Town Council of Merrillville
7820 Broadway Ave - Merrillville, IN 46410
Town Council Meeting Minutes of the Regular Meeting of
April 23, 2024 - 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 Dennis Walton of Faith Temple Church.

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

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS

- **April's 2024 Employee of the Month**

  Building Manager Lisa Roberts of the Parks Department and Event Center Manager Barbara Young presented to the council and audience Cheryle Mabon as April's Employee of the Month for the Town of Merrillville. Ms. Mabon received a certificate of recognition and a gift card on behalf of the Town of Merrillville. Building Manager Roberts elaborated on Ms. Mabon's exemplary qualities as an employee at the Parks Department.

PUBLIC HEARING

NONE

CONSENT AGENDA

- Accts. Payable Register Voucher Approval for April 23rd, 2024
- AP Register Summary for ARP Purchases for April 23rd, 2024
- Approval of Town Council Meeting Minutes of April 9th, 2024
- Approval of D&B.W.C.C. Meeting Minutes of April 3rd, 2024
- Approval of ARPA Committee Meeting Minutes of March 6th, 2024
- Approval of ARPA Committee Meeting Minutes of April 4th, 2024
- Approval of Council Affairs Meeting of April 2nd, 2024 (TBD)
- Approval of Public Safety Meeting of April (TBD)

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve the consent agenda.

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

PRESENTATION of DECLARATIONS

- **Arbor Day 2024**

President Bella asked Clerk-Treasurer Eric January to read the following Proclamation into the record:

Town of Merrillville
PROCLAMATION
State of Indiana

ARBOR DAY 2024

WHEREAS: In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and,

WHEREAS: This holiday, called Arbor Day, was first observed with the planting of a million trees in Nebraska; and,

WHEREAS: Arbor Day is now observed throughout the nation and the world; and,

WHEREAS: Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and,

WHEREAS: Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products; and,

WHEREAS: Trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community; and,

WHEREAS: Trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT PROCLAIMED by the Town Council of the Town of Merrillville that **Tuesday, April 23rd, 2024, be designated as "Arbor Day"** in the Town of Merrillville, Indiana, and call upon the citizens of Merrillville to dedicate this day to the importance of health, safety and environmental issues affecting our community and the children who reside with all of us.

ADOPTED AND PROCLAIMED THIS ____ DAY OF APRIL, 2024.

TOWN OF MERRILLVILLE TOWN COUNCIL

DEC. 30

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It was moved by Councilor Uzelac and seconded by Councilor Haynes-Edwards to approve the Arbor Day 2024 Proclamation.

Upon a voice vote, the motion passed. The Arbor Day 2024 Proclamation was approved.

STANDING & SPECIAL COMMITTEES REPORTS

BUDGET & FINANCE - NEAL – Councilor Neal was absent from the meeting.

COUNCIL AFFAIRS- PETTIT – Councilor Pettit reported that the committee is preparing another set of ordinances for the council review.

Upon a question from President Bella regarding a timeline for the completion of the ordinances, Attorney Svetanoff responded that the target date would be the next council meeting.

STREET DEPARTMENT- UZELAC– Councilor Uzelac reported that the branches are being picked up in the Town and that Director King of the Street Department will give a report on the underground tanks.

Director King reported that last year it was determined that the diesel tank at the facility was deteriorating from the inside. The tank was inspected by a company and is still in the ground. There are about 600 gallons left in the unleaded tank that will last a few weeks. The Street Department now uses the WEX card for fuel. A proposal was submitted to the committee for the removal of the tanks, islands, and pumps at a cost of about $47, 000.00. He will probably come to the next American Rescue Plan Act committee meeting to request the funds. The tanks are going to become hazardous unless they are removed and can turn into an environmental problem without removal.

Upon a question from Councilor Uzelac regarding what company is removing the tanks, Director King responded Northern Mechanical who serviced the tanks would do the removal. The Street Department received two quotes for the removal of the tanks, and Northern Mechanical was the most responsive.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Councilor Neal was absent from the meeting.

President Bella reported that he has a report from Councilor Neal regarding the Solid Waste Management District that he will address later on the agenda.

