Town Council of Merrillville
7820 Broadway Ave - Merrillville, IN 46410
Town Council Meeting Minutes of the Regular Meeting of
October 8, 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 Impact Church.

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

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS: NONE

PUBLIC HEARING: NONE

CONSENT AGENDA:

- Accounts Payable Register Voucher Approval for October 8th, 2024
- AP Register Summary for ARP Purchases for October 8th, 2024
- Approval of Town Council Meeting Minutes September 24th, 2024
- Approval of Meeting Minutes for the Personnel and Employee Benefits Meeting of September 17, 2024
- Request for Waiver of use charges for the use of several courts by the Thomas Aquinas School for basketball practices at the D&BCC.

TOWN of MERRILLVILLE
Office of Town Administration

Memorandum

Wednesday, October 2, 2024

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

Re: **Request for WAIVER of User Charges for USES of the several courts in the Gymnasium at the Dean and Barbara White Community Center, by the THOMAS ACQUINAS SCHOOL For Basketball Practice)**

Dear Mr. President and Members of the Town Council:

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

Attached please see the Event Center Permit for Thomas Acquinas School, as submitted by Jose Barrera, a math teacher at the school and its Athletic Director for the use of the Dean and Barbara White Community Center on various dates and various courts in the Gymnasium through December 2024

The Principal and the Athletic Director for the Thomas Acquinas School ask that these fees be waived. The basis of the request is to ease the burden on the school as resources are limited.

I am asking that this matter be placed before the Town Council in its role as the Park Authority and that a full waiver for uses described on the permit be granted for uses and fees for this event, basis of the request and owing to the facts represented above. The value of the revenue forgone is **$1,016.50.**

Thank you

Sincerely,

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

- Request for Waiver of Use charges for uses of Event room 3 at the D&BCC by Pierce Middle School for a Holiday Party.

TOWN of MERRILLVILLE
Office of Town Administration

Memorandum

Wednesday, October 2, 2024

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

Re: **Request for WAIVER of User Charges for USES of EVENT ROOM 3 at the Dean and Barbara White Community Center, by the PIERCE MIDDLE SCHOOL (HOLIDAY PARTY)**

Dear Mr. President and Members of the Town Council:

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

Attached please see the Event Center Permit for Pierce Middle School, as submitted by Gwen Benson for the use of the Dean and Barbara White Community Center on December 14, 2024

Ms. Benson of the Pierce Middle School asks that these fees be discounted or waived. The basis of the request was not given.

I am asking that this matter be placed before the Town Council in its role as the Park Authority and that a **75% discount** be granted for uses and fees for this event, based on the request and owing to the facts represented above. The total rental is $500 plus $35 sales tax. The value of the revenue forgone is $375.00. I will pay the $125 and school will be asked to pay the $35 which will still be due.

Thank you.

Sincerely,

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

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

It was moved by Councilor Uzelac and seconded by Councilor 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 – Councilor Neal reported that she will defer to the second reading of Ordinance 24-40 and Financial Advisor Hudson will explain the Town of Merrillville 2025 budget.

COUNCIL AFFAIRS- PETTIT – Councilor Pettit reported he will be scheduling a committee meeting to review and make recommendation on ordinances from Town Manager Griffin and Attorney Svetanoff. Councilor Pettit is aiming at next week for the meeting.

STREET DEPARTMENT- UZELAC– Councilor Uzelac reported the following:

- Branch Pickup - Branch pickup has ended and will begin again in April of 2025.
- Beautification - The Street Department is pruning the planters located on 93rd Avenue, Town Hall, and by the Gateway signs. They are also mowing all the local parks.
- Chapel Hill – Several sidewalks have been repaired in Chapel Hill

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Councilor Neal reported that the committee has finalized the new Gateway signs for the Parks and Entry Ways coming off Interstate 65. The committee is getting more quotes.

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

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway reported that the Dean and Barbara White Community Center Parks Director position is posted as well as the Site Supervisor and Front Desk positions on the Town's website at: https://www.merrillville.in.gov/department/human_resources.php. These positions will be posted until Sunday October 13. 2024.

PUBLIC SAFETY- HARDAWAY- Councilor Hardaway reported that she will defer to Chief Nuses and Chief Yerga under Department Reports.

ECONOMIC DEVELOPMENT-PETTIT – Councilor Pettit reported that the committee has a meeting scheduled for tomorrow at 10:00 a. m. to discuss an economic development project that may come to the Town of Merrillville.

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

PARKS AND DEAN & BARABAR COMMITTEE - PETTIT – Councilor Pettit reported that he will defer to Interim Parks Director Roberts under her Department Report. He also informed the council that a standing committee meeting will be held on Thursday October 24, 2024, at the Dean and Babara White Community Center at 5:00 p.m.

