



**Town of Merrillville**  
**Town Council Meeting Minutes**  
**February 14, 2023**  
**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 by Pastor Robert Szoke of Impact Church.

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Ward.

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

Present were:

Vice-President Hardaway- (Ward 2)

Councilman Minchuk- (Ward 3)

Councilwoman Uzelac- (Ward 4)

Councilman White - (Ward 7)

Councilman Pettit- (Ward 6)

President Bella- (Ward 5)

Seven Present (6)

Six Present (6) One Absent (1) Councilman Spann

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

None

**CONSENT AGENDA**

Accts. Payable Register Voucher Approval for February 14, 2023.

Approval of Town Council Meeting Minutes of January 24, 2023.

A motion was made by Councilman White to approve the Consent Agenda, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 6-0.

**STANDING & SPECIAL COMMITTEES REPORTS**

**BUDGET & FINANCE- HARDAWAY** – Vice-President Hardaway informed the council that he has nothing to report at this time.

**COUNCIL AFFAIRS- PETTIT** – Councilman Pettit informed the council that a Council Affairs Committee meeting was held last week. The committee addressed seven first-reading ordinances for a recommendation.

**PUBLIC WORKS & UTILITIES - MINCHUK** – Councilman Minchuk informed the council that the weather has been good, and the committee is keeping busy with other projects.

Councilman Minchuk also stated that the Parks Department will be looking into getting radio communication between their vehicles and home-based to make sure things run efficiently at Public



Works. Councilman Minchuk stated that the funding is available in the Public Works budget for the equipment.

**ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT**- Councilman Pettit informed the council that the Crossroad Regional Chambers of Commerce is hosting two events. The first event is the Third Annual Business Excellence Awards on March 9<sup>th</sup> at the Dean and Barbara White Community Center from 5:00 pm until 7:00 pm. The Town of Merrillville is sponsoring one of the awards.

The second event is for branding. Councilman Pettit stated we are going through a branding initiative with the Crossroads Regional Chamber of Commerce. The event is free and will be held at the Hard Rock Casino on April 12<sup>th</sup> from 4:30 pm until 7:30 pm. All the council members, department heads, and residents are invited, but everyone must register.

**ENVIRONMENTAL AFFAIRS- WHITE** - Councilman White informed the council about the COVID-19 status in Lake County. The level in Lake County is at medium, and hospitalizations haven't increased by more than one percent.

Councilman White also stated the community should be vigilant because the virus is complex.

Councilwoman Uzelac added that the second booster shot is still being given out at CVS and Walgreens Pharmacies. Individuals must schedule an appointment with either pharmacy.

**PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY**- Vice-President Hardaway informed the council about changes in Code Enforcement and Animal Control. The Code Enforcement Department was expanded by one employee. The Town is in the process of looking for an animal control candidate. The position will be posted for fourteen days in the Town.

Vice-President Hardaway also stated that the current animal control employee has been permanently assigned to Code Enforcement and started her duties on Monday, February 13, 2023.

**PUBLIC SAFETY- MINCHUK**- Councilman Minchuk stated he informed the council at the last meeting that contract negotiations have come to an end with the Fraternal Order of Police.

Councilman Minchuk also stated that Attorney Svetanoff will review and finish the verbiage on his end to turn over to the Fraternal Order of Police at the next meeting.

President Bella inquired if Attorney Svetanoff can be done by the next meeting.

Attorney Svetanoff stated it depends on what substantive changes if any, the Fraternal Order of Police comes back with by the next meeting.

Councilman Minchuk stated he would tentatively schedule the next meeting.

**ECONOMIC DEVELOPMENT-PETTIT** – Councilman Pettit informed the council that he has nothing to report at this time.

**PARKS & RECREATION- UZELAC** – Councilwoman Uzelac informed the council that an employee from the Parks Department called to schedule a meeting with the Parks and Recreation Committee

**ABANDONED -BLIGHTED PROPERTIES-HARDAWAY** – Vice-President Hardaway informed the council that he has nothing to report at this time.

