Town Council of Merrillville
7820 Broadway Ave - Merrillville, IN 46410
Town Council Meeting Minutes of the Regular Meeting of
November 26, 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, and Rick Bella. Councilors Shawn Pettit and Keesha Hardaway were absent. Clerk-Treasurer Eric January was present to memorialize the proceedings. A quorum was attained.

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS:

- **Employee of the Month for November**
  Town Manager Griffin and Fire Chief Yerga presented Fire Fighter Dave Perry as November's Employee of the Month for the Town of Merrillville to the council and audience. Mr. Perry received a certificate of recognition and a gift card. Chief Yerga expounded on Mr. Perry's experience and exemplary work in the Merrillville Fire Department.

PUBLIC HEARING:
A.

1. **Town Attorney review of Proof of Publication(s): Add Proof of Publication dated November 8th, 2024, with a public hearing date of November 26th, 2024, Re: Ord 24-43**



NOTICE OF PUBLIC HEARING CONCERNING AN

ADDITIONAL APPROPRIATION OF THE TOWN OF MERRILLVILLE, INDIANA

The residents and taxpayers of the Town of Merrillville, Indiana (the "Town"), are hereby notified that the Town Council of the Town will hold a public hearing at 6:30 p.m. (local time) on November 26, 2024, at the Merrillville Municipal Complex, 7820 Broadway Avenue, Merrillville, Indiana 46410, on the matter of appropriating the proceeds of the proposed to be issued Town of Merrillville, Indiana Merrillville Fire Protection Territory Bonds, Series 2024 (the "Bonds") in an amount not to exceed $5,500,000, together with any interest earnings thereon collectively in an amount not to exceed $6,350,000. Such additional appropriation shall be for the purpose of the paying for (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 and (v) the costs of selling and issuing the Bonds. Funds to cover said appropriation are to be provided from the proceeds of the Bonds, together with any investment earnings thereon.

Said appropriation is in addition to any appropriations provided for in the existing budget and tax levy. At said public hearing, all persons shall have the right to appear and be heard on the necessity of said appropriation.

Dated this 8th day of November, 2024.

TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, INDIANA

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HSPAXLP

Attorney Svetanoff reported that he has reviewed the Proof of Publication, and Everything is in order and conforms with the Indiana Code. The council may proceed with the public hearing.

2. Public Hearing: Re ORD 24-43

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

Public Comments

There were no public comments given.

3. Action on Proposed Ordinance.

It was moved by Councilor Uzelac and second by Vice-President Neal to approve Ordinance 24-43 on second reading.

Upon a question from President Bella regarding anything to add, Town Manager Griffin responded this is a necessary last step and the proceeds have been deposited and

accounted for, but the laws are apparent in Indiana until we have an appropriation the money cannot be spent.

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

B.

a) **Town Attorney review of Proof of Publication(s): Add Proof of Publication dated November 15th, 2024, with a public hearing date of November 26th, 2024, Re: Ord 24-44**

NOTICE TO TAXPAYERS OF PROPOSED ADDITIONAL APPROPRIATIONS

tice is hereby given to the taxpayers of the Town of Merrillville, Lake County, Indiana, that the proper legal officers ll consider the following additional appropriation in excess of the budget for the current year during the regular errillville Town Council Meeting at the Merrillville Town Complex, 7820 Broadway, Merrillville, IN, at 6:30 p.m. on esday, November 26, 2024.

)RPORATION GENERAL FUND

fice of the Town Council (002)

:DUCE the following:

01.002.118 General/Secretary:	$ 15,000.00
01.002.141 General/IT Director:	$ 44,500.00
01.002.160 General/Retirement:	$ 50,000.00
Total 100 Series:	$ 109,500.00
tal Decrease for the Department:	**$ 109,500.00**

CREASE the following:

tministration Department (007)

01.007.381 General/subs & Dues:	$ 10,000.00
01.007.394 General/Contractual Services:	$ 34,500.00
01.007.311 General/Attorney Fees:	$ 65,000.00
Total 300 Series:	$109,500.00
tal Increase for the Department:	**$ 109,500.00**
TAL for the FUND:	**$ 000.00**

nds to support these additional appropriations in the Corporation General Fund shall be supported by a reduction in the fice of the Town Council Department of the Corporation General Fund equal to the desired increase in the Administration partment of the Corporation General Fund.