Interim Park Director Roberts informed the council that the Town's Trunk or Trick night is on October 24th starting at 5:30 p.m.

Councilor Pettit informed the council that he would reschedule the date of the committee meeting with Town Manager Griffin.

SPECIAL COMMITTEES

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

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

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

- Trunk or Treat – October 24th from 5:30 p.m. until 7:30 p.m. at the Dean and Barbara White Community Center. The Town has thirty participants who have registered and will decorate their trunks. We have received donations of candy from Strack & Vantil and cookies from Family Express.
- Town of Merrillville Trick or Treat Hours – October 31st from 5:30 p.m. until 7:30 p.m.
- Christmas Tree Lightning – Meetings are in progress regarding this event.

Information regarding these Town events can be found on the Town of Merrillville website at www.merrillville.in.gov.

DEPARTMENT & COMMISSION REPORTS:

LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL– Councilor Neal reported on the following:

- Hazardous Waste Collection October 19th – This event will be at Griffith Public Works located at 134 South Colfax from 9:00 a. m. until 2:00 p. m. This hazardous waste collection will be the last one for the year.
- Halloween Costume Swap - Costume wore only once can be swapped for another costume on October 8th until October 30st from 4:00 p.m. until 7:00 p. m. only on Tuesdays and Wednesdays at Lake County Solid Waste District located on 8695 Broadway.

Information regarding these events can be found on the website at www.lcswmd.com.

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Councilor Hardaway had nothing to report.

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

Upon a question from President Bella regarding a report, Town Manager Griffin reported that Director Lake is out of Town at a seminar and will a report at the next meeting.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY-PATENA – Deanne Patena wasn't present at the meeting. President Bella had nothing to report.

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

DEPARTMENT REPORTS/ TOWN MANAGER

Interim Parks Director Roberts – Parks and Recreation

Interim Parks Director Roberts reported on the following:

- Sealcoating and Striping of the Dean and Barbara White Community Center parking lot has been completed. The contractor Everline has featured the results on their website and Facebook.
- Open Gym for kids has started to pick up.
- The Self-Defense class is still on hold. We have pushed back the classes to market the event.

Chief Nuses – Police Department

Chief Nuses report the unofficial numbers for September.

- 3,076 calls for service
- 1,600 Traffic Stops: Since June, these numbers have increased.

The Police Department will be scaling back from traffic issues and focusing more on violent crimes. In the Town of Merrillville, there has been a surge in sexual offenses mostly domestic in nature.

Director Shine - Building and Planning

Director Shine report that she has two BZA petitions on the agenda.

Director King – Street Department

Director King reported on the following:

- Paving Contract – The paving contract has been signed and Milestone is working on scheduling and will tentatively start next week. Milestone will be laying down 6,000 ton of asphalt.

Upon a question from President Bella regarding enough time because of the winter months, Director King responded there is enough time, and the contractor will follow the specifications of Indiana Department of Transportation (INDOT).

Upon a question from Councilor Neal regarding the schedule for leaf collections, Director King responded that leaf collection will start on October 21st. This information will be in the Town's newsletter.

Town Manager Griffin – Town Administration

Town Manager Griffin reported that his written report will be given to the council by close of business Wednesday October 9th. He highlighted a few areas of his report.

- Administration has been busy supporting all the offices and working on transition items.
- The bond proceeds are now on deposits on account of the Town's proper funds from the Redevelopment Special Taxing District. The $6,000,000.00 after issuance cost will be available to do the Street Program that Director King will supervise.

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

Clerk-Treasurer Eric January reported the following:

- The Town of Merrillville collectively through all our funds have $33,075,998.92.
- Food and Beverage Tax – We received a check for the month of August for 228,439.09. The year-to-date total for the Food and Beverage Tax is $654,164.33.

President Bella informed Town Manager Griffin that uses of the Food and Beverage Tax funds need to be added to the Town Council Workshop agenda.

Upon a question from Councilor Uzelac regarding spending the funds on the Parks, Councilor Bella responded the Food and Beverage Tax funds can be spent on the Parks and Economic Development because the funds are restricted to these two categories.

GENERAL ORDERS

A. Ordinances:

First Reading: (Discussion and Roll Call Vote):

1. **Ordinance 24-41 (Discussion, Public Comment, and Roll Call Vote)**

An Ordinance APROPRIATING Additional Moneys in Excess of the Annual Budget for the Several Named Department of the Corporation General Fund (1101), 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 Corporation General Fund to accounts in the Planning Department, the Administration Department, and the Municipal Court Department for costs unplanned by those departments.

