Town Council of Merrillville

7820 Broadway Ave - Merrillville, IN 46410

Town Council Meeting Minutes

December 12, 2023 - 6:30 P.M.

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

INVOCATION/MOMENT OF SILENCE: A brief invocation was given along with a moment of silence by Pastor Mark Smith of Life Sanctuary.

PLEDGE OF ALLEGIANCE: Led by Councilor Hardaway

ROLL CALL – Present at the meeting were Councilors Rhonda Neal, Richard Hardaway Jeffrey Minchuk, Margaret Uzelac, Leonard White, and Rick Bella. Madam Clerk-Treasurer Pro Tempore Robyn Johnson was present to memorialize the proceedings. A quorum was attained.

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS

Employee of the Month for December

Director Lake presented Joe Fish to the council and audience as one Employee of the Month for the Town of Merrillville. Mr. Fish received a certificate of recognition and a gift card on behalf of the Town of Merrillville. Director Lake elaborated on Mr. Fish's exemplary qualities as an employee in the Stormwater Department.

CONSENT AGENDA

Accts. Payable Register Voucher Approval for December 12, 2023.
Approval of Town Council Meeting minutes of November 28, 2023.
Approval of Town ARPA Committee minutes of November 28, 2023.
Approval of Special Town Council minutes of December 6, 2023.

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

ADDITIONAL APPROPRIATION

A. NONE

a) **Town Attorney review of Proof of Publication(s):**
b) **Public Hearing:**
Taxpayers appearing at the hearing will have a right to be heard on these proposed additional appropriations.
c) **Action on Proposed Ordinance**

STANDING & SPECIAL COMMITTEES REPORTS

BUDGET & FINANCE- HARDAWAY – Councilor Hardaway had nothing to report at this time.

COUNCIL AFFAIRS- PETTIT – Councilor Pettit was absent from the meeting.

STREET DEPARTMENT- MINCHUK – Councilor Minchuk had nothing to report at this time.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Councilor Neal reported the following:

Holiday Tree Lighting and House Decorating Contest Updates
The 2nd Annual Holiday Tree Lighting event held at the Dean and Barbara White Community Center on December 1st from 5:30 p.m. until 7:30 p.m. was very successful. There was a lot of participation from the community and staff. Iddings Elementary School won the Town's first Elementary School Tree Decorating Contest. Councilor Neal thanked all those who participated in this event. We are hosting the Town of Merrillville House Decorating Contest and voting is underway. Visit https://merrillville.in.gov/residents/holiday_home_decorating_contest.php to cast your vote for your favorite outdoor display. There is one vote per person. Voting is open until December 20th. Sixty votes have already been cast.

Councilor Neal also reported that in January 2024 we will wrap with the Town's slogan campaign. The Town will continue to take suggestions on the website at https://merrillville.in.gov/government/town_council/new_town_slogan.php until December 31, 2023.

ENVIRONMENTAL AFFAIRS- WHITE - Councilor White reported that he has nothing new about COVID-19, but he has been monitoring the increase in Pneumonia. Councilor Uzelac added that CVS and Walgreens are giving the flu and COVID-19 vaccine shots.

according to the news, there's a new variant of Covid-19. Councilor Uzelac added that flu is quite prevalent and flu shots are available at Walgreens, CVS, and local doctor offices.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway had nothing to report at this time.

PUBLIC SAFETY- MINCHUK- Councilor Minchuk reported that the officers, firefighters, and police are out in force during this holiday season to keep the public safe.

ECONOMIC DEVELOPMENT-PETTIT – Councilor Pettit was absent from the meeting.

PARKS & RECREATION- UZELAC - Councilor Uzelac reported that she had inquiries regarding a new bike trail going through Innsbrook Country Club. Councilor White reported that a new bike trail is being built.

ABANDONED -BLIGHTED PROPERTIES-HARDAWAY – Councilor Hardaway had nothing to report at this time.

DEAN & BARBARA WHITE COMMUNITY CENTER-PETTIT – Councilor Pettit was absent from the meeting. Councilor White reported that he still saw lights on at the Dean and Barbara White Community Center late at night.

SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4TH of JULY CELEBRATION-HARDAWAY – Councilor Hardaway had nothing to report at this time.

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE – Councilor White had nothing to report at this time.

NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Councilor Hardaway had nothing to report at this time.

STORMWATER MANAGEMENT RESOURCES-LAKE – Director Lake reported on these projects:

97th and Grand Blvd Project
Director Lake reported that he attended the Little Calumet River Basin Development Commission (LCRBDC) Advisory Board. He presented the board with an application to the board for the project on 97th and Grand Blvd.

