



**Town of Merrillville**  
**Town Council Meeting Minutes**  
**October 11, 2022**  
**6:30 P.M.**

**CALL TO ORDER:** President Bella called the meeting to order just after 6:30 P.M.

**INVOCATION/MOMENT OF SILENCE:** A brief invocation was given along with a moment of silence. Madam Clerk-Treasurer asked for a moment of silence to remember Kurt D. Walton who was an employee of the Town of Merrillville Clerk-Treasurer's Office. He passed away on Thursday October 6, 2022. Madam Clerk-Treasurer gave a brief eulogy about Kurt D. Walton.

**PLEDGE OF ALLEGIANCE:** Led by any veteran in attendance. No veteran was in attendance, Vice-President Hardaway led.

**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:**

President Bella informed the council that Town Manager Reardon had a letter of recommendation regarding the strategic plan consulting firm.

Town Manager Reardon informed the council that the development team published a Request for Proposal. After reviewing the proposals received, it is the consensus of the team that the Town of Merrillville award the bid to RDG Planning and Design who was the most reasonable and responsive bidder. Town Manager Reardon stated the bid will be awarded in a lump sum amount not to exceed 216,225.00.

Councilman White made a motion to approve the recommendation for RDG Planning and Design for the council comprehensive plan in the amount of 216,225.00 to RDG Planning and Design, second by Vice-President Hardaway.

No question or comments from council.

Motion carried by voice vote.

President Bella informed the council that Director Pettit and Town Manager Reardon had a letter of recommendation regarding the 2023 health insurance.

Town Manager Reardon informed the council in lieu of a letter an executive session meeting was held to discuss and finalize 2023 health insurance options for the town. At this point, Town Manager Reardon stated he would defer to the council.

President Bella gave approval to Vice-President Hardaway to do it here.

Town Manager Reardon stated that the executive session met and looked at various options. It is the consensus to renew our current plan with United Healthcare with an option. Town Manager Reader stated that Vice-President Hardaway would explain the specifics and cost of the plan.

Vice-President Hardaway informed the council of the specifics of the plan. The cost of the plan is 2,285,503.00 for next year's plan effective January. Vice-President Hardaway stated he would make a motion to approve the renewal of United Healthcare plan under his committee report.

Vice-President Hardaway presented a check for 500.00 to Evelyn Thomas of American Cancer Society for the breast cancer walk occurring Sunday October 17, 2022. Evelyn Thomas informed the council she is a 25-year survivor and thank the council for the check.

Councilman White informed the council that a breast cancer walk occurred on Saturday October 8, 2022. This event was organized by Northwest Indiana Women Empowerment.

### **CONSENT AGENDA**

Accts. Payable Register Voucher Approval for October 11, 2022

Approval of Town Council Meeting Minutes of September 13, 2022 & September 27, 2022

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

No questions or comments from council.

Motion carried by voice vote.

### **STANDING & SPECIAL COMMITTEES REPORTS**

**BUDGET & FINANCE- HARDAWAY** – Vice-President Hardaway informed the council later in the meeting the council will be approving the 2023 budget for the Town.

**COUNCIL AFFAIRS- PETTIT** – No Report

**PUBLIC WORKS & UTILITIES- MINCHUK** – Councilman Minchuk informed the council that talks are ongoing at this time and hopefully will be concluding.

**ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT**- Councilman Pettit reminded the council that a general election is coming up on November 8, 2022 and encourage everyone to vote.

Councilman White informed the council that we should talk about the elections that were held on Monday October 10, 2022. President Bella informed Councilman White this isn't the venue for that discussion. After lengthy comments, the council moved on to the next item on the agenda.

**ENVIRONMENTAL AFFAIRS- WHITE** – Councilman White informed the council Lake County positivity rate for Covid-19 is 15%.

Councilwoman Uzelac added that booster shots are available at the pharmacies or your doctor. Councilwoman Uzelac also stated it very important to get a flu shot. The flu shots are available at Walgreens and CVS pharmacies by appointments.

**PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY** – Vice-President informed the council about a meeting with Meyers and Glaros regarding 2023 insurance renewal at a cost of 2,285,503.00 with United Healthcare.

Vice-President Hardaway made a motion to approve the renewal with United Healthcare for 2,285,503.00, seconded by Councilman Pettit.

President Bella stated the approve renewal amount is 2.285 million dollars

Councilman White inquired how much more is the 2023 health insurance premiums compare to 2022? Councilman Pettit state that the amount was 2,175,769.00 and Financial Advisor Eric Cender confirmed the amount. Councilman Pettit stated is was about a 4% increase.

Vice-President stated in the next few weeks Meyers and Glaros will be meeting with Town employees to discuss the benefits. The Town will shut down for one hour and post a notice on the door.

No further questions or comments from council.

Motion carried by voice vote.



**PUBLIC SAFETY- MINCHUK-** Councilman Minchuk informed the council that FOB negotiations are still ongoing. He also stated numbers will be crunch. Once the numbers are finalized Councilman Minchuk will report back to the council.

**ECONOMIC DEVELOPMENT-PETTIT** – Councilman Pettit informed the council that later on the agenda there is a resolution to reissue a tax abatement that was previously issue at the corner of 89<sup>th</sup> Mississippi for a development by the Opus Group. The Opus Group is in the process of purchasing property from the Mizer Group. Councilman Pettit requested the Opus Group come before the council of to answer any questions regarding the purchase of property from the Mizner Group. The Opus Group was present at the meeting.

**PARKS & RECREATION- UZELAC** – Councilwoman Uzelac informed the council that all the parks are in order. Councilwomen Uzelac stated the parks have been mowed. The bike trails are looking good and all the debris has been picked up. There are no complaints to report to the council.

**ABANDONED -BLIGHTED PROPERTIES-HARDAWAY** – Vice-President informed the council in light of what have been going in the Town for the last six months there will be a meeting with Code Enforcement Monday October 17, 2022 at 1:00 PM.

Councilman White informed the council that he would like to set the record straight regarding a call he received a call from a business owner. President Bella asked Councilman White to elaborate. Councilman White stated the business owner had issues with him regarding demolishing of a building. Tony Williams the owner of the Chateau was the caller.

Councilman White stated Mr. Williams was encouraged to demolish the nursing home not forced. Councilman White stated The Times Newspaper published an article regarding the building, and that's his public statement regarding the issue.

**DEAN& BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT** – Councilman Pettit informed the council there will be a meeting on Thursday October 27, 2022 at 5:00 P.M.

**Special Projects (F & B Tax, Diversity) – HARDAWAY** – Vice President Hardaway informed the council a date must be schedule for a meeting regarding the Christmas tree lighting. Vice-President Hardaway stated the Friday after Thanksgiving would be ideal for the Christmas tree lightning.

Vice-President Hardaway made a motion for trick-or-treating hours. The hours will be from 5:30 P.M. to 7:30 P.M. on October 31, 2022, seconded by Councilman Minchuk.

Councilman White asked the age limit to trick-or treat because some adults will be knocking on doors.

President Bella stated that the council doesn't set an age limit on trick or treating.

No further questions or comments from council.

Motion carried by voice vote.

## **DEPARTMENT & COMMISSION REPORTS**

**LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE** – Councilman White informed the council he didn't have a report from Lake County Solid Waste District because they were going to have a meeting this Thursday, but they couldn't come up with a quorum, so we'll be probably meeting in the early December.

Councilman White state there will be a cleanup starting at 57<sup>th</sup> Broadway all the way down to Hidden Lake in Town.

**NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY** – Vice-President Hardaway informed the council that the Northern Indiana Reginal Planning Commission hasn't had a meeting.

**STORMWATER MANAGEMENT RESOURCES-LAKE** – No Report

**SOUTHSHORE VISITORS AND CONVENTION AUTHORITY** – No Report

**FIRE TERRITORY BOARD- Minchuk** – Councilman Minchuk informed the council there are no meetings scheduled.



## **DEPARTMENT REPORTS/TOWN MANGER**

Director Shine informed the council she would defer to the large Gathering & BZA sections of the agenda later in the meeting.