**DEAN & BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT** – Councilman Pettit informed the council that meetings are scheduled for the fourth Thursday of the month. Due to the Black History Celebration, the February 23, 2023 meeting will be canceled.

Councilman White informed the council that he attended an event at the Dean and Barbara White Community Center, and the electricity went out during the event.

**SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4<sup>TH</sup> of JULY CELEBRATION-HARDAWAY** - Vice-President informed the council that ticket sales for the Black History Celebration have been suspended because we have reached capacity at the Dean & Barbara White Mike Anderson Event Center.

Vice-President Hardaway also stated that anyone interested in tickets will have to get on a waiting list.

Vice-President Hardaway informed the council that Municipal Day is May 9, 2023.

President Bella asked Vice-President Hardaway to explain Municipal Day to the audience.



Vice-President Hardaway stated that Municipal Day is a day when the Town brings in Middle School students to conduct the Town Council Meeting. The students will be coached by the Town's Elected Officials and Department Heads.

Vice-President Hardaway elaborated on several other upcoming events the Town will be having throughout the year.

#### **DEPARTMENT & COMMISSION REPORTS**

**LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE** – Councilman White informed the council that Officers were elected to lead Lake County Solid Waste District. The Officers are Rick Long of Lake Station (Chair) and Councilwoman Christine Cld (Vice-Chair).

**NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY** – Vice-President Hardaway informed the council that he has nothing to report at this time.

**STORMWATER MANAGEMENT RESOURCES-LAKE** – Director Lake informed the council that they are finishing up the draft Stormwater ordinance update. Last year we updated the Flood Hazard ordinance. Director Lake elaborated on several other projects in the works.

Councilman White requested an update on the retention pond name Wanda's in Barkley Village.

Director Lake stated he would look into it.

**SOUTHSHORE VISITORS AND CONVENTION AUTHORITY** – Town Manager Reardon informed the council there will be a meeting on Friday, February 17, 2023. In the past meeting, a presentation was made by Senator Melton having to do with legislation updates. A lot has been in the newspaper supporting new taxes to drive development in and around the casino area.

Town Manager Reardon also informed the council that this conversation has rekindled the discussion on the location of a Convention Center in the county.

Town Manager Reardon stated he will keep the council updated on the progress.

**FIRE TERRITORY BOARD-MINCHUK** – Councilman Minchuk informed the council that a meeting occurred on Monday, February 13, 2023, where grants and ordinances were discussed.

#### **DEPARTMENT REPORTS/TOWN MANAGER**

Chief Nuses informed the council that the Police Department is working with multiple agencies in the surrounding area to help alleviate some of the issues in the Town.

President Bella asked Chief Nuses to explain the changes in Animal Control.

Chief Nuses stated that the former Animal Control Officer was moved, and the Town is in the process of looking for a new Officer.

Director Shine informed the council that she has nothing to report until the BZA action.

Direct King informed the council that the Public Works was called Street Department at one time. He would like to get the name permanently changed back to Street Department because by definition that is what we are and do. We don't handle any utilities in the Town. Our focus is infrastructure.

Director King also informed the council that he is working with Deputy Chief Lilly on the two-way radio communication that Councilman Minchuk mentioned. He has the pricing and will leave it with Councilman Minchuk. Director King also elaborated on other projects his department is working on in the upcoming months.

Councilman White requested an update regarding the digital speed signs and street lights.

Vice-President asked about leaves and garbage pickup.

Director King stated that garbage is being picked up not leaves.

President Bella asked the council members to reach out the Director King regarding any issue with garbage in their Wards.

Town Manager Reardon stated that Director Price was unable to attend tonight's council meeting. Director Price asked Town Manager Reardon to inform the council that the Parks Department received one bid for the reconstruction/rebuild of the shelters at the parks. The others bids are due at the end of the month.



Councilwoman Uzelac asked if Rosenbalm Park was included.

Town Manager Reardon stated he believes Rosenbalm Park is included.

President Bella asked will the project be funded as an ARP project.

