Town Council of Merrillville
7820 Broadway Ave - Merrillville, IN 46410
Town Council Meeting Minutes of the Regular Meeting of
October 22, 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 of Christ 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. Clerk-Treasurer Eric January was present to memorialize the proceedings. A quorum was attained.

Attorney Ricardo Hall was also present to fill in for Town Attorney Svetanoff.

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS:

- **Employee of the Month for October**
  Town Manager Griffin and Chief Nuses presented to the council and audience Officer Jesus J. Solis as October's Employee of the Month for the Town of Merrillville. Officer Solis received a certificate of recognition and a gift card on behalf of the Town of Merrillville. Chief Nuses elaborate on Officer Solis' exemplary work in the Merrillville Police Department.

- **Communications**
  By leave of President Bella, Town Manager Griffin explained that some ministerial matter had to be take care of in consequence of the appeal associated with the 2025 Budget. The additional paperwork was filed and reviewed by the Clerk-Treasurer Eric January; however, Clerk-Treasurer Eric January did not sign the paperwork that was filed.

  Clerk-Treasurer Eric January responded that he did not sign the paperwork because of the question regarding opposition or support of the excess levy. The answer given was "no" which is not true. There was plenty of public opposition to the excess levy. The paperwork submitted also stated that the Town of Merrillville can no longer conduct its governmental functions for the ensuing calendar year under the current levy limitation.

  By leave of President Bella, Town Manager Griffin responded that the preamble actual stated that the Town of Merrillville can no longer meaningfully and sufficiently conduct its governmental functions. The Town of Merrillville will be able to provide basic services. During the hearing it should have been revealed to the public that the Fire and Police Departments are under staff to meet all the call volumes. The preamble was not characterizing the Town of Merrillville as unable to do what it must do, but to do services better. Town Manager Griffin also reported that Clerk-Treasurer Eric January informed the council that he was soliciting letters of remonstration from people.

  The law Indiana Code 6-11.1-17-5 subdivisions A and B requires that those letters of remonstration be delivered to the council. The letters of remonstration Clerk-Treasurer Eric January collected had to be delivered to the council so that the council had an opportunity to respond at the Adoption Hearing held on October 8, 2024. The letters were not delivered by or on the Adoption Hearing date.

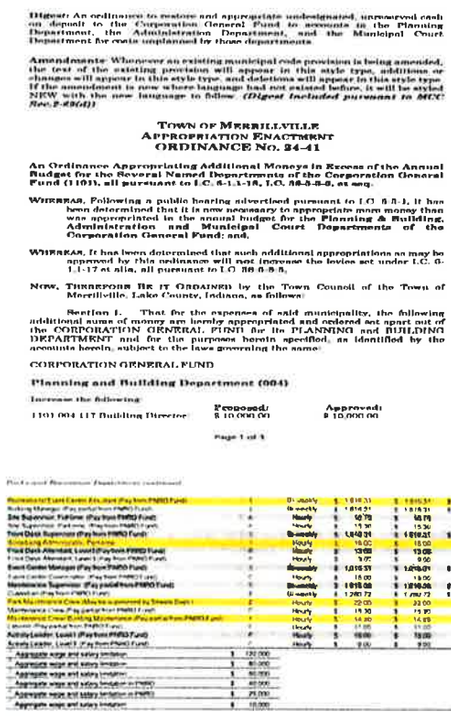
  Clerk-Treasurer Eric January responded that he did what was required by submitting the paper objections of 245 people to the state. The objections are also on video.

PUBLIC HEARING:

a) Town Attorney review of Proof of Publication(s): – Add Proof of Publication dated October 11th with a public hearing date of October 22nd, 2024, Re:24-41

Attorney Hall reported that he has reviewed the Proof of Publication, and Everything is in order and conforms with the Indiana Code. The council may proceed with the public hearing.

b) Public Hearing: Re ORD 24-41



Digest: An ordinance to restore and appropriate undesignated, unreserved cash on deposit to the Corporation General Fund to accounts in the Planning Department, the Administration Department, and the Municipal Court Department for costs unplanned by those departments

Amendments: Whenever an existing municipal code provision is being amended, the text of the existing provision will appear in this style type, additions or changes will appear in this style type, and deletions will appear in this style type. If the amendment is now where language had not existed before, it will be styled NEW with the new language to follow. *(Digest included pursuant to MCC Sec. 2-66(1))*

TOWN OF MERRILLVILLE
APPROPRIATION ENACTMENT
ORDINANCE No. 24-41

An Ordinance Appropriating Additional Moneys in Excess of the Annual Budget for the Several Named Departments of the Corporation General Fund (1101), all pursuant to I.C. 6-1.1-18, I.C. 36-3-3-9, et seq.