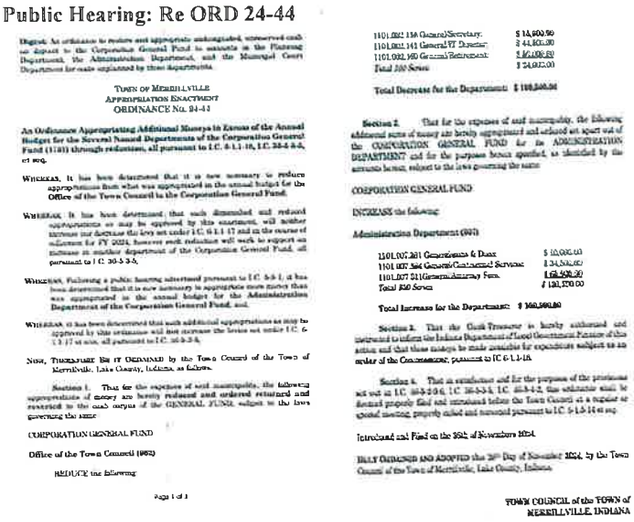
xpayers appearing at such meeting shall have a right to be heard thereon. The additional appropriations, as finally ado, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government nance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of e action taken.

TOWN COUNCIL OF MERRILLVILLE
Rick Bella, President

lc D. January, CPA
erk-Treasurer

Attorney Svetanoff reported that he has reviewed the Proof of Publication, and Everything is in order and conforms with the Indiana Code. The council may proceed with the public hearing.

b) **Public Hearing: Re ORD 24-44**



Digest. An ordinance to restore and appropriate unobligated, unreserved cash on deposit to the Corporation General Fund to transfer to the Planning Department, the Administration Department, and the Municipal Court Department for sums explained by those departments.

TOWN OF MERRILLVILLE
APPROPRIATION ENACTMENT
ORDINANCE No. 24-44

An Ordinance Appropriating Additional Moneys in Excess of the Annual Budget for the Several Named Departments of the Corporation General Fund (1101) through reduction, all pursuant to I.C. 6-1.1-18, I.C. 36-4-6, et seq.

WHEREAS, It has been determined that it is now necessary to reduce appropriations from what was appropriated in the annual budget for the Office of the Town Council in the Corporation General Fund.

WHEREAS, It has been determined that such diminished and reduced appropriations as may be approved by this enactment, will neither increase nor decrease the levy set under I.C. 6-1.1-17 and in the course of reduction for FY 2024, however such reduction will work to support an increase in another department of the Corporation General Fund, all pursuant to I.C. 36-3-3-5,

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 Administration Department 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 seq., all pursuant to I.C. 36-3-3-5,

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

Section 1. That for the expense of said municipality, the following appropriations of money are hereby reduced and ordered returned and restored to the cash surplus of the GENERAL FUND, subject to the laws governing the same:

CORPORATION GENERAL FUND

Office of the Town Council (002)

REDUCE the following:

Page 1 of 3

1101.002.118 General/Secretary:	$ 15,000.00
1101.002.141 General/IT Director:	$ 44,500.00
1101.002.160 General/Retirement:	$ 50,000.00
Total 100 Series	$ 109,500.00

Total Decrease for the Department: $ 109,500.00

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

CORPORATION GENERAL FUND

INCREASE the following:

Administration Department (007)

1101.007.381 General/subs & Dues:	$ 10,000.00
1101.007.394 General/Contractual Services:	$ 34,500.00
1101.007.311 General/Attorney Fees:	$ 65,000.00
Total 300 Series	$ 109,500.00

Total Increase for the Department: $ 109,500.00

Section 3. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these changes be made possible for expenditure subject to an order of the Commissioner, pursuant to IC 6-1.1-18.

Section 4. That in satisfaction and for the purpose of the provisions set out in I.C. 36-3-3-9, I.C. 36-3-3-4, I.C. 36-3-4-2, 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. 5-14-1.5 et seq.

Introduced and Filed on the 26th of November 2024.

DULY ORDERED AND ADOPTED this 26th Day of November 2024, by the Town Council of the Town of Merrillville, Lake County, Indiana.

TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA

Public Comments
There were no public comments given.

c) **Action on Proposed Ordinance.**

It was moved by Councilor Uzelac and second by Vice-President Neal to approve Ordinance 24-44 on the first reading.

Upon a question from President Bella regarding anything to add, Town Manager Griffin responded that he is requesting after public comments and the first reading that the council take the necessary steps to hear this ordinance on the second reading.

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

Upon a question from President Bella regarding suspending the rules with only five members of the council present, Attorney Svetanoff responded, if the vote is unanimous, the council can suspend the rules and read the ordinance on second reading.

It was moved by Councilor Haynes-Edwards and second by Vice-President Neal to suspend the rules and read Ordinance 24-44 on the second and final reading.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac, and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The rules were suspended to read Ordinance 24-44 on the second and final reading.

It was moved by Councilor Uzelac and second by Counselor Haynes-Edwards to approve Ordinance 24-44 on the second and final reading.

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

CONSENT AGENDA:

- Accounts Payable Register Voucher Approval for November 26th, 2024
- AP Register Summary for ARP Purchases for November 26th, 2024
- Approval of Town Council Meeting Minutes November 12th, 2024
- Approval of Special Town Council Meeting Minutes for November 20th, 2024

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

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

PRESENTATION of DECLARATIONS: *NONE*

STANDING & SPECIAL COMMITTEES REPORTS:

BUDGET & FINANCE - NEAL – Vice-President Neal asked Town Manager Griffin to speak on behalf of the Budget and Finance Committee.

Town Manager Griffin reported the following:

- The Budget and Finance Committee had a meeting and Financial Advisor Hudson briefed the committee on the condition of the Budget for 2025.

- The Excess Levy Appeal as expected was not approved.
- The committee is working on a parallel budget that still needs refinement because of insurance costs which increased by almost 10%, about 9.5%, for 2025. The committee has one more meeting to report to the council.
- The last step will be to receive our 1782 notice from the state. The 1782 is a pre-budget notification.

COUNCIL AFFAIRS- PETTIT – Councilor Pettit was absent.

STREET DEPARTMENT- UZELAC– Councilor Uzelac reported the following:

- Leaf Pickup – Leaf pickup is still ongoing.
- Town Holiday Decorations - The Town Holiday decorations are up.
- Chapel Hill – A report came in regarding a driveway flooding. Director King went to the site and did what he could to fix it.
- Street Sweeping- The streets were swept during the weekend.
- Positions – There are two Labor I open positions in the Street Department. Please contact Director King or Town Manager Griffin regarding the two positions.

Upon a question from President Bella regarding the pay and benefits of the two Labor I positions, Director King responded that the pay is 22.73 per hour and a CDL license is not required but preferred because the Street Department does in-house CDL training. The Street Department is responsible for leaf pickup, snow plowing, pothole patching, and many other things. Applications are available at the Street Department located on 13th West 73rd Avenue and online.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL- Vice-President Neal reported that a meeting was held, and the gateway signs and park signs were finalized. The committee is currently waiting on the quotes. If the committee receives the quotes, the next meeting will be on Monday, December 2, 2024.

ENVIRONMENTAL AFFAIRS- PETTIT – Councilor Pettit was absent.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Councilor Hardaway was absent.

Upon a question from President Bella regarding anything to report, Town Manager Griffin reported that later the agenda is a salary ordinance that was discussed in the committee meeting.

PUBLIC SAFETY- HARDAWAY- Councilor Hardaway was absent.

President Bella informed the council that public safety will be reported under Chief Nuses' report.

ECONOMIC DEVELOPMENT-PETTIT – Councilor Pettit was absent.

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

PARKS AND DEAN & BARBARA WHITE COMMUNITY CENTER - PETTIT – Councilor Pettit was absent.

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:

- 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.

- Christmas Tree Lightning – The Street Department did get the tree and all the holiday decorations up for the holiday season. 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.

- Sponsor A Christmas Tree – Local businesses can sponsor and decorate a tree. As of the last meeting, five trees were already sponsored. The sponsorships are $200.00 or $300.00. The $200.00 sponsorship will receive a tree and lights. The $300.00 sponsorships will have their logo printed on a brick.

- School Christmas Tree Decorating Contest – Local schools will be decorating Christmas Trees.