Amendments: Whenever an existing municipal code provision is being amended, the text of the existing provision will appear in this style type, additions or changes will appear in this style type, and deletions will appear in this style type. If the amendment is 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. 24-41

An Ordinance Appropriating Additional Moneys in Excess of the Annual Budget for the Several Named Departments of the Corporation General Fund (1101), all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, 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 **Planning & Building, Administration and Municipal Court Departments of the Corporation General Fund;** and,

WHEREAS, It has been determined that such additional appropriations as may be approved by this ordinance will not increase the levies set under I.C. 6-1.1-17 et alia, all pursuant to I.C. 36-5-3-5,

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 CORPORATION GENERAL FUND for its PLANNING and BUILDING DEPARTMENT and for the purposes herein specified, as identified by the accounts herein, subject to the laws governing the same:

CORPORATION GENERAL FUND

Planning and Building Department (004)

Increase the following:

	Proposed:	Approved:
1101.004.117 Building Director:	$ 10,000.00	$ 10,000.00

Page 1 of 3

Section 4. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys 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 I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 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 I.C. 5-1.5-14 et seq.

Introduced and Filed on the 8th Day 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

_____
Rick Bella, President (IC 36-5-2-10)

ATTEST:

1101.004.120 P-T Secretary	$ 14,000.00	$ 14,000.00
Total 100 Series:	$ 24,000.00	$ 24,000.00
1101.004.214 Official Records:	$ 1,000.00	$ 1,000.00
Total 200 Series:	$ 1,000.00	$ 1,000.00
1101.004.312 Inspectors	$45,000.00	$ 45,000.00
Total 300 Series:	$ 45,000.00	$ 45,000.00
Total for the Department:		$70,000.00

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

CORPORATION GENERAL FUND

Administration Department (007)

Increase the following

	Proposed:	Approved:
1101.007.394 Contractual Service:	$ 75,000.00	$ 75,000.00
Total 300 Series:	$ 75,000.00	$ 75,000.00
Total for the Department:		$75,000.00

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

CORPORATION GENERAL FUND

Municipal Court Department (008)

Increase the following

	Proposed:	Approved:
1101.008.186 Longevity	$ 4,500.00	$ 4,500.00
Total 100 Series:	$ 4,500.00	$ 4,500.00
TOTAL for the FUND:		$ 149,500.00

Page 2 of 3

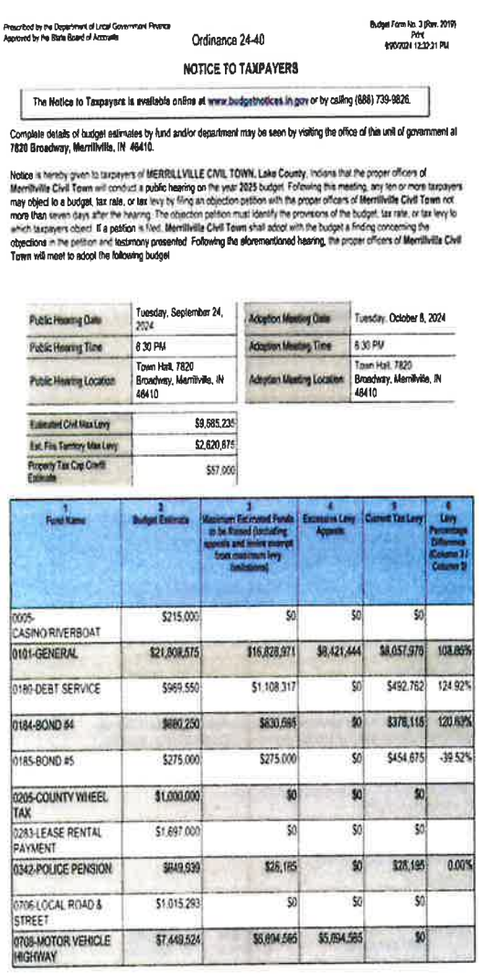
It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Ordinance 24-41 on the first reading.

Town Manager Griffin explained Ordinance 24-41.

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

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

1. **<u>Ordinance 24-40 (Discussion, Public Comment, and Roll Call Vote)</u>**
   An Ordinance for Appropriations and Tax Rates of the Town of Merrillville, Lake County, Indiana for the Civil Town Budget for FyY2025.



Prescribed by the Department of Local Government Finance
Approved by the State Board of Accounts

Ordinance 24-40

Budget Form No. 3 (Rev. 2019)
PTE
9/20/2024 12:33:31 PM

NOTICE TO TAXPAYERS

The Notice to Taxpayers is available online at www.budgetnotices.in.gov or by calling (888) 739-9826.

