



Town of Merrillville
Town Council Meeting Minutes
September 13, 2022
6:35 P.M.

CALL TO ORDER: President Bella 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 from Richard Augie of Impact Church.

PLEDGE OF ALLEGIANCE: Led by any veteran in attendance.

ROLL CALL – Roll Call was taken by Madam Clerk Treasurer White Gibson.

Present were: Vice-President Hardaway- (Ward 2)

Councilman Minchuk- (Ward 3)

Councilwoman Uzelac- (Ward 4)

Councilman White – (Ward 7)

Councilman Spann- (Ward 1)

Councilman Pettit- (Ward 6)

President Bella- (Ward 5)

Seven Present (7)

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS AND REMONSTRATIONS:

John Cannon a representative-northwest Indiana office of attorney general Todd Rokita presented to the council what his office has to offer the Town of Merrillville. You can request an opinion to implement confusing new laws passed by the governor. As well as in the protecting Hoosiers with consumer protection division by informing Hoosiers about recalls. Mr. Cannon also stated they are trying to stop scam calls from coming through from across the world. The biggest thing they do at the Attorney General's office is help residents find if they have unclaimed property, as well can be done with unclaimed grants.

CONSENT AGENDA

Accts. Payable Register Voucher Approval for September 13, 2022
Approval of Town Council Meeting Minutes of August 23, 2022

Councilman Pettit made a motion to approve the Consent Agenda, seconded by Councilwoman Uzelac.

Motion carried by voice vote.

STANDING COMMITTEES

BUDGET & FINANCE- HARDAWAY – Vice President Hardaway informed the council that during the workshop on Tuesday September 20, 2022 the council will met and discuss the budget. While discussing the budget they will discuss ways to balance the budget, shortly after balancing with the council the department heads will be brought into the meeting.

COUNCIL AFFAIRS- PETTIT – No Report

PUBLIC WORKS & UTILITIES- MINCHUK – Councilman Minchuk informed the council there is a meeting tomorrow September 14, 2022 to discuss matters in the Public Works Department.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT- No Report

ENVIRONMENTAL AFFAIRS- WHITE – Councilman White informed the council that the CDC reported that Lake County was in a high level. As of today September 13, 2022 Lake County is at a low level for Covid-19. Councilman White reported that unfortunately there were five deaths in the last seven days. There were eighty-four Lake County residents that were hospitalized due to Covid-19. Councilman White also informed the council that the reinfection rate is at a thirteen percent and the positivity rate is at twenty-one percent.

Councilwoman Uzelac also informed the council that the second booster shot will be through the Pfizer vaccine and should be available within the next upcoming weeks.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY – Vice-President Hardaway informed the council that later on the agenda there is a second reading ordinance for our personnel policy manual. Vice-President Hardaway informed the council that all changes were made and if there are no concerns he hopes the ordinance is passed tonight.

PUBLIC SAFETY- MINCHUK - Councilman Minchuk informed the council that Public Safety has had several meetings throughout the last month. Next Saturday September 24, 2022 is the F.O.P fundraiser for domestic violence which begins at noon.

Councilman Minchuk read a letter of communication to the council.

Chief Cuttino stated that he wanted to thank everyone, the town council and the citizens for the support. Chief Cuttino stated how it has been a very interesting learning experience especially working with an excellent team with the Merrillville Police Department. Chief Cuttino stated he is confident that the Merrillville Police Department will continue to move forward.

Councilman White made a motion to approve and accept Chief Cuttino's letter of resignation, seconded by Councilwoman Uzelac.

Motion carried by voice vote.

ECONOMIC DEVELOPMENT-PETTIT – Councilman Pettit informed the council that there is an economic development committee meeting on Tuesday September 20, 2022 at 4:00P.M. Councilman Pettit also informed the council that there is one tax abatement petition. Councilman Pettit also stated that every day he drives down Mississippi to 101st to go to the Ameriplex, he sees the absolutely unbelievable work crowd holdings is doing.

Director Chilcott informed the council that economic development met with a new group coming to town. Director Chilcott stated they gave the new group specific locations to look at as they drove down the north end of town.

PARKS & RECREATION- UZELAC - Councilwoman Uzelac informed the council that all the parks have been mowed on a regular basis and look very good. Councilwoman Uzelac thanked the Public Works Department for mowing the field behind the park on 74th and Hendricks. Councilwoman Uzelac also thanked Director Price for having the bike trails cleaned up.

