Town Council of Merrillville

7820 Broadway Ave - Merrillville, IN 46410

Town Council Meeting Minutes of the Regular Meeting of

February 13, 2024 - 6:30 P.M.

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

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

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance to the United States Flag was led by Chief Nuses.

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

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS

Letter from Street Director Steve King Recommendation to award Community Crossing Bid

Town of Merrillville
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February 1, 2024

Town of Merrillville
7820 Broadway
Merrillville, IN 46410

Attn: Mr. Rick Bella, Town Council President and Town Council

Re: Recommendation to Award

President Rick Bella and Town Council

On January 16, 2024 bids were opened for our 2023-2 Community Crossings project. Based on market conditions I concur with HWC Engineering's recommendation to award the contract to Milestone Contractors North as the lowest responsive and responsible bidder in the amount of One Million Three Hundred Fifty-Two Thousand, Nine hundred Twenty-Five Dollars and Ninety-Seven Cents ($1,352,925.97).

If there are any questions, or if you require any additional information, please do not hesitate to contact me at 219.769.8764.

Very Truly Yours,

Steven J. King
Engineering Administrator/
Public Works Director

\\Merrillville.local\Building\Steve\Community Crossings\2023\Recommendation to Award\Recommendation Letter.docx

Upon a question from Councilor Bella. Attorney Svetanoff reported that the contract is in order and ready for the council's consideration and approval.

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve the bid and contract with Milestone Contractor North for the 2023-2 Community Crossing Project in the amount of $1,352,925.97.

Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Neal, Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, Hardaway, and Bella voted in the affirmative. There were no votes in the negative. The motion passed. The contract was approved.

North Station Lease

Councilor Bella gave an overview of the North Police Station lease from National Eagle LLC. He noted that the term of the lease for the North Police Station is $950 per month for the term of February 1, 2024 through January 31, 2027.

Upon a question by Councilor Bella. Attorney Svetanoff reported that the lease is in order as long as we agree with the terms. He suggested that the council approve the lease.

Chief Nuses thanked the council for taking up this matter.

It was moved by Councilor Uzelac and seconded by Councilor Hardaway to approve the lease for the North Police Station.

Upon a voice vote, the motion passed. The North Police Station lease was approved.

CONSENT AGENDA

- Accts. Payable Register Voucher Approval for February 13th, 2024
- Approval of Council Work Study Minutes for January 18th, 2024
- Approval of Town Council Meeting Minutes of January 23rd, 2024
- Memo-Mr. Griffing regarding Andrean waiver of charges

It was moved by Councilor Uzelac and seconded by Councilor Neal to approve the consent agenda. Upon a voice vote, the motion passed. The consent agenda was approved.

ADDITIONAL APPROPRIATION: ***None***

STANDING & SPECIAL COMMITTEES REPORTS

BUDGET & FINANCE- NEAL – Councilor Neal had nothing to report at this time.

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

STREET DEPARTMENT- UZELAC– Councilor Uzelac reported that she met with Director King of the Street Department and several members of his staff regarding garbage and tires being picked up by the department. This task is taking time away from other projects such as paving and the upcoming leaf pickup. The recommendation of Director King is to hire two additional employees.

Council Uzelac also reported the Street Department is now using the WEX gas card to buy fuel, but the two gas tanks underneath the property still need to be removed. The Street Department has obtained two bids to remove the tanks from the property. The cost is $45,000.00 each.

Council Uzelac further reported that the Street Department is receiving many calls regarding "blighted" property, but cars parked on the lawn are hindering ability to address some of these issues. Councilor Uzelac suggested that information go in the Town's Newsletter regarding this problem.

Councilor Bella asked Town Manager Griffin to look for funding in the budget for two Street Department positions and $90,00.00 for the removal of the deteriorating gas tanks.

Councilor Neal clarified that only $45,000.00 is needed because the two estimates came in at the same price.

Interim Town Manager Griffin reported that he will follow up with Director King regarding the two positions and the removal of the hazardous gas tanks. He further noted that during the 2024 budget work, Mr. King had a request then. In meeting all of the demands of the Town, the request could not be funded.

Clerk-Treasurer Eric January suggested that we get the Merrillville Community involved with the cleanup of the Town to reduce some of the cost. Councilor Uzelac recommended that the Town Spring Cleanup Project be the Newsletter.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Councilor Neal reported that the Town Slogan online residential votes total about 353 votes with 75% of the votes leaning towards one slogan. Voting will continue until the end of the week on the Town's website (**merrillville.in.gov**). We plan to have our new slogan by the next council meeting.

Council Neal also reported that the committee did receive a quote from Hubinger for the plants inside and outside of Town Hall and other areas. A meeting will be scheduled with them to go over the contract.

Councilor Uzelac reported that after reviewing Hubinger's quote and the prices listed, she would like the committee to ask for additional quotes from different vendors.

ENVIRONMENTAL AFFAIRS- PETTIT - Councilor Pettit reported that an appointment is scheduled with Lake County Solid Waste District.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway reported that the committee is conducting interviews for the Parks Director position. The committee anticipates having a new Park Director on staff soon.

