prohibited to accommodate residents who are sensitive to loud sounds. The SSZ is going to start on 80th Place between Madison and Broadway. Once the parade passes the SSZ, the parade will commence as usual with high-volume noises. This non-SSZ parade will start at 80th Place, head north to 66th Place on Broadway.

SEMI-QUINCENTENNIAL COMMITTEE - HAYNES-EDWARDS – Councilor Haynes-Edwards reported that starting in June, a committee will be forming for the nation's 250th Anniversary. The committee will be looking for residents and volunteers who would like to serve on the committee.

DEPARTMENT & COMMISSION REPORTS:

STORMWATER MANAGEMENT RESOURCES-LAKE – Director Matthew Lake was absent.

NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – No Report

LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL– No Report

THE SHARED ETHICS ENTITY-HARDAWAY – No Report

FIRE TERRITORY BOARD - NEAL & HARDAWAY – No Report

CLERK-TREASURER OFFICE - JANUARY – Clerk-Treasurer Eric January reported on the following financial statistics for April:

- **Town Budget as of April 30, 2025** - The Town has left 66% of the budget as of April 30, 2025.
- **Payroll Month of April 2025** – The payroll is fine, and no issues were encountered.
- **Cash Ending Balance as of April 30th** (Comprises of Court, Fire Department, General Fund, Obligated & Non-Obligated Funds, Police Department, RDA, Stormwater, and other Funds) - $41,602,939.30.
- **Fiscal State of the Town Address –** The event will take place on June 26th at the Dean and Barbara White Community Center from 6:00 p.m. until 7:00 p.m. Clerk-Treasurer Eric January encouraged the public to attend this event to learn about fiscal matters of the Town of Merrillville.

SSCVA – DEANN PATENA - No Report

DEPARTMENT REPORTS/ TOWN MANAGER:

Director McCartney – Parks Department
Director McCartney reported on the following:

- **Merrillville Park District Security Project** – After-hours activity has been reported to the Parks and Recreation Department. AJ from Next Tech Solutions did a walk-through of the Parks as well as the Dean and Barbara White Community Center. He will be responding with a quote on more cameras to increase security.
- **Youth Football and Basketball** – Registration for basketball will close on Friday, May 16th, and you can register at merrillvilleparks.recdesk.com.
- **Youth-Stained Glass Art Class** – The class will be on May 31st.
- **Adult Line Dancing** - The class will start on Wednesday, May 14th. Registration is still open, and there will be multiple sessions.
- **Senior Workout Program** - Registration is open for this program.
- **Adult and Youth Yoga & Dance Programs** – Registration is still open for these programs under the activity section at merrillvilleparks.recdesk.com.
- **Daddy and Daughter Dance** - June 13th at the Dean and Barbara White Community Center
- **Flooring** –ICC Floors Plus has provided a quote. The quote is higher than TSI, who installed the original floor, quoted to fix the issue with the floors. We are still waiting on a forensic test that Core is running

with TSI before we decide on any repairs. Director McCartney stated he will update the on the result at the next meeting.

Chief Nuses– Police Department
Chief Nuses also reported on the following statistics for March 2025:

- **Calls for Service** – 2,637, which resulted in 4,636 Officer Responses.
- **Extra Patrols** – 257 assigned to Officers.
- **Adult Arrest** – 139 increased by 37%
- **Juvenile Arrest** – 8
- **Traffic Stops** – 384, which resulted in 358 citations issued.
- **Community Night Chat with Merrillville Police Department** – The event will be held at the Dean and Barbara White Community Center on May 22nd from 6:00 p.m. until 8:00 p.m. The Community is invited to this event, and officers from different specialties will be in attendance. There will also be a question-and-answer session at 7:00 p.m.
- **Thank An Officer** – Residents and Businesses can go to the Merrillville Police Department sub-page located at: https://www.merrillville.in.gov/departments/police_department/thank_an_officer.php to thank an Officer.
- **Police Call Box** – Beginning this Friday, May 16th at 4:00 p.m., the front lobby doors of Town Hall will be locked. There will be a call box located at the front of the building that the community can use after hours, Saturdays, and Sundays to contact the Police. The call box also has a video camera system.