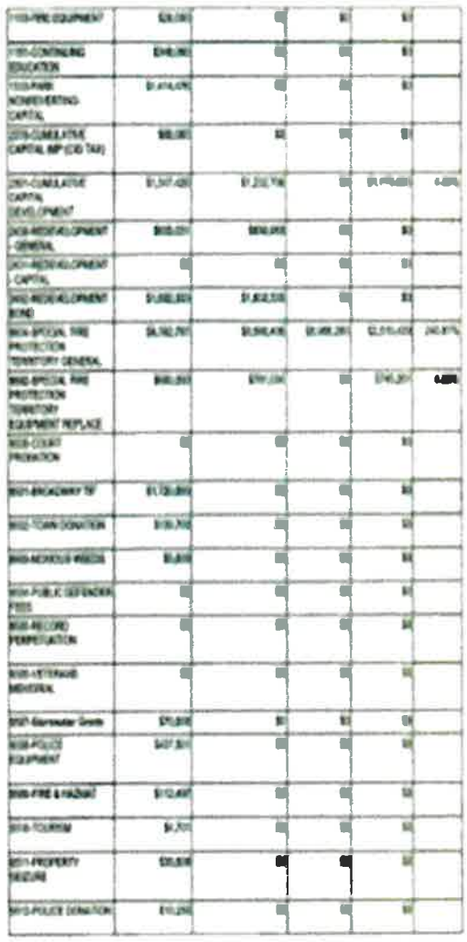
Complete details of budget estimates by fund and/or department may be seen by visiting the office of this unit of government at 7820 Broadway, Merrillville, IN 46410.

Notice is hereby given to taxpayers of MERRILLVILLE CIVIL TOWN, Lake County, Indiana that the proper officers of Merrillville Civil Town will conduct a public hearing on the year 2025 budget. Following this meeting, any ten or more taxpayers may object to a budget, tax rate, or tax levy by filing an objection petition with the proper officers of Merrillville Civil Town not more than seven days after the hearing. The objection petition must identify the provisions of the budget, tax rate, or tax levy to which taxpayers object. If a petition is filed, Merrillville Civil Town shall adopt with the budget a finding concerning the objections in the petition and testimony presented. Following the aforementioned hearing, the proper officers of Merrillville Civil Town will meet to adopt the following budget

Public Hearing Date	Tuesday, September 24, 2024	Adoption Meeting Date	Tuesday, October 8, 2024
Public Hearing Time	6:30 PM	Adoption Meeting Time	6:30 PM
Public Hearing Location	Town Hall, 7820 Broadway, Merrillville, IN 46410	Adoption Meeting Location	Town Hall, 7820 Broadway, Merrillville, IN 46410

Estimated Civil Max Levy	$9,685,235
Est. Fire Territory Max Levy	$2,620,875
Property Tax Cap (Civil) Estimate	$57,000

1 Fund Name	2 Budget Estimate	3 Maximum Estimated Funds to be Raised (excluding appeals and levies exempt from maximum levy limitations)	4 Excessive Levy Appeals	5 Current Tax Levy	6 Levy Percentage Difference (Column 3 / Column 5)
0005-CASINO RIVERBOAT	$215,000	$0	$0	$0	
0101-GENERAL	$21,808,575	$16,828,971	$8,421,444	$8,057,976	108.89%
0180-DEBT SERVICE	$969,550	$1,108,317	$0	$492,762	124.92%
0184-BOND #4	$880,250	$830,595	$0	$378,115	120.60%
0185-BOND #5	$275,000	$275,000	$0	$454,675	-39.52%
0205-COUNTY WHEEL TAX	$1,000,000	$0	$0	$0	
0283-LEASE RENTAL PAYMENT	$1,697,000	$0	$0	$0	
0342-POLICE PENSION	$849,939	$26,195	$0	$26,195	0.00%
0706-LOCAL ROAD & STREET	$1,015,293	$0	$0	$0	
0708-MOTOR VEHICLE HIGHWAY	$7,449,524	$5,894,565	$5,894,565	$0	



