Town Council of Merrillville
7820 Broadway Ave - Merrillville, IN 46410
Town Council Meeting Minutes of the Regular Meeting of
November 12, 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, 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:

- **Letter from INDOT approving funding in the 2024-2 Community Crossing Matching Grant Fund**

Clerk-Treasurer Eric January read the following letter into the record:

INDIANA DEPARTMENT OF TRANSPORTATION

100 North Senate Avenue
Room N758
Indianapolis, Indiana 46204

PHONE: (855) 463-8648

Eric Holcomb, Governor
Michael Smith, Commissioner

November 07, 2024

Merrillville
Rick Bella
7820 Broadway
Merrillville, IN 46410

RE: Community Crossing Matching Grant Fund 2024-2

Dear Rick Bella:

The Indiana Department of Transportation (INDOT) has completed the review and selection of projects for funding in the 2024-2 Community Crossings Matching Grant Fund Program. Your community has preliminarily been awarded $1,500,000.00 in Community Crossings Matching Grant Funds based upon your estimates from your project application(s). A Community Crossings Matching Grant award letter will be included in the Local Roads and Bridges Matching Grant Agreement as Attachment B.

The Community Crossings Matching Grand Funds, which are administered by INDOT, will be used for funding up to 50 percent of the construction of your project or the purchase of materials. These grant dollars will enable you to help build and improve Indiana's infrastructure.

The state of Indiana looks forward to partnering with all Hoosier communities, both urban and rural, to invest in road and bridge infrastructure projects. Improvement to local roads and bridges will bring about economic development, create jobs, and strengthen local transportation networks for all of Indiana.

Sincerely,

Eric Holcomb

Eric J. Holcomb, Governor

Michael Smith, INDOT Commission

President Bella thanked all who engaged in the Town of Merrillville receiving this funding.

- **Letter of support for the City of Hobart as host site for the proposed Convention Center**

  Clerk-Treasurer Eric January read the following letter into the record:

November 5, 2024

Lake County Commissioners
Kyle W. Allen, Jerry Tippy, Michael C. Repay
Lake County, Indiana

Dear Lake County Commissioners,

On behalf of the Town of Merrillville, I am pleased to express our support for the proposed Hobart, Indiana, location as the best choice among the options for the new convention center to serve Lake County. After a comprehensive review of the unique benefits offered by each potential site, we firmly believe that Hobart presents unmatched advantages for our community and Lake County as a whole.

Hobart's location, strategically positioned with its easy access to major highways and proximity to I-65 and U.S. Route 30, is a unique advantage that would attract visitors from across the region and beyond. This strategic accessibility would make Hobart an ideal hub, maximizing the convention center's appeal to many potential clients and attendees.

Additionally, Hobart and nearby Merrillville boast a thriving business district and hospitality sector that can easily support a convention center by offering many nearby eateries, hotels, and shopping choices not currently available at the Gary location. The added economic stimulus from a Hobart-based convention center would significantly benefit the city of Hobart and the entire Lake County region, reinforcing our area as a preferred destination for events and gatherings.

Furthermore, establishing the convention center in Hobart aligns well with broader county development goals. Hobart's commitment to sustainable growth, investment in public infrastructure, and community engagement make it an excellent candidate to partner with Lake County to foster its continued prosperity and appeal.

Considering these strengths, we firmly believe that selecting Hobart as the site for the convention center would result in the most significant economic and social benefits to Lake County. Thank you for considering our recommendation, and we look forward to seeing the positive impact this development will bring to our region.

Sincerely,

Rick Bella

Rick Bella
Merrillville Town Council President
Town of Merrillville, Indiana

- **Trunk or Trick Winners**
  Vice-President Neal presented to the council and audience the winners of the Town of Merrillville Trunk or Treat Event on October 24th. The community selected the winners via online voting on the Town's website.

  - Danny the Dog Groomer - 1st Place winner with over 30% of the votes.
  - 3D - 2nd Place winner with over 25% of the votes.

PUBLIC HEARING: NONE

CONSENT AGENDA:

- Accounts Payable Register Voucher Approval for November 12th, 2024
- AP Register Summary for ARP Purchases for November 12th, 2024
- Approval of Town Council Meeting Minutes October 22nd, 2024
- Approval of ARPA meeting minutes from October 30th, 2024
- Approval of ARPA meeting minutes from November 4th, 2024
- BOSCO/Dave Maravilla – Request for a 50% reduction in rental rates of the D&BCC basketball courts for 2025.