Vice-President Hardaway stated that the committee will have to meet on that issue.

## **GENERAL ORDERS**

### **A. Ordinances**

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

##### **Ordinance 23-02 (Discussion and Roll Vote)**

An Ordinance of the Town of Merrillville, Lake County, Authorizing Additional Appropriations in Various Funds for the 2023 Budget.

A motion from Councilman Pettit was made to approve Ordinance 23-02, seconded by Councilwoman Uzelac.

President Bella asked Madam Clerk-Treasurer Kelly White Gibson and Financial Advisor Hudson did they have anything to add.

Financial Advisor Hudson informed the council that some of the Police Department expenses relate to the FOP negotiations. These values were discussed in various meetings and are now being put in place to finish up the remainder of the year.

Financial Advisor Hudson also informed the council of the additional appropriation for Public Works to purchase various items. She referred to the communication form included in the council's packets. Public Works has a cash balance in the Local Road and Street fund to cover the items to be purchased.

Councilman White inquired about the amount being transferred.

President Bella stated that the amount is stated in Ordinance 23-02.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

##### **Ordinance 23-03 (Discussion and Roll Vote)**

An Ordinance of the Town of Merrillville, Lake County, Amending Ordinance 22-29a, the 2023 Salary Ordinance, and Amendment ordinance 23-01 and Authorizing a Transfer of Appropriations

A motion from Councilman Pettit was made to approve Ordinance 23-03, seconded by Councilwoman Uzelac.

Madam Clerk-Treasurer Kelly White Gibson raised a Point of Order and informed the council about a couple of corrections on Ordinance 23-03. She also stated that the ordinance should be tabled.

President Bella inquired about the corrections.

Madam Clerk-Treasurer Kelly White Gibson stated that item three on Ordinance 23-03 should state \$2,000.00 for two officers, not \$1,000.00. The total is also incorrect and there are misspelled words.

President Bella stated the corrections will be made tonight and adjusted for the second reading.

Madam Clerk-Treasurer stated it can be adjusted.

President Bella inquired of Councilman Pettit and Councilwoman Uzelac regarding the motion and second standing with the following corrections:

- ARP Bonuses will be changed to \$2,000.00.
- Misspelled words at the top of Ordinance 23-03 will be corrected.

Councilman Pettit stated his motion stands with the corrections.

Councilwoman Uzelac stated her seconded stand with the corrections.

President Bella asked Financial Advisor Hudson did she have anything to add.

Financial Advisor stated the two Officers were inadvertently left off of the payroll request in December 2022.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-04 (Discussion and Roll Vote)**

An Ordinance Amending Town Code Sections: 12-91 Entitled "Parking In Yards" and 12-188 Entitled "Definitions" and Repealing All Town Code Sections and Ordinances, or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-04.

Attorney Svetanoff informed the council that we are tightening up the definition of "Parking In Yards" to include vehicles, motorized vehicles, off-road vehicles, and machinery. The definition section of the ordinance was also expanded.

Attorney Svetanoff also asked that Ordinance 23-04 be approved on the first reading.

A motion from Councilman Pettit was made to approve Ordinance 23-04, seconded by Councilwoman Uzelac.

Councilman White stated this is a good ordinance and gives us some teeth to get the job done.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-05 (Discussion and Roll Vote)**

An Ordinance Amending Town Code Section: 6-327 Entitled "Standard for Maintenance" and Repealing All Town Code Sections and Ordinances or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-05.

Attorney Svetanoff informed the council that this is a "Standard of Maintenance" which states that all buildings which are abandoned have to be not only secured but boarded up. Ordinance 23-05 provides the method and methodology on how to board up the buildings and make sure everything is in order.

Attorney Svetanoff also asked that Ordinance 23-05 be approved on the first reading.

A motion from Councilwoman Uzelac was made to approve Ordinance 23-05, seconded by Councilman Pettit.

President Bella announced to the audience that the ordinances were posted on the Town's website, and public comments will be allowed on the second reading.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-06 Discussion and Roll Vote)**

An Ordinance Amending Town Code Sections: Sections: 21-172 Entitled "Zoning – Off Street Parking" and Repealing All Town Code Sections and Ordinances or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-06.