-This Section Left Blank-

9513-Unsafe/Blighted Property	$7,600	$0	$0	$0	
9514-PARK DONATION	$7,500	$0	$0	$0	
9515-RECYCLING GRANT	$204,521	$0	$0	$0	
9516-STORM WATER	$1,243,344	$0	$0	$0	
9517-COMMUNITY CENTER GIFT FUND	$750,000	$0	$0	$0	
9518-COMPUTER TRAINING CENTER	$1,035	$0	$0	$0	
9519-MISS. ST. TIF DS	$1,226,851	$0	$0	$0	
9520-RENTAL REGISTRATION	$6,060	$0	$0	$0	
9521-STORMWATER CONSTRUCTION	$1,330,000	$0	$0	$0	
9522-MERR. RD. TIF DS	$178,900	$0	$0	$0	
9523-PARK IMPACT	$60,600	$0	$0	$0	
9524-LOIT Public Safety	$916,256	$0	$0	$0	
9525-2012 BDWY PROJECT BOND DS	$0	$0	$0	$0	
9526-LOIT CEDIT	$850,000	$0	$0	$0	
9527-Community Crossing Grant	$1,500,000	$0	$0	$0	
9528-Local User Fee	$1,000	$0	$0	$0	
9529-Engineering Fees	$0	$0	$0	$0	
9530-2021 GO BOND A&B PROCEEDS	$16,544	$0	$0	$0	
9531-2022 RDC Bond A & B Proceeds	$13,189	$0	$0	$0	
9541-MERR. RD. TIF PROJECT	$815,000	$0	$0	$0	
9543-MISS ST. PROJECT	$3,550,000	$0	$0	$0	
9547-AMERIPLEX TIF PROJECT	$875,000	$0	$0	$0	
9556-Opioid Settlement Unrestricted	$0	$0	$0	$0	
9557-Opioid Settlement Restricted	$0	$0	$0	$0	
9566-Food and Beverage Tax Receipt Fund	$900,000	$0	$0	$0	
9599-(ARP) AMERICAN RESCUE PLAN	$1,434,520	$0	$0	$0	
Totals	$69,793,015	$37,797,065	$20,082,209	$13,848,361	

By leave of President Bella, Councilor Neal asked Financial Advisor Hudson to explained Ordinance 24-40 the 2025 Budget.

Financial Advisor Hudson addressed the 2025 Budget, incorrect information being disseminated, property taxes, and the need for an increase in public safety.

Clerk-Treasurer Eric January added that the General Fund is increasing by 77% and thanked the public for coming out on this issue. He also stated that increasing the taxes isn't going to make the Town of Merrillville attractive to people who are already struggling financially.

Upon a question from President Bella regarding property taxes going up every year for the last fifty years, Financial Advisor Hudson responded that is a true statement. The council don't control the assessed value. The Assessor and Economy controls it.

By leave of President Bella, Town Manager Griffin added to the explanation of Ordinance 24-40 the 2025 Budget.

It was moved by Councilor Pettit and seconded by Councilor Neal to approve Ordinance 24-40 on the second and final reading.

Upon a question from President Bella regarding public comments being done at the last Town Council Meeting, Town Manager Griffin responded that public comments were completed at the last Town Council Meeting.

Upon a roll call vote, there were four affirmatives, two negatives, and one abstention. Councilors Rhonda Neal, Margaret Uzelac, Shawn Pettit, and Rick Bella voted in the affirmative. Councilors Shauna Haynes-Edwards and Leona Chandler-Felton voted in the negatives. Councilor Keesha Hardaway abstained. The motion passed. The ordinance was approved on second and final reading.

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

B. Resolutions:

1. **<u>Resolutions 24-26 (Discussion and Voice Vote</u>**
   A Resolution Of The Town Of Merrillville, Lake County, Indiana, Transferring Monies Of The 2024 Budget Within The General Fund, Dept 8

RESOLUTION 24-26
TOWN OF MERRILLVILLE, INDIANA

A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TRANSFERRING MONIES WITHIN THE 2024 BUDGET – GENERAL FUND, DEPT. 8

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:

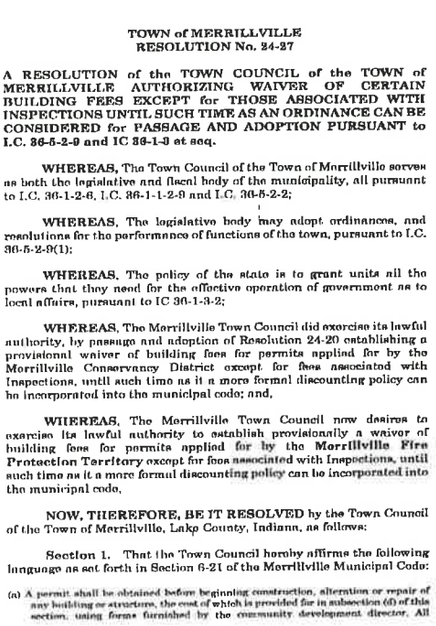
		DECREASE	INCREASE
GENERAL FUND – DEPT. 8			
1101008222	General/Tires	$ 1,515.00	
1101008241	General/Official RDS	$ 2,020.00	
1101008116	General/Secretary		$ 3,535.00

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

It was moved by Councilor Pettit and seconded by Councilor Neal to approve Resolution 24-26.