DEPARTMENT & COMMISSION REPORTS:

LAKE COUNTY SOLID WASTE MANAGEMENT-NEAL– Vice-President Neal reported that the next meeting will be on December 19th at 6:30 p.m. The meeting for November 2024 was canceled due to a lack of participation from the surrounding cities and towns. The Lake County Solid Waste Management District (LCSWMD) is requesting that cities and towns have an alternate to send to the meeting due to appointed members being absent.

Vice-President Neal also stated that LCSWMD is still accepting applications for the Citizens Advisory Committee and hiring for an Environmental Educational and Outreach Coordinator information and applications are available on the LCSWMD website at www.lcswmd.com.

NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Councilor Hardaway was absent.

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

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

FIRE TERRITORY BOARD - NEAL & HARDAWAY – Vice-President Neal had nothing to report.

DEPARTMENT REPORTS/ TOWN MANAGER

Interim Parks Director Roberts – Parks and Recreation
The Interim Parks Director had nothing to report.

Chief Nuses – Police Department
Chief Nuses reported that thefts in the Town of Merrillville have spiked during the start of the holiday season and this week has been busy for the officers due to the first snowfall, robberies, and a domestic stabbing. He thanked neighboring agencies for their help.

Chief Nuses also reported that as the holiday season progresses, the department will develop some additional ideas to keep the Town of Merrillville residents safe. He also reported that someone relocated a stop sign from 91st Avenue and placed it by the bike trail crossover near that location.

Director King added that the stop sign has been restored to the original location.

Upon a question from President Bella regarding complaints received from bikers regarding the bike crossover, Town Manager Griffin responded that to his knowledge no complaints had come into his department.

Director Shine - Building and Planning
Director Shine had nothing to report.

Director King – Street Department
Upon a question from President Bella regarding anything to add to the Street Department report, Director King added that general maintenance of the parks and bike paths is ongoing. He also reported that another dumpster was needed at Whitcomb Townhomes because of all the trash, furniture, and mattresses. This location is an ongoing problem for the Street Department.

Director King reported that concrete work on 78th Avenue is finished, and the curb will be patched on Wednesday, November 27th. After the curb work, the paving operation will be suspended for the rest of the year and will pick back up in Sprint 2025.

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

GENERAL ORDERS

A. **Ordinances:**

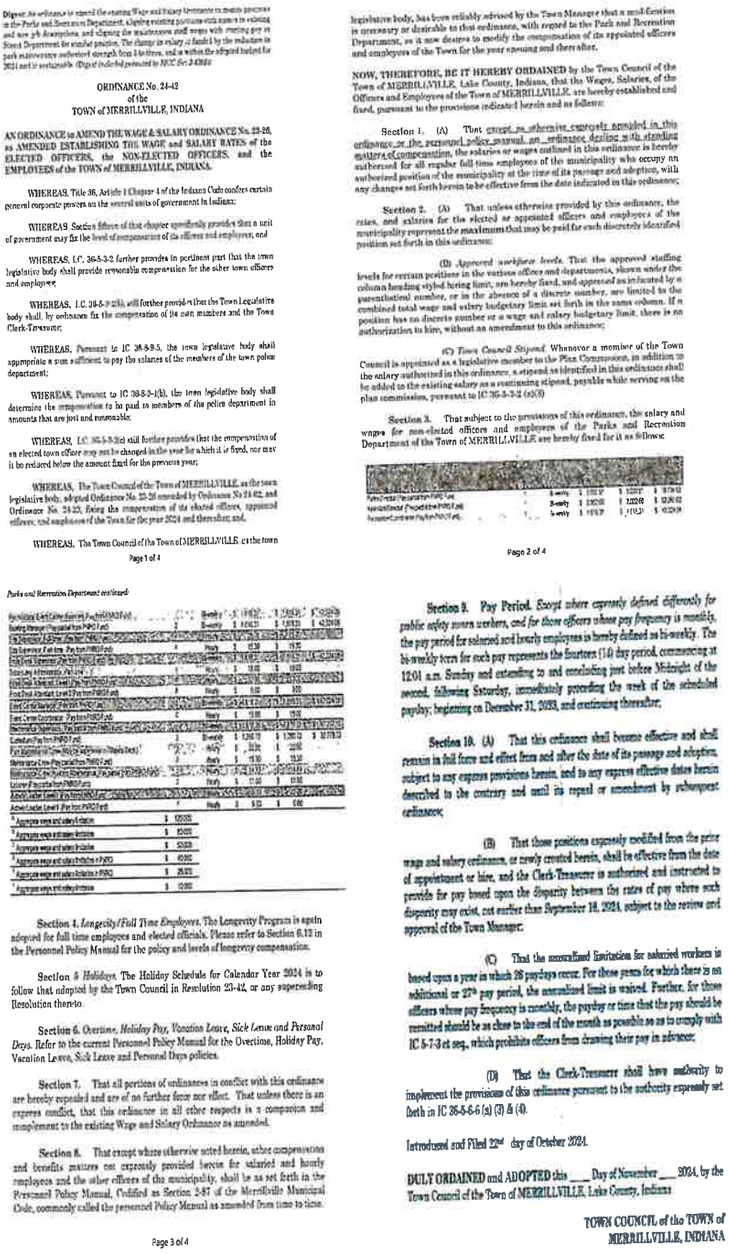
First Reading: (Discussion and Roll Call Vote):