GIS/Mapping
GIS Mapping updating is almost completed.

Trees
Trees received from NIPSCO are being planted throughout the Town of Merrillville.

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

FIRE TERRITORY BOARD-MINCHUK – There was no report given.

DEPARTMENT REPORTS/INTERIM TOWN MANAGER

Chief Nuses – Police Department

Chief Nuses had nothing to report at this time.

Director Price – Parks and Recreation

Director Price reported that the Tree Lighting was a success, and the Boys and Girls Club had their Annual Christmas Party on December 7th at the Dean and Barbara White Community Center which was also successful.

Councilor White reported that the abandoned car is still sitting on the property. Chief Nuses reported that his department is working on the problem.

Director Shine – Building and Planning

Director Shine had nothing to report at this time.

Director King – Street Department

Director King reported that the leaf pickup has ended for the year, and his department is catching up on the projects that were missed due to the extension of the Leaf Pickup Program such as patchwork and preparing for the winter season of snow.

Councilor White inquired about the compost facility. Director King stated he had no information at this time.

Interim Town Manager Griffin

Interim Town Manager Griffin was absent from the meeting but submitted his report to the Councilors in a written document

GENERAL ORDERS

A, Ordinances: (Discussion and Roll Call Vote)

***First Readings:* (Discussion and Roll Call Vote)**

Ordinance 23-31 (Discussion and Roll Call Vote)

An Ordinance of the Town of Merrillville, Lake County, Indiana, Authorizing Additional Appropriations in the 2023 Budget Loit – Public Safety Fund. If approved for First Reading, a hearing on the proposed additional appropriations is set for December 26, 2023.

Councilor White inquired on the amount of the appropriation. Councilor Hardaway reported the amount is $88,194.00.

It was moved by Councilor Minchuk and seconded by Councilor Bella, to approve Ordinance 23-31 on the first reading.

Upon a roll call vote, there were six affirmatives and no negatives. With Councilors Neal, Hardway, Minchuk, Uzelac, White, and Bella voting in the affirmative, the motion passed. The ordinance was approved on the first reading.

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

Ordinance 23-29 (Discussion, Hearing, and Roll Call Vote)

An Ordinance of the Town of Merrillville, Indiana, Providing That Ordinance No. 21-24 of the Town of Merrillville, Lake County, Indiana Be Amended by Adding a Section Regarding Completion Date of the Project.
Passed for First Reading at the Town Council meeting of Tuesday, November 28, 2023

It was moved by Councilor Minchuk and seconded by Councilor Uzelac to approve the Ordinance 23-29 on the second reading.

Attorney Svetanoff elaborated on the ordinance.

There were no public comments.

Upon a roll call vote, there were six affirmatives and no negatives. With Councilors Neal, Hardway, Minchuk, Uzelac, White, and Bella voting in the affirmative, the motion passed. The ordinance was approved on the second and final reading.

B, Resolutions: (Discussion and Voice Vote)

Resolution 23-44 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Encumbering Monies of the 2023 Budget into the 2024 Year.

It was moved by Councilor Uzelac and seconded by Councilor Bella to approve the resolution. Upon a voice vote the resolution was approved. The motion passed. The resolution was adopted.

Resolution 23-45 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Transferring Monies of the 2023 Budget Within the General Fund.

It was moved by Councilor Bella and seconded by Councilor Minchuk to approve the resolution. Upon a voice vote the resolution was approved. The motion passed. The resolution was adopted.

Resolution 23-46 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Authorizing a Transfer of Monies Within the Funds of the Parks Department.

It was moved by Councilor Bella and seconded by Councilor Uzelac to approve the resolution. Upon a voice vote the resolution was approved. The motion passed. The resolution was adopted

Resolution 23-48 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Authorizing a Transfer of Monies Within the Funds of the General Fund.

It was moved by Councilor Minchuk and seconded by Councilor Neal to approve the resolution. Upon a voice vote the resolution was approved. The motion passed. The resolution was adopted

C, American Rescue Plan

Councilor Hardaway reported that the AP Voucher Register Summary for ARP Purchases for December 12, 2023, is $78,802.75.

It was moved by Councilor Bella and seconded by Councilor White, to approve the ARP AP Voucher Register Summary for $78,802.75. Upon a voice vote, the motion passed. The ARP AP Voucher was approved.

D. BZA & LARGE GATHERING ACTIONS

Petitioner: Landmark Sign
Owner: Duke of Oil
Request: Variance of Use Approval
Purpose: To allow an electronic message center
Location: 2080 West 81st Avenue
Zoning: C-3, Highway Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA.

