



**Town of Merrillville**  
**Town Council Meeting Minutes**  
**September 27, 2022**  
**6:30 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 Councilman Minchuk.

**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)

All Seven Present (7)

**PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS AND REMONSTRATIONS:**

Commissioner Pete Dragojevic introduced Chief Mark Gregoline of the United States Marshalls. Chief Gregoline informed the council of his background and experience in law enforcement. Chief Gregoline and his wife Ophelia made a donation in the amount 500.00 the Merrillville Police K9 program.

Assistant Chief Nuses thank Chief Gregoline for his donation. Assistant Chief Nuses inform the council that the K9 program is donation based and without donations there would be no K9 program.

**CONSENT AGENDA**

Accts. Payable Register Voucher Approval for September 27, 2022

Approval of Town Council Meeting Minutes of September 13, 2022

President Belle informed the council that the meeting minutes for September 13, 2022 were submitted late, therefore won't be included in the consent agenda.

Councilman Pettit made a motion to approve only the Accts. Payable Register Voucher for September 27, 2022 of the Consent Agenda, seconded by Councilwoman Uzelac.

Motion carried by voice vote.

**STANDING & SPECIAL COMMITTEES REPORTS**

**BUDGET & FINANCE- HARDAWAY** – No Report

**COUNCIL AFFAIRS- PETTIT** – No Report

Councilman White informed the council that cleanup work will be done on Broadway on October 15, 2022. The work will involve picking up paper as part of beautification in this community. Councilman White is asking for volunteers in this endeavor. Volunteers can contact Town Manager Reardon.



**PUBLIC WORKS & UTILITIES- MINCHUK** – Councilman Minchuk informed the council that talks are ongoing with employees and there is a meeting on Tuesday October 4, 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 there won't be a meeting Thursday September 29, 2022 because a quorum wouldn't be present.

Councilwoman Uzelac also informed the council that Covid-19 shots for children five years and up will be available soon. Lake County had one death. Porter County had two and LaPorte had two or three.

Councilman White added that the President of United States stated that the pandemic was over. Councilman White doesn't want the people to make the mistake of thinking just because the pandemic is over Covid-19 is over because it's not over.

**PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY** – No Report

**PUBLIC SAFETY- MINCHUK**- Councilman Minchuk informed the council that he will continue with Public Safety meetings. He hopes to finish up on Tuesday October 4, 2022. He had been dipping in his other committees, but there was a Fire and Territory board meeting last week. Fire and Territory had budgetary and equipment concerns. Datasheets for the last several months were released that showed a very high call volume.

**ECONOMIC DEVELOPMENT-PETTIT** – Councilman Pettit informed the council that Director Chilcott will give the report on the extremely successful event that happen today at lunchtime. He also informed the council there are two items on the agenda that need Town Council approval. The Tax Abatement for the corner of 89<sup>th</sup> and Mississippi. He informed the council there is a full-time tenant in the field house building. It is Midwest Aerospace who has an economic development agreement on the agenda that needs to be considered.

**PARKS & RECREATION- UZELAC**- Councilwoman Uzelac informed the council that she contact Director Price about the garbage cans at Rosenbaum Park. The heavy wind is causing garbage cans to spill over and garbage to fly all over the park including bike trails. She received two complaint calls regarding this matter.

Director Price informed Councilwoman Uzelac that he did receive her message.

Councilwoman Uzelac asked Director Price to check out this situation on Wednesday September 28, 2022 and thank Director Price.

Councilman White informed the council of a breast cancer walk at Prison Center Park on October 9, 2022 from 11:00AM until 2:00PM. He stated that it is very important that we support cancer survivors.

Councilwoman Uzelac informed the council that Avalon had a breast cancer fundraiser last week

**ABANDONED -BLIGHTED PROPERTIES-HARDAWAY** – No Report

**DEAN& BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT** – Councilman Pettit informed the council that there was a committee meeting before the Town Council Meeting with Director Price and his staff. Trista Hudson and Eric Cinder from Cinder and Associates also attended the meeting. There will be an item on the workshop agenda on Tuesday October 4, 2022 related to the budget for the Dean and Barbara White Community Center for the rest of this year and next year for 2023. The fee structure for the center will also be reviewed.