1. **Ordinance 24-44 (Discussion and Roll Call Vote)**
   An Ordinance Appropriating Additional Money in Excess of the Annual Budget for the Several Named Departments of the Corporation General Fund (1101) through reduction, all pursuant to I.C. 6-1.1-18. IC 36-5-3-5, et seq.

   Action on Ordinance 24-44 was taken up under Public Hearing.

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

1. **Ordinance 24-42 (Discussion, Public Comment, and Roll Call Vote)**
   An Ordinance to Amend the Wage & Salary Ordinance no. 23-26, as Amended Establishing the Wage and Salary Rates of the Elected Officers, the Non-Elected Officers, and the Employees of the Town of Merrillville, Indiana



Digest: An ordinance to amend the existing Wage and Salary Ordinance to provide increases in the Parks and Recreation Department. Applies existing positions with names in existing and new job descriptions, and existing fire maintenance staff wages with existing pay in Street Department for similar practice. The change in salary is funded by the reduction in park maintenance authorized strength from 14 to three, and is within the adopted budget for 2024 and is sustainable. (Digest included pursuant to IC 36-5-2-8(b))

ORDINANCE No. 24-42
of the
TOWN of MERRILLVILLE, INDIANA

AN ORDINANCE to AMEND THE WAGE & SALARY ORDINANCE No. 23-26, as AMENDED ESTABLISHING THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of MERRILLVILLE, INDIANA.

WHEREAS, Title 36, Article 5 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

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

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), still further provides that the Town Legislative body shall, by ordinance fix the compensation of the town members and the Town Clerk-Treasurer;

WHEREAS, Pursuant to IC 36-8-8-5, the town legislative body shall appropriate a sum sufficient to pay the salaries of the members of the town police department;

WHEREAS, Pursuant to IC 36-8-3-1(b), the town legislative body shall determine the compensation to be paid to members of the police department in amounts that are just and reasonable;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

WHEREAS, The Town Council of the Town of MERRILLVILLE, as the town legislative body, adopted Ordinance No. 23-26 amended by Ordinance No 24-02, and Ordinance No. 24-23, fixing the compensation of the elected officers, appointed officers, and employees of the Town for the year 2024 and thereafter; and,

WHEREAS, The Town Council of the Town of MERRILLVILLE or the town

Page 1 of 4

legislative body, has been reliably advised by the Town Manager that a mid-fiscal is necessary or desirable to that ordinance, with regard to the Park and Recreation Department, as it now desires to modify the compensation of its appointed officers and employees of the Town for the year ensuing and there after.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of MERRILLVILLE, Lake County, Indiana, that the Wages, Salaries, of the Officers and Employees of the Town of MERRILLVILLE, are hereby established and fixed, pursuant to the provisions indicated herein and as follows:

Section 1. (A) That except as otherwise expressly provided in this ordinance or the personnel policy manual, an ordinance dealing with standing matters of compensation, the salaries or wages outlined in this ordinance is hereby authorized for all regular full-time employees of the municipality who occupy an authorized position of the municipality at the time of its passage and adoption, with any changes set forth herein to be effective from the date indicated in this ordinance;