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

2. **Resolutions 24-27 (Discussion and Voice Vote**
A Resolution of The Town Council Of The Town Of Merrillville Authorizing Waiver Of Certain Building Fees Except For Those Associated With Inspections Until Such Time As An Ordinance Can Be Considered For Passage And Adoption Pursuant To I.C. 36-5-2-9 And I.C. 36-1-3 Et Seq.



TOWN of MERRILLVILLE
RESOLUTION No. 24-27

A RESOLUTION of the TOWN COUNCIL of the TOWN of MERRILLVILLE AUTHORIZING WAIVER OF CERTAIN BUILDING FEES EXCEPT for THOSE ASSOCIATED WITH INSPECTIONS UNTIL SUCH TIME AS AN ORDINANCE CAN BE CONSIDERED for PASSAGE AND ADOPTION PURSUANT to I.C. 36-5-2-9 and IC 36-1-3 et seq.

WHEREAS, The Town Council of the Town of Merrillville serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

WHEREAS, The legislative body may adopt ordinances, and resolutions for the performance of functions of the town, pursuant to I.C. 36-5-2-9(1);

WHEREAS, The policy of the state is to grant units all the powers that they need for the effective operation of government as to local affairs, pursuant to IC 36-1-3-2;

WHEREAS, The Merrillville Town Council did exercise its lawful authority, by passage and adoption of Resolution 24-20 establishing a provisional waiver of building fees for permits applied for by the Merrillville Conservancy District except for fees associated with Inspections, until such time as it a more formal discounting policy can be incorporated into the municipal code; and,

WHEREAS, The Merrillville Town Council now desires to exercise its lawful authority to establish provisionally a waiver of building fees for permits applied for by the **Merrillville Fire Protection Territory** except for fees associated with Inspections, until such time as it a more formal discounting policy can be incorporated into the municipal code,

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

Section 1. That the Town Council hereby affirms the following language as set forth in Section 6-21 of the Merrillville Municipal Code:

(a) A permit shall be obtained before beginning construction, alteration or repair of any building or structure, the cost of which is provided for in subsection (d) of this section, using forms furnished by the community development director. All permits shall be issued by the community development director and all fees provided for shall be paid to the clerk-treasurer of the town.

(1) Each person and/or entity applying for a business, industrial, institutional or multiple family dwelling building permit(s) shall provide as part of their submittals a plan describing how their solid waste will be managed including reduction, reuse and recycling steps taken to reduce their waste stream, which plan shall be subject to approval.

(2) Each person or entity applying for building permits for multi-family structures, including but not limited to duplexes, four-plexes and other such structures, shall provide as part of their submittals a plan describing how the solid waste for the occupants of each structure will be managed including reduction, reuse and recycling steps taken to reduce their waste stream, which plan shall be subject to approval.

(3) Each individual, business, or other entity, or any other applicant, upon being permitted to demolish any structure, be it residential, business or otherwise, or obtaining any removal thereof, to provide as part of its submittals a plan describing how the material will be managed including reduction, reuse and recycling steps taken to reduce the waste stream, which plan shall be subject to approval.

(b) No building permit shall be issued for the foregoing purposes unless the application for permit is accompanied by a plot or sketch of the proposed location showing lot boundaries and by plans and specifications showing the work to be done. In subject, a copy of a design release issued by the state commissioner, development director, the state fire marshal pursuant to IC 22-13-3-11 shall be presented to the building commissioner before issuance of a permit for construction covered by such design release.

(c) Prior to the issuance of any building permit hereunder the community development director shall:

(1) Review all building permit applications to determine full compliance with the provisions of this article.

(2) Review all building permit applications for new construction or substantial improvements to determine whether the proposed building sites will be in compliance with article II of chapter 7 of this Code.

(d) Start permit within six (6) months/complete within two (2) years.

Section 2. That the Town Council hereby further authorizes the following interim policy:

(a) A permit which shall be obtained by the Merrillville Fire Protection Territory, before beginning of commercial construction, alteration or repair of any building or structure, the cost of which is modified as follows:

(1) For all building types, the plan review application fee is waived.
(2) For all building types, the building fee is waived.
(3) For all building types, the miniature or zoning fee is waived.
(4) For all building types, the engineering fee is waived.

(b) The fees which may be associate with a permit which shall be obtained by the Merrillville Conservancy District, before beginning of commercial construction, alteration or repair of any building or structure, are further modified and waived for the following Fire Inspection Regulations.

(1) For an un sprinkled building, the Fire fee is waived;
(2) For a sprinkled building, the Fire fee is waived;
(3) For a Sprinkler modification, the Fire fee is waived;

(c) The fees which may be associate with a permit which shall be obtained by the **Merrillville Fire Protection Territory**, before beginning of commercial construction, alteration or repair of any building or structure, are further modified and waived for the following Electrical Regulations.