Director Shine – Building and Planning
Director Shine reported that she has three BZAs on the agenda.

Director, King Street Department
Director King had nothing to add to the Streets' report.

Town Manager Griffin – Town Administration
Town Manager Griffin reported that the two reports, including the staff report, have been given to the council members and Clerk-Treasurer Eric January under section 2-339.1 of the municipal code.

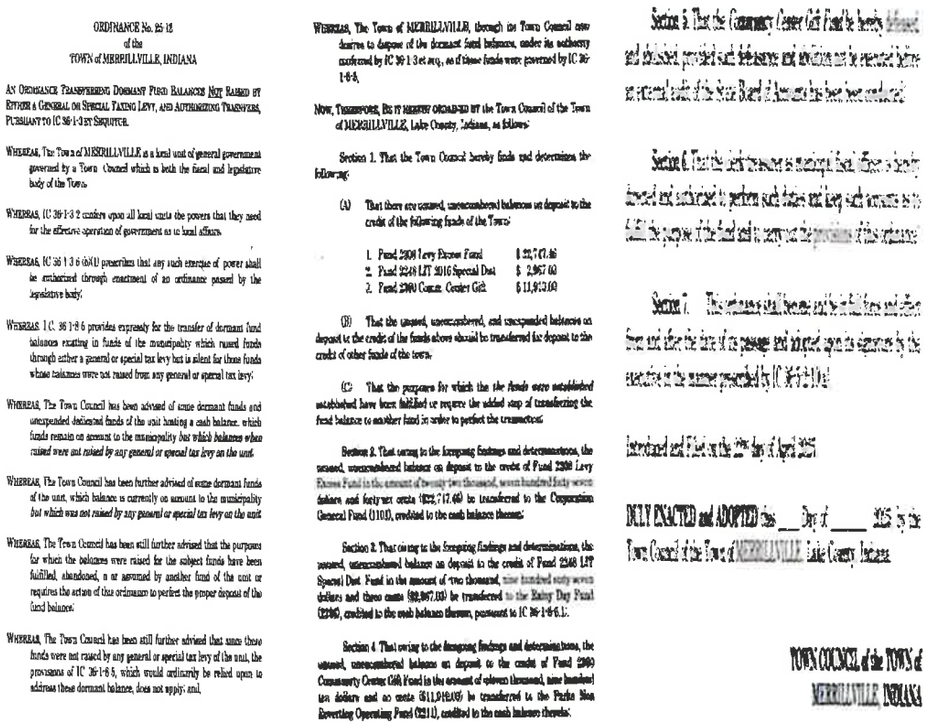
GENERAL ORDERS

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

Zoning: (motion to adopt or reject; confer IC 36-5-2-10(d)

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

1. **Ordinance 25-13 (Discussion & Roll Call Vote)**
   An Ordinance Transferring Dormant Fund Balances Not Raised by Either by a General or Special Taxing, Levy, And Authorizing Transfers, Pursuant to IC 36-1-3 Et Sequitur.



ORDINANCE No. 25-13
of the
TOWN of MERRILLVILLE, INDIANA

AN ORDINANCE TRANSFERRING DORMANT FUND BALANCES NOT RAISED BY EITHER A GENERAL OR SPECIAL TAXING LEVY, AND AUTHORIZING TRANSFERS, PURSUANT TO IC 36-1-3-8 ET SEQUITUR.

WHEREAS, The Town of MERRILLVILLE is a local unit of general government governed by a Town Council which is both the fiscal and legislative body of the Town.

WHEREAS, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs.

WHEREAS, IC 36-1-3-8 (6)(A) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body.

WHEREAS, I.C. 36-1-8-6 provides expressly for the transfer of dormant fund balances existing in funds of the municipality which raised funds through either a general or special tax levy but is silent for those funds whose balances were not raised from any general or special tax levy;

WHEREAS, The Town Council has been advised of some dormant funds and unexpended dedicated funds of the unit having a cash balance, which funds remain on account to the municipality but which balances where *raised were not raised by any general or special tax levy on the unit.*

WHEREAS, The Town Council has been further advised of some dormant funds of the unit, which balance is currently on account to the municipality *but which was not raised by any general or special tax levy on the unit*

WHEREAS, The Town Council has been still further advised that the purposes for which the balances were raised for the subject funds have been fulfilled, abandoned, o or assumed by another fund of the unit or requires the action of this ordinance to perfect the proper deposit of the fund balance.