WHEREAS, Following a public hearing advertised pursuant to I.C. 6-1-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the Planning & Building, Administration and Municipal Court Departments of the Corporation General Fund; and,

WHEREAS, It has been determined that such additional appropriations as may be approved by this ordinance will not increase the levies set under I.C. 6-1.1-17 et alia, all pursuant to I.C. 36-3-3-3;

NOW, THEREFORE BE IT ORDAINED 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 additional sums of money are hereby appropriated and ordered set apart out of the CORPORATION GENERAL FUND for the PLANNING and BUILDING DEPARTMENT and for the purposes herein specified, as identified by the accounts herein, subject to the laws governing the same:

CORPORATION GENERAL FUND

Planning and Building Department (004)

Increase the following:

	Proposed:	Approved:
1101 004 117 Building Director	$ 10,000.00	$ 10,000.00

Page 1 of 3

Section 4. *Longevity/Full Time Employees.* The Longevity Program is again adopted for full time employees and elected officials. Please refer to Section 8.12 in the Personnel Policy Manual for the policy and levels of longevity compensation.

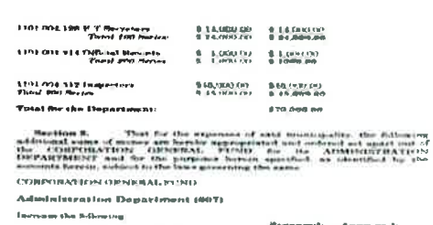
Section 5. *Holidays.* The Holiday Schedule for Calendar Year 2024 is to follow that adopted by the Town Council in Resolution 23-12, or any superseding Resolutions thereto.

Section 6. *Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days.* Refer to the current Personnel Policy Manual for the Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days policies.

Section 7. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect. That unless there is an express conflict, that this ordinance in all other respects is a companion and complement to the existing Wage and Salary Ordinance as amended.

Section 8. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the other officers of the municipality, shall be as set forth in the Personnel Policy Manual. Codified as Section 2-87 of the Merrillville Municipal Code, commonly called the personnel Policy Manual as amended from time to time.

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Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the CORPORATION GENERAL FUND for the ADMINISTRATION DEPARTMENT and for the purposes herein specified, as identified by the accounts herein, subject to the laws governing the same:

CORPORATION GENERAL FUND

Administration Department (007)

Increase the following:

	Proposed:	Approved:
1101 007 304 Contractual Service	$ 78,000.00	$ 78,000.00

Total for the Department: $78,000.00

Section 3. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the CORPORATION GENERAL FUND for the MUNICIPAL COURT DEPARTMENT and for the purposes herein specified, as identified by the accounts herein, subject to the laws governing the same:

CORPORATION GENERAL FUND

Municipal Court Department (008)

Increase the following:

	Proposed:	Approved:
1101 008 190 Longevity	$ 6,500.00	$ 6,500.00

TOTAL for the FUND: $ 149,000.00

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Section 9. Pay Period. *Except where expressly defined differently for public safety sworn workers, and for those officers whose pay frequency is monthly,* the pay period for salaried and hourly employees is hereby defined as bi-weekly. The bi-weekly term for such pay represents the fourteen (14) day period, commencing at 12:01 a.m. Sunday and extending to and concluding just before Midnight of the second, following Saturday, immediately preceding the week of the scheduled payday, beginning on December 31, 2023, and continuing thereafter.

Section 10. (A) That this ordinance shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, subject to any express provisions herein, and to any express effective dates herein described to the contrary and until its repeal or amendment by subsequent ordinance.

(B) That those positions expressly modified from the prior wage and salary ordinance, or newly created herein, shall be effective from the date of appointment or hire, and the Clerk Treasurer is authorized and instructed to provide for pay based upon the disparity between the rates of pay where such disparity may exist, not earlier than September 10, 2024, subject to the review and approval of the Town Manager.

(C) That the annualized hourly or for salaried workers is based upon a year in which 26 paydays occur. For those years for which there is an additional or 27th pay period, the annualized limit is waived. Further, for those officers whose pay frequency is **monthly**, the payday or time that the pay should be received should be as close to the end of the month as possible so as to comply with IC 5-7-3 et seq., which prohibits officers from drawing their pay in advance.

(D) That the Clerk Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-3-6-6 (a) (1) & (4).

Introduced and Filed 22nd day of October 2024

DULY ORDAINED and ADOPTED this ___ Day of November ___, 2024, by the Town Council of the Town of MERRILLVILLE, Lake County, Indiana

TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA



CHICAGO TRIBUNE
media group

Proof of Publication





Upon a question from President Bella regarding adding any comments, Town Manager Griffin explained Ordinance 24-41

Public Comments

1. Bryon Mesarch Merrillville, Indiana voiced his concern regarding Ordinance 24-41, Parks Department, and the Dean & Barbara White Community Center Foundation funding.

c) Action on Proposed Ordinance.