Attorney Svetanoff informed the council that Ordinance 23-06 has to do with storage container dumpsters, semi-trailer containers, and cloth ports. This ordinance established a definition section for those items and they're being located on the property. It also established how long the items can be located on the property.



Attorney Svetanoff also stated Ordinance 23-06 has a lot of details and asked that the ordinance be approved on first reading.

A motion from Councilman Pettit was made to approve Ordinance 23-06, seconded by Councilwoman Uzelac.

Madam Clerk-Treasurer Kelly White Gibson asked if the ordinance is retroactive for businesses who already have donation boxes such as Goodwill and Salvation Army or if it is going forward from adoption.

President Bella stated it will apply to businesses going forward from adoption.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-07 Discussion and Roll Vote)**

An Ordinance to Promote the General Welfare of the Citizens and Prohibiting Donations Boxes Within the Town, and Repealing All Town Code Sections and Ordinances, or Parts Thereof, in Conflict Herewith.

Attorney Svetanoff informed the council this is a problem that's been identified in the Town specifically with donation drop boxes. The donation drop boxes are sometimes put on the property without getting the owner's permission. The drop boxes are overflowing and not emptied timely. Ordinance 23-07 will allow us to prohibit the donation drop boxes or put into place a process where approval from the Town is needed to have a drop box on the property.

Attorney Svetanoff also stated we will have information on the drop box owner and can make contact when necessary regarding violation of the ordinance.

Madam Clerk-Treasurer Kelly White Gibson inquired if Ordinance 23-07 is retroactive or going forward after adoption for businesses who already have donation boxes.

Attorney Svetanoff stated we may go retroactive on Ordinance 23-07. We will give the businesses that already have the donation boxes a warning to trigger them to go ahead a register with the Town.

A motion from Vice-President Hardaway was made to approve Ordinance 23-07, seconded by Councilman Minchuk.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-08 Discussion and Roll Vote)**

An Ordinance Amending Town Code Section 13-2 Entitled "Nuisances-Illustrative Enumeration," and Repealing All Town Code Sections and Ordinances, or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-08.

Attorney Svetanoff informed the council that Ordinance 23-08 deals with basketball hoops. The basketball hoop can't be pulled out onto the street but must be located on the property.

Attorney Svetanoff asked that Ordinance 23-08 be approved on the first reading.

A motion from Councilwoman Uzelac was made to approve Ordinance 23-08, seconded by Councilman Pettit.

President informed the audience that basketball hoops can't be in the street, but you can have them on your property.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-09 Discussion and Roll Vote)**

An Ordinance to Promote the General Welfare of the Citizens and Limit the Number of Animals Residing Within a Household Within the Town, and Repealing All Town Code Sections and Ordinances, or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-09.

Attorney Svetanoff informed the council that Ordinance 23-09 limits the number of animals residing in a household to three animals. The ordinance also details what counts as an animal.

Attorney Svetanoff asked that Ordinance 23-09 be approved on the first reading.

A motion from Councilman Pettit was made to approve Ordinance 23-09, seconded by Councilwoman Uzelac.

President Bella inquired of Director Shine that the limit has always been three animals.

Director Shine stated that it has always been three animals. The wording was changed in the ordinance to be more specific.

Councilman Pettit informed the council that Ordinance 23-09 only applies to residential-zoned property, not agriculture-zoned property.

Councilman White asked about puppies.

President Bella stated that puppies are addressed in the ordinance.

Madam Clerk-Treasurer asked about aquariums.

President Bella stated that fish are not included in the limit.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-10 Discussion and Roll Vote)**

An Ordinance Establishing a Parking Regulation Promoting Unencumbered Access to Mailboxes, and Repealing All Town Code Sections and Ordinances, or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-10.

Attorney Svetanoff informed the council that the Town has had for year problems with people blocking other people's access to mailboxes. With Ordinance 23-10, this will no longer occur. The details are outlined in the ordinance along with a fine schedule.