WHEREAS, The Town Council has been still further advised that since these funds were not raised by any general or special tax levy of the unit, the provisions of IC 36-1-8-5, which would ordinarily be relied upon to address these dormant balance, does not apply; and,

WHEREAS, The Town of MERRILLVILLE, through its Town Council now desires to dispose of the dormant fund balances, under its authority conferred by IC 36-1-3 et seq., as if these funds were governed by IC 36-1-8-5.

NOW, THEREFORE, BE IT HEREBY ORDAINED BY the Town Council of the Town of MERRILLVILLE, Lake County, Indiana, as follows:

Section 1. That the Town Council hereby finds and determines the following:

(A) That there are unused, unencumbered balances on deposit to the credit of the following funds of the Town:

1. Fund 2308 Levy Excess Fund $ 22,717.46
2. Fund 2248 LIT 2016 Special Dist $ 2,967.60
3. Fund 2360 Comm. Center Gift $ 11,912.00

(B) That the unused, unencumbered, and unexpended balances on deposit to the credit of the funds above should be transferred for deposit to the credit of other funds of the town.

(C) That the purposes for which the *the funds* were established established have been fulfilled or require the added step of transferring the fund balance to another fund in order to perfect the transaction.

Section 2. That owing to the foregoing findings and determinations, the unused, unencumbered balance on deposit to the credit of Fund 2308 Levy Excess Fund in the amount of twenty-two thousand, seven hundred sixty-seven dollars and forty-six cents ($22,717.46) be transferred to the Corporation General Fund (1101), credited to the cash balance thereon.

Section 3. That owing to the foregoing findings and determinations, the unused, unencumbered balance on deposit to the credit of Fund 2248 LIT Special Dist. Fund in the amount of two thousand, nine hundred sixty-seven dollars and three cents ($2,967.03) be transferred to the Rainy Day Fund (2290), credited to the cash balance thereon, pursuant to IC 36-1-8-5.1.

Section 4. That owing to the foregoing findings and determinations, the unused, unencumbered balance on deposit to the credit of Fund 2360 Community Center Gift Fund in the amount of eleven thousand, nine hundred ten dollars and no cents ($11,910.00) be transferred to the Parks Non Reverting Operating Fund (2211), credited to the cash balance thereon.

Section 5. That the Controller/Clerk-Treasurer is hereby directed and authorized to perform such duties as are required by law in connection with the transfer of funds as set forth herein.

Section 6. That this ordinance is contingent upon the Lake County Board of Tax Adjustment and State Board of Accounts approving the transfers as set forth herein.

Section 7. This ordinance shall be in full force and effect from and after its passage and signing upon its approval by the executive as in manner prescribed by IC 36-4-7-10.

Introduced and Filed on the 29th day of April 2025

DULY ENACTED and ADOPTED this ___ Day of ____ 2025 by the Town Council of the Town of MERRILLVILLE, Lake County, Indiana.

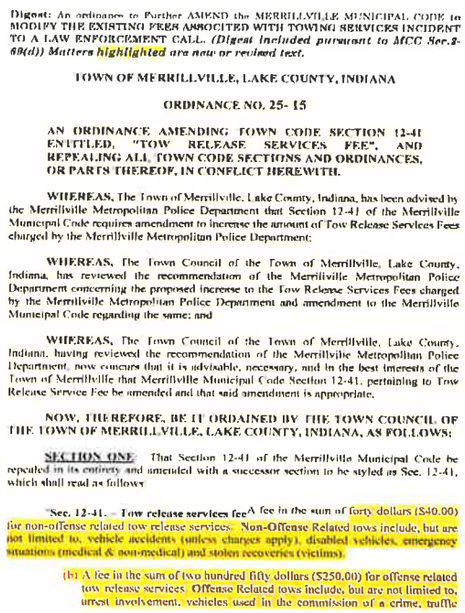
TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve Ordinance 25-13.