It was moved by Councilor White and seconded by Councilor Neal, to approve the BZA Action. Upon a voice vote, the motion passed. The BZA Action was approved.

Petitioner: Anthony Blissett Jr.
Owner: Letitia Griffin
Request: Variance of Use Approval
Purpose: To allow a tattoo studio with retail
Location: 5599 Broadway
Zoning: C-2 Community Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA.

Director Shine asked that a letter from Dr. Josphe B. Koscielniak regarding the Petitioner be read into the record. The letter is below:

ORTHOPAEDICS, INC. OF INDIANA
5587 BROADWAY MERRILLVILLE INDIANA 46410
219 887-9506 • FAX 219-884 3761

ORTHOPAEDIC SURGERY
ARTHROSCOPIC SURGERY
HAND SURGERY
SHOULDER SURGERY
SPORTS MEDICINE
JOINT REPLACEMENT
MINIMALLY INVASIVE HIP & KNEE SURGERY

J B KOSCIELNIAK JR MD FAAOS

November 13, 2023

Ms. Sheila Shine
Planning & Building Director
7820 Broadway
Merrillville, IN 46410

Dear Ms. Shine:

I am in receipt of a notice of public hearing pursuant to the special exemption approval for a tattoo studio with retail to be located at the approximate location of Lots 23,,24, and 25 in Block 1, of the Grosse Pointe subdivision as per plat thereof, recorded in plat book 19, page 34, in the office of the Recorder of Lake County, Indiana. The general location is 5599 Broadway, Merrillville.

Please note that I do not feel that this would be conducive to our neighborhood and that this would in itself affect my medical practice.

If you need any other information or have any questions, please do not hesitate to call.

Sincerely,

Joseph B. Koscielniak, Jr., M.D.
President, Orthopaedics Inc., of Indiana,

JBK:dkj

The Petitioner elaborated on the business.

It was moved by Councilor White and seconded by Councilor Uzelac, to approve the BZA Action.

Councilor Minchuk requested that the Petitioner participate in the Art Program held at the Dean and Barbara White Community Center for students.

The Petitioner confirmed that he would participate in the Art Program.

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

Petitioner: Michael Purtle
Owner: Kishor Patel for Shreejee Corporation
Request: Special Exception Approval
Purpose: To allow a recovery support service
Location: 6145 Cleveland
Zoning: C-2 Community Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA.

The Petitioner elaborated on the business.

It was moved by Councilor Minchuk and second by Councilor Uzelac, to approve the BZA Action. Upon a voice vote, the motion passed. The BZA Action was approved.

Petitioner: Breej Patel
Owner: Parth Patel
Request: Variance of Use Approval
Purpose: To allow a dine-in restaurant
Location: 8160 Mississippi
Zoning: C-2, Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA.

It was moved by Councilor Minchuk and seconded by Councilor White to approve the BZA Action. Upon a voice vote, the motion passed. The BZA Action was approved.

Petitioner: Anthony Williams
Owner: Anthony Willams
Request: Variance of Use Approval
Purpose: To allow a storage facility
Location: 601 West 61st Avenue and 6200 Harrison Street
Zoning: C-2, Community Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA.

The Petitioner elaborated on the business.

It was moved by Councilor Minchuk and seconded by Councilor White, to approve the BZA Action. Upon a voice vote, the motion passed. The BZA Action was approved.

Petitioner: Hi-Tech Self Storage LLC **(Deferred by request of Petitioner)**
Owner: Hi-Tech Self Storage LLC
Request: Variance of Use Approval
Purpose: To allow an existing storage facility for future Owners
Location: 240 West 79th Avenue
Zoning: C-2 Community Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA.

It was moved by Councilor Minchuk and second by Councilor Uzelac, to defer the BZA Action. Upon a voice vote, the motion passed. The BZA Action was deferred.

OLD BUSINESS

None

***NEW* BUSINESS**

None

SPECIAL PRESENTATIONS

None

PUBLIC COMMENT

1. Bryon Mesarch, Merrillville, Indiana asked the council about the Special Town Council Meeting held on December 6, 2023.

ANNOUNCEMENTS

- Town Building closed on December 22nd & 25th for observance of Christmas
- Town Council Meeting December 26th, at 6:30 p.m,
- Special Town Council Meeting December 20, 2023 at 4:30

ADJOURNMENT

A motion and a second were made. The motion passed by voice vote.

The meeting adjourned at 7:19 p.m.

Rick Bella, President

Kelly White Gibson, Clerk-Treasurer

Respectfully Submitted By Angela Lewis