(1) For plan reviews, the fee is waived;
(2) For electrical service (amperage), the fee is waived;

(d) The fees which may be associated with a permit which shall be obtained by the **Merrillville Fire Protection Territory**, before beginning of commercial construction, alteration or repair of any building or structure, are further modified and waived for the following Plumbing Regulations.

(1) For plan reviews, the fee is waived;
(2) For plumbing service associated with fixtures and roof drains, and water main connections, and the lawn sprinkling, the fees are waived;

(e) The fees which may be associated with a permit which shall be obtained by the Merrillville Fire Protection Territory, before beginning of commercial construction, alteration or repair of any building or structure, are further modified and waived for the following Mechanical Regulations.

(1) For plan reviews, the fee is waived;
(2) For mechanical service, the fees are waived;

(f) The fees which may be associated with a permit which shall be obtained by the Merrillville Conservancy District, before beginning of commercial construction, alteration or repair of any building or structure, are further modified and waived for the following Sign Regulations.

(1) For plan reviews, the fee is waived;
(2) For signs of all types outlined in the sign service section the fees are waived.

(g) Inspection requirements outlined in Section 6-22 of the Merrillville Municipal Code remain in force and shall be executed. All fees associated with the following regulatory services as set forth in Section 6-21(d) in the Merrillville Municipal Code associated with the inspection services or requirements are in full force and effect.

(1) Inspection fees associated with electrical service
(2) Inspection fees associated with plumbing service
(3) Inspection fees associated with mechanical service
(4) Inspection fees associated with re-inspections, stop work orders non-permitted work and non-licensed contractor offenses

Section 3. That the waivers authorized with this resolution shall be effective upon is passage and adoption from October 1, 2024 all pursuant to IC 36-1-4-16.

Section 4. That the Town Council hereby determines that this authorization shall continue until such time as an ordinance can be prepared to amend the Merrillville Municipal Code to include this in the municipal bylaws division of the code.

Section 5. That the Town Manager, the Planning and Building Director and the Town Attorney shall consult and prepare an ordinance for the consideration and favor of the Town Council before the end of 2024.

Duly Resolved and Adopted this 8th Day of October 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 seconded by Councilor Hardaway to approve Resolution 24-27.

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

3. **Resolutions 24-28 (Discussion and Voice Vote**
A Resolution 0f The Town of Merrillville, Lake County, Indiana Transferring Appropriations In The Planning And Building Department Of The Corporation General 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

RESOLUTION No. 24-28
TOWN OF MERRILLVILLE, INDIANA

A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TRANSFERRING APPROPRIATIONS in the PLANNING and BUILDING DEPARTMENT of the CORPORATION GENERAL 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.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Planning and Building Department in the CORPORATION GENERAL Fund,**

NOW, THEREFORE BE IT RESOLVED 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 appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the PLANNING and BUILDING DEPARTMENT in the CORPORATION GENERAL Fund, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

		Decrease	Increase
1101004117	General/Building Director	$10,000.00	
1101004126	General/Part-Time Sec.	$14,000.00	
1101004214	General/Official Records.	$ 1,000.00	
1101004312	General/Inspectors		$25,000.00
	Total:	$25,000.00	$25,000.00

DULY, PASSED, ADOPTED AND RESOLVED by the Town Council of the Town of Merrillville, Lake County, Indiana, acting as the Works Board, this 8th day of October 2024.

TOWN COUNCIL OF THE
TOWN OF MERRILLVILLE, INDIANA

Town Manager Griffin explained Resolution 24-28.

It was moved by Councilor Pettit and seconded by Councilor Hardaway to approve Resolution 24-28.

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

4. **Resolutions 24-29 (Discussion and Voice Vote**
A Resolution Approving And Authorizing The Metropolitan Police Chief To Purchase From Axon Enterprise, Inc., Law Enforcement Body Cameras, Software, The Associated Support Services And Supplies Pursuant To I.C. 5-22 And Sections 2-135Through 2-139 Of The Merrillville Municipal Code.

Town of Merrillville
Town Council
RESOLUTION No. 24-29

A Resolution Approving and Authorizing the Metropolitan Police Chief to Purchase from Axon Enterprise, Inc., Law Enforcement Body Cameras, Software, the Associated Support Services and Supplies pursuant to I.C. 5-22 and Sections 2-135 through 2-139 of the Merrillville Municipal Code

Whereas, The Town of Merrillville Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Merrillville and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department.