Attorney Svetanoff asked that Ordinance 23-10 be approved on the first reading

A motion from Councilman Pettit was made to approve Ordinance 23-10, seconded by Councilwoman Uzelac.

Councilman White asked who will enforce Ordinance 23-10 for the mailboxes.

President Bella stated that Code Enforcement would enforce the ordinance.

Chief Nuses stated that Code Enforcement is now part of the Police Department. He also stated that residents can call Code Enforcement on weekdays or the Police Department on the weekends to report violations.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

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



**Ordinance 23-01 (Discussion, Public Comment, and Roll Vote)**

An Ordinance of the Town of Merrillville, Lake County, Amending Ordinance 22-29a and Pay for Employees of the Town of Merrillville, Indiana, for the Calendar Year 2023.

President Bella asked Financial Advisor Hudson to explain Ordinance 23-01.

Financial Advisor Hudson informed the council this ordinance relates to the Police Department and Planning & Building Department. The ordinance adds the Patrol Special First Class and Fire Inspector to the salary ordinance.

A motion from Councilman Pettit was made to approve Ordinance 23-01, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

No comments from the public.

Motion carries by roll call vote 6-0.

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

None

***C. American Rescue Plan***

AP Voucher Register Summary for ARP Purchases for February 14, 2023

Vice-President Hardaway informed the council that the ARP Voucher summary is \$125,108.40.

Vice-President Hardaway made a motion to approve \$125,108.40, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 6-0.

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

**Petitioner:** Malcolm Adams  
**Owner:** Malcolm Adams  
**Request:** Special Exception Approval  
**Purpose:** U-Haul Truck Rental  
**Location:** 5901 Waite Street  
**Zoning:** C-2, Community Commercial Zoning District

Director Shine informed the council that the Petitioner is ill and asked that his request be tabled.

A motion from Councilman Pettit was made to table the BZA, seconded by Councilman White.

No further questions or comments from the council.

No comments from the public.

Motion carries by voice vote 6-0.

**Petitioner:** Merrillville Community School Corporation  
**Owner:** Merrillville Community School Corporation  
**Request:** Special Exception Approval  
**Purpose:** Addition to Existing School  
**Location:** 5901 Waite Street  
**Zoning:** R-2, Residential Zoning District

Planning and Building Director Shine elaborated on the BZA Action.

A motion was made by Vice-President Hardaway to approve the BZA, seconded by Councilman Minchuk.

No further questions or comments from the council.



Motion carries by roll call vote 6-0.

***NEW BUSINESS***

Vice-President Hardaway informed the council that he attended the Gary Chamber of Commerce meeting on February 13, 2023, and elaborated on the engineering firm McKissack & McKissack.

***OLD BUSINESS***

President Bella informed the council and audience about the Town's Time Capsule. The capsule will be filled with a variety of items including letters from each council member to be opened on December 30, 2071. There will be a ceremony when the capsule is locked.

***SPECIAL PRESENTATIONS***

None

***ANNOUNCEMENTS:***

- Town Offices Closed Monday, February 20<sup>th</sup> in observance of President's Day
- Plan Commission Public Meeting February 21<sup>st</sup> at 6:30 P.M.
- Black History Celebration Dinner February 23<sup>rd</sup> from 5:00 P.M.-9:00 P.M.
- Redevelopment Commission Meeting February 28<sup>th</sup> at 6:15 P.M.
- Town Council Meeting February 28, 2023, at 6:30 P.M.

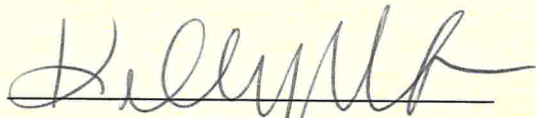
***ADJOURNMENT:***

A motion and a second were made and passed by voice vote.

Meeting Adjourned.



*Rick Bella, President*



*Kelly White Gibson, Clerk-Treasurer*

*Minutes Submitted By Angela Lewis*