TOWN of MERRILLVILLE
Office of Town Administration

Memorandum

Thursday, November 7, 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 MODIFICATION of User Charges for USES of ROOMS at the Dean and Barbara White Community Center, by Dave Maravilla d.b.a. BOSCO Youth Basketball (Full Season & Practices)

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 Dave Maravilla d.b.a. BOSCO as submitted by Dave Maravilla for the use of the Dean and Barbara White Community Center for ssseveral months in 2025.

Dave Maravilla d.b.a. BOSCO asks that these fees be discounted or waived. He asked for a discount from the current regular hourly rate of $50 per hour to $25 per hour, a fifty percent (50%) discount. The basis of the request when I discussed this with him, was that he was concerned about the increase in price being passed on to the young people he charges a fee. BOSCO charges the participants.

I am asking that this matter be placed before the Town Council in its role as the Park Authority and that the following be granted to the Town Manager as Acting Parks and Recreation Director: and that the Town manager be allowed to discuss a 25% to a 50% discount for uses and fees for this event, based on the request and owing to the facts represented above. Further, that the Town manager be authorized to finally fix those charges based upon the range herein stated.

The value of the revenue forgone if granted as requested is $2,437.50.

Thank you.

Sincerely,

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

- BOSCO/Dave Maravilla – Request for waiver of rates in exchange for a gate fee to be 100% for the Town's use for a tournament on October 12, 2025

TOWN of MERRILLVILLE
Office of Town Administration

Memorandum

Thursday, November 7, 2024s

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 MODIFICATION of User Charges for USES of ROOMS at the Dean and Barbara White Community Center, by Dave Maravilla d.b.a. BOSCO Youth Basketball (Jamboree Tournament)

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 Dave Maravilla d.b.a. BOSCO as submitted by Dave Maravilla for the use of the Dean and Barbara White Community Center on October 12, 2025

Dave Maravilla d.b.a. BOSCO asks that these fees be discounted or waived. He asked for a full waiver in exchange for the operation of the concession stand, retaining its receipts and collecting & retaining the gate receipts all by Merrillville. The basis of the request was not given. BOSCO does charge sthe participants.

I am asking that this matter be placed before the Town Council in its role as the Park Authority and that the following be granted to the Town Manager as Acting Parks and Recreation Director: 1. **authority to meet with Mr. Maravilla to negotiate this 2) fees along with gates prices be fixed by the Town Manager in this instance, with any final uses and fees for this event, based on the request and owing to the facts represented above be reported to the Town Council for its information and file.**

The value of the rental revenue forgone is $2,715. There is no estimate as to the gate or the concession stand.

Thank you.

Sincerely,

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

It was moved by Councilor Uzelac and seconded by Councilor Pettit to approve the consent agenda.

Councilor Pettit requested that the two BOSCO requests be removed from the consent agenda. They will be discussed at the next Dean and Barbara White Community Center committee meeting.

Councilor Uzelac amended her motion to remove the two BOSCO requests from the consent agenda seconded by Councilor Pettit.

Town Manager Griffin asked that vendor 791 regarding Julie Morena be pulled from the ARP Register Summary for $12,700.00 for concrete work because the amount is higher than what the ARPA committee approved.

Financial Advisor Hudson added that the ARPA committee will investigate the matter and resubmit the AP Voucher.

Councilor Uzelac amended her motion to remove vendor 791 from the AP Register Summary for ARP Purchases of the consent agenda.

Upon a question from President Bella regarding Councilor Pettit's second still standing.

Councilor Pettie responded that his second still stands.

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

PRESENTATION of DECLARATIONS:

- **Declaration of the Town Council Recognizing November 30th as Small Business Saturday**

  Clerk-Treasurer Eric January read the following declaration into the record:

Town of Merrillville
DECLARATION
State of Indiana

The Town Council of Merrillville Recognizes
SMALL BUSINESS SATURDAY

Whereas, the Merrillville Town Government of Merrillville, Indiana, celebrates our local small businesses and the contributions they make to our local economy and community; and

Whereas, according to the United States Small Business Administration, there are 34.7 million small businesses in the United States representing 99.7% of firms with paid employees, small businesses are responsible for over 61% of net new jobs created since 1995, and small businesses employ almost 46% of the employees in the private sector in the United States; and

Whereas, 68 cents of every dollar spent at a small business in the U.S. stays in the local community and every dollar spent at small businesses creates an additional 48 cents in local business activity as a result of employees and local businesses purchasing local goods and services; and

Whereas, 59% of U.S. consumers are aware of Small Business Saturday shopped or ate at a small, independently owned retailer or restaurant on Small Business Saturday 2023; and

Whereas, the Town of Merrillville supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

Whereas, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

Now, therefore be it resolved, that the Town Council of Merrillville, Indiana, hereby proclaims Saturday, November 30, 2024, as **Small Business Saturday,** marking its 15th anniversary. We urge all citizens to join in celebrating and supporting our local businesses, recognizing the vital role they play in our community. Let's take this day to spread awareness, educate others, and actively support Merrillville's small businesses. By choosing to shop small throughout the holiday season, we not only strengthen our local economy but contribute to the wellbeing of our nation, our state, and—most importantly—our hometown of Merrillville, Indiana.