Councilman Pettit informed the council that a historical event took place in the Town of Merrillville. A permit was issued for a 1,000,000 square foot building. The silos at Sanders Farm for 325,000.00 in building permit fees. Councilman Pettit stated this must be a record in the 50 years the Town was incorporated. Councilman Pettit thanked Planning & Building, Town Manager Reardon, and Economic Development for all of their hard work.

Administrator King informed the council the 2022 pavement program is continuing in Ward 2. The concrete work will be wrapping up by the end of next because of the cement shortage. He also stated there is a delay on lamp poles to finish up the Broadway sidewalk project. Administrator King informed the council about petitioning INDOT for 80% of the funding to put a fence around the retention pond on Broadway. There are several other projects that will be wrapping up this week. Administrator King also stated the Leaf Collection program starts on Monday October 17, 2022, and ten of the fourteen digital speed signs are up. Sixteen new signs have been ordered.

Councilman Pettit made a motion as RDC President to have a backup plan for funding the fence around the retention pond. The funding will come from Broadway TIFF. The motion was seconded by Vice-President Hardaway

No further questions or comments from council.

Motion carried by voice vote.

Chief Cuttino informed the council his department will be partnering with the Sherriff and other police departments to attack locations with problem situations on October 12, 2022, in Merrillville. He also thanked the council for the new digital speed signs.

Town Manager Reardon informed a final resolution a confirmatory resolution is before the council tonight for Opus Development along Mississippi Street.

Madame Clerk-Treasurer informed the council about Pastor Kurt D. Walton's funeral services to held Friday October 21, at St. Baptist Church in Gary, IN. The repast will be held at Dean and Barbara White center. She also stated the Clerk-Treasurer's Office will be closed on that day.

James Sanders reported for the Parks Department. Mr. Sanders informed the council that Parks has partnered with Opportunity Enterprise who enriches the quality of life with people with disabilities. He also stated the department hosted a wrestling event called King of the Ring. The Parks Department is teaming up with Storm Water to plant 30 trees at Rosenbaum. NIRPC gave the trees to the Parks Department.

## **GENERAL ORDERS**

### ***A. Ordinances***

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

##### **Ordinance 22-21 (Discussion and Roll Call Vote) (Currently Tabled)**

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 is currently tabled and on the agenda for consideration.

Vice-President Hardaway made a motion to remove from the table Ordinance 22-21, seconded by Councilman White.

No further questions or comments from council.

Motion carries by roll call 7-0

President Bella informed the council they will hear Ordinance 22-21 is on the first reading.

Vice-President Hardaway made a motion to hear Ordinance 22-21 on first reading, seconded by Councilwoman Uzelac.



President Bella informed the council in their packets is raises for the Clerk Treasurers Office employees and those will be for the remainder of this ordinance.

No further questions or comments from council.

Motion carries by roll call vote 7-0

President Belle asked Attorney Svetanoff can Ordinance 22-21 be read on second reading since it involves salary. Attorney Svetanoff stated the council can proceed with the second reading with a unanimous vote.

President Bella entertained a motion to hear Ordinance 22-21 on second reading.

Councilman White made a motion to hear Ordinance 22-21 on second reading, seconded by Councilwoman Spann.

No further discussion or comments from council.

Motion carries by roll call vote 7-0

President Bella informed the council we'll read this on second reading tonight Ordinance 22-21, the ordinance adjusting pays and salaries in the Clerk Treasurer's Office for all employees.

Vice-President Hardaway made a motion for approval of Ordinance 22-21 on second reading, seconded by Councilwoman Uzelac.

No further discussion or comment from council.

Motion carries by roll call vote 7-0

**Ordinance 22-24 (Discussion and Roll Call Vote)**

Flood Damage Prevention Ordinance the Town of Merrillville, Indiana

President Bella informed the council that Ordinance 22-24 replaces Ordinance 15-21.