ABANDONED -BLIGHTED PROPERTIES-HARDAWAY – Vice-President Hardaway informed the council that he had met with some people from Public Works, Parks and Code Enforcement last Friday to discuss grass type issues. Vice-President Hardaway stated he would sit with Director Bunnell and President Bella sometime next week to figure out what's going on in the 78th and Marshall Area.

DEAN & BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT – Councilman Pettit informed the council that there will be a committee meeting September 22, 2022 at 4:30P.M. Councilman Pettit thanked Councilman Minchuk for working on the Weiss family field and associated things with that. Councilman Pettit stated that a quote from Goff Incorporated on phase one was secured. Councilman Pettit made a motion that phase one will be the entrance gates and sidewalks from the south side of the lot parking lot to the field the quote is for \$57,750.00

Councilman Pettit made a motion to approve the phase one in the amount of \$57,750.00 coming out of the bond proceeds for this project, seconded by Councilman White.

Motion carried by voice vote

Director Price informed the council that Rose awards are Thursday September 22, 2022 at the Dean and Barbra White Center. Director Price also stated the Dean & Barbra White Community Center will be hosting an event for Governor Holcomb September 27, 2022.

Special Projects (F & B Tax, Diversity) – HARDAWAY – No Report

Councilman White asked to be removed from the Diversity committee due to there not being any conversation.

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE- No Report

NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY-Vice-President Hardaway informed the council that there will be a meeting Thursday September 15, 2022.

STORMWATER MANAGEMENT RESOURCES-LAKE- Director Lake informed the council that there was a pre-construction meeting with Dyer construction about the Marcella road drainage improvement project. Director Lake stated they're going to be mobilizing at the end of the month; they've already ordered all the materials. Director Lake also informed the council that there is engineering undergoing on several projects. Director Lake stated they are working on storm water lift conversion project at the southeast corner of 69th PL and Connecticut. The Taney/ Kaiser Ditch lateral project drainage improvement from U.S. 30 to 73rd is out for bid. There is still engineering being done at Hickory Ridge Lake Apartments. There was an easement recorded the other day for a project which would be called an urban AG interface project, which involves drainage improvements for grass field subdivision as well as Auburn Hills and for Randolph Street. Storm water received a grant from nerpsey through their community program, so there will be planting of thirty trees at Rosenbalm Park.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY- Town Manager Reardon informed the council that the next meeting is Thursday September 15, 2022. The next Town Council meetings Town Manager Reardon will be bring the September data. Town Manager Reardon also stated that the new President and CEO David Uran are settling in nicely to the position.

FIRE TERRITORY BOARD- Minchuk- Councilman Minchuk informed the council that there are currently no meetings scheduled.

DEPARTMENT REPORTS

Chief Cuttino informed the council that the Merrillville Police Department has been extremely busy this summer. Chief Cuttino stated the Merrillville Police Department looks forward to the support from the residents.

Director Chilcott informed the council that Economic Development has been extremely busy. Director Chilcott also stated that economic development is very excited for what is going on at Silos. Director Chilcott stated that all new leads are very exciting to bring to the Town of Merrillville. Director Chilcott also informed the council about the community video project that being worked on by CGI Digital starting by the end of September.

GENERAL ORDERS

A. Ordinances

First Readings: (Discussion and Roll Call)

Ordinance 22-21 (Discussion and Roll Call Vote)

An Ordinance of The Town of Merrillville, Lake County, Indiana, Amending Ordinances 22-17, 22-09, 21-29 And Pay for Employees of The Town Of Merrillville, Indiana, For The Calendar Year 2022

Councilman Minchuk informed the council that budget time has not come to an end yet, meetings are still ongoing. Councilman Minchuk made a suggestion that Ordinance 22-21 should be tabled until there is a better financial report back in and there could be an overall picture and act on this more town wide.

Councilman Minchuk made a motion to tabled Ordinance 22-21, seconded by Councilman White.

President Bella stated that this topic will be on the next Tuesday executive session Town Council workshop and Madam Clerk-Treasurer is invited to attend.