Section 2. (A) That unless otherwise provided by this ordinance, the rates, and salaries for the elected or appointed officers and employees of the municipality represent the maximum that may be paid for each discretely identified position set forth in this ordinance;

(B) *Approved workforce levels.* That the approved staffing levels for certain positions in the various offices and departments, shown under the column heading styled hiring limit, are hereby fixed, and approved as indicated by a parenthetical number, or in the absence of a discrete number, are limited to the combined total wage and salary budgetary limit set forth in the same column. If a position has no discrete number or a wage and salary budgetary limit, there is no authorization to hire, without an amendment to this ordinance;

(C) *Town Council Stipend.* Whenever a member of the Town Council is appointed as a legislative member to the Plan Commission, in addition to the salary authorized in this ordinance, a stipend as identified in this ordinance shall be added to the existing salary as a continuing stipend, payable while serving on the plan commission, pursuant to IC 36-5-3-2 (a)(3)

Section 3. That subject to the provisions of this ordinance, the salary and wages for non-elected offices and employees of the Parks and Recreation Department of the Town of MERRILLVILLE are hereby fixed for it as follows:

Page 2 of 4

Parks and Recreation Department continued:

Section 4. *Longevity/Full Time Employees.* The Longevity Program is again adopted for full time employees and elected officials. Please refer to Section 6.12 in the Personnel Policy Manual for the policy and levels of longevity compensation.

Section 5 *Holidays.* The Holiday Schedule for Calendar Year 2024 is to follow that adopted by the Town Council in Resolution 23-42, or any superseding Resolution thereto.

Section 6. *Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days.* Refer to the current Personnel Policy Manual for the Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days policies.

Section 7. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect. That unless there is an express conflict, that this ordinance in all other respects is a companion and complement to the existing Wage and Salary Ordinance as amended.

Section 8. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the other officers of the municipality, shall be as set forth in the Personnel Policy Manual, Codified as Section 2-87 of the Merrillville Municipal Code, commonly called the personnel Policy Manual as amended from time to time.

Page 3 of 4

Section 9. Pay Period. *Except where expressly defined differently for public safety sworn workers, and for those officers whose pay frequency is monthly,* the pay period for salaried and hourly employees is hereby defined as bi-weekly. The bi-weekly term for each pay represents the fourteen (14) day period, commencing at 12:01 a.m. Sunday and extending to and concluding just before Midnight of the second, following Saturday, immediately preceding the week of the scheduled payday; beginning on December 31, 2023, and continuing thereafter.

Section 10. (A) That this ordinance shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, subject to any express provisions herein, and to any express effective dates herein described to the contrary and until its repeal or amendment by subsequent ordinance;

(B) That those positions expressly modified from the prior wage and salary ordinance, or newly created herein, shall be effective from the date of appointment or hire, and the Clerk-Treasurer is authorized and instructed to provide for pay based upon the disparity between the rates of pay where such disparity may exist, not earlier than September 18, 2024, subject to the review and approval of the Town Manager;

(C) That the annualized limitation for salaried workers is based upon a year in which 26 paydays occur. For those years for which there is an additional or 27th pay period, the annualized limit is waived. Further, for those officers whose pay frequency is monthly, the payday or time that the pay should be remitted should be as close to the end of the month as possible so as to comply with IC 5-7-3 et seq., which prohibits officers from drawing their pay in advance;

(D) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed 22nd day of October 2024.

DULY ORDAINED and ADOPTED this ___ Day of November ___ 2024, by the Town Council of the Town of MERRILLVILLE, Lake County, Indiana

TOWN COUNCIL of the TOWN of
MERRILLVILLE, INDIANA

Town Manager Griffin explained Ordinance 24-42.

Upon a question from President Bella regarding the public hearing, Town Manager Griffin responded that the ordinance was introduced and passed at the last council meeting.

It was moved by Vice-President Neal and second by Counselor Haynes-Edwards to approve Ordinance 24-42 on the second and final reading.

Upon a roll call vote, there were five affirmatives and no negatives. Councilors Rhonda Neal, Shauna Haynes-Edwards, Leona Chandler-Felton, Margaret Uzelac,

and Rick Bella voted in the affirmative. There were no negatives. The motion passed. The ordinance was approved on the second and final reading.