It was moved by Councilor Uzelac and no second was given on Ordinance 24-41.

Town Manager Griffin added to his explanation on Ordinance 24-41.

The motion failed for a lack of a second.

CONSENT AGENDA:

- Accounts Payable Register Voucher Approval for October 22nd, 2024
- AP Register Summary for ARP Purchases for October 22nd, 2024
- Approval of Town Council Meeting Minutes October 8th, 2024
- Request for a User Fee Waiver for the Brandon Smith Group for Gym Use

TOWN of MERRILLVILLE
Office of Town Administration

Memorandum

Date: Tuesday, October 22, 2024

Hon. Rick Bella, President and the Merrillville Town Council
Merrillville Parks and Recreation Authority (MMC Sec. 13.5-1)
7820 Broadway Ave
Merrillville, Indiana 46410

Re: Request of a Waiver for a User Fees Waiver for the Brandon Smith Group for Gym Use represented on Invoice # 0025933 in 2023.

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 rate and charges waiver for uses of BRANDON SMITH, arranged with the former parks and recreation director. The invoice was generated to document the use. Mr. BRANDON SMITH represented that he had an agreement for this use and understood it would be waived in exchange for contributions and basketball promotions.

Again, I am seeking to clear these receivables that are uncollectable at this time. We also have no way to counter the details presented by Mr. Smith regarding the agreement that he believed he had with the previous parks and recreation director and the Merrillville Parks and Recreation Department

I am placing this matter before the Town Council in its role as the Park Authority and that a waiver be granted for this use as a matter on the consent agenda.

Thank you.

Sincerely,

Michael

Michael W. Griffin, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO
Town Manager/Acting Parks & Recreation Director

- Request for Waiver of one Additional Previous User Charge for Use of the Basketball Court at the Dean and Barbara White Cc by Aquinas School.

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TOWN of MERRILLVILLE
Office of Town Administration

Memorandum

Tuesday, October 22, 2024

Hon. Rick Bella, President and the Merrillville Town Council
Merrillville Parks and Recreation Authority (MMC Sec. 13.5-1)
7820 Broadway Ave
Merrillville, Indiana 46410

Re: Request for WAIVER of One Additional PREVIOUS User Charge for USE of the BASKETBALL COURT at the Dean and Barbara White Community Center, by the AQUINAS SCHOOL

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:

Attached please see the agreement for a use unpaid fees associated with uses undertaken **by the Aquinas School for a Basketball Court use on August 26, 2024.** The amount of the renytal was **$200.00.**

Aquinas School asks that these fees be waived. The basis of the request is Aquinas relied on the representation of the former department director that these fees were waived. As you know, I have scoured the rate ordinances and I cannot find language authorizing such modifications. However, I believe Aquinas relied on the representations. They are paying now for uses in the current year according to the fee ordinance in force.

I am asking that this matter be placed before the Town Council in its role as the Park Authority and that a waiver be granted for uses and fees from August 26, 2024 noting the non-profit status of the Aquinas School and owing to the facts represented above. The value of the revenue forgone is $200.00.

Thank you.

Sincerely,

Michael W. Griffin, M.P.A., IAMC/MMC/CPFA/ACPFIM/CMO
Town Manager/Acting Parks & Recreation Director

President Bella informed the council there are duplicates under the Consent Agenda that were approved at the September 24. 2024 Town Council Meeting and these items will be removed. The Dean and Barbara White Community Center minutes were removed.

It was moved by Councilor Neal 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 – Councilor Neal reported that Residential Grant Program is still accepting applications. If residents are interested, they can contact our Building and Planning Department or go to our website at: www.merrillville.in.gov.

COUNCIL AFFAIRS- PETTIT – Councilor Pettit had nothing to report.

STREET DEPARTMENT- UZELAC– Councilor Uzelac reported the following:

- Leaf Pickup – Leaf pickup started on October 20th and will continue until November 29th.
- Beautification - The Street Department are mowing all the local parks and cleaning up the bike trail.
- Vehicle Maintenance – The Street Department will be getting trucks ready for snowplows.
- Speed Humps - The speed humps will be removed around Thanksgiving.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Councilor Neal reported that the next meeting is Monday October 28th to finalize the Gateway signs and obtain new estimates.

ENVIRONMENTAL AFFAIRS- PETTIT – Councilor Pettit has nothing to report.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway deferred to Tow Manager Griffin.

By leave of President Bella, Town Manager Griffin reported that a recommendation coming from our Health Insurance Agent will be presented by Councilor Hardaway as Chair of the Personnel Police & Employee Benefits Committee to move from our current group health policy with United Healthcare at the end of year and accept the proposal from Anthem for group health insurance.