ENVIRONMENTAL AFFAIRS- PETTIT – Councilor Pettit reported that he will defer to Councilor Neal's report regarding the Solid Waste Management District.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway was absent from the meeting.

Councilor Uzelac reported that on Monday, April 22, 2024, the committee met regarding the Dean and Barbara White Community Center (DBWCC) vacant Director's position. Councilor Hardaway's recommendation is to work with a Management Company that already has a Manager in place who will work with the DBWCC's Building Manager Lisa Roberts once everything is approved and finalized.

PUBLIC SAFETY- HARDWAY- Councilor Hardaway was absent from the meeting.

ECONOMIC DEVELOPMENT-PETTIT – Councilor Pettit had nothing to report at this time.

PARKS & RECREATION- UZELAC - Councilor Uzelac reported that the parks in Merrillville have been mowed, and the construction equipment hasn't been removed from Diamond Park.

Director Matthew Lake of Stormwater added that the construction project is anticipated to begin in late Spring.

Councilor Uzelac also reported that there are a lot of weeds adjacent to the Crescent Lake Park

Director Lake added that wetlands will be mowed, and sprayed. The branches will be picked up.

Upon on question from Councilor Uzelac regarding the timeline, Director Lake responded within the next two weeks.

UTILITY LIAISON – CHANDLER-FELTON – Councilor Chandler-Felton reported that she and Interim Town Manager Griffin met on Thursday, April 18th with Indiana American Water. The committee is still in the process of making meeting arrangements with the Waste Management District and NIPSCO.

SPECIAL COMMITTEES

ABANDONED-BLIGHTED PROPERTIES - HAYNES-EDWARDS & CHANDLER-FELTON– Councilor Haynes-Edwards reported that a committee meeting will be held in May. The exact date will be announced at a later date.

SEMI-QUINCENTENNIAL COMMITTEE - HAYNES-EDWARDS – Councilor Haynes-Edwards had nothing to report at this time.

SPECIAL TOWN PROJECTS - NEAL – Councilor Neal was absent from the meeting.

Councilor Haynes-Edwards reported on the following upcoming events that are listed on the Town's website merrillville.in.gov:

- The annual Juneteenth Celebration will be held on June 18, 2024, at 5:00 p.m., and includes a family movie night at the Dean and Barbara White Community Center. Admission is free. There will be food trucks and other outdoor activities on this day for the children. You may bring lawn chairs to this event.

- The annual July 4th Fireworks will be on July 3rd at Merrillville High School in the parking lot. The event will start at 9:00 p.m.

- The annual July 4th parade will be held on July 4th. The parade will start at 11:00 a.m. at the Dean and Barbara White Community Center and continue southward to 80th Place. If you would like to participate in the parade, applications are available on the Town's website.

DEAN & BARBARA WHITE COMMUNITY CENTER - PETTIT – Councilor Pettit reported that he needs to meet with Interim Town Manager Griffin regarding the NIPSCO audit of the utility bills for the Dean and Barbara White Community Center. He also reported that most of the recommendations for punch list items for the Dean and Barbara White Community Center that were discussed at the last council meeting have been rectified.

Upon a question from Councilor Pettit regarding lease payment from the Boys and Girls Club, Clerk-Treasurer Eric January responded we have not received any lease payments from the Boys and Girls Club.

Councilor Pettit reported that Interim Town Manager Griffin was working on the invoice for the Boys and Girls Club.

President Bella asked Attorney Svetanoff to follow up on the lease payments.

Clerk-Treasurer Eric January reported that the invoice should come from the Office of the Clerk-Treasurer, not the Interim Town Manager.

President Bella asked Clerk-Treasurer Eric January and Attorney Svetanoff to work together to resolve the lease payments with the Boys and Girls Club.

Council Pettit reported that staffing for the Dean and Barbara White Community Center capital, physical, and operational sides need to be addressed by the committee.

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL– Councilor Neal was absent from the meeting.

President Bella reported the following items:

- The next meeting will be held on May 16th
- Lake County Solid Waste District is still accepting applications for the Citizen Advisory Board members. The applications are available on the website at www.lcswmd.com
- Spring Leaf Drop-Off runs through May 2, 2024 information is available on the website at www.lcswmd.com
- Residential Composite is now available by appointment only. The composite is half a cubic yard that is free to all Lake County residents. Residents can call (219) 369-7695 to make an appointment.