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

Action on Ordinance 24-43 was taken up under Public Hearing.

B. Resolutions:

1. **Resolutions 24-36 (Discussion and Voice Vote**
A Resolution Approving an Amendment to the Existing Lease Agreement Between Merrillville Pop Warner, Incorporated and the Town of Merrillville, IN

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TOWN OF MERRILLVILLE
TOWN COUNCIL RESOLUTION NO. 24-36

A RESOLUTION APPROVING an AMENDMENT to the EXISTING LEASE AGREEMENT BETWEEN MERILLVILLE POP WARNER, INCORPORATED and TOWN of MERRILLVILLE, Indiana

WHEREAS, Pop Warner is duly organized under the laws of the State of Indiana as a nonprofit corporation, and exempt from Federal tax as a 501(c)(3) organization, having as its purpose the operation of a youth football league and training;

WHEREAS, Pop Warner and Town met pursuant to the terms of Section 4 of the Lease, reviewing the financial statements of Pop Warner for the years 2022 and 2023, discussing a proposed revision to the existing rental fees under the lease; and,

WHEREAS, Pop Warner and Town desire to enter into this Amendment to Lease agreement to continue to occupy a certain outdoor multipurpose sporting facility, located at the Dean and Barbara White Community Center with an address of 6600 Broadway Avenue, Merrillville, Indiana 46410, to operate a youth football league and training,

NOW THEREFORE, the parties to the Lease Agreement make this amendment to the Lease Agreement to read as follows:

Section 1. That Section 4 of the Lease with Rental Agreement is hereby amended to read as follows:

> **SECTION 4. RENT.** Pop Warner shall pay the Town ~~$300~~ **$600** per Season or ~~$1,000~~ **$1,200** annually for both Seasons for usage of the outdoor multipurpose sporting field and shall provide maintenance and repairs to the Premises at its sole cost and expense during the Seasons without regard to the actual parties or individuals using or occupying the Premises at any time during the Season(s). It is further understood that this rental amount will be reviewed annually as Pop Warner will provide certified annual, financial statements by December 31st of the current **and each** lease year **thereafter**, regarding all income and expenses.

That this lease amendment shall be effective from its passage and adoption by the Town Council as the Park Authority of the Town of Merrillville, Indiana, with the new rental fees effective from January 1, 2025, for the balance of the lease term except as may be amended from time to time following the annual review in section 4 of the Lease Agreement.

Section 2. That the proposed lease rental charges as amended are reasonable and fair;

Section 3. That the Town Council President is authorized and directed to execute the agreement and any additional documents in order to implement the terms of this accepted offer;

DULY, ADOPTED and RESOLVED BY the Town Council of the Town of Merrillville, Lake County, Indiana, this 26th day of November.

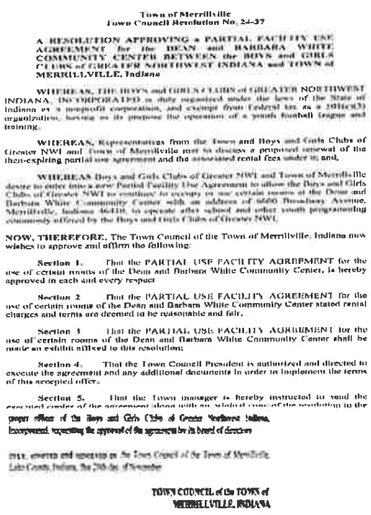
TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA

Town Manager Griffin explained Resolution 24-36

It was moved by Councilor Uzelac and seconded by Councilor Chandler-Felton to approve Resolution 24-36.

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

2. **Resolutions 24-37 (Discussion and Voice Vote**
A Resolution Approving a Partial Facility Use Agreement for the Dean and Babara White Community Center Between the Boys and Girls Clubs of Greater Northwest Indiana and Town of Merrillville Indiana.



Town of Merrillville
Town Council Resolution No. 24-37

A RESOLUTION APPROVING a PARTIAL FACILITY USE AGREEMENT for the DEAN and BARBARA WHITE COMMUNITY CENTER BETWEEN the BOYS and GIRLS CLUBS of GREATER NORTHWEST INDIANA and TOWN of MERRILLVILLE, Indiana

WHEREAS, THE BOYS and GIRLS CLUBS of GREATER NORTHWEST INDIANA, INCORPORATED is duly organized under the laws of the State of Indiana as a nonprofit corporation, and exempt from Federal tax as a 501(c)(3) organization, having as its purpose the operation of a youth football league and training.