MEMORANDUM

To: Town Council of Merrillville
From: Matt Glaros, Meyers-Glaros Sr. Vice President
Date: 10/21/24

Subject: Recommendation to Transition from United Healthcare to Anthem Effective 1/1

Dear Mr. President and members of the Town Council:

After a thorough review of the current health insurance options and an in-depth analysis of the benefits, costs, and service quality, it is our recommendation that the Town of Merrillville transition from United Healthcare to Anthem, effective January 1.

This recommendation is based on a comprehensive comparison of plan offerings, network access, administrative support, and cost efficiency. Anthem's proposal provides a better alignment with the Town's healthcare needs, offers more competitive pricing, and delivers enhanced benefits for employees.

We are confident that this transition will result in improved service, better coverage, and overall cost savings for the Town. Please let us know if you have any questions or require further information.

Thank you for your consideration.

Risk & Insurance | Employee Benefits | Retirement & Private Wealth
Ready for tomorrow.

Matt Glaros
Senior Vice President

8605 Broadway Suite A
Merrillville,IN46410

Office: 219-865-6447

Mobile: 219-313-4773

Email: matt.glaros@meyersglaros.com

It was moved by Councilor Hardaway and seconded by Councilor Neal to move from United Healthcare group health insurance at the end of the year and accept the proposal from Anthem for the 2025 group health insurance.

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 Anthem proposal was approved.

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

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

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

PARKS AND DEAN & BARABAR WHITE COMMUNITY CENTER - PETTIT – Councilor Pettit reported that he is cancelling the standing Parks and Dean & Barbara White Community Center committee meeting due to the Trunk or Treat event on October 24th at 5:30 p m. The next meeting will be on the fourth Thursday in November, which is November 21st.

SPECIAL COMMITTEES

ABANDONED-BLIGHTED PROPERTIES - HAYNES-EDWARDS & CHANDLER-FELTON– Councilor Haynes-Edwards had nothing to report.

SEMI-QUINCENTENN IAL COMMITTEE - HAYNES-EDWARDS – Councilor Haynes-Edwards had nothing to report.

SPECIAL TOWN PROJECTS - NEAL – Councilor Neal reported that the committee is preparing for the following events:

- Trunk or Treat – October 24th from 5:30 p.m. until 7:30 p.m. at the Dean and Barbara White Community Center.
- Town of Merrillville Trick or Treat Hours – October 31st from 5:30 p.m. until 7:30 p.m.
- Christmas Tree Lightning – The Town of Merrillville holiday season will kick off with the Christmas ee Lightning, which is scheduled for December 6, 2024, at the Dean and Barbara White Community C er from 5:30 p.m. to 7:30 p.m. There will be a visit from Santa Clause and other holiday activities.

DEPARTMENT & COMMISSION REPORTS:

LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL– Councilor Neal reported that the next meeting will be on November 21st at 6:30 p. m.

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Councilor Hardaway reported that the next meeting is December 5th.

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

- **Hickory Ridge Flood Control Improvement Project** – Bids were open for this project that will protect over four hundred residents. The low bid was Dire Construction coming in at $1,849,950.00. Director Lake thanked the Little Calumet River Basin Development Commissions for contributing close to a $1,000,000.00 towards this project that will be starting soon.
- **Independence Hill Addition** – The whole subdivision will get redesigned, and plans are being reviewed.
- **69th & Connecticut Street** – Construction has started, and Director Lake reported that he will be requesting an updated construction schedule from VS Engineering.
- **Southmoor Park Drainage Project** – Value engineering is being done on this project. Director Lake stated that he may be able to decrease the amount by a couple of hundred thousand dollars off the low bid that was rejected because even that bid was still too high.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY-PATENA – Deanne Patena was not present at the meeting.

FIRE TERRITORY BOARD - NEAL & HARDAWAY – Councilors Neal and Hardaway had nothing to report.

DEPARTMENT REPORTS/ TOWN MANAGER

Interim Parks Director Roberts – Parks and Recreation
Interim Parks Director Roberts reported on the following:

- A new Recreational Coordinator has been hired. His name is Chris Geiger, and he will be working on adding programs at the Dean and Babara White Community Center.
- The Self-Defense class has started. Several people attended who were not pre-registered. The Community Center is hoping to add an advance class.

Chief Nuses – Police Department
Chief Nuses reported there are no statistics for the month of October to report at this meeting and that the Pc e Department is gearing up for the holiday season in the Town of Merrillville because of the increase in theft du g this time of year. Plans are being put into place and officers are being assigned to specific areas especially shopping centers.

Chief Nuses also reported the positive feedback from the singing officer campaign on Facebook. This is just one of the few ways that the Town of Merrillville Police Department plans to establish a better relationship with the community.

Director Shine - Building and Planning
Director Shine reported that a lot of building permits are being issued in the Town of Merrillville.

