Town Council of Merrillville
7820 Broadway Ave - Merrillville, IN 46410
Town Council Meeting Minutes of the Regular Meeting of
December 10, 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 Robert Szoke of Impact Christian Church.

ROLL CALL of COUNCIL: – Present at the meeting were Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Shawn Pettit, Keesha Hardaway, and Rick Bella. Councilor Margaret Uzelac was absent. 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 December**
  Town Manager Griffin, Director Steve King, and Kevin Markle presented Department Foreman Tracy Ryan as the Town of Merrillville's Employee of the Month for December to the council and audience. Ms. Ryan received a certificate of recognition and a gift card. Director King elaborated on Ms. Ryan's experience and exemplary work in the Merrillville Street Department.

PUBLIC HEARING:
NONE

CONSENT AGENDA:
- Accounts Payable Register Voucher Approval for December 10th, 2024
- AP Register Summary for ARP Purchases for December 10th, 2024
- Approval of Town Council Meeting Minutes November 26th, 2024
- Approval of Special Town Council Meeting Minutes for November 20th, 2024
- Request ad approval of TC Meeting Date change to December 30th, 2024.

- Memo from President Bella to Town Manager Griffin
- Memo Regarding Changing the Date of a Regular Meeting

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TOWN of MERRILLVILLE
Office of Town Administrations

From: Rick Bella, Town Council President
To: The Merrillville Town Council

Re: Change of Date for a Regular Meeting

Dear Members of Council:

Pursuant to **Section 2-31** of the Merrillville Municipal Code, whenever there is a legal holiday conflict with the regular standing meeting of the Town Council, the Code provides that, ***"[T]he council shall meet in regular session at the time and place designated for such meeting by the council."***

By adoption of this change of date memorandum, the Town Council hereby designates **December 30, 2024, at 6:30- p.m.** in the usual chambers of the Municipal Complex, 7820 Broadway Avenue, Merrillville, Indiana 46410 as the designated place and time of the rescheduled Regular meeting.

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

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

PRESENTATION of DECLARATIONS: ***NONE***

STANDING & SPECIAL COMMITTEES REPORTS:

BUDGET & FINANCE—NEAL—Vice-President Neal reported that the Town of Merrillville has received our 1782 notice from the Department of Local Government Finance (DLGF). More information on the budget will be presented at the December 30th Town Council Meeting.

COUNCIL AFFAIRS- PETTIT – Councilor Pettit reported that a meeting was held by the committee last week. Several ordinances were reviewed by the committee and are listed on the agenda for tonight's meeting. Ordinance 24-26 is a detailed amendment to the Personnel Manual and Ordinance 24-47 is the result of a State Broad Account requirement to create a Redevelopment Department.

Upon a question from Councilor Pettit regarding the requirement, Town Manager Griffin responded that Ordinance 24-47 is out of a state statute and was part of the Town's correction plan filed with the State Board of Accounts.

STREET DEPARTMENT- UZELAC– Councilor Uzelac was absent.

Upon a question from President Bella regarding anything to report, Director King reported the following:

- **Town Parks** – The Parks are still being daily maintained.
- **Winter Weather** – The streets are being brined in preparation for the upcoming snow and the trucks are ready.
- **Street Paving** – The street paving has stopped and will resume in the Spring.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Vice-President Neal reported that a meeting will occur on December 16th at 3:00 p.m. The committee expected to have all the estimates in for the gateway signs.

ENVIRONMENTAL AFFAIRS- PETTIT – Councilor Pettit reported he will defer to Vice-President Neal and Director Lake under their Departments and Commission Reports.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway reported that applications are being reviewed for the Parks Director position. After review of the application, the interviews will commence.

Councilor Hardway also reported that some job postings will be forthcoming regarding the Dean and Barbara White Community Center maintenance positions.

PUBLIC SAFETY- HARDAWAY- Councilor Hardaway reported that she will have an end-of-the-year meeting with Fire Chief Yerga and Police Chief Nuses regarding public safety.

ECONOMIC DEVELOPMENT-PETTIT – Councilor Pettit reported that he will be scheduling a Redevelopment Commission Meeting for December 30th at 5:30 p.m.

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

PARKS AND DEAN & BARBARA WHITE COMMUNITY CENTER - PETTIT – Councilor Pettit reported that a committee meeting was held on December 9th and several action items were discussed.

Town Manager Griffin was also in attendance. Interim Parks Director Roberts was instructed by the committee to get some quotes not to exceed $10,000.00 on fencing the patio area because people are driving in this area.

Councilor Pettit also reported there is an item listed on the agenda regarding an outstanding loan, The committee is recommending that $200,000.00 of the $650,000.00 come out of the Food and Beverage Tax Revenue.

SPECIAL COMMITTEES

ABANDONED-BLIGHTED PROPERTIES - HAYNES-EDWARDS & CHANDLER-FELTON– Councilor Haynes-Edwards reported that a meeting was held on December 6th with Code Enforcement Officers and Attorney Hall to get more acquainted with everyone's roles. The committee is also defining what falls under abandoned and what falls under blighted properties.

SEMI-QUINCENTENN IAL COMMITTEE - HAYNES-EDWARDS – Councilor Haynes-Edwards reported that a committee will be formed which will include residents for the Semi-Quincentennial Celebration.

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

- Christmas Tree Lighting – This event was a success and larger than last year.
- School Christmas Tree Decorating Contest – Merrillville Pre-School received half of the votes and won the contest. The prize will be awarded at the December 30th Town Council Meeting.
- Home Decorating Contest – Eight homes are participating in this contest. The online voting is on the Town's website at merrillville.in.gov. The voting started on December 9th and will end on December 20th.

Councilor Pettit asked to go back to Parks and Dean & Barbara White Community Center.

Parks and Dean & Barbara White Community Center:
Councilor Pettit reminded the council that the Arsh Group was contracted to complete a 5-Year Master Plan and Impact Fee. Interim Parks Director Roberts is on the Impact Fee Committee. As of October 31st, the impact fee fund was $282,493.78 which can be used in the Parks Department. A new Park Impact Fee ordinance will be prepared for review that will raise this amount.

Council Affairs:
Attorney Hall, Director Shine, and Fire Inspector Pillman were in attendance, and we discussed the possibility of looking at the permit fees with Town Attorney Svetanoff and Attorney Hall in January 2025. The last time the fees increased was in 2008.

President Bella thanked Vice-President Neal and her committee for the Tree Lighting Event.

DEPARTMENT & COMMISSION REPORTS:

LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL– Vice-President Neal reported that the next meeting will be on December 19th at 6:30 p.m. She will update the council at the December 30th meeting.

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Councilor Hardaway reported that a meeting was held on December 5th and the 2025 was passed. The next meeting will be held on January 16th.

Upon a question from President Bella regarding opportunities for grants for the Town, Councilor Hardaway responded there would be grant opportunities for the Town of Merrillville.

STORMWATER MANAGEMENT RESOURCES-LAKE – Director Matthew Lake updated the council on the following projects:

- **Tree City USA –** Recertification documentation will be submitted for the Town Tree City USA status with the Arbor Foundation. This will be the Town's 15th year for 2025. Director Lake is also applying for the growth award.

- **New Board Member Orientation -** James Kendig was added to the Stormwater Board. Mr. Kendig has a construction background.

- **CRS** – The CRS which lowers the Town Flood Insurance is being renewed. There is a lot of documentation which we will gather and submit to the Federal Emergency Management Agency (FEMA)

- **Projects in the Design Phase –** Director Lake reported that several shovel-ready projects are in the design phase, and he will request cost-share funding from the Little Calumet Rivera Basin Development Commission and meet with Congressman Mrvan regarding federal funding for these projects.

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

FIRE TERRITORY BOARD - NEAL & HARDAWAY – Councilor Hardaway reported that the budget has been approved for 2025.

DEPARTMENT REPORTS/ TOWN MANAGER

Interim Parks Director Roberts – Parks and Recreation

Interim Parks Director Roberts reported on the following:

- **Cookies and Canvas** – The event was held on Saturday, December 7th and nine children participated in painting a snowman or a gingerbread house on a canvas. The children from 5 to 9 years old painted a snowman and children 10 to 13 years old painted a gingerbread house. The next cookies and canvas event is on January 25th.

- **Co-Ed Indoors Volleyball League** – We anticipate getting the league up and running by February 7th.

Chief Nuses – Police Department

Chief Nuses reported the following statistics for November:

- **Service Calls –** 2,700 service calls did not include any traffic stops.

Chief Nuses also reported that the Police Department has been busy for the last couple of weeks. The officers have been very actively apprehending those who commit crimes in the Town of Merrillville and those who have felony warrants. In the next few weeks, the department will roll out some adjustments to stay effective and proactive in the Town of Merrillville with open communication and transparency with the public.