Upon a question from President Bella regarding anything to add under discussion, Town Manager Griffin responded that he has nothing to add to the discussion.

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, 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 first reading.

2. **<u>Ordinance 25-15 (Discussion & Roll Call Vote)</u>**
   An Ordinance Amending Town Code Section 12-41 Entitled, "Tow Release Services Fee", And Repealing All Town Code Sections and Ordinances, Or Parts Thereof, In Conflict Herewith



Digest: An ordinance to Further AMEND the MERRILLVILLE MUNICIPAL CODE to MODIFY THE EXISTING FEES ASSOCITED WITH TOWING SERVICES INCIDENT TO A LAW ENFORCEMENT CALL. *(Digest included pursuant to MCC Sec.2-68(d)) Matters highlighted are new or revised text.*

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

ORDINANCE NO. 25- 15

AN ORDINANCE AMENDING TOWN CODE SECTION 12-41 ENTITLED, "TOW RELEASE SERVICES FEE", AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, The Town of Merrillville, Lake County, Indiana, has been advised by the Merrillville Metropolitan Police Department that Section 12-41 of the Merrillville Municipal Code requires amendment to increase the amount of Tow Release Services Fees charged by the Merrillville Metropolitan Police Department;

WHEREAS, The Town Council of the Town of Merrillville, Lake County, Indiana, has reviewed the recommendation of the Merrillville Metropolitan Police Department concerning the proposed increase to the Tow Release Services Fees charged by the Merrillville Metropolitan Police Department and amendment to the Merrillville Municipal Code regarding the same; and

WHEREAS, The Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the recommendation of the Merrillville Metropolitan Police Department, now concurs that it is advisable, necessary, and in the best interests of the Town of Merrillville that Merrillville Municipal Code Section 12-41, pertaining to Tow Release Service Fee be amended and that said amendment is appropriate.

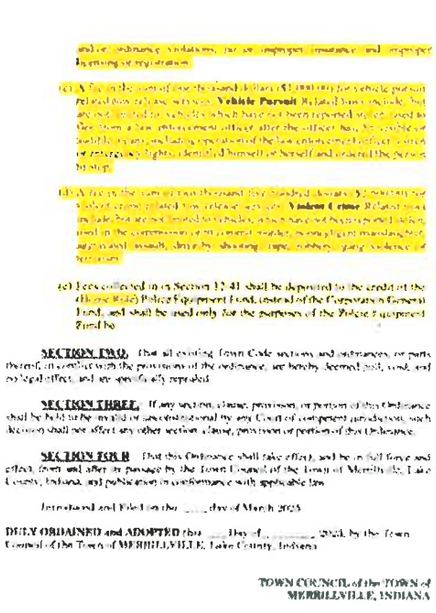
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That Section 12-41 of the Merrillville Municipal Code be repealed in its entirety and amended with a successor section to be styled as Sec. 12-41, which shall read as follows:

"Sec. 12-41. – Tow release services fee.

(a) A fee in the sum of forty dollars ($40.00) for non-offense related tow release services. Non-Offense Related tows include, but are not limited to, vehicle accidents (unless charges apply), disabled vehicles, emergency situations (medical & non-medical) and stolen recoveries (victims).

(b) A fee in the sum of two hundred fifty dollars ($250.00) for offense related tow release services. Offense Related tows include, but are not limited to, arrest involvement, vehicles used in the commission of a crime, traffic



and/or ordinance violations, no car insurance and improper licensing or registration.

(c) A fee in the sum of one thousand dollars ($1,000.00) for vehicle pursuit related tow release services. **Vehicle Pursuit** Related Tows include, but are not limited to, vehicles which have not been reported stolen used by those from a law enforcement officer after the officer has, by visible or audible means, including operation of the officer's motor vehicle, directed the operator of such vehicle to bring the vehicle to a stop.

(d) A fee in the sum of two thousand five hundred dollars ($2,500.00) for vehicle related tow release services. **Violent Crime** Related tows include, but are not limited to, vehicles used in the commission of a violent crime, or any felony involving the use or threat of force, violence, or a weapon, including but not limited to, arson, battery, burglary, child molesting, criminal confinement, criminal recklessness, domestic battery, homicide, kidnapping, rape, robbery, sexual battery, sexual misconduct with a minor, stalking, strangulation, or any attempt or conspiracy to commit any of the foregoing offenses.