**Special Projects (F & B Tax, Diversity) – HARDAWAY** – Vice President Hardaway informed the council about the Christmas tree lighting coming up at the end of November 2022. He received an email from the Lions Club President asking what he can do to help. Vice President Hardaway will sit down with the President from the Lions Club to discuss the event. He also informed the council about the Shared Ethics Summit that the Ethics Committee puts on every year at the Avalon. He would like all departments' heads to attend by going online and register. He will send out an email to the council. The event this year will be at the Avalon from 8:00AM to 11:30AM.

Councilman White requested that we reach out to other nonprofits regarding the Christmas tree lighting event. President Belle informed Councilman White that the Lion Club was mentioned by Councilman Hardaway because they are the ones who purchased the trees that have been planted at the Community Center. After further discussion, Councilman White will reach out to other non-profits regarding the event.

**DEPARTMENT & COMMISSION REPORTS**

**LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE**- Councilman White apologized for giving his report earlier in the meeting. Councilman White informed the council that Solid



Waste District meeting for Thursday September 29, 2022 won't occur because it lacks a quorum and this happens quite often.

Councilman White also informed the council that the Leaf Program for Merrillville is about to start.

**NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY**–Vice-President Hardaway informed the council that he gave Town Manager Reardon information about possible grants that may be available to the Council. Town Manager Reardon will review the information and get back to the council at the October 4, 2022 meeting.

**STORMWATER MANAGEMENT RESOURCES-LAKE**- Director Lake informed the council that Dyer Construction has mobilized for Marcela Road drainage project. Pipe is laid out so they will be starting very shortly. The maintenance for Chapel Manor ditch is finished and looks great. Howard Tree Service did the work. Director Lake stated he finalized the new Flood Hazard Area ordinance. This ordinance is for the Town to remain compliance with National Flood Insurance Program (NFIP) standards. Director Lake sent it over to the Town Manager Office to be included on the next Town Council Meeting agenda.

Director Lake received correspondence from IDM who informed him that the grant proposal has been forwarded to their Recycling Market Development Port for funding consideration.

Director Lake also sent out an email with regards to a purchase agreement for 97<sup>th</sup> and Grand Boulevard to relocate the ditch away from the street. The engineering and permits are all done. This is a safety project not a drainage project.

**SOUTHSHORE VISITORS AND CONVENTION AUTHORITY**– Town Manager Reardon informed the council that the organization met as a board and conducted normal business. Town Manager Reardon informed the council that renovation is going on in front of the building and into the parking lot.

Town Manager Reardon will reach out to the council and setup a meeting with President and CEO David Uran to discuss joint opportunities that focus on the market and proposed Convention Center.

Town Manager Reardon talk about hosting the Rose Awards event and gave a shout out to the Parks Department for all their hard work to ensure that the event was a success.

**FIRE TERRITORY BOARD- Minchuk**- No Report

#### **DEPARTMENT REPORTS**

Director Price informed the council of all the hard work that went into hosting the Rose Awards. The awards were a resounding success. Director Price stated he is keeping up with all the parks and looks forward to finishing out 2022 and 2023 strong.

Assistant Chief Nuses informed the council the department is facing some serious hurdles, but he and Chief Cuttino are looking at different ways to handle them by reaching out and speaking with other neighboring agencies for a joint venture to have more police presence within the town.

Director Bunnell informed the council that by October 31, 2022 all campers and boats must be out of driveways in town. On November 1, 2022, citations will be issue to violators. Director Bunnell also stated that mailboxes are being blocked and inquired of Attorney Sventanoff can a nuisance ticket be issued? Attorney Sventanoff stated he would get back to her tomorrow September 28, 2022.

Director Shine informed the council of the highlights of the August Building Permits Report. The total building permits were 174. The total fees collected were 226,992.87. The total cost of improvement was 41,694,512.00 which include thirty-five new homes, two duplexes, Amazon charging station upgrade William Eye Institute, Acquaintance School, and farm silos.