Director Shine - Building and Planning
Director Shine updated the council on the following building projects:

- **Amazon Building** – Amazon has their occupancy and has completed their interior remodel for the one million square foot building.
- **Indiana Bureau of Motor Vehicles (BMV) –** The BMV has opened across the street from Town Hall.
- **Autism Therapy Office –** The construction has started for the office that will be located at 8409 Merrillville Road.
- **Penske –** The company has obtained its building permit and is working on the building.

Director King – Street Department
Upon a question from President Bella regarding anything to add to the Street Department report, Director King responded that he had nothing to add.

Upon a question from Councilor Hardaway regarding the lights on Merrillville Road, Director King responded that the lights were fixed.

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

GENERAL ORDERS

A. Ordinances:

First Reading: (Discussion and Roll Call Vote):

1. **Ordinance 24-46 (Discussion and Roll Call Vote)**
   An Ordinance to Amend Chapters of the Merrillville Personnel Policy Manual, as Adopted and Codified in Section 2-87 of the Merrillville Municipal Code.

Digest/Synopsis: Amendment modifying several provisions of the Personnel Policy Manual to clarify the language dealing with holiday pay, creating a requirement for training requirement for persons tasked in the municipal program for CDL, adding language to the tuition reimbursement program to add the IRS cap adding language related to the employer's contribution to any employee's health savings account, and creating a travel policy for the municipality.

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 whole language and not existed before, it will be styled NEW with the new language to follow. *(Digest included pursuant to MCC Sec. 2-09(d))*

Ordinance No. 24-16
of the
TOWN of MERRILLVILLE, INDIANA

AN ORDINANCE to AMEND CHAPTER OF the MERRILLVILLE PERSONNEL POLICY MANUAL, AN ADOPTED AND CODIFIED IN SECTION 2.87 OF THE MERRILLVILLE MUNICIPAL CODE.

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

WHEREAS, Section fourteen of that chapter specifically provides that a unit of government may hire and discharge employees and establish a system of employment based on merit and qualification; and

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

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. 36-5-3-3(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, I.C. 36-5-3-4(a) 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 Merrillville did amend the Merrillville Municipal Code and in Section 2.87 adopted by reference a Personnel Policy Manual, which shall apply to all employees of the Town of Merrillville, employees of the clerk treasurer, uniform employees of the Town of Merrillville Police Department, and civilian employees of the Town of Merrillville Fire Department;

WHEREAS, Section C 1.2 of the Personnel Manual requires that the Human Resources Director and the Town Manager annually review the manual, and any such revisions be reduced to writing, and circulated to the several department heads for review and comment, which was completed as directed;

WHEREAS, Those revisions be reduced to writing, and circulated to the several department heads for review and comment, were further submitted to the Personnel and Benefits Committee of the Town Council for its review and input;

WHEREAS, The Town Council of the Town of Merrillville, as the town legislative body, has been advised by the Personnel and Benefits Committee that it is desirable to make certain amendments to the Personnel Policy Manual; and,

WHEREAS, The Town Council of the Town of Merrillville, as the town legislative body, now desires to amend the Personnel Policy Manual, particularly to authorize the modifications as described;

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

Section 1. That the Personnel Policy Manual be hereby amended by repealing Section 1.7 in its entirety and replacing it with a new section numbered 1.7, which shall read as follows:

§ 1.7 Commercial Driver License (CDL) Class B Requirements

A. All regular full time employees who are required to have a commercial driver's license (CDL) as well as the cost of required physicals for the renewal of driver license paid for by the municipality.

B. All employees that participate in the in-house training in support of acquiring a commercial driver's license, and successfully obtain the license from the Indiana Bureau of Motor Vehicles, and who voluntarily separate from employment earlier than two years

(24 months) following the earning of the commercial driver's license, shall be required to repay the municipality the costs associated with the training. An agreement will be prepared that executes this provision that all employees covered by this subsection shall be required to sign.

C. In the event an employee's CDL is revoked, suspended, or canceled, or an employee is not insured as a driver of a commercial vehicle by the Town's liability insurance carrier, the employee will have up to One Hundred Eighty (180) days in which to regain the CDL and/or maintain insurance coverage. During the period of loss of CDL driving privileges or uninsurability, an employee may be placed on leave with time charged, as available, to earned vacation leave, or unscheduled holiday and any remaining time being a leave of absence without pay. An employee may also be reassigned to a non-driving position or a position not requiring a CDL during this One Hundred Eighty (180) day period. Reassignment will be made only if such a position is then available. the employee is not subject to possible disciplinary action for reasons other than the loss of CDL driving privileges, and the reassignment is approved by the employee's Department Head. Any approved reassignment will be to the next lower pay step in the salary range of the temporarily assigned position.

D. If an employee is unable to regain the employee's CDL or remains uninsurable as a driver of a commercial vehicle by the municipality's liability carrier at the end of the One Hundred Eighty (180) day period, the employee shall be subject to termination. Each separation is reviewed on a case by case basis with a final decision regarding termination being made by the Town Council. An employee terminated from employment for loss of CDL driving privileges or uninsurability may apply for re-employment with the Town after regaining the employee's CDL and/or becoming insured again. Re-employment of a former employee shall be at the sole discretion of the Town Council.

E. A lifetime disqualification from holding a CDL will result in an employee's termination.

Section 2. That the Personnel Policy Manual be hereby amended by repealing subdivision C of Section 5.2 in its entirety, and replacing it with a new subdivision styled as C of Section 5.2, which shall read as follows:

§ 5.2 Tuition Reimbursement Program

C. Reimbursement. Only tuition fees and required books may be reimbursed after receiving required written documentation of the same. Meals, travel time, etc., are not reimbursable expenses. The maximum number of credit hours and the total reimbursement for the approved courses shall be determined by the Town Manager, Department Heads, or Clerk-Treasurer for the Clerk-Treasurer's employees. The amount reimbursed annually shall not exceed the amount budgeted and no reimbursement to any individual shall exceed the amount of Five Thousand, Two Hundred Fifty ($5,250) per year or the cap fixed by Internal Revenue Regulation. No payment shall be made

until the completion of the course, and the employee presents an official transcript indicating final grades of the approved course(s) to the Town Manager, Department Head, or Clerk-Treasurer for the Clerk-Treasurer's employees.

Section 3. That the Personnel Policy Manual be hereby amended by repealing subdivision K of Section 6.12 in its entirety, and replacing it with a new subdivision styled as K of Section 6.12, which shall read as follows:

K. Group Medical Insurance. The medical plan for eligible municipal employees shall pay benefits in accordance with the plan document in force at the time the claim is made. The employee premium contributions shall be fixed as follows and withheld from the employees compensation in equal installments, pursuant to IC 5-10-8-8.1, based upon the coverage class of the participating employee:

Health Savings Account High Deductible Plan

Employee only:	$ 59.85 per pay
Employee plus 1 or 2 additional persons:	$ 68.80 per pay
Employee plus 3 or more:	$ 80.07 per pay

Non High Deductible Plan

Employee only:	$ 69.81 per pay
Employee plus 1 or 2 additional persons:	$ 73.50 per pay
Employee plus 3 or more:	$ 125.00 per pay

In addition to any other group medical insurance plan, the municipality may offer a high deductible medical insurance plan as well. For such plans, the Town of Merrillville will contribute to the participating employees' health savings account (H.S.A.) in the following amounts based upon the coverage class of the participating employee to be paid in the total sum in January of each year of participation:

Single Employee	$1,000
Employee and dependent child(ren)	$1,000
Employee and Spouse	$1,500
Employee and family	$1,500

Section 4. That the Personnel Policy Manual be hereby amended by repealing subdivision D of Section 7.3 in its entirety, and replacing it with a new subdivision styled as D of Section 7.3, which shall read as follows:

D. No holiday pay shall be paid if the employee is off the day preceding or the day following the scheduled legal holiday, due to an employee initiated action. If the employee is off due to a pre-approved vacation, sick, personal, emergency compensatory time, funeral leave, or the day off is due to an employer initiated action, the holiday pay shall be paid. If a health care provider certifies to the illness of the employee on either or both days, the the holiday pay shall be paid. In any case where a health care provider certifies illness, appropriate documentation from the health care

provider regarding the certification must accompany the employee's timesheet for that day(s) and will be placed in the employee's personnel file.

Section 5. That the Personnel Policy Manual be hereby amended by adding an entirely new section to be styled as Section G 10.5 Travel and Conferences, which shall read as follows:

NEW § 10.5 Travel and Conferences

A. The following policy shall be used in providing for or reimbursing Town Council Members, Clerk-Treasurer, Members of Commissions and Boards, Appointed Officials and Employees for travel accommodations when such travel has been authorized and budgeted in relation to municipal business.

B. Travel Authorization: Before traveler a conference registration may be authorized there must be an existing approved appropriation identified for travel, training or conferences in the appropriate budget. The following additional internal controls are in effect governing when conference travel is authorized:

(i) Members of the Town Council require the written authorization of the Town Council President, or the Town Council Vice President, or a vote in a regular or special meeting.

(ii) The Town Clerk-Treasurer shall require no additional permission.