(e) Fees collected in Section 12-41 shall be deposited to the credit of the (Merrillville) Police Equipment Fund, (sister) of the Corporation General Fund, and shall be used only for the purposes of the Police Equipment Fund be

SECTION TWO: That all existing Town Code sections and ordinances, or parts thereof, in conflict with the provisions of the ordinance, are hereby deemed null, void, and no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

Introduced and Filed on the ___ day of March 2025

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

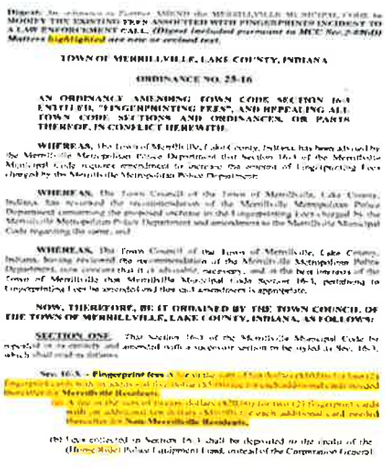
TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve Ordinance 25-15.

Upon a question from President Bella regarding anything to add to the discussion, Chief Nuses responded that the passage of the ordinance will help the Police Department.

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, 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 first reading.

3. **Ordinance 25-16 (Discussion & Roll Call Vote)**
   An Ordinance Amending Town Code Section 13-3 Entitled, "Fingerprinting Fees". And Repealing All Town Code Sections and Ordinances, Or Parts Thereof, In Conflict Herewith.



Digest: An ordinance to Further AMEND the MERRILLVILLE MUNICIPAL CODE to MODIFY THE EXISTING FEES ASSOCITED WITH FINGERPRINTING INCIDENT TO A LAW ENFORCEMENT CALL. *(Digest included pursuant to MCC Sec.2-68(d)) Matters highlighted are new or revised text.*

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

ORDINANCE NO. 25-16

AN ORDINANCE AMENDING TOWN CODE SECTION 16-3 ENTITLED, "FINGERPRINTING FEES", AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, The Town of Merrillville, Lake County, Indiana, has been advised by the Merrillville Metropolitan Police Department that Section 16-3 of the Merrillville Municipal Code requires amendment to increase the amount of Fingerprinting Fees charged by the Merrillville Metropolitan Police Department;

WHEREAS, The Town Council of the Town of Merrillville, Lake County, Indiana, has reviewed the recommendation of the Merrillville Metropolitan Police Department concerning the proposed increase to the Fingerprinting Fees charged by the Merrillville Metropolitan Police Department and amendment to the Merrillville Municipal Code regarding the same; and

WHEREAS, The Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the recommendation of the Merrillville Metropolitan Police Department, now concurs that it is advisable, necessary, and in the best interests of the Town of Merrillville that Merrillville Municipal Code Section 16-3, pertaining to Fingerprinting Fees be amended and that said amendment is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That Section 16-3 of the Merrillville Municipal Code be repealed in its entirety and amended with a successor section to be styled as Sec. 16-3, which shall read as follows:

Sec. 16-3. – Fingerprint fees. A fee in the sum of ten dollars ($10.00) for two (2) Fingerprint cards with an additional fee in the sum of five dollars ($5.00) for each additional card needed thereafter for Merrillville Residents.

(a) A fee in the sum of fifteen dollars ($15.00) for two (2) Fingerprint cards with an additional fee in the sum of five dollars ($5.00) for each additional card needed thereafter for Non-Merrillville Residents.

(b) Fees collected in Section 16-3 shall be deposited to the credit of the (Merrillville) Police Equipment Fund, instead of the Corporation General Fund, and shall be used only for the purposes of the Police Equipment Fund.

SECTION TWO: That all existing Town Code sections and ordinances, or parts thereof, in conflict with the provisions of the ordinance, are hereby deemed null, void, and no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

Reviewed and recommended by the Council Affairs Committee on _____, 2025.