Whereas, The Metropolitan Police Chief has identified AXON Enterprises, Inc., of Scottsdale, AZ to be the only vendor that offers this unique equipment in Law Enforcement Body Cameras with software and support at a total price of $594,060.58 with an annual installment price of $118,812.10;

Whereas, The price for the purchase exceeds $15,000.00 and, pursuant to Section 2-136.1 (C) as well as Sec. 136.2(B)(2) of the Merrillville Municipal Code requires the express approvals of the purchasing agency;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 2-136 (A)(2) of the Merrillville Municipal Code serves as the purchasing agency for the Metropolitan Police Department;

Whereas, The Metropolitan Police Chief, pursuant to Section 136.2(D)(2) of the Merrillville Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department;

Whereas, The Purchasing Agent, expected that the purchase would be more than $150,000.00, however, he believed that this constituted a special purchase as he further understood that the purchase if made by 9.27.2024 a substantial savings of $213,956.50 over the 60 months of the purchase agreement would be experienced, in accordance with Sec. 2-136.5(F) of the Merrillville Municipal Code;

Whereas, The Purchasing Agent, further believed that this constituted a special purchase as he also understood that the purchase with this vendor was important, as to maintain compatibility of existing equipment, accessories, is a serious consideration and AXON is the one source meeting the police department's needs, all in accordance with Sec. 2-136.5(I) of the Merrillville Municipal Code;

Whereas, The purchase of this Law Enforcement Body Cameras with software and support will be supported by an appropriation identified in the CCD Fund, (4402); and,

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein.

Now, Therefore Be It Ordered by the Town Council of the Town of Merrillville, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Town Council acting as the Works Board hereby finds and determines as follows:

(a) That the purchase as an individual purchase represents a duly executed special purchase allowing special purchase methods, pursuant to IC 5-22 and Section 2-136.5 of the Merrillville Municipal Code;

(b) That identified AXON Enterprises, Inc., of Scottsdale, AZ to be the only source that offers this unique equipment in Law Enforcement body cameras, hardware, software, and supplies based upon reasonable requirements, all pursuant to Sec. 2-136.5 (I) of the Merrillville Municipal Code;

(c) That the purchase under the terms identified offered a substantial savings of $213,956.50 over the 60 months of the purchase agreement, in accordance with Sec. 2-136.5 (F) of the Merrillville Municipal Code:

Section 2. That the terms and charges for the Law Enforcement Body Cameras hardware, software at a total price of $594,060.58 with an annual installment price of $118,812.10 is found to be reasonable and fair.

Section 3. That the Metropolitan Police Chief or the Town Manager are now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-3-4-14.

DULY, PASSED, ADOPTED AND RESOLVED by the Town Council of the Town of Merrillville, Lake County, Indiana, acting as the Works Board, this 8th day of October 2024.

TOWN COUNCIL OF THE
TOWN OF MERRILLVILLE, INDIANA

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve Resolution 24-29.

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

C. BZA & LARGE GATHERING ACTIONS:

Petitioner: Total Terrain Solutions
Owner: Ngaz Wallace
Request: Variance of Use Approval
Purpose: To Allow A Landscaping Company
Location: 7725 Taft Street
Zoning: C-2, Community Commercial Zoning District

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

Upon a question from Councilor Uzelac regarding snow plowing, the Petitioner responded that snow plowing services will be offered.

It was moved by Councilor Pettit and seconded by Councilor Hardaway to approve the ABZA Action.
Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac, Shawn Pettit, and Rick Bella

voted in the affirmative. There were no negatives. The motion passed. The ABZA Action was approved.

Petitioner: Samuel Hamstra Anthem Church
Owner: JDB Real Estate Investment LLC
Request: Special Exception Approval
Purpose: To Allow A Church
Location: 6349 Broadway
Zoning: C-3, Highway Commercial Zoning District

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

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

Upon a question from Councilor Uzelac regarding being ordained ministers, the Petitioner responded that both ministers are ordained.

Upon a question from Councilor Uzelac regarding the classes, the Petitioner responded the adult classes that will lead people to Jesus Christ.

Upon a roll call vote, there were seven affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac, Shawn Pettit, 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:
Many residents voiced their concerns regarding the increase in property taxes and opposed Ordinance 24-40 the Civil Town Budget for FY 2025 but was for increasing public safety.

ANNOUNCEMENTS

The Town Council President announced the following:

- Town Council Meeting Tuesday, October 22nd at 6:30 p.m.
- Redevelopment Commission Meeting Tuesday, October 22nd, at 6:15 p.m.
- Trunk or Treat on October 24th at 5:30 p.m. at the Dean & Barbra White Community Center.

ADJOURNMENT

Having completed all items on the agenda, the Town Council President announced the meeting adjourned at 8:45 p.m.

Rick Bella, Town Council President

Eric O. January, Clerk-Treasurer

Respectfully Submitted By Angela Lewis