Approved and signed by the following Honorable Town of Merrillville Town Councilors and attested to by the Honorable Town Clerk-Treasurer, this 12th day of November, 2024.

It was moved by Councilor Pettit and seconded by Councilor Haynes-Edwards to approve the Small Business Saturday Declaration.

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 Small Business Saturday Declaration was approved.

- **Declaration of the Town Council Recognizing the Week of November 17th, 2024 – November 23rd, 2024, as National Apprenticeship Week.**

  Nikki Rodriguez, Director of Northwest Indiana-Regional Educators and Employers Alliance for Developing Youth (READY) read the following declaration into the record:



Town of Merrillville
DECLARATION
State of Indiana

The Town Council of Merrillville Recognizes
SKILLED TRADES WEEK

Whereas, READY NWI hosted a Skilled Trades Day in Lake County with the Construction Advancement Foundation for the last 7 years; and

Whereas, they will be hosting their 8th annual Skilled Trades Day on November 19, 2024 at the Lake County Fairgrounds; and

Whereas, the Town of Merrillville, Indiana's largest town recognizes November 18th through November 22nd as National Apprenticeship Week; and

Whereas, this week is dedicated to celebrating the benefits of apprenticeship programs, which play a vital role in developing our workforce and strengthening our local economy; and

Whereas, apprenticeships provide invaluable hands-on training and career opportunities for individuals of all backgrounds enabling them to acquire essential skills while earning a wage; and

Whereas, these programs are crucial for bridging the gap between education and employment, particularly in industries that are facing workforce shortages; and

Whereas, the Town of Merrillville recognizes that Registered Apprenticeship, a proven and industry-driven traning model, is a key strategy to improving job quality, and creating access to good-paying, family-sustraining jobs for all, starting with youth and young adults, while addressing some of our nation's pressing workforce challenges such as rebuilding our country's infrastructure, addressing critical supply chain demands, supporting a clean energy workforce, modernizing our cybersecurity response, and responding to care economy issues.

Now, therefore be it resolved, that the Town Council of Merrillville, Indiana, hereby proclaims November 17, 2024 through November 23rd, 2024, as **National Apprenticeship Week,** and hereby urge all citizens to join in celebrating and supporting this invaluable hands-on training supporting career opportunities for our residents. Let's take this weekay to spread awareness, educate others, and actively support READY NWI. The program will not only strengthen our local economy but contribute to the wellbeing of our nation, our state, and —most importantly—our hometown of Merrillville, Indiana.

Approved and signed by the following Honorable Town of Merrillville Town Councilors and attested to by the Honorable Town Clerk-Treasurer, this 12th day of November, 2024.

It was moved by Councilor Pettit and seconded by Councilor Hardaway to approve the National Apprenticeship Week of November 17th, 2024, until November 23rd, 2024, Declaration.

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 National Apprenticeship Week Declaration was approved.

STANDING & SPECIAL COMMITTEES REPORTS:

BUDGET & FINANCE - NEAL – Vice-President Neal had nothing to report.

COUNCIL AFFAIRS- PETTIT – Councilor Pettit reported that a committee meeting is scheduled for November 14th at 4:30 p.m. The agenda for the meeting includes ordinances from Town Manager Griffin which need to be reviewed by the committee.

STREET DEPARTMENT- UZELAC– Councilor Uzelac reported the Street Department has been busy with leaf pickup, street sweeping, and patching.

Upon a question from Councilor Uzelac regarding anything else to add to the report, Director King added the following:

- Trash – The department is still picking up trash around the Town.
- Leaf Vacuum Crew – Director King informed the residents to be patient because the Leaf Vacuum Crew moves slowly. There was an incident in Turkey Creek where one of the crew members was struck by a resident's vehicle because the driver was in a hurry. The police were called, and the employee was not injured.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Vice-President Neal reported that the scheduled meeting did not occur due to the holiday and the committee will reconvene on Monday, November 18, 2024.

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

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway reported that the committee has received several applications for the Parks Director position and those applications will be reviewed by Councilor Uzelac and Interim Park Director Robertson.

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

ECONOMIC DEVELOPMENT-PETTIT – Councilor Pettit reported there will be a Redevelopment Commission meeting on November 26, 2024, at 6:00 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 will be held at Town Hall on Thursday, November 21st at 5:00 p.m.