Madam Clerk-Treasurer stated that she ask for Ordinance 22-21 not be tabled. Madam Clerk-treasurer stated she is not sure what next year's budget has to do with Ordinance 22-21, when she found the money and using the money that was allotted for the increase in her salary to try to bring the Clerk-treasurer salary up to commiserate to the other Clerk-Treasurer's salaries and their surrounding communities. Our salary in the largest town in Indiana for the Clerk-Treasurer is less than every other administrative official expect for the judge and Town Council members. Madam Clerk-Treasurer also informed the council those in terms of running an office of seven sometimes eight or nine people depending on and having the responsibility of paying all the bills and all the payrolls and all the business licenses. We've now got a new community center which has added on a tremendous amount of extra work. Last year during the budget time Vice-President and President Bella was able to speak with other departments about securing some additional funding for what the Clerk-Treasurer office does for their particular offices because they have their own budget Storm Water, Fire and Hazmat. Madam Clerk-Treasurer stated she is not asking

for additional money that's not already in her budget, she is not asking anything from the Town Council from the general fund, this is her not taking the money for her increase instead she is asking to pass it on to her employees because the work that they've done. The Clerk-Treasurer office is doing an exceptionally amount of work, as well as working during the Covid-19 pandemic being an essential office. Clerk-Treasurer employees had to come in for deposits, collect payroll and funds as well as work from home. Madam Clerk-Treasurer stated the office is extremely important so this is not a raise in which she is asking for more money, so if the budget doesn't change from last year to this year she found the money within her own budget in order to compensate her very qualified workers who have done a tremendous job. The Clerk-Treasurer office makes sure the bills are paid on time, the credit rating is still high and everyone gets paid the way they're supposed to be paid. Madam Clerk-Treasurer stated she is sacrificing, she could have put this in her salary because that is what it was originally for but instead she wants to pass it on so good quality people remain working for the Town.

Councilman White asked Madam Clerk-Treasurer about the credit rate of the town. Madam Clerk-Treasurer stated that if the bills are not paid on time and if things are not done correctly like they are supposed to be the credit rating goes down. If the credit rating goes down the town can't get the bond deals that the town does receive and other things like that. Madam Clerk-Treasurer stated that the Clerk-Treasurer office is one of the most important, the office works with the planning and building to move this town forward in terms of bond deals and making sure all finances are correct. Madam Clerk-Treasurer also stated that this is money that was allotted for an increase in her salary; her salary is between \$38,000. Most Clerk-Treasurer's in the areas make around \$89,000-106,000 and her salary is \$60,500.00 and instead of increasing which all she wanted was \$75,000.00 but instead of increasing her salary at all she wants to pass on the money that was already given to her by the council in her budget. Madam Clerk-Treasurer said she not creating anything new this is already part of the Ordinance, it is just moving numbers.

Councilman White asked Madam Clerk-Treasurer if the Town of Merrillville was a double or triple "A" rating. Madam Clerk-Treasurer stated she believes the Town is double "A", President Bella stated you should know, but yes we are double "A". Councilman White Thanked Madam Clerk-Treasurer for doing a good job as well as the Clerk-Treasurer office.

President Bella stated this is something we want to talk about too, because it sounds like it is a workload issue. We don't just ask employees to do more work and we will give you more money. President Bella stated it seems like it's a head count issue and just to have this kind of show up on the agenda, we may need the Clerk-Treasurer's balance of her salary for some other issues this year. Just because it's there doesn't mean it can't come out.

Madam Clerk-Treasurer stated this is money within her budget, she is not asking for any money from the town. As Clerk-Treasurer she can determine what she pays her employees that are in the statue.

President Bella stated this is why Ordinance 22-21 is being tabled to further the discussion about Ordinance 22-21.

Madam Clerk-Treasurer stated that Director Price understands that there's been a lot of work that has been done to get the Dean & Barbra White Community Center running. In Terms of the Clerk-Treasurer office and the time spent working on the community center Director Price found money within his budget for next year to give to the Clerk-Treasurer office.

President Bella asked Director Price if he was giving away money from his budget to other departments.

Councilman Pettit stated that point of order, Robert's Rules of Order there's a motion on the floor to table. Ordinance 22-21 got a motion and a second and the council needs to vote on the table. There's no discussion on table unless it is for the table. This Ordinance will be discussed next Tuesday night.

Motion carried by voice vote.

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

Ordinance 22-20 (Discussion, Public Comment and Roll Call Vote)

An Ordinance Establishing a Personnel Policy Manual for The Employees Of The Town Of Merrillville, Lake County, Indiana, Entitled "Personnel Policy Manual For The Town Of Merrillville" And Repealing All Ordinances Or Parts Thereof, In Conflict Therewith.

Vice-President Hardaway asked Madam Clerk-Treasurer if she approved of the changes.

Vice-President Hardaway made a motion to Ordinance 22-20, seconded by Councilman Minchuk.

President Bella informed the council that he spoke with the HR Director and she also felt that the revised Ordinance would be okay to move forward with.

No further questions or comments from the council.

Motion carried by roll call vote 7-0.