(iii) The Town Manager shall require the written authorization of the Town Council President or the Town Council vice president.

(iv) Members of Board or Commissions and Department heads, shall require the written authorization of the Town Manager or the manager's designee.

(v) Employees shall require the written authorization of the head of the department in which the employee serves.

C. Registration Fees. The cost of registration or similar fees for conferences, seminars and other similar meetings or functions related to Town affairs will be provided for or reimbursed when supported by original detailed receipts. Whenever possible, arrangements for these affairs should be made by a designated person and directly billed to the individual.

D. Transportation. (i) Travel by commercial airlines, rail service, bus, or similar common carrier mode will be provided for at the prevailing "coach" or "tourist" rate when authorized and supported by original detailed receipts. (ii) Taxi fare and/or the cost of other local (public) conveyance. (Uber/Lyft) will be provided for or reimbursed when supported by original detailed receipts. Gratuities for this service will not be reimbursed. (iii) Parking fees and tolls will be reimbursed when supported by original receipts (iv) When a personal automobile

is used in lieu of common carrier transportation, reimbursement will be governed by Section G 10 of the Personnel Policy Manual.

E. Lodging. Lodging shall be provided for or reimbursed when supported by original receipts in the following manner:

(i) Single occupancy will be provided at the actual cost. Double occupancy will be provided at actual cost when both parties are eligible for reimbursement. Double occupancy will be provided at the single occupancy rate when only one party is eligible for reimbursement unless room is a one rate charge.

(ii) Reimbursement for lodging costs shall include room, taxes, associated local travel per day per eligible party. Any other charges made to the room are the responsibility of the employee. Room service will not be reimbursable.

F. Meals. (i) Meals will be reimbursed when supported by original detailed receipts up to $75.00 per day, including gratuities. Such gratuities should be reasonable and should not exceed twenty percent (20%). Reimbursement under this provision will not exceed $75 including the gratuity. (ii) When separate meals are not available, an employee may claim reimbursement for other employees up to the maximum amount provided for in this subdivision, multiplied by the number of employees provided that each employee is identified by name and that the original detailed receipt is provided. (iii) Payment for meals by any individual will not be made to more than one individual. (iv) No reimbursement will be made for meals when already provided for in the registration fee associated with the travel or conference.

G. Insurance Coverage. Adequate liability coverage must be carried before consideration can be given for use of personal automobile in connection with Town business. The adequacy of this liability should be determined by the Town Manager.

Example: $100,000/300,000/100,000.

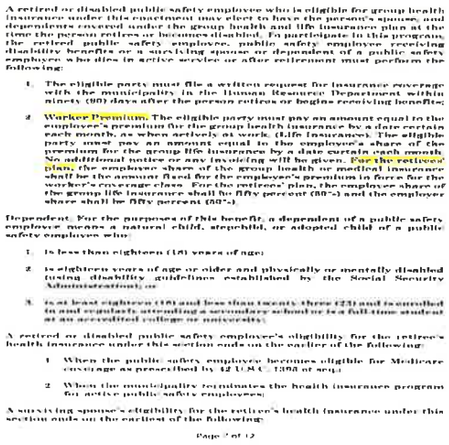
Section 6. That the Personnel Policy Manual be hereby amended by adding an entirely new section to be styled as Section 6.14 Other Post Employment Benefits which shall read as follows:

NEW § 6.14 Other Post Employment Benefits

Insurance for Retirees

A. Retired "PUBLIC SAFETY" Employees

Retired Public Safety Employees as defined in I.C. § 10-8-8-4 (16), who are receiving disability benefits under I.C. §§ 10-8-8-14 or 10-12-7-14, I.C. §§ 36-8-7-8, or I.C. §§ 36-8-8-8 and surviving spouses and dependents of public safety employees who die while in active service or after retirement shall be eligible for participation in a Retirees' Group Health and Life Insurance Plan as established by the Municipality.



A retired or disabled public safety employee who is eligible for group health insurance under this enactment may elect to have the person's spouse, and dependents covered under the group health and life insurance plan at the time the person retires or becomes disabled. To participate in this program, the retired public safety employee, public safety employee receiving disability benefits or a surviving spouse or dependent of a public safety employee who dies in active service or after retirement must perform the following:

1. The eligible party must file a written request for insurance coverage with the municipality in the Human Resource Department within ninety (90) days after the person retires or begins receiving benefits;
2. **Worker Premium:** The eligible party must pay an amount equal to the employee's premium for the group health insurance by a date certain each month, as when actively at work. (Life Insurance). The eligible party must pay an amount equal to the employee's share of the premium for the group life insurance by a date certain each month. No additional notice or any invoicing will be given. For the retirees' plan, the employee share of the group health or medical insurance shall be the amount fixed for the employee's premium in force for the worker's coverage class. For the retirees' plan, the employee share of the group life insurance shall be fifty percent (50%) and the employer share shall be fifty percent (50%).

Dependent. For the purposes of this benefit, a dependent of a public safety employee means a natural child, stepchild, or adopted child of a public safety employee who:

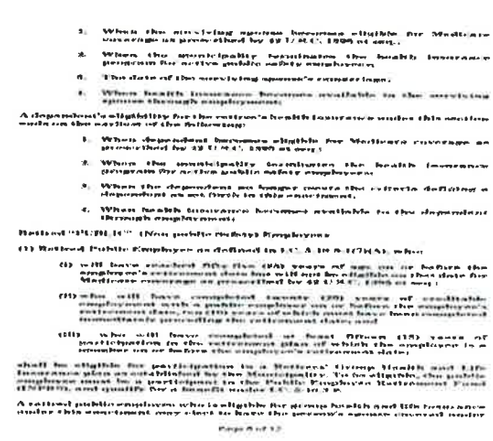
1. Is less than eighteen (18) years of age;
2. Is eighteen years of age or older and physically or mentally disabled (using disability guidelines established by the Social Security Administration); or
3. Is at least eighteen (18) and less than twenty-three (23) and is enrolled in and regularly attending a secondary school or is a full-time student at an accredited college or university.

A retired or disabled public safety employee's eligibility for the retiree's health insurance under this section ends on the earlier of the following:

1. When the public safety employee becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
2. When the municipality terminates the health insurance program for active public safety employees;

A surviving spouse's eligibility for the retiree's health insurance under this section ends on the earliest of the following:

Page 7 of 12



3. When the surviving spouse becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
4. When the municipality terminates the health insurance program for active public safety employees;
5. The date of the surviving spouse's remarriage;
6. When health insurance becomes available to the surviving spouse through employment;

A dependent's eligibility for the retiree's health insurance under this section ends on the earliest of the following:

1. When dependent becomes eligible for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;
2. When the municipality terminates the health insurance program for active public safety employees;
3. When the dependent no longer meets the criteria defining a dependent as set forth in this enactment;
4. When health insurance becomes available to the dependent through employment;

Retired "1977 PERF" (Non-public-retired) Employee

(1) Retired Public Employee as defined in I.C. § 10-9-17(b)(3), who:

(i) will have reached fifty-five (55) years of age on or before the employee's retirement date but will not be eligible on that date for Medicare coverage as prescribed by 42 U.S.C. 1395 et seq.;

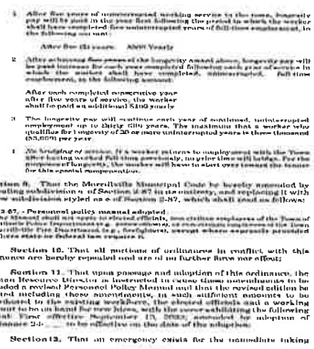
(ii) who will have completed twenty (20) years of creditable employment with a public employer on or before the employee's retirement date, ten (10) years of which must have been completed immediately preceding the retirement date; and

(iii) who will have completed at least fifteen (15) years of participation in the retirement plan of which the employer is a member on or before the employee's retirement date;

shall be eligible for participation in a Retirees' Group Health and Life Insurance plan as established by the Municipality. To be eligible, the public employee must be a participant in the Public Employee Retirement Fund (PERF), and qualify for a benefit under I.C. § 10-9-8.

A retired public employee who is eligible for group health and life insurance under this enactment may elect to have the person's spouse covered under

Page 8 of 12



1. After five years of uninterrupted, working service to the town, longevity pay will be paid in the year first following the period in which the worker shall have completed five uninterrupted years of full-time employment, in the following amount:

   After five (5) years: $500 Yearly

2. After achieving five years of the longevity award above, longevity pay will be paid increase for each year completed following each year of service in which the worker shall have completed, uninterrupted, full time employment, in the following amount:

   After each completed consecutive year after five years of service, the worker shall be paid an additional $100 yearly

3. The longevity pay will continue each year of continued, uninterrupted employment up to thirty-fifty years. The maximum that a worker who qualifies for Longevity of 30 or more uninterrupted years is three thousand ($3,000) per year.

4. *No breaking of service.* If a worker returns to employment with the Town after having worked full time previously, to give time will lapse. For the purpose of longevity, the worker will have to start over toward the future for this special compensation.