SPECIAL COMMITTEES

ABANDONED-BLIGHTED PROPERTIES - HAYNES-EDWARDS & CHANDLER-FELTON– Councilor Haynes-Edwards reported that the next court hearing will be held on the 3rd Friday of November at 1:00 p.m.

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

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

- Christmas Tree Lightning – The Town of Merrillville holiday season will kick off with the Christmas Tree Lightning, which is scheduled for December 6, 2024, at the Dean and Barbara White Community Center from 5:30 p.m. to 7:30 p.m. There will be a visit from Santa Claus and other holiday activities.
- Home Decorating Contest – Applications must be submitted by December 6th. The applications are available at Town Hall or online at merrillville.in.gov. The online voting will start December 9th through December 20th.

DEPARTMENT & COMMISSION REPORTS:

LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL– Vice-President Neal reported that the next meeting will be on Thursday, November 21st at 6:00 p.m. She also reported that Lake County Solid Waste Management is asking that every Town has an alternate representative due to the appointed representatives being absent.

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

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

- **Southmoor Park Drainage Project** – Value engineering is being done on this project. Director Lake stated that he anticipates final revisions being completed in 30 days.
- **69th & Connecticut Street** – Grimmer Construction has made considerable progress. The anticipated time of completion is three weeks.
- **Hickory Ridge Flood Control Improvement Project** – A pre-construction meeting is scheduled with Christopher Burke Engineering and Dire Construction. We will get a construction schedule finalized and break ground next month.
- **Hendrick Street Drainage Analysis and Final Plans - A** meeting occurred with the Lake County Parks Department regarding their Wetland Mitigation Bank to coordinate our design elements for adequate drainage with minimum impact to the Wetland Mitigation Bank.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY-PATENA – Deanne Patena reported on the following:

- Hotels – The average daily room rate is $101.00 which is down 1% from last year. The hotels have taken in $16,616,836.00 which is up by 5.5% from last year. Hotel occupancy is 65%, which is up by 0.6% from last year, but supply is up by 8.2%.
- Revenue – Revenue per occupied room is $67.00 which is flat from last year.
- Demand – Demand is $161,000.00 which is up 6.2% from last year.
- President/CEO - Phil Taillon was hired as the new President /CEO in early June of 2024.
- Budget 2025 – The budget was approved for 2025 by the Lake County Commissioners. The budget is $15,000.00 more than last year.

Deanne Patena also informed the council and residents that they can connect with Southshore Visitors and Convention Authority to help with any accommodation's needs from family reunions to conventions.

FIRE TERRITORY BOARD - NEAL & HARDAWAY – Vice-President 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:

- The MMA Fight event held at the Dean and Babara White Community Center (D&BWCC) on Saturday, November 9th had about 750 attendees which is down from the previous years.
- We are starting a new program called Cookie & Canvas which will take place on December 7th with two age groups 5 through 7 will be painting a snowman and age groups 9 through 13 will be painting a gingerbread. Parents can register their children at D&BWCC for a cost of $15.00 for residents and $20.00 for non-residents.

Chief Nuses – Police Department

Chief Nuses reported the following statics for October:

- Service Calls – There were 2,703 service calls.
- Traffic Stops – There were 1,118 traffic stops.

- Trunk or Treat and Elections - There were no issues with these two events in the Town of Merrillville.

Director Shine - Building and Planning

Director Shine reported the following highlights of the Building and Planning Department for October:

- Permits – There were 165 permits issued. The department collected $357,834.81 in permit fees for the month of October. The year-to-date numbers are 1,323 permits issued and 1,431.373.12 collected in permit fees.

Director King- Street Department

Director King added the following to his report:

- Community Crossing Grant Award – The following streets will be repaired with the funding:
  - 63rd Avenue from Taft Street West to the end
  - 101st Avenue from Mississippi to Colorado Street
  - Harms Road from 88th Drive to Colorado
  - West 70th Place from Madison Street to Harrison
  - Buchanan Street from 73rd Avenue to Pierce
  - Pierce from West 72nd Avenue to West 72nd Lane

- Merrillville Paving Project – The concrete work has been completed on 84th Avenue between Broadway & Merrillville Road and Grant Street between US 30 and 86th Avenue.
- Roadway Milling – The project has started on the North End of the Town
  - Jackson Street 57th to 58th
  - Van Buren Street 57th to 58th and another section of Van Buren from the Charter School to 59th Avenue
  - West 58th Avenue from Jackson to Van Buren
  - Mississippi Street from 53rd to 57th.
- Paving – Paving will start on Thursday, November 14th.