Director Shine also reported that out at the Silo two of the buildings Amazon and Panduit are having massive upgrades inside the buildings. Anthem Church is spending $1,000.000.00 in upgrades and Merrillville High School did a massive upgrade of every school in the Town. Director Shine informed the council on more upgrades that have or will need permits, and these permits by law must be inspected.

Town Manager Griffin – Town Administration

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

Clerk-Treasurer Eric January – Office of the Clerk-Treasurer

Clerk-Treasurer Eric January reported the following:

- The Town of Merrillville has over $33,000,000.00 in the bank.
- Excess Levy Appeal – Normally, if the Chief Fiscal Officer does not sign the levy appeal, it ends the appeal. The Excess Levy Appeal was submitted anyway to the state. Clerk-Treasurer Eric January stated that he is consulting with the state and the appeal is being referred to the state's legal department.

GENERAL ORDERS

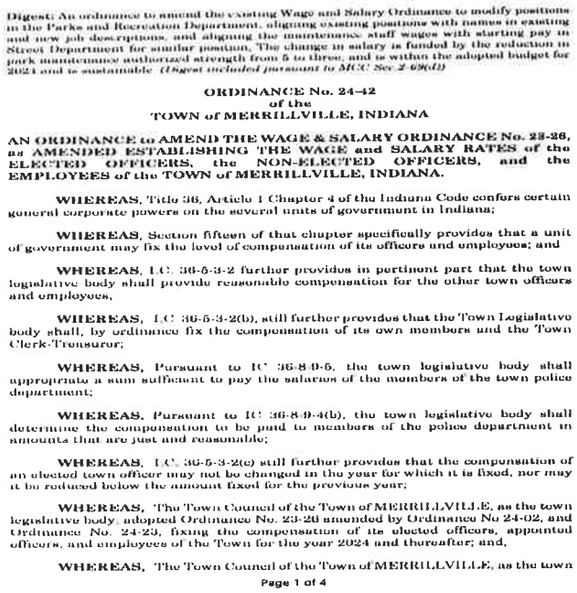
A. Ordinances:

First Reading: (Discussion and Roll Call Vote):

1. **Ordinance 24-42 (Discussion and Roll Call Vote)**

An Ordinance to Amend the Wage & Salary Ordinance No. 23-26, as Amended Establishing the Wage and Salary Rates of the Elected Officers, the Non-Elected Officers, and the Employees of the Town of Merrillville, Indiana.

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Digest: An ordinance to amend the existing Wage and Salary Ordinance to modify positions in the Parks and Recreation Department, aligning existing positions with names in existing and new job descriptions, and aligning the maintenance staff wages with starting pay in Street Department for similar position. The change in salary is funded by the reduction in park maintenance authorized strength from 5 to three; and is within the adopted budget for 2024 and is sustainable. *(Digest included pursuant to MCC Sec.2-69(d))*

ORDINANCE No. 24-42
of the
TOWN of MERRILLVILLE, INDIANA

AN ORDINANCE to AMEND THE WAGE & SALARY ORDINANCE No. 23-26, as AMENDED ESTABLISHING 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 36-8-9-5, 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 36-8-9-4(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;

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. 23-26 amended by Ordinance No 24-02, and Ordinance No. 24-23, fixing the compensation of its elected officers, appointed officers, and employees of the Town for the year 2024 and thereafter; and,

WHEREAS, The Town Council of the Town of MERRILLVILLE, as the town

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legislative body, has been reliably advised by the Town Manager that a modification is necessary or desirable to that ordinance with regard to the Parks and Recreation Department, as it now desires to modify the compensations of the appointed officers and employees of the Town for the year covering and thereafter;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of MERRILLVILLE, Lake County, Indiana that the Wages, Salaries of the Officers and Employees of the Town of MERRILLVILLE are hereby established and fixed pursuant to the provisions indicated herein and as follows:

Section 1. (A) That except as otherwise expressly provided in this ordinance or the personnel policy manual or ordinance dealing with standing matters of compensation, the salaries or wages outlined in this ordinance or hereby authorized for all regular full time employees of the municipality who occupy an authorized position of the municipality at the time of its passage and adoption, with any changes set forth herein to be effective from the date indicated in this ordinance.

Section 2. (A) That unless otherwise provided by this ordinance, the rates, and salaries for the elected or appointed officers and employees of the municipality represent the maximum that may be paid for each description identified position set forth in this ordinance.

(B) Approved workforce levels. That the approved staffing levels for certain positions in the various offices and departments, shown under the column heading of hired hiring limit, are hereby fixed, and approved as indicated by a parenthetical number, or in the absence of a discrete number, are limited to the combined total wage and salary budgetary limit set forth in the same column. If a position has no discrete number or a wage and salary budgetary limit, there is no authorization to hire without an amendment to this ordinance.