Councilor Hardaway also reported that the committee is in discussion with a wealth management company that would like to do a presentation to employees regarding starting or increasing their portfolios. The committee is also making amendments to the Employee Personnel and Policy Manual.

PUBLIC SAFETY- HARDWAY- Councilor Hardaway reported that the committee approved the North Police Station and Police Officers will be staffed at that location. The committee is adding to the Emergency Action Plan (EAP). The EAP will be going out to department heads for review.

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

PARKS & RECREATION- UZELAC - Councilor Uzelac reported with Spring approaching, leaf pickup and mowing will commence as the weather permits, and the Parks Department has two part-time positions available at the Dean and Barbara Whtie Community Center.

ABANDONED-BLIGHTED PROPERTIES - HAYNES-EDWARDS – Councilor Haynes-Edwards had nothing to report at this time.

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

SPECIAL TOWN PROJECTS - NEAL – Councilor Neal reported on the following:

- **Annual Black History Program**
  The Annual Black History Scholarship Program titled Still I Rise Created for Greatness will be on February 23rd from 6:00 pm until 10:00 pm at the Dean and Barbara White Community Center. Information regarding this event is available on the website (merrillville.in.gov) and the Town's social media site. The cost of this event is $50.00 for each ticket. She noted that ticket sales are estimated to be 70% sold for this event.

  Director Shine of Building and Planning reported that in fact ticket sales are at about 75%. Tickets are still available for this event and can be purchased at Town Hall or the Dean and Barbara White Community Center. The money goes towards scholarships for Merrillville High School and Andrea High School Students.

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT – Councilor Bella asked for a motion for Councilor Neal to serve as a representative for the Town of Merrillville on the Lake County Solid Waste Management Board.

It was moved by Councilor Pettit and seconded by Councilor Chandler-Felton to appoint Councilor Neal as the representative for the Town of Merrillville on the Lake County Solid Waste Management Board of Directors. Upon a voice vote, the motion passed. Councilor Neal was appointed.

Councilor Neal reported that a meeting of the Lake County Solid Waste Management Board of Directors is scheduled for February 15, 2024.

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Councilor Hardaway reported that the next meeting will be in April 2024.

STORMWATER MANAGEMENT RESOURCES-LAKE – Director Lake reported that the Stormwater Management Resources is immersed in the design for Independence Hill Third Edition Subdivision. This is West of Taft South of US 30. Robert Engineering got some preliminary locates and survey work done. Homer Tree Service is in clean-up and restoration mode for its Risk Tree Removal (RIS) in Turkey Creek

Director Lake elaborated on other projects in the works.

Councilor Uzelac thanked Director Lake for his help with dead trees.

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

FIRE TERRITORY BOARD - NEAL & HARDAWAY – Councilor Hardaway reported that Chief Yeager will be scheduling a meeting soon.

DEPARTMENT REPORTS/INTERIM TOWN MANAGER

Chief Nuses – Police Department

Chief Nuses reported the partnership with the Bureau of Alcohol, Tobacco, Firearms and Explosive (ATF) and the Federal Bureau of Investigation (FBI). This partnership has been very beneficial for the Town of Merrillville. For the one officer the town gives, the agencies give us twelve back. The low homicides in the Town of Merrillville were due to the intel received from these two agencies.

Chief Nuses reported that another agency will be partnering with the Merrillville Police Department. He will have more information at a later date about this new partner.

Director Shine – Building and Planning

Director Shine reported highlights from the Building and Planning 2023 Year-End Review Report. The highlights are listed below:

- 19 Plan Commission Petitions
- 36 Boards of Zoning Appeals Petitions
- 4 Plaque Committee Reviews
- 1,817 Building Permits Issued
- Total Cost of Improvements for 2023 is $193,923,487.00

- Total Fees Collected is 1,746,854.04

Director Shine elaborated on other highlights of the report.

Interim Town Manager Griffin

Interim Town Manager Griffin reported that his monthly report has been submitted to the council and that he has items listed on the agenda.

There were no questions from the council.

GENERAL ORDERS

A. Ordinances:

First Readings:

1. **Ordinance 24-01 (Discussion and Roll Call Vote)**

An Ordinance Appropriating Additional Moneys in Excess of the Annual Budget for the Municipal Cumulative Capital Development Fund (4402) all pursuant to I.C.6-1.1-18.I.C 36-5-3-5. et seq,

Interim Town Manager Griffin explained the purposes for Ordinance 24-01.

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Ordinance 24-01 on the first reading.

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

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

2. **Ordinance 24-02 (Discussion and Roll Call Vote)**

An Ordinance of the Town of Merrillville, Lake County, Indiana, Amending Ordinance no. 23-26. Fixing the Wages and Pay of the Officers and Employees of the Town of Merrillville, Indiana for the Fiscal and Calendar Year 2024, Pursuant to I.C. 36-52-2.