Upon a question from President Bella regarding how late can paving be done, Director King responded as long weather, and temperature permits and that the Street Department will follow the Indiana Department of Transportation paving specifications.

Town Manager Griffin – Town Administration

Town Manager Griffin reported that a written report was given to the council members and Clerk-Treasurer Eric January. Town Manager Griffin informed the council of the Federal Energy Efficiency Conservation Grant that he applied for, and the Town of Merrillville was awarded $76,330.00 for LED lights.

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

Clerk-Treasurer Eric January reported the following:

- Cash on Hand - The Town of Merrillville has over $38,240,600,68 in the bank for the period ending October 31, 2024.
- Food and Beverage Tax – The Town of Merrillville received another check from the Department of Revenue in the amount of $193,218.40. The number of collections is fluctuating. We had only one hundred businesses paying for the collection month of September. The total collected so far this year is $847,382.73.
- Wall Street Journal Article – Clerk-Treasurer Eric-January informed the council and residents regarding the article on property taxes.

GENERAL ORDERS

A. Ordinances:

First Reading: (Discussion and Roll Call Vote):

1. **Ordinance 24-43 (Discussion and Roll Call Vote)**
   An Ordinance Of The Town Council Of The Town Of Merrillville, Indiana Appropriating Proceeds Of Merrillville Fire Protection Territory Bonds, Series 2024.

ORDINANCE No. 24-43

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, INDIANA APPROPRIATING PROCEEDS OF MERRILLVILLE FIRE PROTECTION TERRITORY BONDS, SERIES 2024

WHEREAS, The Town Council of the Town of Merrillville, Indiana (the "Council"), being the fiscal body of the Town of Merrillville, Indiana (the "Town") as Provider Unit for the Merrillville Fire Protection Territory (the "Territory") pursuant to Indiana Code 36-8-19, determined in an ordinance, adopted on September 24, 2024 (the "Ordinance") to issue the Town of Merrillville, Indiana Merrillville Fire Protection Territory Bonds, Series 2024 (the "Bonds"), in an original aggregate principal amount not to exceed Five Million Five Hundred Thousand Dollars ($5,500,000), for the purpose of procuring funds to pay for the costs of all or any portion of (i) the renovation, equipping, and improvement of the Territory's North Fire Station, (ii) the construction, equipping, and improvement of a storage facility, (iii) the acquisition of certain equipment for the use of the Territory, and (iv) all or any portion of the acquisition of a fire truck (collectively, the "Project"), and (v) the costs of selling and issuing the Bonds;

WHEREAS, The Council has found that there are no funds available or provided for in the existing budget and tax levy which may be applied to the costs of the Project and has heretofore authorized the issuance of the Bonds to procure such funds and that an extraordinary emergency exists for the making of the additional appropriation hereafter set out; and

WHEREAS, Notice of a hearing on said appropriation has been duly given by publication and posting as required by law, and the hearing on said appropriation has been held, at which all taxpayers had an opportunity to appear and express their views as to such appropriation,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF TOWN OF MERRILLVILLE, INDIANA, as follows:

Section 1. There is hereby appropriated a sum not to exceed Six Million Three Hundred Fifty Thousand Dollars ($6,350,000) out of the proceeds of the Bonds, together with all investment earnings thereon, for the use by the Fire Protection Territory in paying the costs of the Project, and the costs of issuing the Bonds, as provided in the Ordinance. Such appropriation shall be in addition to all appropriations provided for in the existing budget and levy and shall continue in effect until the payment of the costs of the completion of the Project, all pursuant to IC 5-1-2-1. Any surplus of such proceeds shall be credited to the proper fund as provided by IC 5-1-13 et seq.

Section 2. That the appropriation of the proceeds of the Fire Protection Territory Bonds as identified in Section 1 of this ordinance are hereby to be applied on the cost of the Projects, as identified in the authorizing Ordinance, with said appropriation to include the incidental expenses necessary to be incurred in connection with the Project and the issuance of bonds on account thereof as follows:

FIRE EQUIPMENT PROJECT (BOND PROCEEDS) FUND

4444 010 311	Professional Services	$ 130,000
	300 Series Total	$ 130,000
4444 010 440	Capital Outlay	$ 5,154,960
	400 Series Total	$ 5,154,960
		$ 5,284,960

Section 3. All actions previously taken in connection with such appropriation, including publication of the notice of the public hearing and the adoption of the Ordinance by the Council, be, and hereby are, ratified and approved. A certified copy of this resolution, together with such other proceedings and actions as may be necessary, shall be filed by the Clerk-Treasurer of the Town along with a report of the appropriation, with the Indiana Department of Local Government Finance.