Town Manager Reardon informed the council that Merrillville Stormwater is requesting that council consider passing Ordinance 22-24. The purpose of Ordinance 22-24 is flood hazard areas in compliance with minimum participation criteria for the national flood insurance program. This ordinance incorporates the minimum federal regulations governing community participation the national flood insurance program and state flood plain regulations regarding development and special flood Hazard areas additionally it includes some generally accepted construction practices regarding fill and provides some suggested enhancements for consideration.

Councilman Pettit made a motion for approval of Ordinance 22-22, seconded by Councilwoman Uzelac.

No further discussion or comment.

Motion carries by roll call vote 7-0

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

**Ordinance 22-19 (Discussion, Public Comment and Roll Call Vote)**

An ordinance Amending Town Ordinance 94-05 Entitled "An Ordinance of The Town of Merrillville, Lake County, Indiana, For the Establishment of a Merrillville Town Court, "As It Pertains to The Closure of the Merrillville Town Court and The Orderly Transition of Cases and the Repealing All Town Code Sections and Ordinances or Parts Thereof in Conflict Herewith.

Councilman Pettit made a motion for approval of Ordinance 22-19, seconded by Councilman Minchuk

Councilman White informed the council he can't support a decision to close Merrillville Town Court

Vice-President Hardaway asked for numbers justifying closing Merrillville Town Court.

President Bella informed council that the court has been operating in the negative since 2012. The accumulated total for 2022 as of September is 1,737,755.00. Last year the court lost 399,000.00. This year

the court is projected to lose another 368,000.00. President Bella stated the issue is not being mean or personal. It's about net expenses over revenue.

No further discussion or comments

Motion carries by roll call vote 4-3

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

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

Eric Cender representing Cender/Dalton Municipal Advisors who are financial advisors to the council informed them about the final budget for 2023 that will be adopted. The final budget for adoption is 46,511,289.00. 600,000.00 will need to be covered by ARP. The ARP budget is 5,800,00.00.

Councilman White asked about the tax rate. Mr. Cender explained that the funds don't have any property taxes received to those funds.

Vice-President Hardaway made a motion to adopt the 2023 budget for 46,511,289.00, seconded by Councilman Pettit.

No further questions or comments from council.

Motion carries by roll call vote 7-0

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

**Resolution 22-68 (Discussion and Voice Vote)**

A Resolution of the Town of Merrillville, Lake County, Indiana, Transferring Monies of the 2022 Budget Within the CCI Fund

Councilman Pettit made a motion to approve Resolution 22-68, seconded by Councilwoman Uzelac

No further questions or comments from the council

Motion carried by voice vote.

**Resolution 22-69 (Discussion and Voice Vote)**

Resolution Confirming the Designation of an Economic Revitalization Area and Approving the Deduction from Assessed Value of New Real Property Improvements. (Opus)

Councilman Pettit made a motion to approve Resolution 22-69, seconded by Councilman Minchuk.

Representatives from Opus Development gave an overview of the project. The project will be a 290 000 square foot industrial facility on the corners of Mississippi and 89<sup>th</sup>. Anticipated construction start date is going to be spring of 2023. We anticipate 50 to 75 construction jobs to arise from this development and 150 to 200 real jobs once the buildings are completed.

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 October 11, 2022

Vice-President Hardaway informed the council that the AP Voucher summary is \$24,031.26.

Vice-President Hardaway made a motion to approve \$24,031.26, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carried by voice vote.

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

Petitioner: Karma Cigar Bar  
Owner: 850 West 81<sup>st</sup> Avenue  
Request: Special Exception Approval  
Purpose: To Allow LED Electric Sign  
Location: 850 West 81<sup>st</sup> Avenue  
Zoning: C-3, Highway Commercial Zoning District  
Planning and Building Director Shine elaborated towards the BZA Action.



Councilman Minchuk made a motion to approve the BZA Action, seconded by Councilman Pettit

No further questions or comments from the council.

Motion carried by voice vote.