B. Resolutions: (Discussion and Voice Vote)

Resolution 22-59 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Indiana, Transferring Monies of the 2022 Budget within the Local Roads & Street Budget.

Councilman Pettit made a motion to approve Resolution 22-59, seconded by Vice-President Hardaway. Motion carried by voice vote.

C. American Rescue Plan

AP Voucher Register Summary for ARP Purchases for September 13, 2022

Vice-President Hardaway informed the council that the AP Voucher summary is \$10,329.75

Vice-President Hardaway made a motion to approve \$10,329.75, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carried by voice vote.

D. BZA Actions & LARGE GATHERING ACTIONS

Petitioner: Santiago Dorado
Owner: 80th Place Paddock, LLC & Merrillville 80th Place Tel, LLC TIC
Request: Special Exception Approval from section 21-136
Purpose: To Allow a Restaurant
Location: 7970 Broadway
Zoning: C-2, Community Commercial Zoning District
Case #: Z19E9-0822

Planning and Building Director Shine elaborated towards the BZA Action.

Councilman Pettit made a motion to approve the BZA Action, seconded by Vice-President Hardaway.

No further questions or comments from the council.

Motion carried by voice vote.

Petitioner: Mike Zhang
Owner: DG Properties Taft LLC
Request: Special Exception Approval from section 21-136
Purpose: To Allow a Restaurant
Location: 7219 Taft Street
Zoning: C-2, Community Commercial Zoning District
Case #: Z18E5-0822

Planning and Building Director Shine elaborated towards the BZA Action.

Councilwoman Uzelac made a motion to approve the BZA Action, seconded by Councilman Minchuk.

Councilman Minchuk thanked the petitioner for coming into his ward especially in an area that needs business.

Motion carried by voice vote.

Petitioner: United Sikh Gurdwara of Indiana
Owner: First Finance Bancorp
Request: Variance of Use Approval from section 21-136
Purpose: To Allow a Church
Location: 9100 Merrillville Road
Zoning: C-5, Office & Research Zoning District
Case #: Z17uV5-0822

Planning and Building Director Shine elaborated towards the BZA Action.

Vice- President Hardaway made a motion to approve the BZA Action, seconded by Councilman Pettit.

Councilman Pettit informed the council that the town realigned Merrillville

No further questions or comments from the council.

Motion carried by voice vote.

OLD BUSINESS

Councilman Pettit informed the council that back in 2009 the Town of Merrillville found out that a gentleman acquired a park/ drainage easement in Sandpiper subdivision. It is clear on the plat that this is a park and drainage easement, it has gone through a couple iterations. Currently it is owned by a lady in Mississippi. Councilman Pettit apologized to the residents because this should have been taken care of in 2009 with the previous Town attorney, and Planning and building director. Councilman Pettit instructed the Town attorney to send a letter to the lady in Mississippi informing her that because it is identified as a park there is absolutely no hunting. The residents of Sandpiper will receive a copy of letter being sent out. Councilman Pettit asked Attorney Svetanoff to ask the lady to consider a donation of that property that is non-buildable. Councilman Pettit stated he would like the ladies answer in writing, if she were to say no Councilman Pettit instructed Attorney Svetanoff to begin eminent domain. Councilman Pettit stated there would be a refund for the tax sale.

Councilman Pettit so move to instruct the town attorney to send the letter to the property owner, seconded by Councilman White.

No further questions or comments from the council.

Motion carried by voice vote.

NEW BUSINESS

None

ANNOUNCEMENTS:

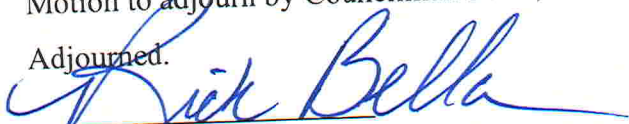
Redevelopment Commission Meeting September 27, 2022 at 6:00P.M.

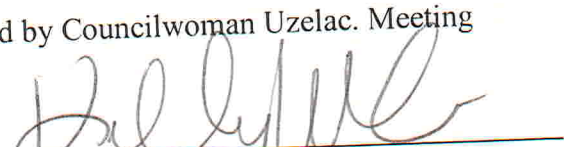
Town Council Meeting September 27, 2022 at 6:30 P.M.

ADJOURNMENT:

Motion to adjourn by Councilman Pettit, seconded by Councilwoman Uzelac. Meeting

Adjourned.


Rick Bella, President


Kelly White Gibson, Clerk-Treasurer

Minutes Submitted By Britni Reillo