ALL OF WHICH IS PASSED AND ADOPTED THIS 26th DAY OF NOVEMBER 2024, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

Town Manager Griffith explained Ordinance 24-43.

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Ordinance 24-43 on the first reading.

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

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

B. Resolution: (Discussion and Voice Vote)

1. **Resolution 24-31 (Discussion and Voice Vote)**
   A Resolution Of The Town Of Merrillville, Lake County, Indiana, Transferring Monies Within The 2024 Budget – General Fund

RESOLUTION 24-31
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			
1101002118	General/Secretary	$ 15,000.00	
1101002141	General/IT Director	$ 44,500.00	
1101002160	General/Retirement	$ 50,000.00	
	Total Decrease:	$ 109,500.00	
General FUND – DEPT. 07			
1101007381	General/Subs & Dues		$ 10,000.00
1101007394	General/Contractual Services		$ 34,500.00
1101007311	General/Attorney Fees		$ 65,000.00
	Total Increase:		$ 109,500.00

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

It was moved by Councilor Uzelac and seconded by Councilor Haynes-Edwards to table Resolution 24-31.

Upon a question from President Bella regarding this being an appropriate action, Town Manager Griffin responded the action was fully appropriate.

Upon a question from Attorney Svetanoff regarding a deferment being a more appropriate action, Town Manager Griffin responded no because Resolution 24-31 is going to be presented to the council after review as an ordinance.

Upon a voice vote, the motion passed. The Resolution was tabled.

2. **Resolution 24-32 (Discussion and Voice Vote)**
A Resolution Of The Town Of Merrillville, Lake County, Indiana, Transferring Monies Within The 2024 Budget – Tourism Fund

RESOLUTION 24-32
TOWN OF MERRILLVILLE, INDIANA

A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TRANSFERRING MONIES WITHIN THE 2024 BUDGET -- TOURISM 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
TOURISM FUND – DEPT. 10			
2502010243	Tourism/Other Supplies	$ 1,442.00	
	Total Decrease:	$ 1,442.00	
TOURISM FUND – DEPT. 10			
2502010394	Tourism/Contractual		$ 1,442.00
	Total Increase:		$ 1,442.00

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

It was moved by Councilor Pettit and seconded by Councilor Neal to approve Resolution 24-32.

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

3. **Resolution 24-33 (Discussion and Voice Vote)**
A Resolution Of The Town Of Merrillville, Lake County, Indiana, Transferring Monies Within The 2024 Budget – PRN Fund

RESOLUTION 24-33
TOWN OF MERRILLVILLE, INDIANA

A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, TRANSFERRING MONIES WITHIN THE 2024 BUDGET – PNR 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
PNR FUND Decrease			
2211010245	PNR/Camp Supplies	$ 5,000.00	
2211012396	PNR/Sub-Contractor	$ 10,000.00	
2211014396	PNR/Sub-Contractor	$ 10,000.00	
2211015396	PNR/Sub-Contractor	$ 10,000.00	
	Total Decrease:	$ 45,000.00	
PNR FUND Increase			
2211010382	PNR/Refunds		$ 3,000.00
2211010394	PNR/Contractual Services		$ 25,000.00
2211010399	PNR/Bldg. Repair Maintenance		$ 17,000.00
	Total Increase:		$ 45,000.00

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

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve Resolution 24-33.

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

4. **Resolution 24-34 (Discussion and Voice Vote)**

A Resolution Authorizing, Approving, Accepting, And Concurring In A License Agreement Between The TOWN OF MERRILLVILLE, R.OSS TOWNSHIP TRUSTEE In Trust for The Use Of The Merrillville Fire Protection Territory (GRANTOR) And SBA 2012 TC Assets, LLC, A Delaware Limited Liability Company As Grantee (GRANTEE)

THE TOWN OF MERRILLVILLE
TOWN COUNCIL RESOLUTION No. 24-34

A Resolution Authorizing, Approving, Accepting and Concurring in a License Agreement between the TOWN of MERRILLVILLE, ROSS TOWNSHIP TRUSTEE in Trust for the Use of the Merrillville Fire Protection Territory (GRANTOR) and SBA 2012 TC Assets, LLC, a Delaware limited liability company as Grantee (GRANTEE).