Administrator King informed the council about the paving program for this year. Ward 6 is complete. Ward 2 is 75% complete. There are a couple of straggler streets to complete before the end of this construction season. One is in Ward five 85th Avenue the other one is in Councilman Spans Ward award Ward one 63rd Place. Administrator King stated that he spoke with Miss Julia Adamo. A resident on 63rd Place regarding her concerns about the Broadway project. Administrator King stated there are several other construction projects that are completed or almost completed. Administrator King stated that Public Works branch pickup ends this week. Rumble strips and digital speed limits sign are working to help drivers slow down. President Balle stated the speed signs need to be supported by the presence of additional patrol. Vice



President Hardaway requested that the procuring of fourteen addition speed limit signs using American Rescue Plan funding be included on the next meeting agenda.

Director Chilcott informed the council of a video production team filming around the Town of Merrillville. There will be two more days of filming. The day ended at the Barbara and Dean White Community Center where the Northwest Indiana Forum was holding an event which included guests Governor Holcomb and Congressman Mrvan. The event was well attended. Governor Holcomb and Congressman Mrvan did a nice meet and greet with everybody talked about the region itself and how impactful things are going on within the town of Merrillville and something as small as a video production can make a world of a difference.

## **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

President Bella reminded the council that Ordinance 22-21 was laid on the table at the September 13, 2022 council meeting. A motion that's been laid on the table may be taken up again by adoption of a motion to take from the table.

Councilman White made a motion to approve Ordinance 22-21. President Bella stated that the motion was out of order. Councilman White retracted his motion.

Councilman White made a motion to untable Ordinance 22-21. President Bella asked Councilman White to clarify his motion to remove the tabled Ordinance 22-21 for consideration. Councilman White stated absolutely. Seconded by Councilman Spann.

No further questions or comment from the council.

Motion fails by roll call 3 – Yes, 1 – No, 3 – Abstain

Councilman White asked how the motion failed when abstaining doesn't count. President Bella state the council needs four votes to approve anything. Madame Clerk-Treasury stated that the motion Councilman Minchuk tabled at the September 13, 2022 council meeting was discussed in the workshop. Madame Clerk-Treasurer stated she was given assurance by President Bella and Vice President Hardaway that Ordinance 22-21 would move forward at this meeting. She also stated a tabled item put back on the agenda never had to be untabled just voted on in the past. Madame Clerk-Treasurer again restated the assurance that was given by President Bella and Vice President Hardaway in person and by telephone she can do this since the money is in her budget and she is giving up the money that was met to increase her salary to her staff.

President Bella stated that since the last workshop meeting the funds the council thought was in the Clerk-Treasurer budget as you indicated isn't in the budget. We want to table this, or I should say leave it on the table until the October 4<sup>th</sup> workshop meeting. We can discuss it again and see what action can be taken to be retroactive to whatever date at that time, but according to Financial Advisor Hudson we don't have the funding.

Madame Clerk-Treasurer stated that President Bella is tell her the dually elected Clerk-Treasure who is the person over the finances and makes a determination on the budget that our advisor that you pay 300.00 and something dollar an hour, 14,000 and something a month has told you that my budget doesn't have the amount I told you it has? That is the reason you want to table it.

President Belle stated it's not being tabled but remaining on the table. It's just being delayed again that is all we are doing.

Madame Clerk-Treasurer stated that her employees who are here tonight works very hard and she thank them for coming out tonight to support her. Madame Clerk-Treasurer stated she had to get four new employees at the drop of a hat and they had done excellent work. Yet, they must wait again to get the money because Financial Advisor Hudson disagrees with my accounting about my budget. Madam Clerk-Treasurer requested that Financial Advisor Hudson step up to the mic and explain her findings. She also requested the Bookkeeper for the Clerk-Treasurer Office to also step up to the mic.



Financial Advisor Hudson stated that she explained to President Bella not there wasn't enough money in the Clerk-Treasure budget, but (Financial Advisor Hudson was interrupted by a point of order by Councilman Minchuk).

Councilman Minchuk called point of order and stated there was no discussion on the table. He asked Attorney Svetanoff was he correct. Attorney Svetanoff stated that Councilman Minchuk was correct. Councilman Pettis stated for further clarification under Roberts' Rules of Order a tabled item must be untabled by a motion. Point of Order.