Section 9. That the Merrillville Municipal Code be hereby amended by repealing subdivision 4 of Section 2-87 in its entirety, and replacing it with a new subdivision styled as 4 of Section 2-87, which shall read as follows:

Sec. 2-87. - Personal policy manual adopted.

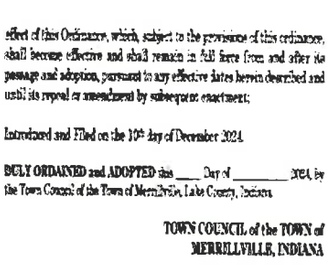
(4) This section shall not apply to elected officials, non-civilian employees of the Town of Merrillville Police Department (e.g., police officers), or non-civilian employees of the Town of Merrillville Fire Department (e.g., firefighters), except where expressly provided or where state or federal law requires it.

Section 10. That all motions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 11. That upon passage and adoption of this ordinance, the Human Resource Director is instructed to enter those amendments to be included a revised Personnel Policy Manual and that the revised edition be printed including these amendments, in such sufficient amounts to be distributed to the existing workforce, the elected officials and a working amount to be on hand for new hires, with the cover exhibiting the following initial: First effective September 13, 2023, amended by adoption of Ordinance 24-___, to be effective on the date of the adoption;

Section 12. That an emergency exists for the immediate taking

Page 11 of 12



effect of this Ordinance, which, subject to the provisions of this ordinance, shall become effective and shall remain in full force from and after its passage and adoption, pursuant to any effective dates herein described and until its repeal or amendment by subsequent enactment;

Introduced and Filed on the 10th day of December 2024.

DULY ORDAINED and ADOPTED this ____ Day of _____ 2024, 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 Pettit and second by Counselor Hardaway to approve Ordinance 24-46 on the first reading.

Town Manager Griffin explained Ordinance 24-46

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, 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. **Ordinance 24-47 (Discussion and Roll Call Vote)**
   An Ordinance to Amend the Code of Ordinances for the Town of Merrillville, State of Indiana, to Revise the Merrillville Code to Updated Language for the Redevelopment Department, All Pursuant to IC 36-7-14 Et. Seq.

Digest: An ordinance to AMEND the MERRILLVILLE MUNICIPAL CODE to Revise by repealing Sections 2-150 to 2-155 and creating new sections to Incorporate the Redevelopment Law in force for Indiana particularly including the provisions regarding the establishment of a Redevelopment General Fund and a Redevelopment Capital Fund in the Merrillville MUNICIPAL CODE. *(Digest included pursuant to MCC Sec.2-69(d))*

ORDINANCE No. 24-47
of the
TOWN of MERRILLVILLE, INDIANA

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE TOWN OF MERRILLVILLE, STATE OF INDIANA, TO REVISE THE MERRILLVILLE CODE TO UPDATED LANGUAGE FOR THE REDEVELOPMENT DEPARTMENT, ALL PURSUANT TO IC 36-7-14 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of MERRILLVILLE, is the Town Council, pursuant to IC 36-1-2-9(6) and IC 36-5-2-2;

WHEREAS, The present general and permanent ordinances of the Town of MERRILLVILLE, are in need of technical and substantive modifications not confined to any particular Title, Article or Chapter but nevertheless desirable to further improve and perfect the Code;

Whereas, The Town Council is solidly advised that as part of a corrective action plan, there was a representation to revise the redevelopment department in the municipal code to expressly include a general fund, to post operating costs associated with that department's objectives; and,

WHEREAS, The Town Council is persuaded that it is necessary and desirable to adopt the several modifications to the code, to further improve and perfect the Code;

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

Section 1. That the MERRILLVILLE Municipal Code be hereby amended by repealing Sections 2-150 through 2-155, placing these section numbers in reserve;

Section 2. That the MERRILLVILLE Municipal Code be hereby amended by to include a New section, to be styled Sections 2-150 through 2-155 Establishing a Department of Redevelopment, which shall read as follows:



(D) Relocating, constructing, and improving sewer or utility services, off street parking facilities, and levees.
(E) Laying out and constructing necessary public improvements, including parks, playgrounds, and other recreational facilities.
(F) Restricting the use of real property acquired according to law.
(G) Repairing and maintaining buildings acquired, if demolition of those buildings is not considered necessary to carry out the redevelopment plan.
(H) Rehabilitating real or personal property, whether or not acquired, to carry out the redevelopment or urban renewal plan.
(I) Disposing of property acquired on the terms and conditions and for the uses and purposes that best serve the interests of the units served by the redevelopment commission.
(J) Making payments required or authorized by IC 8-23-17.
(K) Performing all acts incident to the statutory powers and duties of a redevelopment commission.

"Subdivision" means the division of a parcel of land into lots, parcels, tracts, units, or interests in the manner defined and prescribed by a subdivision control ordinance adopted by the legislative body under IC 36-7-4.

"Thoroughfare" means a public way or public place that is included on the thoroughfare plan of a unit. The term includes the entire right-of-way for public use of the thoroughfare and all surface and subsurface improvements on it, such as sidewalks, curbs, shoulders, and utility lines and mains.

"Zoning ordinance" refers to an ordinance adopted under IC 36-7-4-600 et seq. or under prior law. The term includes:
(A) PUD district ordinances (as defined in IC 36-7-4-1003); and
(B) All zone maps incorporated by reference into the ordinance as provided in IC 36-7-4-602 et seq. [Ord. 11b7 § 4. 2008: Code 2000 § 210.01]

Sec. 2-151 Establishment of the redevelopment department.
(A) There is established a department of redevelopment in the town, to be controlled by and pursuant to the provisions of IC 36-7-14 through 36-7-14-52 as may be amended from time to time. The department is composed of the Merrillville redevelopment commission and such persons it may employ.

(B) The redevelopment commission consists of five members, as follows:
(1) The town council shall appoint two persons, who must be at least 18 years of age and must be residents of the town.
(2) The town council president, as municipal executive, shall appoint three persons, who must be at least 18 years of age and must be residents of the town.
(3) The town council president as municipal executive shall also appoint an individual to serve as a nonvoting advisor who shall serve subject to the following:
(a) The nonvoting advisor must be a member of the town board of school trustees of the town of Merrillville or an individual recommended by it to the town council president as municipal executive.



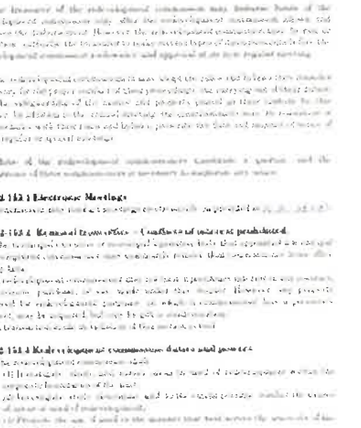
Sec. 2-152 Meetings, organization, quorum and officers.
(A) The redevelopment commissioners shall hold a meeting for the purpose of organization not later than 30 days after they are appointed and, after that, each year on a day that is not a Saturday, a Sunday, or a legal holiday and that is their first meeting day of the year. They shall choose one of their members as president, another as vice-president, and another as secretary. These officers shall perform the duties usually pertaining to their offices, and shall serve from the date of their election until their successors are elected and qualified.

(B) The fiscal officer of the unit establishing a redevelopment commission is the treasurer of the redevelopment commission. Notwithstanding any other provision of IC 36-7-14, but subject to subsection (C) of this section, the treasurer has charge over and is responsible for the administration, investment, and disbursement of all funds and accounts of the commission, in accordance with the requirements of state laws that apply to other funds and accounts administered by the fiscal officer. The treasurer shall report annually to the redevelopment commission before April 1st.

(C) The following apply to funds of the redevelopment commission:
(1) The funds must be accounted for separately by the unit establishing the redevelopment commission and the daily balance of the funds must be maintained in a separate ledger statement.
(2) Except as provided in subsection (E) of this section, all funds designated as redevelopment commission funds must be accessible to the redevelopment commission at any time.
(3) The amount of the daily balance of redevelopment commission funds may not be below zero at any time.
(4) The funds may not be maintained or used in a manner that is intended to avoid the waiver procedures and requirements for a unit and the redevelopment commission under subsection (E) of this section.

(D) If the fiscal body of a unit determines that it is necessary to engage in short-term borrowing until the next tax collection period, the fiscal body of the unit may request approval from the redevelopment commission to waive the requirement in subsection (C)(2) of this section. In order to waive the requirement under subsection (C)(2) of this section, the fiscal body of the unit and the redevelopment commission must adopt similar resolutions that set forth:
(1) The amount of the funds designated as redevelopment commission funds that are no longer accessible to the redevelopment commission under the waiver; and
(2) An expiration date for the waiver. If a loan is made to a unit from funds designated as redevelopment funds, the loan must be repaid by the unit and the funds made accessible to the redevelopment commission not later than the end of the calendar year in which the funds are received by the unit.