Whereas, The Town of Merrillville, Ross Township Trustee in Trust for the Use of the Merrillville Fire Protection Territory (GRANTOR) are in receipt of a proposed agreement with SBA 2012 TC Assets, LLC, a Delaware limited liability company (GRANTEE) regarding certain licenses to occupy premises;

Whereas, The Grantor wishes to grant to the Grantee, the SBA 2012 TC Assets, LLC, a Delaware limited liability company, 8051 Congress Avenue, Boca Raton, FL 33487 a license to occupy certain premises;

Whereas, The Town of Merrillville through its Town Council, acting as the fiscal body, legislative body and works board of the municipality, has determined that the **license to occupy certain premises** and the associated agreement in, under, over and across the above-described real estate would be of great public benefit and utility;

Whereas, The SBA 2012 TC Assets, LLC, a Delaware limited liability company, 8051 Congress Avenue, Boca Raton, FL 33487, (hereinafter sometimes referred to as Grantee), has determined that the **license to occupy certain premises** and the associated agreement in, under, over and across the above-described real estate would be of great public benefit and utility;

Whereas, The Town of Merrillville, Ross Township Trustee in Trust for the use and benefit of the Merrillville Fire Protection Territory as Grantor owns and has title to certain real estate located in Lake County, Indiana, which is legally described in Exhibit A of the agreement; and,

Whereas, The Town of Merrillville, through its Town Council, acting as the Works Board (hereinafter sometimes referred to as Grantor), now wishes to finally authorize, adopt, accept and approve the **license to occupy certain premises** and the associated agreement in, under, over and across the above described real estate between Town of Merrillville, Ross Township Trustee in Trust for the Use of the Merrillville Fire Protection Territory (GRANTOR) and SBA 2012 TC Assets, LLC, a Delaware limited liability company (GRANTEE),

Now, Therefore, Be It hereby Resolved by the Merrillville Town Council, acting as the Works Board of the Municipality as follows:

Section 1. That the license to occupy certain premises agreement, to between the Town of Merrillville, Ross Township Trustee in Trust for the Use of the Merrillville Fire Protection Territory (GRANTOR) and SBA 2012 TC Assets, LLC, a Delaware limited liability company (GRANTEE), which is incorporated by its reference, is hereby authorized, approved, accepted and ratified in each and every respect;

Section 2. That Town of Merrillville, as Grantor, conveys, authorizes and grants a license to occupy the premises, conveyed, granted, and assigned by agreement to SBA 2012 TC Assets, LLC, a Delaware limited liability company,8051 Congress Avenue, Boca Raton, FL 33487 a license to occupy certain premises in perpetuity, in, under, over and across the following legally described in Exhibits B and C of the agreement herein adopted;

Section 3. That the agreement adopted by this order is incorporated herein as an exhibit to this order;

Section 4. That the Town Council President and the Clerk-Treasurer are hereby authorized and directed to evidence this acceptance, approval and adoption of the easements and agreement by affixing their signatures to the agreement.

DULY, PASSED, ADOPTED and RESOLVED by the Town Council of the Town of Merrillville, Lake County, Indiana, acting as the Works Board, this 12th day of November 2024.

TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA

It was moved by Councilor Haynes-Edwards and seconded by Councilor Uzelac to approve Resolution 24-34.

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

3 **BZA & LARGE GATHERING ACTIONS:**

Applicant: Kris Simonovski
Request: Large Gathering Permit
Purpose: To Allow A Christmas Light Display
Location: 7595 East Lincoln Highway
Dates/Times: Nov 29th, 2024 – Jan. 1st, 2025, Sun-Sat 5:00 p.m. – 9:30 p.m.

Planning and Building Director Shine explained the Large Gathering Action.

It was moved by Councilor Pettit and seconded by Councilor Uzelac to approve the Large Gathering 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 Large Action was approved.

Petitioner: Erica Woods
Owner: Ryan Pishjur
Request: Special Exception Approval
Purpose: To Allow A Childcare Center
Location: 6049 Broadway
Zoning: C-2, Community Commercial Zoning District

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

It was moved by Councilor Hardaway and seconded by Councilor Chandlor-Felton to approve the ABZA Action.

Director Shine added that the Childcare Center must obtain a business license before the state will grant a childcare license because of a change in the state process.

Upon a question from Councilor Haynes-Edwards regarding after-school pickup, the Petitioner responded that transportation would not be offered by the childcare center.

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: Michael Watson
Owner: MJJ Investors
Request: Special Exception Approval
Purpose: To Allow A Dine-In Restaurant
Location: 5524 Broadway
Zoning: C-2, Community 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 Councilor Neal 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: Eric January
Owner: You Need A Lift
Request: Special Exception Approval
Purpose: To Allow A Business Office/Event Hall Rental
Location: 7430 Broadway
Zoning: C-2, Community Commercial Zoning District

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

Upon a question from President Bella regarding everything being completed including safety for the building, Director Shine responded that she and Fire Inspector Pillman have been in communication with Mr. Eric January (Petitioner) and there are a few fire safety issues that must be rectified before the Petitioner can proceed with opening. The hood system and occupancy classification are the issues.