Introduced and Filed on the ___ day of May 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

It was moved by Councilor Uzelac and seconded by Councilor Vice-President Neal to approve Ordinance 25-16.

Upon a question from President Bella regarding anything to add to the discussion, Chief Nuses responded that he has nothing to add to the discussion.

Town Manager Griffin explained the ordinance.

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, 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 first reading.

Second Reading: (Discussion, Public Comments Only If Required & Roll Call Vote): ***NONE***

B. **Resolutions:** ***NONE***

C. **BZA & LARGE GATHERING ACTIONS:**

Petitioner: Frances O'Brien
Owner: John Brown IV
Request: Special Exception Approval
Purpose: To Allow A Daycare Center
Location: 8683 Connecticut Street
Zoning: C-5, Office & Research

Planning and Building Director Shine reported that the ABZA was approved.

Upon a question from President Bella regarding a build-out or existing offices, the Petitioner responded that she is doing a total demolition of the space.

Upon a question from Councilor Uzelac regarding licensing by the State of Indiana, the Petitioner responded that she is licensed at the Schererville location but not the Merrillville location. When she gets approval from the council tonight, then obtain financing from her lender for the demolition and renovation, the State of Indiana will come in to complete an inspection for licensing.

Upon a question from Councilor Pettit regarding remonstration, Director Shine responded that there were no remonstrations at the BZA meeting.

Upon a question from Councilor Pettit regarding meal preparation, the Petitioners responded that the meals will be made onsite, and the kitchen is included in the architectural plans. The county permits from the Schererville location will be transferred to the Merrillville location.

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve the ABZA case number Z9E70425.

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Margaret Uzelac, Shawn Pettit, Keesha Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The ABZA was approved.

Petitioner: Bilal Shalam/Reesha Printing
Owner: Ahmad Ihmud
Request: Variance of Use Approval
Purpose: To Allow an LED Message Center
Location: 1771 West 81st Avenue
Zoning: C-3, Highway Commercial Zoning District

Planning and Building Director Shine reported that the ABZA was approved.

Upon a question from President Bella regarding the location of the sign, the Petitioner responded that the sign will be located on the inside of the property.

Director Shine informed the council that a sign currently exists, but a 4' X 8' LED message center will be added to the bottom of the existing sign.

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

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Margaret Uzelac, Shawn Pettit, Keesha Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The ABZA was approved.

Petitioner: Karma Finance & Holdings
Owner: Dhiren J. Shah
Request: Special Exception Approval
Purpose: To Allow An Interior Addition
Location: 850 West 81st Avenue
Zoning: C-3, Highway Commercial Zoning District

Planning and Building Director Shine reported that the ABZA was approved.

Director Shine explained the Special Exception for an Interior Addition and parking regarding this Petitioner.

Upon a question from President Bella regarding issues with parking, Chief Nuses responded that there have not been any calls or complaints.

Upon a question from Councilor Uzelac regarding alcohol-related problems, Chief Nuses responded that the area is quiet, and no problems have been reported.

It was moved by Councilor Uzelac and seconded by Councilor Haynes-Edwards to approve the ABZA.

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Margaret Uzelac, Shawn Pettit, Keesha Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The ABZA was approved.

OLD BUSINESS :
NONE

NEW BUSINESS:
NONE

PUBLIC COMMENTS:

There were several public comments, and a copy of the video from the Town Council Meeting held on May 13, 2025, has been uploaded on the Town's website at https://www.merrillville.in.gov/government/town_council/town_council_meetings.php.

ANNOUNCEMENTS

The Town Council President announced the following:

- Town Council Meeting Tuesday, May 27th at 6:30 p.m.
- RDC Meeting May 27th at 6:15 p.m.
- Plan Commission Meeting Tuesday, May 20th at 5:30 p.m.
- Neighborhood Meeting Regarding the Whitcomb Street Corridor Tuesday, May 20th at 6:30 p.m.

ADJOURNMENT

Having completed all items on the agenda, the Town Council President announced the meeting adjourned at 7:24 p.m.

~~*Rick Bella,*~~ *Town Council President*
Acting

Eric O. January, Clerk-Treasurer

Respectfully Submitted By Angela Lewis