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Councilor Hardaway was absent from the meeting.

STORMWATER MANAGEMENT RESOURCES-LAKE – Director Lake reported the following activities:

- Stormwater Management has been addressing some emergency sink holds in the Town by replacing old underground piping.

- Siltworm donated 1,000 sapling trees to the Town of Merrillville. We are coordinating with Merrillville Community Schools to plant the trees on various school grounds.

- The Town Orchards are in the works. We are coordinated with the Northwest Indiana Tree Consortium as part of our US Forest Service Grant. A workshop will be held at the Dean and Barbara White Community Center on May 7th at 10:00 am. A practicum will occur at Pruzin Community Center Park at 5750 Tyler Place.

Upon a question from Clerk-Treasurer Eric January regarding recognition for residents with lawns that haven't been chemically treated, Director Lake responded that the Town would look into recognizing residents who practice eco-friendly lawn care.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY-PATENA – Deanne Patena wasn't present at the meeting.

FIRE TERRITORY BOARD - NEAL & HARDAWAY – Councilors Neal and Hardaway were absent from the meeting.

DEPARTMENT REPORTS/INTERIM TOWN MANAGER

Upon a question from President Bella regarding Department Heads who have dual citizenship for Greece, Chief Nuses responded he is a citizen of Greece and the United States. Chief Nuses explained the history of his dual citizenship.

Chief Nuses – Police Department

Chief Nuses reported the official numbers for April 2024. The report listed the following:

- 1,700 calls for service
- 403 traffic stops that resulted in over 50 arrests

Chief Nuses also reported on an incident that happened on April 20th where the License Plate Recognition System of the Gary Police Department (GPD) flagged a car that was headed toward

the Town of Merrillville. GPD alerted the Merrillville Police Department. The vehicle was stopped by a Merrillville Police Officer and a person with several warrants was arrested.

Chief Nuses also reported that the Merrillville Police Department is joining the Sherriff Department's Task Force where the Town gained seven officers and gave up one officer from Merrillville to help with suspension activity in the Town. The next Women's Self-Defense will be in August. The exact date is to be determined. Chief Nuses also attended Chief School where he networked with other Police Chiefs.

Director Shine - Building and Planning

Director Shine reported that the Planning and Building Department continues to issue planning and building permits for spring and summer projects from roofs, sheds, garages, swimming pools, and other projects. She also reminded the citizens of the Town of Merrillville to check that contractors have a valid license in the Town of Merrillville before they do work on their property.

Director Shine also reported that a demolition permit for Geisen Funeral Home located on 7905 Broadway.

Interim Town Manager Griffin – Town Administration

The Interim Town Manager was absent from the meeting.

Director King – Street Department

Direct King reported that Spring Cleanup ends on April 29th and residents can bring the materials to the Town's facility and dispose of them in the dumpster. You will have to check in to enter the facility. The Street Department staff is working on the landscaping and planters for the beautification of the Town and other projects during the Spring schedule in the Street Department.

Upon a question from President Bella regarding speed humps delivery and installation, Director King responded that the speed humps will deliver a week from Friday. The same contractor who did the installation of the speed humps last year will install them this year. The first installation site will be Foxmoor Subdivision. Director King stated he would get a list from the council regarding additional installation sites.

GENERAL ORDERS

A. Ordinances:

First Readings:

1. **Ordinance 24-11 (Discussion and Roll Call Vote)**
   An Ordinance To Amend The Merrillville Municipal Code, In Order To Revise Certain Provisions And To Establish A New Special Revenue Fund To Be Styled The Special Street Capital Non-Reverting Fund Of The Town Of Merrillville, All Pursuant to I.C. 36-1-3 And I.C. 36-5-2.

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve Ordinance 24-11 on the first reading.

Financial Advisor Hudson explained Ordinance 24-11.

Upon a question from President Bella regarding activity on the property, Director Steve King responded that the activity has been slow.

Upon a question from President Bella regarding Clerk-Treasurer Eric January being on board with creating the new fund, Clerk-Treasurer Eric January responded that he affirmed the decision to create a new fund.