Fire Inspector Pillman elaborated on both issues.

Upon a question from President Bella regarding other neighboring Towns doing their own occupancy rating, Fire Inspector Pillman responded no and that Fire Chief Yerga can elaborate more on how the process is done. Fire Chief Yerga explained the process.

Upon a question from Councilor Haynes-Edwards regarding who is going to do the occupancy classification absent of the Town and State, Fire Chief Yerga responded that an Architect Engineer can do it.

The Petitioner stated that he spoke to representatives of Dyer and Schererville, and they do occupancy classification in their Town. The Petitioner informed the council that the building dismissions are the same and nothing has been changed based on his quotes from Architects regarding the 72-year-old building. It had occupancy limits of 175 and 75 in the bar, but one of his family took down the paperwork and disposed of it.

Fire Inspector Pillman voiced his concerns regarding the Town of Merrillville completing the occupancy classification.

The Petitioner requested the records of the former occupancy classification and stated he is not planning to use the hood system at this time.

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

Upon a question from Councilor Uzelac regarding how much the Petitioner has invested in the business to date, the Petitioner responded well over $300,000.00.

Upon a question from Vice-President Neal regarding resolving the occupancy issue, Fire Inspector Pillman responded that it was up to the Petitioner to resolve the issue.

Upon a question from President Bella regarding making the occupancy classification part of the conditional approval, Attorney Svetanoff responded it can be part of the conditional approval, but the application is for a business, business event center, and rental hall. Director Shine stated that Petitioner has a license for the business office usage. The special exception is for the training and hall rental portion of the application.

Upon a question from President Bella regarding assisting the Petitioner with the state, Fire Inspector Pillman responded he would help with that issue.

Upon a question from Vice-President Neal regarding the need for the occupancy classification to open the event side, Fire Inspector Pillman responded the occupancy classification is needed to open the event side.

Upon a question from President Bella regarding county records on the building, Director Shine responded it would be difficult because the Town did not start record keeping until 1971, but she would check with the county.

Fire Chief Yerga stated he would collaborate with Petitioner to get the occupancy classification done, but the Fire Department will not take on the liability to do the occupancy classification.

Upon a question from President Bella regarding Councilor Haynes-Edwards amending her motion, Councilor Haynes-Edwards responded by amending her motion.

It was moved by Councilor Haynes-Edwards and seconded by Councilor Chandlor-Felton to approve the ABZA Action contingent upon the occupancy getting done whether the state or Eric January at his own expense completes the occupancy classification.

Upon a roll call vote, there were six affirmatives, no negatives, and one abstention Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac, and Rick Bella voted in the affirmative. Councilor Shaun Pettit abstained. There were no negatives. The motion passed. The ABZA Action was approved contingent upon the occupancy getting done whether the state or Eric January at his own expense completes the occupancy classification.

OLD BUSINESS
NONE

NEW BUSINESS
NONE

PUBLIC COMMENT:

1. Bryor Messer, Merrillville Indiana, introduced the Merrillville Change Agent group to the council and residents and voices his concerns regarding Firefighters Memorial and deer crossing signs.

   President Bella informed the council and residents that Fire Chief Yerga has already been given permission to use the property for the Firefighters Memorial

2. Amy Merrillville, Indiana, voiced her concerns regarding the Community Crossing Matching Grant Fund and lack of communication and transparency with budget and expenditures.
3. Samuel Pion, Merrillville, Indiana voiced his concerns regarding the Maximum Levy Appeal and transparency.
4. Chris Holtz, Merrillville, Indiana voiced his concerns regarding the Sauk Trail sign, opposition to the Maximum Levy Appeal, and loss of services.
5. Pablo Payan, Merrillville, Indiana, voiced his concerns regarding buying property in Merrillville, lack of records on occupancy, and opposition to the Maximum Levy Appeal.
6. Darion Collins, Merrillville, Indiana voiced her concerns regarding the 2025 Budget, property taxes, and lack of communication.
7. Vern Hines, Merrillville, Indiana voiced his concern regarding the discord in the meeting and gave information on the building located on 7430 Broadway that Petitioner Eric January purchased.
8. Davidson Dugan, Merrillville, Indiana voiced his concern regarding the building located on 7430 Broadway.

ANNOUNCEMENTS

The Town Council President announced the following:

- Town Council Meeting Tuesday, November 26th at 6:30 p.m.
- RDC Meeting Tuesday, November 26th at 6:15 p.m.
- Tree Lighting Celebration and contest December 6th at the Dean & Barbara 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