(E) Subsections (C) and (D) of this section do not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement.



(H) The redevelopment commission may:

(1) Acquire by purchase, exchange, gift, grant, condemnation, or lease, or any combination of methods, any personal property or interest in real property needed for the redevelopment of areas in need of redevelopment located within the corporate boundaries of the unit;

(2) Hold, use, sell (by conveyance, by deed, land sale contract, or other instrument), exchange, lease, rent, or otherwise dispose of property acquired for use in the redevelopment of areas in need of redevelopment, on the terms and conditions that the commission considers best for the unit and its inhabitants;

(3) Sell, lease, or grant interests in all or part of the real property acquired for redevelopment purposes to any other department of the unit or to any other governmental agency for public ways, levees, sewerage, parks, playgrounds, schools, and other public purposes on any terms that may be agreed on;

(4) Clear real property acquired for redevelopment purposes;

(5) Enter on or into, inspect, investigate, and assess real property and structures acquired or to be acquired for redevelopment purposes to determine the existence, source, nature, and extent of any environmental contamination, including the following:

(a) Hazardous substances.

(b) Petroleum.

(c) Other pollutants.

(6) Remediate environmental contamination, including the following, found on any real property or structures acquired for redevelopment purposes:

(a) Hazardous substances.

(b) Petroleum.

(c) Other pollutants.

(7) Repair and maintain structures acquired for redevelopment purposes.

(8) Remodel, rebuild, enlarge, or make major structural improvements on structures acquired for redevelopment purposes.

(9) Survey or examine any land to determine whether it should be included within an area needing redevelopment to be acquired for redevelopment purposes and to determine the value of that land.

(10) Appear before any other department or agency of the unit, or before any other governmental agency in respect to any matter affecting:

(a) real property acquired or being acquired for redevelopment purposes; or

(b) any area needing redevelopment within the jurisdiction of the commissioners.

(11) Institute or defend in the name of the unit any civil action.

(12) Use any legal or equitable remedy that is necessary or considered proper to protect and enforce the rights of and perform the duties of the department of redevelopment.

(13) Appoint an executive director, appraisers, real estate experts, engineers, architects, surveyors, and attorneys.

(14) Appoint clerks, guards, laborers, and other employees the commission considers advisable, except that those appointments must be made in accordance with the merit system of the unit if such a system exists.

(15) Prescribe the duties and regulate the compensation of employees of the department of redevelopment.

that established the redevelopment commission, expend money and provide financial assistance (including grants and loans):

(a) in direct support of:

(i) an active military base located within the unit; or

(ii) an entity located in the territory or facilities of a military base or former military base within the unit that is scheduled for closing or is completely or partially inactive or closed; or an entity that is located in any territory or facilities of the United States Department of Defense within the unit that are scheduled for closing or are completely or partially inactive or closed;

including direct support for the promotion of the active military base or entity, the growth of the active military base or entity, and activities at the active military base or entity; and

(b) in support of any other entity that provides services or direct support to an active military base or entity described in clause (A).

The fiscal body of the unit that established the redevelopment commission must separately approve each grant, loan, or other expenditure for financial assistance under this subdivision. The terms of any loan that is made under this subdivision may be changed only if the change is approved by the fiscal body of the unit that established the redevelopment commission. As used in this subdivision, "active military base" has the meaning set forth in IC 36-1-3-2(1).

(28) Expend revenues from a tax increment financing district that are allocated for police and fire services on both capital expenditures and operating expenses.

(C) Conditions imposed by the commission under subsection (B)(25) of this section remain in force throughout the period determined under subsection (B)(25)(a) of this section, even if the owner sells, leases, or conveys the property. The subsequent owner or lessee is bound by the conditions for the remainder of the period.

(D) As used in subsection (B)(22) of this section, "pedestrian skyway" means a pedestrian walkway within or outside of the public right-of-way and through and above public or private property and buildings, including all structural supports required to connect skyways to buildings or buildings under construction. Pedestrian skyways constructed, extended, or improved over or through public or private property constitute public property and public improvements, constitute a public use and purpose, and do not require vacation of any public way or other property.

(E) All powers that may be exercised under this chapter by the redevelopment commission may also be exercised by the redevelopment commission in carrying out its duties and purposes under IC 36-7-14.5.

(F) A redevelopment commission may not exercise the power of eminent domain.

Sec. 2-153.1 Construction contracts - Subcontractors - Wage scales.

The provisions of IC 5-16-7 apply to a person that enters into a contract with a redevelopment commission to perform construction work (referred to in IC 36-7-14-12.2(a)(1), (6), (20), or (21)) and a subcontractor of such a person.

Sec. 2-153.3 Annual reports.

(A) Not later than April 15 of each year, the redevelopment commissioners or their designees shall file with the unit's executive and fiscal body a report setting out their activities during the preceding calendar year. The redevelopment commissioners or their designees shall also present the report to the unit's fiscal body at a public meeting.

(B) The report of the commissioners of a municipal redevelopment commission must show the names of the then qualified and acting commissioners, the names of the officers of that body, the number of regular employees and their fixed salaries or compensation, the amount of the expenditures made during the preceding year and their general purpose, an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commissioners and the results obtained.

(C) The report of the commissioners of a county redevelopment commission must show all the information required by subsection (b), plus the names of any commissioners appointed to or removed from office during the preceding calendar year.

(D) A copy of each report filed under this section must be submitted to the department of local government finance in an electronic format.

(E) The report required under subsection (a) must also include the following information set forth for each tax increment financing district regarding the previous year:

(1) Revenues received.

(2) Expenses paid.

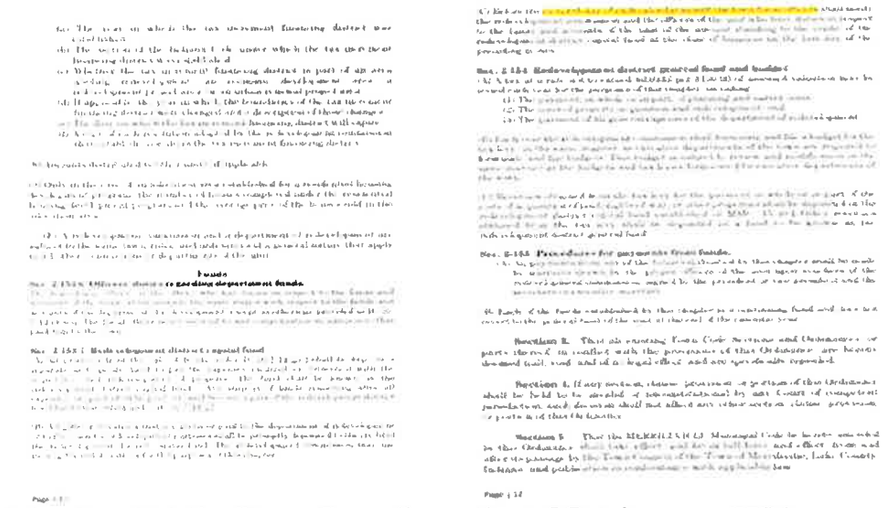
(3) Fund balances.

(4) The amount and maturity date for all outstanding obligations.

(5) The amount paid on outstanding obligations.

(6) A list of all the parcels and the depreciable personal property of any designated taxpayer included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel and the depreciable personal property of any designated taxpayer in the list.

(7) To the extent that the following information has not previously been provided to the department of local government finance:



Introduced at the Town Council meeting of October ____ 2024.

DULY ORDAINED and ADOPTED this _____ Day of _____ 2024, 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 Pettit and second by Counselor Hardaway to approve Ordinance 24-47 on the first reading.

Upon a question from President Bella regarding anything to add, Town Manager Griffin responded he had nothing to add.

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

3. **Ordinance 24-48 (Discussion and Roll Call Vote)**
An Ordinance Appropriating Additional Money in Excess of the Annual Budget for Various Funds, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

Digest: An ordinance to restore and appropriate undesignated, unreserved cash on deposit to the LOIT-CEDIT Fund, Motor Vehicle Highway – Restricted Fund and LIT-Public Safety Fund for costs unplanned in those funds.