Madam Clerk-Treasurer state there was no discussion. According to Robert's Rules of Order, one a motion is made and seconded it should follow with a discussion.

Councilman White stated that Robert's Rules of Order states that abstentions are zero votes. I've only seen the majority of yes votes not four vetoes. He asked President Bella to look over Robert's Rules of Order because something that pasted may have been thrown off the table.

Financial Advisor Hudson was asked to continue to speak by Madame Clerk-Treasurer. Financial Advisor Hudson stated it was not there wasn't money available, but the reason that was explained in the workshop. At the workshop, the Madam Clerk-Treasurer stated she was delaying or not taking some of her salary. In fact her salary is set for the year. Madame Clerk-Treasure has been receiving her salary. The reason some money is in the budget to make the requested changes is because there wasn't a full slate of employees in the office for about two months. The position was open. The appropriation balance is there , but it's just not for the reason explain in the workshop.

Madam Clerk-Treasure state a small portion of the money came from the vacant position not the majority. Point of Order, I look this up because I'm the attorney for several boards. Abstentions are zero vetoes. Madam Clerk-Treasurer requested that Bookkeeper Santos and Payroll Administrator Johnson speak about the additional funds for the raises.

Bookkeeper Santos mouth was numb from dental work so she deferred to Payroll Administrator Johnson to speak. The funding for the raises consists of what was set aside for the Clerk-Treasure's salary increase and additional funds left in the 112 account that pays the secretaries. There is additional fund from Storm Water, Fire Enhancement, and Fire Territory. The fund within our budget will be spread evenly among the Clerk-Treasurer office staff.

Madam Clerk-Treasurer stated that Financial Advisor Hudson misspoke. Because at the last budget meeting, which now I see I probably need to record you and let you know I'm recording you, it was clear that my salary was to be increased over time. I never had Financial Advisor Hudson do a salary ordinance to change it. The Clerk-Treasure salary is the same as it was last year. The Clerk-Treasurer staff have taken on additional work because of the opening of the Community Center and American Rescue Plan funding. There is money in the Clerk-Treasurer budget. By statue, I can pay my employees what they deserve. The money is there so why can't this be untabled and the employees get paid?

President Bella stated what are you going to do in January 1, 2023? All employees get a 2% raise except for the Police Department. Madam Clerk-Treasures how are you going to handle these increases for next year? Are these increases only for three months?

Madam Clerk-Treasurer state that the Clerk-Treasurer employees won't get a 2 % raise in 2023 because they will get a raise this year. The money is already in the budget. If you intending to take money from my budget, there is going to be a problem. President Bella stated Ordinance 22-21 remains on the table until it can be discussed further at the Tuesday meeting

No further questions or comments from the council.

#### **Ordinance 22-22 (Discussion and Roll Call Vote)**

An Ordinance for Appropriations and Tax Rates for year ending in 2023

President Bella informed the council of the adopted tax rate of 0.746.

Financial Advisor Hudson informed the council that the budget is published high both in the amount and rates which is done so the council come to settle in on what the budget should be for next year after adjustments are made and come back towards a balance budget. Financial Advisor Hudson also stated that the max levy is 5% higher than last year. The budget will be higher than 8.2 million for the general fund with additional miscellaneous revenue on top. Financial Advisor Hudson is predicting revenue upwards of 10 million. The budget committee will very busy with cuts to balance the budget. The vote is set for October 11, 2022.



Councilman White asked is the .7460 rate a tax on residents.

Financial Advisor Hudson informed the council that she couldn't answer a yes or answer until she explains. She gave a lengthy discussion on how the taxes work. She doesn't expect taxes to be raised on Merrillville residents.

President Bella opened the floor for public comments on budget estimates for 2023.

No question or comments for the public

Vice President Hardaway made a motion to approve Ordinance 22-22, seconded by Councilman Pettit.

No further questions or comments from the council

Motion carried by roll call vote 5-0 2-Abstain

**Ordinance 22-23 (Discussion and Roll Call Vote)**

An Amendment to Ordinance 22-21, The 2022 Salary Ordinance, of the Town of Merrillville, Lake County, Indiana, Amending Pay for The Employees of the Town of Merrillville, Indiana For The Calendar Year 2022

Councilman Pettit made a motion to approve Ordinance 22-23, seconded by Vice President Hardaway

Councilman Pettit asked is this a housekeeping where we're paying the Fire Inspector out of the proper fund? Someone from the council yelled yes.