Interim Town Manager Griffin explained the rationale for Ordinance 24-02. Given the issues it is drafted to address, the Interim Town Manager asked that the Town Council consider Ordinance No. 24-02 under suspension of the rules to allow its passage and adoption at the same meeting of its introduction.

Upon a question from Councilor Uzelac regarding the 3% raise, Interim Town Manager Griffin reported that nearly everyone except part-time employees received a 3% raise.

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Ordinance 24-02 on the first reading.

Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Neal, Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, Hardaway, 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 Hardaway to suspend the rules and hear Ordinance 24-02 on second reading.

Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Neal, Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, Hardaway, and Bella voted in the affirmative. There were no negatives. The motion passed. The rules were suspended to hear Ordinance 24-02 on the second and final reading.

It was moved by Councilor Uzelac and seconded by Councilor Neal to approve Ordinance 24-02 on the second and final reading.

Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Neal, Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, Hardaway, and Bella voted in the

affirmative. The motion passed. The ordinance was approved on the second and final reading and would be adopted upon the signature of the Town Council President.

Second Readings: None

B. Resolutions:

1. Resolution 24-03 (Discussion and Voice Vote)

A Resolution Appropriating 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. (Administration)

Interim Town Manager Griffin explained the rationale for Resolution 24-03.

Upon a question from Councilor Uzelac about the dollar amount. Interim Town Manager Griffin reported the amount is $69,000.00

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve Resolution 24-03 for 69,064.05.

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

2. Resolution 24-04 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Indiana, Transferring Monies of the 2024 Budget Within the General Fund (Town Court)

Interim Town Manager Griffin elaborated on Resolution 24-04.

Upon a question from Councilor Uzelac regarding the court's legal fee. Interim Town Manager Griffin reported the amount is for legal fees recently billed by the court's attorney associated with court litigation.

It was moved by Councilor Uzelac and seconded by Councilor Neal to approve Resolution 24-04 for $28,000.00.

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

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

C. American Rescue Plan

Councilor Bella reported that the AP Voucher Register Summary for ARP Purchases for February 13, 2024, is $218,288.74.

Interim Town Manager Griffin reported that the ARPA Committee hasn't met, and the Chairperson hasn't been selected. In its absence. he reported that he reviewed the AP Voucher Register Summary for ARP and noted that the purposes for which these were filed were within the acceptable purposes of the ARPA.

It was moved by Councilor Uzelac and seconded by Councilor Pettit, to approve the ARP AP Voucher Register Summary for $218,288.74. Upon a voice vote, the motion passed. The ARP AP Voucher was approved.

D. BZA & LARGE GATHERING ACTIONS

Petitioner: Alvin Lacy
Owner: LBD Properties LLC
Request: Variance of Use Approval
Purpose: To allow a Sports Performance Facility
Location: 6110 Broadway

Zoning: M-2 Industrial Corridor Overlay District

Planning and Building Director Shine reported the ABZA approved the use variance.

Upon a question for Councilor Uzelac regarding fees, the Petitioner reported there are fees associated with the programs at this facility.

It was moved by Councilor Hardaway and seconded by Councilor Pettit with a comment, to approve the BZA Action.

Councilor Pettit wants the Ordinance for Zoning brought back up under Old Business.

Upon a roll call vote, there were seven affirmatives and no negatives. With Councilors Neal, Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, Hardaway, and Bella voting in the affirmative, the motion passed. The BZA Action was approved.

Petitioner: Katrina L. Lacy
Owner: Katrina L. Lacy
Request: Special Exception Approval
Purpose: To allow a Childcare Center
Location: 250 West 61st Avenue
Zoning: C-2 Community Commercial Zoning District

Planning and Building Director Shine reported the ABZA approved the use variance.

Director Shine reported that the Petitioner is working with Robertson Engineering and Director Lake from Stormwater Management.

It was moved by Councilor Uzelac and seconded by Councilor Chandler-Felton, to approve the BZA Action.

Upon a roll call vote, there were seven affirmatives and no negatives. With Councilors Neal, Haynes-Edwards, Chandler-Felton, Uzelac, Pettit, Hardaway, and Bella voting in the affirmative, the motion passed. The BZA Action was approved.

OLD BUSINESS

None

NEW BUSINESS

None

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT

1. Joe Berger, Merrillville, Indiana voiced his concern regarding improving the street on Massachusetts between 68th and 70th which is an alley.

2. Bryon Mesarch, Merrillville, Indiana voiced his concerns regarding fence lines that are encroaching on Merrillville's Right Away for a street and an anonymous letter he received in the mail regarding Code Enforcement.

ANNOUNCEMENTS

The Town Council President announced the following:

- Black History Celebration Dinner February 23rd at 6:00 P.M,
- The Town Council's next regular meeting is on February 27th at 6:30 p.m.
- The Redevelopment Commission Workshop is on February 27th at 6:15 p.m.

ADJOURNMENT

Having completed all items on the agenda, the President declared the meeting adjourned at 7:40 p.m.

Rick Bella, President

Eric O. January, Clerk-Treasurer

Respectfully Submitted By Angela Lewis