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 new where language had not existed before, it will be styled NEW with the new language to follow. ***(Digest included pursuant to MCC Sec.2-69(d))***

TOWN OF MERRILLVILLE
APPROPRIATION ENACTMENT
ORDINANCE No. 24-48

AN ORDINANCE APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET FOR VARIOUS FUNDS, ALL PURUSANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **LOIT-CEDIT Fund, Motor Vehicle Highway – Restricted Fund and LIT-Public Safety 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. 36-5-3-5,

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 LOIT-CEDIT FUND and for the purposes herein specified, as identified by the series herein, subject to the laws governing the same:

LOIT-CEDIT FUND

Increase the following:

	Proposed:	**Approved:**
900 Series:	$ 95,882.00	$ 95,882.00
Total for the Fund:		**$95,882.00**

Page 1 of 3

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 MOTOR VEHICLE HIGHWAY – RESTRICTED FUND for the purposes herein specified, as identified by the series herein, subject to the laws governing the same:

MOTOR VEHICLE HIGHWAY – RESTRICTED FUND

Increase the following:

	Proposed:	**Approved:**
100 Series:	$210,000.00	$210,000.00
Total for the Fund:		**$210,000.00**

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 LIT PUBLIC SAFETY FUND for the purposes herein specified, as identified by the series herein, subject to the laws governing the same:

LIT PUBLIC SAFETY FUND

Increase the following:

	Proposed:	**Approved:**
300 Series:	$ 50,000.00	$ 50,000.00
Total for the Fund:		**$ 50,000.00**

Section 4. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these monies be made available for expenditure subject to an order of the Commissioner, pursuant to IC 6-1.1-18

Section 5. That in satisfaction and for the purposes of the provisions set out in IC 36-5-2-9.6, IC 36-5-3A, IC 36-5-4-2, this ordinance shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to IC 5-14-1.5-11 et seq.

Introduced and Filed on the 10th Day of December, 2024

Page 2 of 3

DULY ORDAINED AND ADOPTED this _____ Day of _____ 2024, 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 Haynes-Edwards and second by Counselor Chandler-Felton to approve Ordinance 24-48 on the first reading.

Upon a question from President Bella regarding anything to add, Town Manager Griffin responded this is an additional appropriation under IC 6-1.1-18 and a public hearing will be held at the December 30th Town Council Meeting.

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

4. **Ordinance 24-49 (Discussion and Roll Call Vote)**
An Ordinance Reducing Appropriations in the Annual Budget for Various Funds, Pursuant to I.C. 6.1.1-18, IC 36-5-3-5, ET SEQ.



TOWN OF MERRILLVILLE
APPROPRIATION ORDINANCE
NO. 2024-49

AN ORDINANCE REDUCING APPROPRIATIONS IN THE ANNUAL BUDGET FOR VARIOUS FUNDS, PURSUANT TO I.C. 6-1.1-18, I.C. 36-5-3-5, ET SEQ

WHEREAS, it has been determined that it is now necessary to reduce appropriations from what was appropriated in the budget for Various Funds, and

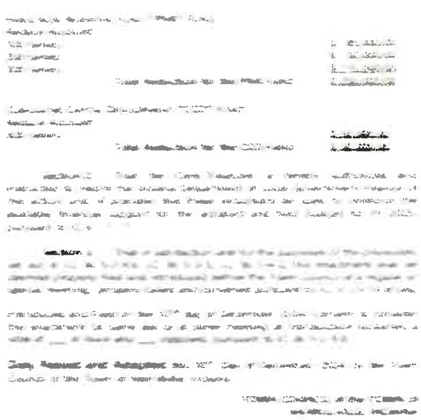
WHEREAS, it has been determined that such diminished and reduced appropriations as may be approved by this enactment, will neither increase nor decrease the levy set under I.C. 6-1.1-17 and in the course of collection for FY 2024, however such reduction will return the resources dedicated to support such reduced appropriations to the cash on deposit to the credit of the respective Funds, and,

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

Section 1. That for the expenses of said municipality, the following appropriations of money are hereby reduced and ordered returned and reverted to the funds hereinnamed and for the purposes herein specified, subject to the laws governing the same

LOCAL ROAD AND STREETS ("LRS") FUND
Reduce Account
200 Series $ 130,000.00
300 Series $ 60,000.00
400 Series $ 90,000.00
Total Reduction for the LRS Fund $ 280,000.00

LAW ENFORCEMENT CONTINUING EDUCATION ("LECE") FUND
Reduce Account
200 Series $ 10,000.00
300 Series $ 90,000.00
Total Reduction for the LECE Fund $ 100,000.00



President Bella informed the council that the CCD fund reduction of $50,000.00 on page two should be omitted from the ordinance.

By the leave of President Bella, Town Manager Griffin asked for requested that the rules be suspended and Ordinance 24-49 be considered on a second reading after the first reading vote.

Town Manager Griffing also informed the council that to inform the process of the 1782 notice that Vice-President Neal mentioned in her report, it must be shown that the council has taken the steps that are suggested or contemplated in this ordinance. The ordinance is the way to do the reductions under state law.

It was moved by Councilor Pettit and second by Vice-President Neal to approve Ordinance 24-49 with the removal of the CCD Fund $50,000.00 reduction on the first reading.

Upon a question from President Bella regarding clarity on the removal of the CCD Fund $50,000.00 reduction from the ordinance, Financial Advisor Hudson responded that despite her and the bookkeeper reviewing all the December tax collections entered in Gateway and saved, this value was missing. There were glitches in Gateway. The final total has increased because of this December's tax collection. We anticipate receiving this collection next week so there is no reason to reduce any unspent money right now.

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Shawn Pettit, Keesha Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved with the removal of the CCD Fund's $50,000.00 reduction on the first reading.

It was moved by Councilor Pettit and second by Councilor Hardaway to suspend the rules and read Ordinance 24-49 with the removal of the CCD Fund $50,000.00 reduction on the second and final reading.

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

Rick Bella voted in the affirmative. There were no negatives. The motion passed. The rules were suspended to read Ordinance 24-49 with the removal of the CCD Fund $50,000.00 reduction on the second and final reading.

It was moved by Vice-President Neal and second by Councilor Pettit to approve Ordinance 24-49 with the removal of the CCD Fund $50,000.00 reduction on the second and final reading.

Upon a roll call vote, there were six affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Shawn Pettit, Keesha Hardaway, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved with the removal of the CCD Fund's $50,000.00 reduction on the second and final reading.

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

B. Resolutions:

1. **Resolutions 24-38 (Discussion and Voice Vote**
   A Resolution of the Town of Merrillville, Lake County, Indiana, Concerning the Holiday Schedule for the Calendar Year 2025

RESOLUTION 24-38
TOWN OF MERRILLVILLE, INDIANA

A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, CONCERNING THE HOLIDAY SCHEDULE FOR THE CALENDAR YEAR 2025

WHEREAS, The Merrillville Town Council has authority for Employees of the Town of Merrillville; and

WHEREAS, The Merrillville Town Council wishes to establish legal holidays for the Town of Merrillville.

NOW THEREFORE, BE IT RESOLVED by the Merrillville Town Council, that the following holidays are established for the employees of the Town of Merrillville:

New Year's Day	January 1st	Wednesday Closed
Martin Luther King, Jr.	January 20th	Monday Closed
President's Day	February 17th	Monday Closed
Good Friday	April 18th	Friday Closed
Memorial Day	May 26th	Monday Closed
Juneteenth	June 19th	Thursday Closed
Independence Day	July 4th	Friday Closed
Labor Day	September 1st	Monday Closed
Columbus Day	October 13th	Monday Closed
Veterans Day	November 11th	Tuesday Closed
Thanksgiving Day	November 27th	Thursday Closed
Day After Thanksgiving	November 28th	Friday Closed
Christmas Eve	December 24th	Wednesday Closed
Christmas Day	December 25th	Thursday Closed
New Year's Eve	December 31st	Wednesday Closed

*Dates of some Holidays are the day before or after they are Observed per the Personnel Policy Manual

DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, THIS _____ DAY OF DECEMBER 2024

It was moved by Councilor Haynes-Edwards and seconded by Councilor Chandler-Felton to approve Resolution 24-38.

Upon a question from President Bella regarding passing a resolution every year for the holiday schedule, or just adjusting the dates as the calendar changes from year to year, Town Manage Griffin responded that we could take steps to eliminate this process, and the Holiday Schedule's dates can be adjusted from year to year.

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

2. **Resolutions 24-39 (Discussion and Voice Vote**
A Resolution of the Town of Merrillville, Indiana, Transferring Monies Within The 2024 Budget – General Fund.