(C) Town General Counsel. Whenever a member of the Town Council is appointed as a legislative member to the Plan Commission, in addition to the salary authorized in this ordinance, a stipend as identified in this ordinance shall be added to the existing salary as a continuing stipend, payable while serving on the plan commission, pursuant to IC 36-5-4-2 (a)(3).

Section 3. That subject to the provisions of this ordinance, the salary and wages for non-elected officers and employees of the Parks and Recreation Department of the Town of MERRILLVILLE are hereby fixed for it as follows:

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Parks and Recreation Department continued

Recreational Event Center Assistant (Pay from PNRO Fund)	1	Bi-weekly	$ 1,616.31	$ 1,616.31	$ 42,024.06
Building Manager (Pay partial from PNRO Fund)	2	Bi-weekly	$ 1,616.31	$ 1,616.31	$ 42,024.06
Site Supervisor, Full-time (Pay from PNRO Fund)	4	Hourly	$ 15.76	$ 16.76	
Site Supervisor, Part time (Pay from PNRO Fund)	1	Hourly	$ 15.30	$ 15.30	
Front Desk Supervisor (Pay from PNRO Fund)	1	Bi-weekly	$ 1,616.31	$ 1,616.31	$ 45,024.06
Scheduling Administrator, Parkions	1	Hourly	$ 16.00	$ 16.00	
Front Desk Attendant, Level I (Pay from PNRO Fund)	3	Hourly	$ 13.00	$ 13.00	
Front Desk Attendant, Level II (Pay from PNRO Fund)	1	Hourly	$ 9.00	$ 9.00	
Event Center Manager (Pay from PNRO Fund)	1	Bi-weekly	$ 1,616.31	$ 1,616.31	$ 42,024.06
Event Center Coordinator (Pay from PNRO Fund)	0	Hourly	$ 15.00	$ 15.00	
Maintenance Supervisor (Pay partial from PNRO Fund)	1	Bi-weekly	$ 1,616.31	$ 1,616.31	$ 42,024.06
Custodian (Pay from PNRO Fund)	2	Bi-weekly	$ 1,260.72	$ 1,260.72	$ 32,778.72
Park Maintenance Crew (May be supervised by Streets Dept.)	2	Hourly	$ 22.00	$ 22.00	
Maintenance Crew (Pay partial from PNRO Fund)	2	Hourly	$ 15.30	$ 15.30	
Maintenance Crew/ Building Maintenance (Pay partial from PNRO Fund)	1	Hourly	$ 14.69	$ 14.69	
Laborer (Pay partial from PNRO Fund)	1	Hourly	$ 11.00	$ 11.00	
Activity Leader, Level I (Pay from PNRO Fund)	1	Hourly	$ 10.00	$ 10.00	
Activity Leader, Level II (Pay from PNRO Fund)	1	Hourly	$ 9.00	$ 9.00	

Aggregate wage and salary limitation	$ 120,000
Aggregate wage and salary limitation	$ 80,000
Aggregate wage and salary limitation	$ 50,000
Aggregate wage and salary limitation in PNRO	$ 40,000
Aggregate wage and salary limitation in PNRO	$ 25,000
Aggregate wage and salary limitation	$ 10,000

Section 4. *Longevity/Full Time Employees.* The Longevity Program is again adopted for full time employees and elected officials. Please refer to Section 6.12 in the Personnel Policy Manual for the policy and levels of longevity compensation.

Section 5 *Holidays.* The Holiday Schedule for Calendar Year 2024 is to follow that adopted by the Town Council in Resolution 23-42, or any superseding Resolution thereto.

Section 6. *Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days.* Refer to the current Personnel Policy Manual for the Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days policies.

Section 7. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect. That unless there is an express conflict, that this ordinance in all other respects is a companion and complement to the existing Wage and Salary Ordinance as amended.

Section 8. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the other officers of the municipality, shall be as set forth in the Personnel Policy Manual, Codified as Section 2-87 of the Merrillville Municipal Code, commonly called the personnel Policy Manual as amended from time to time.

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Section 9. Pay Period. *Except where expressly defined differently for public safety sworn workers, and for those officers whose pay frequency is monthly,* the pay period for salaried and hourly employees is hereby defined as bi-weekly. The bi-weekly term for such pay represents the fourteen (14) day period, commencing at 12:01 a.m. Sunday and extending to and concluding just before Midnight of the second, following Saturday, immediately preceding the week of the scheduled payday; beginning on December 31, 2023, and continuing thereafter;

Section 10. (A) That this ordinance shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, subject to any express provisions herein, and to any express effective dates herein described to the contrary and until its repeal or amendment by subsequent ordinance;

(B) That those positions expressly modified from the prior wage and salary ordinance, or newly created herein, shall be effective from the date of appointment or hire, and the Clerk-Treasurer is authorized and instructed to provide for pay based upon the disparity between the rates of pay where such disparity may exist, not earlier than September 18, 2024, subject to the review and approval of the Town Manager;

(C) That the annualized limitation for salaried workers is based upon a year in which 26 paydays occur. For those years for which there is an additional or 27th pay period, the annualized limit is waived. Further, for those officers whose pay frequency is monthly, the payday or time that the pay should be remitted should be as close to the end of the month as possible so as to comply with IC 5-7-3 et seq., which prohibits officers from drawing their pay in advance;

(D) 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) (3) & (4).