President Bella asked Madam Clerk-Treasurer to elaborate further. Director Shine gave the explanation.

No further questions or comments from the council.

Motion carried by roll call vote 7-0.

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

None

***B. Resolutions: (Discussion and Voice Vote)***

**Resolution 22-61 (Discussion and Voice Vote)**

Resolution of The Town Council of The Town Of Merrillville, Indiana Approving A Form of Economic Development Agreement Among the Town of Merrillville, The Town Of Merrillville Redevelopment Commission, And Midwest Aerospace Casting, LLC

Councilman Pettit made a motion to approve Resolution 22-61, seconded by Councilwoman Uzelac

No further questions or comments from the council.

Motion carried by voice vote.

**Resolution 22-63 (Discussion and Voice Vote)**

Resolution of the Town of Merrillville, Lake County Indiana, Transferring Appropriation within the 2022 Budget, General Fund.

Councilwoman Uzelac made a motion to approve Resolution 22-63, seconded by Councilman Pettit

No further questions or comments from the council.

Motion carried by voice vote.

**Resolution 22-65 (Discussion and Voice Vote)**

Resolution of the Town of Merrillville, Lake County Indiana, Amending, in part, the Internal Controls of the ARP Fund.

Vice President Hardaway made a motion to approve Ordinance 22-65, seconded by Councilman Pettit

Vice President Hardaway thanked the Clerk-Treasurer office for bringing this matter to the attention of council.

Financial Advisor Hudson informed the council that the draft must be changed to reflect that Department Heads will obtain the affidavit from the vendors who are on the barred list. Madam Clerk-Treasurer explained that it has to been done this way because the department heads have a relationship with their vendors.

No further questions or comments from the council.

Motion carried by voice vote.

**Resolution 22-66 (Discussion and Voice Vote)**

A Preliminary Resolution of The Town Council of The Town of Merrillville, Indiana, Declaring An Area In The Town As An Economic Revitalization Area And Approving A Real Property Tax Abatement for Opus Development Company LLC A Delaware Limited Liability Company (Opus Development Company LLC)

Councilman Pettit made a motion to approve Resolution 22-66, seconded by Councilwoman Minchuk

Councilman Pettit elaborated on the Opus Development Company

No further questions or comments from the council.

Motion carried by voice vote.

***C. American Rescue Plan***

AP Voucher Register Summary for ARP Purchases for September 27, 2022

Vice-President Hardaway informed the council that the AP Voucher summary is \$99,758.99

Vice-President Hardaway made a motion to approve \$99.758.99, seconded by Councilman Pettit.

President Bella noted the one of the vendor L. Warren Oil Company had an incorrect category of Hardware and Software. It should be contractual.

No further questions or comments from the council.

Motion carried by voice vote.

***D. BZA Actions & LARGE GATHERING ACTIONS***

NONE

***OLD BUSINESS***

Councilman Pettit informed the council that the owner of the park/ utility drainage easement is willing to sell it for 2,500.00 dollars. Council Pettit instructed Town Manager Reardon and Attorney Svetanoff to execute and find the resources.

Councilman Pettit made a motion to approve, seconded by Vice President Hardaway

No further questions or comments from the council.

Motion carried by voice vote.

***NEW BUSINESS***

***Appointment of Town Council member to the Special Projects Committee***

President Bella appointed Councilman Minchuk to the Special Projects Committee

***ANNOUNCEMENTS:***

Town Council Workshop October 4, 2022 at 4:30 P.M.

Plan Commission Meeting October 4, 2022 at 6:30 P.M.

Town Council Meeting October 11, 2022 at 6:30 P.M

***ADJOURNMENT:***

Motion to adjourn by Vice President Hardaway, seconded by Councilman Pettit. Meeting  
Adjourned.

  
Rick Bella, President  
Kelly White Gibson, Clerk-Treasurer

***Minutes Submitted By Angela Lewis***