RESOLUTION 24-39
TOWN OF MERRILLVILLE, INDIANA

A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TRANSFERRING MONIES WITHIN THE 2024 BUDGET – GENERAL FUND

WHEREAS, within the appropriation of funds for the year 2024, there is a need to transfer certain monies within the 2024 Budget,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that the following transfer of funds be approved:

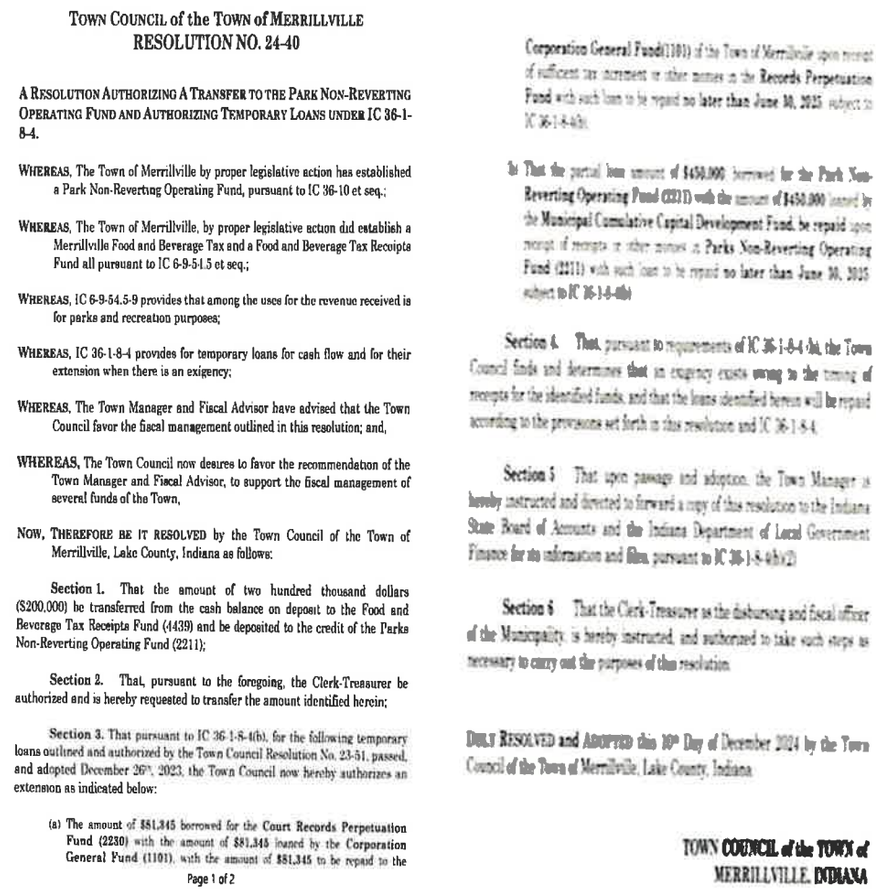
		DECREASE	INCREASE
GENERAL FUND – DEPT. 02			
1101002182	General/Social Security	$ 2,000.00	
1101002186	General/Longevity	5,300.00	
	Total Decrease	$ 7,300.00	
1101002243	General/Other Supplies		$ 2,000.00
1101002212	General/Office Supplies		5,300.00
	Total Increase		$ 7,300.00
GENERAL FUND – DEPT. 07			
1101007183	General/Unemployment	$ 6,000.00	
1101007352	General/Electric & Gas		$ 6,000.00

DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, THIS _____ day of December, 2024.

It was moved by Vice-President Neal and seconded by Councilor Haynes-Edwards to approve Resolution 24-39.

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

3. **Resolutions 24-40 (Discussion and Voice Vote**
A Resolution Authorizing A Transfer To The Park Non-Reverting Operating Fund And Authorizing Temporary Loans Under IC 36-1-8-4.



TOWN COUNCIL of the TOWN of MERRILLVILLE
RESOLUTION NO. 24-40

A RESOLUTION AUTHORIZING A TRANSFER TO THE PARK NON-REVERTING OPERATING FUND AND AUTHORIZING TEMPORARY LOANS UNDER IC 36-1-8-4.

WHEREAS, The Town of Merrillville by proper legislative action has established a Park Non-Reverting Operating Fund, pursuant to IC 36-10 et seq.;

WHEREAS, The Town of Merrillville, by proper legislative action did establish a Merrillville Food and Beverage Tax and a Food and Beverage Tax Receipts Fund all pursuant to IC 6-9-54.5 et seq.;

WHEREAS, IC 6-9-54.5-9 provides that among the uses for the revenue received is for parks and recreation purposes;

WHEREAS, IC 36-1-8-4 provides for temporary loans for cash flow and for their extension when there is an exigency;

WHEREAS, The Town Manager and Fiscal Advisor have advised that the Town Council favor the fiscal management outlined in this resolution; and,

WHEREAS, The Town Council now desires to favor the recommendation of the Town Manager and Fiscal Advisor, to support the fiscal management of several funds of the Town,

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

Section 1. That the amount of two hundred thousand dollars ($200,000) be transferred from the cash balance on deposit to the Food and Beverage Tax Receipts Fund (4439) and be deposited to the credit of the Parks Non-Reverting Operating Fund (2211);

Section 2. That, pursuant to the foregoing, the Clerk-Treasurer be authorized and is hereby requested to transfer the amount identified herein;

Section 3. That pursuant to IC 36-1-8-4(b), for the following temporary loans outlined and authorized by the Town Council Resolution No. 23-51, passed, and adopted December 26th, 2023, the Town Council now hereby authorizes an extension as indicated below:

(a) The amount of $81,345 borrowed for the Court Records Perpetuation Fund (2230) with the amount of $81,345 loaned by the Corporation General Fund (1101), with the amount of $81,345 to be repaid to the

Page 1 of 2

Corporation General Fund(1101) of the Town of Merrillville upon receipt of sufficient tax increment or other monies in the Records Perpetuation Fund with such loan to be repaid no later than June 30, 2025 subject to IC 36-1-8-4(b);

b) That the partial loan amount of $450,000 borrowed for the Park Non-Reverting Operating Fund (2211) with the amount of $450,000 loaned by the Municipal Cumulative Capital Development Fund, be repaid upon receipt of receipts or other monies in Parks Non-Reverting Operating Fund (2211) with such loan to be repaid no later than June 30, 2025 subject to IC 36-1-8-4(b)

Section 4. That, pursuant to requirements of IC 36-1-8-4 (b), the Town Council finds and determines that an exigency exists owing to the timing of receipts for the identified funds, and that the loans identified herein will be repaid according to the provisions set forth in this resolution and IC 36-1-8-4.

Section 5 That upon passage and adoption, the Town Manager is hereby instructed and directed to forward a copy of this resolution to the Indiana State Board of Accounts and the Indiana Department of Local Government Finance for its information and files, pursuant to IC 36-1-8-4(b)(2)

Section 6 That the Clerk-Treasurer as the disbursing and fiscal officer of the Municipality, is hereby instructed, and authorized to take such steps as necessary to carry out the purposes of this resolution.

DULY RESOLVED and ADOPTED this 10th Day of December 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 24-40

Upon a question from Councilor Pettit regarding the outstanding loan for the Town Court record perpetuation fund of $81,45.00, Town Manager Griffin responded that a six-month extension is being requested to pay back the load.

It was moved by Councilor Pettit and seconded by Vice-President Neal to approve Resolution 24-40.

Upon a question from Clerk-Treasurer Eric January regarding section one on Resolution 24-40 regarding the authority of using the Food and Beverage Tax funds to pay back a loan, President Bella responded that the council has discretion regarding the fund.

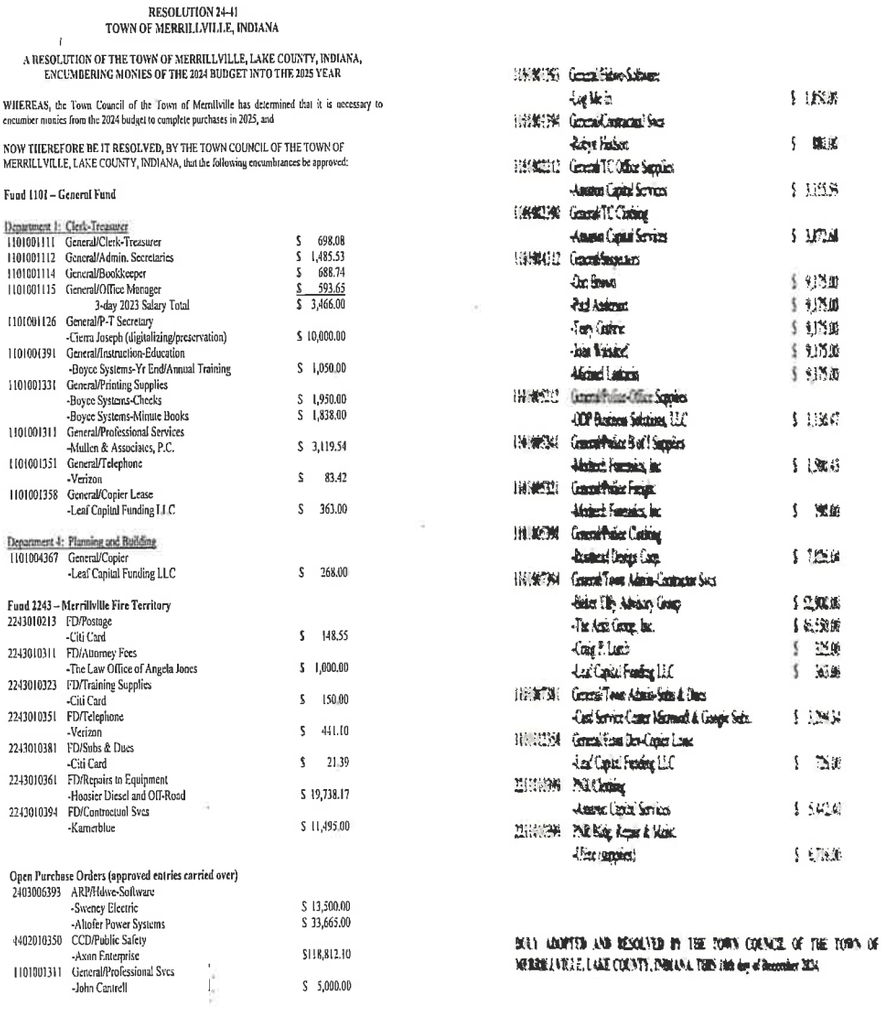
By leave of President Bella, Town Manager Griffin added that the Food and Beverage Tax (FBT) is a receipt fund. The FBT fund allows those proceeds to be used for Park purposes. This is consistent with accounting rules in the state of Indiana.