Introduced and Filed 22nd day of October 2024.

DULY ORDAINED and ADOPTED this ____ Day of November ____ 2024, by the Town Council of the Town of MERRILLVILLE, Lake County, Indiana

Town Manager Griffith explained Ordinance 24-42.

Upon a question from President Bella to the Committee Chair regarding anything to add, Councilor Hardaway had nothing to add to Town Manager Griffin's explanation.

It was moved by Councilor Hardaway and seconded by Councilor Neal to approve Ordinance 24-42 on the first reading.

Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal, Shawna 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 first reading.

Second Reading: (Discussion, Public Comment, and Roll Call Vote):

1. **<u>Ordinance 24-41 (Discussion, Public Comment, and Roll Call Vote)</u>**
   An Ordinance Appropriating Additional money in Excess of the Annual Budget for the Several Named Departments of the Corporation General fund (1101), all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5. Et seq. Action on Ordinance 24-41 was taken up under the Public Hearing section of the agenda.

B. Resolutions:

1. **<u>Resolutions 24-30 (Discussion and Voice Vote</u>**
   Exigency Resolution – TBA

TOWN OF MERRILLVILLE
TOWN COUNCIL RESOLUTION NO. 24-30

A RESOLUTION CONCURRING IN THE EXIGENT PROCLAMATION OF THE MUNICIPAL EXECUTIVE, AND GRANTING AND APPROVING PERIOD OF EXIGENCY

Whereas, From time-to-time circumstances exist such that an exigency occurs that could not reasonably be foreseen and that threatens the public health, welfare, or safety and requires time sensitive action; and

Whereas, The Town of Merrillville, Lake County, Indiana is a local government, incorporated in 1971 operating under the provisions of IC 36-5 et sequitur, delivering general service government to the residents of the Town;

Whereas, The Town of Merrillville, Lake County, Indiana, through its Town Council as Fiscal and Legislative Body of the Town, did hold a preadoption public hearing on its proposed budget for FY 2025, at its regular meeting of September 24, 2024, that included an appeal from the levy limitations under IC 6-1.1-18.5 et seq., for which it received in person comments;

Whereas, The Town of Merrillville, Lake County, Indiana, through its Town Council as fiscal and legislative body of the Town, did adopt the proposed budget for FY 2025 at its regular meeting of October 8, 2024, that included a proposed exigent excessive levy appeal, pursuant to IC 6-1.1-18.5-13 (a) (3);

Whereas, The of Merrillville, Lake County, Indiana, did not receive any petition, filed by 10 or more taxpayers, during the period from September 25, through and including October 1, 2024, as authorized in IC 6-1.1-17-5(b), nor were any received by the Town after that date, up to and including October 8, 2024;

Whereas, The Town of Merrillville, through its Town Council President, as the principal executive officer issued Executive Proclamation no. 24-001 issuing findings and determinations that such exigent circumstances exist that the Town cannot meaningfully or fully carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by section 3 or 25 of IC 6-1.1-18.5 et seq. and it is necessary to support the appeal for relief by a proclamation of a local disaster exigency, all pursuant to IC 10-14-3-29;

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Whereas, The Town Council, as governing body of the town, in order to allow the *"lawful alacrity of response and action of public resources and responses as this matter is considered,* desires to ratify and adopt the rationale and purposes of the exigent proclamation of the Town Council President and extend his executive proclamation for a sufficient period of days to support the process of appeal, which *such period will expire on October 28* unless otherwise extended by the Town council as the governing body of the Town, pursuant to IC 10-14-3-29 (a)(2);and,

Whereas, In order to allow the lawful alacrity of response and action by the public resources of the Town of Merrillville, the Town Council President, as municipal executive, should be expressly granted such authority to act for the town, in the interest of administrative efficiency and where the public good requires it, the Merrillville Town Council desires to authorize the a timetable sufficient for the Town Council President to exercise such powers associated with the subject matter of Proclamation No. 24-001, consistent with IC 10-14-3-29.