Finance Advisor Hudson requested that the rules be suspended, and the ordinance be read on second reading.

President Bella stated that the request would be considered by the council.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, and Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the first reading.

It was moved by Councilor Pettit and seconded by Councilor Haynes-Edwards to suspend the rules and read Ordinance 24-11 on the second and final reading.

Upon a question from President Bella regarding the number of members present and suspending the rules, Attorney Svetanoff responded that the council is within its rights to suspend the rules with five members as long as the vote is unanimous.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, and Bella voted in the affirmative. There were no negatives. The motion passed. The rules were suspended to read Ordinance 24-11 on the second and final reading.

It was moved by Councilor Uzelac and seconded by Councilor Chandler-Felton to approve Ordinance 24-11 on the second and final reading.

Public Comments:

1. Bryon Messer Merrillville, Indiana voiced his concern regarding suspending the rules for Ordinance 24-11 to be read on second and final reading with only five members of the council present.

   Attorney Svetanoff reported that statutory rules read "that a motion to suspend the rules can be done by the members present". We had a unanimous vote by the members present.

   President Bella reported the council will look into the statue.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, and Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the second and final reading.

(The original is on file in the Office of the Clerk-Treasurer.)

Second Readings:

1. **Ordinance 24-07 (Discussion, Public Comment, and Roll Call Vote)**
   An Ordinance Amending Town Code Chapter 3 Currently Entitled "Alarm Systems" and to Be Re-Entitled "Police Calls for Services", and Repealing All Town Code Sections and Ordinances, or Parts thereof, in Conflict Herewith.

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Ordinance 24-07 on the second and final reading.

Upon a question from President Bella regarding the public hearing, Attorney Svetanoff responded that the public hearing occurred at the last council meeting.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, and Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the second and final reading.

(The original is on file in the Office of the Clerk-Treasurer.)

2. **Ordinance 24-08 (Discussion, Public Comment, and Roll Call Vote)**

An Ordinance Concerning Real Estate in the Town of Merrillville Which is Used or Permitted to be Used by the Owner for Illegal Activities and Declaring Same a Public Nuisance.

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Ordinance 24-08 on the second and final reading.

President Bella reported that the public comments were held at the last council meeting.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, and Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the second and final reading.

(The original is on file in the Office of the Clerk-Treasurer.)

3. **Ordinance 24-09 (Discussion, Public Comment, and Roll Call Vote)**
   An Ordinance Amending Town Code Sections: 12-91 Entitled "Parking in Yards"; and 12-188 Entitled "Definitions" and Repealing All Town Code Sections and Ordinances, or Part Thereof, in Conflict Herewith.

It was moved by Councilor Haynes-Edwards and seconded by Councilor Uzelac to approve Ordinance 24-09 on the second and final reading.

President Bella reported that the public hearing was held at the last council meeting.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Neal, Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, and Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the second and final reading.

(The original is on file in the Office of the Clerk-Treasurer.)

4. **Ordinance 24-10 (Discussion, Public Comments, and Roll Call Vote)**
   An Ordinance Amending Town Code Sections: 21-172 Entitled "Zoning-Off Street Parking" and Repealing All Town Code Sections and Ordinances, or Part Thereof, in Conflict Herewith.

It was moved by Councilor Uzelac and seconded by Councilor Haynes-Edwards to approve Ordinance 24-10 on the second reading.

President Bella reported that the public comments were held at the last council meeting.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, and Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the second and final reading.

(The original is on file in the Office of the Clerk-Treasurer.)

B. Resolutions:

1. **Resolution 24-09 (Discussion and Voice Vote)**
   An Exigent Resolution Providing for the Transfer of Appropriation Balances From and Among Major Budget Classifications in the Municipal Cumulative Capital Development 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.

It was moved by Councilor Uzelac and seconded by Councilor Haynes-Edwards to approve Resolution 24-09

Upon on question from President Bella regarding explaining Resolution 24-09, Financial Advisor Hudson responded that she wasn't familiar with the resolution completed by Interim Town Manager Griffin.

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

2. **Resolution 24-10 (Discussion and Voice Vote)**

An Exigent Resolution Providing for the Transfer of Appropriation Balances From and Among Major Budget Classifications in the Municipal Cumulative Capital Development 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.