Petitioner: Amhad Zaghoul  
Owner: NJETM, LLC  
Request: Special Exception Approval  
Purpose: To Allow Used Car Dealership  
Location: 3112 W 81<sup>st</sup> Avenue  
Zoning: C-3, Highway Commercial Zoning District  
Planning and Building Director Shine elaborated towards the BZA Action.

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

President Bella informed the council that we should have a joint meeting with board of zoning appeals and talk about the future of the Town.

Councilman Pettit made a motion to amend his motion with a six-month performance review, seconded by Councilwoman Uzelac.

Councilman Minchuk informed the Petitioner about the camera ordinance and the 30 car limit. The Petitioner made a commitment to keep the limit at 30 cars.

No further questions or comments from the council.

Motion carried by roll call vote 5-2.

Petitioner: Christina Buckner  
Owner: Christina Buckner  
Request: Special Exception Approval  
Purpose: To Allow a Daycare Center  
Location: 7440 Broadway  
Zoning: C-3, Highway Commercial Zoning District  
Planning and Building Director Shine elaborated towards the BZA Action.

Councilman Pettit made a motion to approve the BZA Action, seconded by Councilman White.

Councilwoman Uzelac asked have residents in the area been contacted.

Councilman Pettit informed the council there were no remonstrations at the BZA meeting.

No further questions or comments from the council.

Motion carried by voice vote.

Petitioner: Reasonable Self Storage/Louis W Agulera  
Owner: 1<sup>st</sup> National Bank of Illinois  
Request: Variance of Use Approval  
Purpose: To Allow a Storage Facility  
Location: 9125 Georgia Street  
Zoning: C-3, Highway Commercial Zoning District  
Planning and Building Director Shine elaborated towards the BZA Action

Councilman Pettit informed the council this Petitioner is in his Ward.

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

Councilman Pettit informed the council he was at the BZA meeting, but what was done was a Broadfield Homeowners Association meeting and no one remonstrated regarding the Petitioner during the meeting.

No further questions or comments from the council.

President Bella asked for a roll call vote.

Motion carried by roll call voice vote 6-1

Applicant: Kris Simonovski  
Owner: Kris Simonovski  
Request: Approval for a Large Gathering Permit  
Purpose: Winter Wonder Lights  
Location: 7595 Lincoln Highway  
Dates: November 25<sup>th</sup> – December 30<sup>th</sup> 2022, Sunday – Saturday 5:00 PM to 10:00 PM  
Planning and Building Director Shine elaborated towards the BZA Action

Councilman Pettit informed the counsel this Petitioner is in his Ward. He also asked Chief Cuttino was there any problems with this Petitioner last year.

Chief Cuttino stated there were no problems.

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

President Bella asked Councilman to consider a couple of amendments to his motion. President Bella is concern about the appearance of the property after the event. The property isn't left in its original state.

Director Shine informed the council that she spoke to the Petitioner regarding the state of the property and a ticket was issued.

Councilman Minchuk asked they all props be removed after the event.

No further questions or comments from the council.

Motion carried by voice vote.

**OLD BUSINESS**

None

**NEW BUSINESS**

None

**SPECIAL PRESENTATIONS**

None


**ANNOUNCEMENTS:**

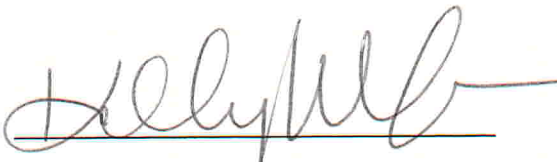
Plan Commission Meeting October 18, 2022 at 6:30 P.M.  
Redevelopment Commission Meeting October 25, 2022 at 6:00 P.M.  
Town Council Meeting October 25, 2022 at 6:30 P.M

**ADJOURNMENT:**

Motion to adjourn by Councilwoman Uzelac, seconded by Councilman White.

Meeting Adjourned.

  
**Rick Bella, President**

  
**Kelly White Gibson, Clerk-Treasurer**

**Minutes Submitted By Angela Lewis**