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

Section 1. That Town Council President, pursuant to IC 10-14-3-29, issued Executive Proclamation No. 24-001 stating, that there now exists a local exigency in the Town of Merrillville, Lake County, Indiana, to be continued for a period not to exceed seven (7) days from the date of its entry, except by the consent of the Town Council as the governing body of the Town of Merrillville;

Section 2. That subject to law, that this resolution serves as approval by the governing body of the Executive Proclamation No. 24-001, ratifying, and adopting its purposes and rationale, evidencing this by making Executive Proclamation No. 24-001 as an exhibit to this resolution;

Section 3. That subject to law, that this resolution serves as approval by the governing body granting the municipal executive, to act during the local exigency for nine (9) additional seven-day periods of authority, bringing the period to sixty-three days (63) days, after which, such authority will require action by the Town Council as the governing body of the municipality, pursuant to IC 10-14-3-29(a)(2);

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Section 4. That the tolling for the extension of authority under this enactment shall begin upon the passage and adoption of the resolution and the Town manager shall inform the Town Council as to the duration remaining as conferred by this enactment.

DULY RESOLVED AND ADOPTED this 22 Day of October 2024, by the Town Council of the Town of Merrillville, Lake County, Indiana.

TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA

Town Manager Griffin explained Resolution 24-30

The council recessed for two minutes to allow Clerk-Treasurer Eric-January to get information from his office.

After the recess, President Bella called the session back to order.

It was moved by Councilor Hardaway and seconded by Councilor Neal to approve Resolution 24-30.

Clerk-Treasurer Eric January reported that he will not be signing Resolution 24-30 because he opposed section five on page one.

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

***Ordinance 24-41**

By leave of President Bella, Town Manager Griffin ask that the council reconsider the vote on Ordinance 24-41. Director Shine of Build and Planning explained in detail the activities on building, permits, and compensation for inspectors.

Town Manager Griffin added to Director Shine's explanation regarding the appropriations.

Financial Advisor Hudson added to the explanation regarding the different departments being on one ordinance instead of individual ordinances for each department's appropriations.

Upon a question from President Bella to Attorney Hall regarding bringing back Ordinance 24-41 for reconsideration that fail under first reading, Attorney Hall responded that the community was given adequate notice regarding the matter and the council is at liberty to alter its own rules to take this matter up again, but Attorney Hall caution the council against interjecting things that were not previously published or discuss at today's meeting. He stated procedurally there is nothing to prevent the council from taking this matter up again.

Upon on a question from President Bella regarding a motion being needed, Attorney Hall responded that a motion per se is not needed, but whatever is done must be memorialized.

Upon a question from President Bella regarding the council wishes regarding this matter, Council Haynes-Edwards responded to go back over Ordinance 24-41.

It was moved by Councilor Neal and seconded by Councilor Uzelac to approve Ordinance 24-41 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 second and final reading.

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

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

OLD BUSINESS
NONE

NEW BUSINESS
NONE

PUBLIC COMMENT:

1. Suzy Barnhart, Merrillville Indiana, thanked Town Manager Griffin and voiced her concerns regarding single mothers.
2. Maceo Rainey, Merrillville Indiana, voiced his concerns regarding the 2025 Budget vote on October 8th.
3. Pablo Payan, Merrillville, Indiana, voiced his concerns regarding opposition for the 2025 Budget, property taxes, tax abatements, Boys and Girl Club, and Andrean High School.
4. Amy Merrillville, Indiana, voiced her concerns regarding the Accounts Payable Voucher, prices of sticky notes, oil changes, speed bumps, sidewalks, and speeders.
5. Larry Echols, Merrillville Indiana, voiced his concerns regarding speeders and speed bumps.
6. Samuel Pion, Merrillville, Indiana voiced his concerns regarding nepotism and conflict of interest on personnel issues.
7. Bryor Messer, Merrillville Indiana, voiced his concerns regarding ADA compliance, TIF Zones, Fire Department Memorial, public safety, lack of planning, and opposition to the tax levy.
8. Lashawn Trimble, Merrillville Indiana, voiced her concerns regarding the property behind Chappel Manor and the upkeep.
9. Alisa Woods, Merrillville Indiana, voiced her concerns regarding funding for Andrean High Scl ›l, Dean and Barbara White Community Center Landscaping and cleaning.
10. Pastor Dennis Walton, Merrillville Indiana, voiced his concern regarding the lack of respect, communication, and divisiveness of the community and Elected Officials.

President Bella reported that Merrillville High School receives $400,000.00 per year from the Town of Merrillville.

ANNOUNCEMENTS

The Town Council President announced the following:

- Town Council Meeting Tuesday, November 12th at 6:30 p.m.
- Trunk or Treat on October 24th at 5:30 p.m. at the Dean & Barbra White Community Center.
- Tree Lighting Celebration and contest December 6th at the Dean & Barbara White Community Center (time TBA)

ADJOURNMENT

Having completed all items on the agenda, the Town Council President announced the meeting adjourned at 8:00 p.m.

Rick Bella, Town Council President

Eric O. January, Clerk-Treasurer

Respectfully Submitted By Angela Lewis