WHEREAS, Representatives from the Town and Boys and Girls Clubs of Greater NWI and Town of Merrillville met to discuss a proposed renewal of the then-expiring partial use agreement and the associated rental fees under it; and,

WHEREAS Boys and Girls Clubs of Greater NWI and Town of Merrillville desire to enter into a new Partial Facility Use Agreement to allow the Boys and Girls Clubs of Greater NWI to continue to occupy to use certain rooms of the Dean and Barbara White Community Center with an address of 6600 Broadway Avenue, Merrillville, Indiana 46410, to operate after school and other youth programming consistently offered by the Boys and Girls Clubs of Greater NWI;

NOW, THEREFORE, The Town Council of the Town of Merrillville, Indiana now wishes to approve and affirm the following:

Section 1. That the PARTIAL USE FACILITY AGREEMENT for the use of certain rooms of the Dean and Barbara White Community Center, is hereby approved in each and every respect

Section 2 That the PARTIAL USE FACILITY AGREEMENT for the use of certain rooms of the Dean and Barbara White Community Center stated rental charges and terms are deemed to be reasonable and fair.

Section 3 That the PARTIAL USE FACILITY AGREEMENT for the use of certain rooms of the Dean and Barbara White Community Center shall be made an exhibit affixed to this resolution;

Section 4. That the Town Council President is authorized and directed to execute the agreement and any additional documents in order to implement the terms of this accepted offer.

Section 5. That the Town manager is hereby instructed to send the executed version of the agreement along with an original copy of the resolution to the proper officer of the Boys and Girls Clubs of Greater Northwest Indiana, Incorporated, requesting the approval of the agreement by its board of directors

PASSED, ADOPTED and APPROVED by the Town Council of the Town of Merrillville, Lake County, Indiana, the 26th day of November

TOWN COUNCIL of the TOWN of MERRILLVILLE, INDIANA

Town Manager Griffin explained Resolution 24-37

Upon a question from President Bella regarding the last payment from Boys and Girls Club was for the month of August, Clerk-Treasurer Eric January agreed that the last payment received was for August.

It was moved by Councilor Uzelac and seconded by Vice-President Neal to approve Resolution 24-37.

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

C. **BZA & LARGE GATHERING ACTIONS:** *NONE*

OLD BUSINESS
NONE

NEW BUSINESS
NONE

PUBLIC COMMENT:

1. Bryor Messer, Merrillville Indiana, voiced his concerns regarding the public hearing for Ordinance 24-42, Fire Department memorable on 73rd Madison Street, Merrillville Change Agency support from the council, and committee meetings.

   Town Manager Griffin clarified that Ordinance 24-42 was introduced and passed on first reading at the October 22nd Town Council Meeting.

   Vice-President Neal clarified that residents are more than welcome to join and participate in the Events Committee, but confusion will not be tolerated.

2. Pablo Payan of Merrillville Indiana voiced his concerns regarding the Town of Merrillville not bidding for the Convention Center.
3. Normal Hollingsworth Rico of Merrillville Indiana voiced her regarding her streets and curbs.
4. Javina Lyles of Merrillville Indiana voiced her concerns regarding distempered raccoons.
5. Rick Lefever of Merrillville Indiana thanked the council, Police Department, Street Department, and Attorney Svetanoff.
6. Chris Holtz of Merrillville Indiana voiced his concern regarding the Boys and Girls Club lease.

ANNOUNCEMENTS

The Town Council President announced the following:

- Town Council Meeting Tuesday, December 10th at 6:30 p.m.
- Council Affairs Meeting December 3rd at 4:00 p.m.
- Dean & Barbara White CC Committee Meeting December 9th at 5:00 p.m.
- Tree Lighting Celebration and contest December 6th at 5:30 p.m. at the D&BWCC

ADJOURNMENT

Having completed all items on the agenda, the Town Council President announced the meeting adjourned at 7:30 p.m.

Rick Bella, Town Council President

Eric O. January, Clerk-Treasurer

Respectfully Submitted By Angela Lewis