It was moved by Councilor Uzelac and seconded by Councilor Chandler-Felton to approve Resolution 24-10.

Financial Advisor Hudson explained Resolution 24-10.

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

C. BZA & LARGE GATHERING ACTIONS

NONE

OLD BUSINESS

Hobart Humane Society

President Bella reported on an email he received from Jennifer Weber of the Hobart Humane Society (HHS) stating that several dogs were received at the shelter from the Town of Merrillville, and HHS hasn't received any money for the care of those dogs from the Town.

Upon a question from President Bella regarding clarification of the email, Chief Nuses responded that he also received an email from Ms. Weber. He reported that he believes not one dog was taken to HHS by Animal Control or the Police Department last year.

Upon a question from President Bella, whether the dogs were taken to HHS by Animal Control or Code Enforcement, Chief Nuses responded that people are relinquishing their dogs and cats to HHS.

Upon a question from President Bella regarding what we need to do and whether should we call a meeting with Ms. Weber from HHS, Chief Nuses responded a meeting should be called to bring all parties involved together to try to discuss this issue.

Merrillville Town Court

It was moved by Councilor Chandler-Felton and seconded by Councilor Haynes-Edwards to take the steps to keep Merrillville Town Court open.

Upon a question from President Bella regarding the motion being proper, Attorney Svetanoff responded there should be an amending motion to counteract the one that was passed to close the Merrillville Town Court. A motion has been brought forward before, but not before to the Council Affairs Committee.

Councilor Pettit reported it needs to be done by ordinance.

Attorney Svetanoff reported since the Merrillville Town Court was closed by ordinance the ordinance needs to be amended.

Upon a question from Councilor Uzelac regarding amending the motion, Councilor Pettit responded that an ordinance needs to be introduced at the Council Affairs Committee.

Attorney Svetanoff reported that certain members of the council would like to reestablish the court to full running existence. This reestablishment of the court must be done by ordinance.

Upon a roll call vote, there were three affirmatives and two negatives. Councilors Haynes-Edwards, Chandler-Felton, and Uzelac voted in the affirmative. Councilors Pettit and Bella voted in the negative. The motion passed.

Councilor Pettit reported that a Council Affairs Committee meeting will be on Wednesday, May 8, 2024, at 5:00 pm. The ordinance to reestablish the Merrillville Town Court and others will be presented. A recommendation will be made to the full council at the May 14th Town Council Meeting.

Upon a question from Council Pettit regarding the intersection of US 30 and Mississippi resurfacing, Director Steve King responded that it will be resurfaced. The road will be patch fiercest and then resurface.

NEW BUSINESS

NONE

PUBLIC COMMENT

1. Charlotte King, Merrillville, Indiana thanked the council for the parking signs and voiced her concerns regarding vehicles still parked on the street and a retention pond next to the property.

2. Bryon Messer Merrillville, Indiana voiced his concerns regarding Tiffany Thompson as Employee of the Month, safety vest for the Code Enforcement employees, and blight properties.

3. Honorable Judge Eugene Velazco, Merrillville, Indiana gave his public comment regarding the reestablishment of the Merrillville Town Court.

4. Mike Johnson, Merrillville, Indiana thanked the Merrillville Police Department for all of their help regarding a burglary at his home.

ANNOUNCEMENTS

The Town Council President announced the following:

- Town Council Meeting Tuesday, May 14th at 6:30 p.m.
- Juneteenth Celebration June 15th at 6:30 p.m. at the Center
- Fireworks show July 3rd at Merrillville High School's Parking Lot at 9:00 p.m.
- July 4th Parade July 4th at 11:00 a.m. starting at 6600 Broadway and heading South towards 80th Place
- Job Fair July 24th from 11:30 – 2:30 p.m. at the Dean and Barbara White Community Center
- Councilor Haynes-Edwards announced a Parent Resource Fair on Thursday, May 9th from 5:00 p.m. until 7:00 p.m. at the Dean and Barbara White Community Center.

ADJOURNMENT

Having completed all items on the agenda, the President declared the meeting adjourned at 7:46 p.m.

Rick Bella, Town Council President

Eric O. January, Clerk-Treasurer

Respectfully Submitted By Angela Lewis