Clerk-Treasurer Eric January added that we want to use the FBT fund to improve programs and services at the Dean and Barbara White Community Center for our residents not just to repay a debt.

President Bella stated that meetings will be held in 2025 to develop a spending plan for the Food and Beverage Tax fund.

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

4. **Resolution 24-41 (Discussion and Voice Vote**
A Resolution of the Town of Merrillville, Lake County, Indiana, Encumbering Monies of the 2024 Budget into the 2025 year.



RESOLUTION 24-41
TOWN OF MERRILLVILLE, INDIANA

A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, ENCUMBERING MONIES OF THE 2024 BUDGET INTO THE 2025 YEAR

WHEREAS, the Town Council of the Town of Merrillville has determined that it is necessary to encumber monies from the 2024 budget to complete purchases in 2025, and

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that the following encumbrances be approved:

Fund 1101 – General Fund

Department 1: Clerk-Treasurer

1101001111	General/Clerk-Treasurer	$ 698.08
1101001112	General/Admin. Secretaries	$ 1,485.53
1101001114	General/Bookkeeper	$ 688.74
1101001115	General/Office Manager	$ 593.65
	3-day 2023 Salary Total	$ 3,466.00
1101001126	General/P-T Secretary	
	-Cierra Joseph (digitalizing/preservation)	$ 10,000.00
1101001391	General/Instruction-Education	
	-Boyce Systems-Yr End/Annual Training	$ 1,050.00
1101001331	General/Printing Supplies	
	-Boyce Systems-Checks	$ 1,950.00
	-Boyce Systems-Minute Books	$ 1,838.00
1101001311	General/Professional Services	
	-Mullen & Associates, P.C.	$ 3,119.54
1101001351	General/Telephone	
	-Verizon	$ 83.42
1101001358	General/Copier Lease	
	-Leaf Capital Funding LLC	$ 363.00

Department 4: Planning and Building

1101004367	General/Copier	
	-Leaf Capital Funding LLC	$ 268.00

Fund 2243 – Merrillville Fire Territory

2243010213	FD/Postage	
	-Citi Card	$ 148.55
2243010311	FD/Attorney Fees	
	-The Law Office of Angela Jones	$ 1,000.00
2243010323	FD/Training Supplies	
	-Citi Card	$ 150.00
2243010351	FD/Telephone	
	-Verizon	$ 441.10
2243010381	FD/Subs & Dues	
	-Citi Card	$ 21.39
2243010361	FD/Repairs to Equipment	
	-Hoosier Diesel and OTI-Rosd	$ 19,738.17
2243010394	FD/Contractual Svcs	
	-Kamerblue	$ 11,495.00

Open Purchase Orders (approved entries carried over)

2403006393	ARP/Hdwe-Software	
	-Sweney Electric	$ 13,500.00
	-Altofer Power Systems	$ 33,665.00
4402010350	CCD/Public Safety	
	-Axon Enterprise	$118,812.10
1101001311	General/Professional Svcs	
	-John Cantrell	$ 5,000.00

[illegible] General/Hdwe-Software:
-Log Me In $ [illegible]
[illegible] General/Contractual Svcs
-Calyx Harbor $ [illegible]
[illegible] General/TC Office Supplies
-Amazon Capital Services $ [illegible]
[illegible] General/TC Clothing
-Amazon Capital Services $ [illegible]
[illegible] General/Inspectors
-Dan Brown $ [illegible]
-Paul Anderson $ [illegible]
-Terry Castree $ [illegible]
-Joan Wasielewski $ [illegible]
-Michael Lamkin $ [illegible]
[illegible] General/Police-Office Supplies
-ODP Business Solutions, LLC $ [illegible]
[illegible] General/Police R of C Supplies
-Medtest Forensics, Inc $ [illegible]
[illegible] General/Police Postage
-Medtest Forensics, Inc $ [illegible]
[illegible] General/Police Clothing
-Southland Design Corp. $ [illegible]
[illegible] General/Town Admin-Contractor Svcs
-Baker Tilly Advisory Group $ [illegible]
-The Accu Group, Inc. $ [illegible]
-Craig P. Lueck $ [illegible]
-Leaf Capital Funding LLC $ [illegible]
[illegible] General/Town Admin-Subs & Dues
-Cintas Service Center Merrimack & Georgia Subs. $ [illegible]
[illegible] General/Town Dev-Copier Lease
-Leaf Capital Funding LLC $ [illegible]
[illegible] P&B Clothing
-Amazon Capital Services $ [illegible]
[illegible] P&B Bldg. Repair & Maint.
-Ferro (supplies) $ [illegible]

DULY ADOPTED AND RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, THIS [illegible] day of December 2024

Upon a question from President Bella regarding Resolution 24-41 being pulled from the agenda, Town Manager Griffin responded that after speaking with Clerk-Treasurer Eric January further review of this resolution is needed.

It was moved by Councilor Haynes-Edwards and seconded by Councilor Pettit to remove Resolution 24-41 from the agenda.

Upon a voice vote, the motion passed. Resolution 24-41 was removed from the agenda.

C. BZA & LARGE GATHERING ACTIONS:

Petitioner: DVG Team/Greg Lorig
Owner: 13 LLC
Request: Special Exception Approval
Purpose: To Allow A Car Wash
Location: 1700 West US HWY 30
Zoning: C-3, Highway Commercial Zoning District

Planning and Building Director Shine reported the ABZA approved the use variance.
The Petitioner clarified the number of employees at the location from six to three.

It was moved by Councilor Chandler-Felton and seconded by Councilor Haynes-Edwards to approve the ABZA Action.

Upon a roll call vote, there were five affirmatives, one abstention, and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Keesha Hardaway, and Rick Bella voted in the affirmative. Councilor Shawn Pettit abstained due to a conflict of interest. There were no negatives. The motion passed. The ABZA Action was approved.

Petitioner: DVG Team/Greg Lorig
Owner: 13 LLC
Request: Special Exception Approval
Purpose: To Allow A LED Sign
Location: 1700 West US HWY 30
Zoning: C-3, Highway Commercial Zoning District

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

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

Upon a roll call vote, there were five affirmatives, one abstention, and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Keesha Hardaway, and Rick Bella voted in the affirmative. Councilor Shawn Pettit abstained due to a conflict of interest. There were no negatives. The motion passed. The ABZA Action was approved.

Petitioner: Kahari Steel
Owner: George Novogroder

Request: Special Exception Approval
Purpose: To Allow A Child Care Center
Location: 8374 Louisiana Street
Zoning: C-3, Highway Commercial Zoning District

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

Upon a question from Councilor Pettit regarding remonstrations, Director Shine responded that there were no remonstrations for this Petitioner at the Board of Zone Appeals' meeting.

It was moved by Councilor Pettit and seconded by Councilor Chandler-Felton to approve the ABZA Action.

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

OLD BUSINESS
NONE

NEW BUSINESS
NONE

PUBLIC COMMENT:

1. Chris Holtz of Merrillville Indiana voiced his concern regarding abandoned and blighted properties and offered help from the Merrillville Change Agency group on this issue.

2. Pablo Payan of Merrillville Indiana voiced his concerns regarding getting a copy of the Code of Conduct/Ethics that the Town of Merrillville or Council follows.

3. Bryor Messer, Merrillville Indiana, voiced his concerns regarding getting a copy of the Ethics Policy, a single point of contact for infrastructure, a question-and-answer session with the council for residents' questions, Food & Beverage Tax revenue, and conflicts of interest.

4. Samuel Payan, Merrillville Indiana, voiced his concerns regarding Ordinance 24-42 and public comments.

Upon a question from Clerk-Treasurer Eric January regarding getting the Emanual Church of Christ property back on the tax rolls, Attorney Hall responded that he must investigate the specifics regarding the dissolution of this church.

5. Jason Whitaker, Merrillville Indiana, voiced his concerns regarding Code Enforcement's lack of response to telephone calls made by residents reporting issues.

ANNOUNCEMENTS

The Town Council President announced the following:

- RDC Meeting December 30th at 6:15 p.m.
- Town Council Meeting Tuesday, December 30th at 6:30 p.m.

ADJOURNMENT

Having completed all items on the agenda, the Town Council President announced the meeting adjourned at 7:43 p.m.

Rick Bella, Town Council President

Eric O. January, Clerk-Treasurer

Respectfully Submitted By Angela Lewis