

Town of Merrillville
Town Council Agenda
Municipal Complex
March 14, 2023 6:30 P.M.

S P A N N	H A R D A W A Y	M I N C H U K	U Z E L A C	P E T T I T	W H I T E	B E L L A	T O T A L

1. **Call to Order**
2. **Invocation/Moment of Silence:**
3. **Pledge of Allegiance:** Led by any veteran in attendance
4. **Roll Call of Council**
5. **Petitions, Communications**
 Acknowledgements & Remonstrations
 - Swearing in of Officers Jacob Shrewsbury, Timothy Michels & Philip Mason
 - Awarding of Metal of Honor to Officer Nicholas Enyeart
 - Waste Management 2-year option Contract Renewal
6. **Consent Agenda**

Accts. Payable Register Voucher Approval for March 14, 2023
Approval of Town Council Meeting Minutes of February 28th 2023
7. **Standing & Special Committees Reports**

A. **Budget & Finance** – Chairman Mr. Hardaway
 Members Mr. Pettit, Mr. Minchuk

B. **Council Affairs** – Chairman Mr. Pettit
 Members Mr. Minchuk, Mrs. Uzelac

C. **Street Department** – Chairman Mr. Minchuk
 Members Mr. Spann, Mrs. Uzelac: Hubinger Landscaping Contracts Review

D. **Elections, Public Relations, Town Beautification** – Chairman Mr. Pettit
 Members Mr. Hardaway, Mr. Minchuk

E. **Environmental Affairs** – Chairman Mr. White
 Members Mr. Spann, Mrs. Uzelac

F. **Personnel Policy & Employee Benefits** – Chairman Mr. Hardaway
 Members Mrs. Uzelac, Mr. Pettit-

G. **Public Safety** – Chairman Mr. Minchuk
 Members Mr. Spann, Mrs. Uzelac

H. **Economic Development** – Chairman Mr. Pettit
 Members Mr. Hardaway, Mr. Minchuk, Deann Patena, Jennifer Doffin

I. **Parks & Recreation** – Chairwoman Mrs. Uzelac
 Members Mr. Spann, Mr. White

J. **Abandoned-Blighted Properties** – Chairman Mr. Hardaway
 Members Vicki Bunnell, Adra Breclaw-Csanyi

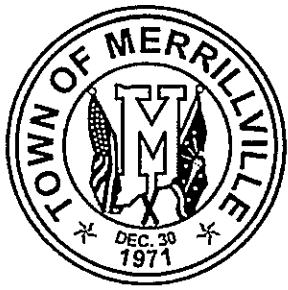
K. **Dean & Barbara White Community Center**-Chairman Mr. Pettit
 Member Mr. White, Mr. Minchuk

L. **Special Projects (F & B Tax, Diversity, 4th of July Celebration)**
 Chairman Mr. Hardaway, *Members Mr. Pettit, Mr. Minchuk*
8. **Department & Commission Reports**

A. **Lake County Solid Waste Management-** Mr. White

B. **Northern Indiana Regional Planning Commission-** Mr. Hardaway

C. **Stormwater Management Resources-** Director Matt Lake



Town of Merrillville
7820 Broadway
Merrillville, Indiana 46410
(219) 769-5711 • Fax (219) 756-6170

February 27, 2023

Rick Bella, Town Council President
Town of Merrillville, Indiana
Merrillville Town Hall
7820 Broadway Street
Merrillville, Indiana 46410

Re: Recommendation for Municipal Recycling and Waste Contract

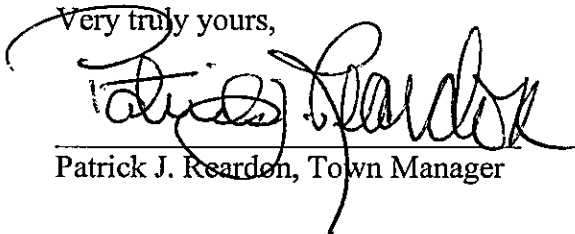
Dear Mr. Bella and Members of the Town Council,

As you may recall our existing contract with Waste Management of Indiana, LLC sunsets on Friday, March 31, 2023. It is our opinion that the Town continues with Waste Management by opting into Option Year 3: April 1, 2023 – March 31, 2024 and Option Year 4: April 1, 2024 – March 31, 2025. Effectively, agreeing to a two (2) year contract extension.

While this recommendation represents modest annual cost increases of 3.00% (from \$21.95 unit/month to \$22.61 unit/month) and 3.40% (from \$22.61 unit/month to \$23.38 unit/month) it does provide for continuity of service plus immediate access to Waste Management officials. Additionally, we will continue to benefit from the WM annual marketing grant of \$17,000.00.

If you or any other member of the Town Council have questions, please do not hesitate to contact me. Thank you.

Very truly yours,



Patrick J. Reardon, Town Manager

THIRD AMENDMENT TO MUNICIPAL RECYCLING AND WASTE CONTRACT

This Third Amendment to the Municipal Recycling and Waste Contract is made and entered as of this ____ day of _____, 2023 by and between the Town of Merrillville ("Town"), and Waste Management of Indiana, L.L.C. ("Contractor").

Recitals

1. The Town and Contractor executed a Municipal Recycling and Waste Contract on March 27, 2018, an amendment dated March 11, 2019, and a second amendment dated March 4, 2021 (the "Contract").
2. The Town and Contractor now desire to amend the Contract.

Amendments

The Town and Contractor hereby agree to amend the Contract as follows:

1. **Rates.** The Town and Contractor have mutually decided to extend the Contract for Option Years 3 and 4 per Section 21(A) of the Contract. Future Option Years must be agreed upon in writing by both parties. For Refuse, Recycling and Yardwaste Service, the rate shall be:

Option Year 3 - April 1, 2023 – March 31, 2024 - \$22.61/unit/month
Option Year 4 - April 1, 2024 – March 31, 2025 - \$23.38/unit/month
1. **Meetings.** Contractor agrees to attend quarterly or as needed meetings with the Town to discuss any operational issues.
2. **Public Facilities.** Beginning April 1, 2021, the following Public Facility shall be added to Section 17 of the Contract, at no additional cost to the Town:

G. Dean & Barbara White Community Center, 6600 Broadway:
(1) 6-cubic yard with twice weekly pickup
3. **No Other Changes.** Except as specifically modified herein, all other terms of the Contract will continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Third Amendment to be duly executed as of the day and year first above written.

TOWN OF MERRILLVILLE

WASTE MANAGEMENT OF INDIANA, L.L.C.

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____



www.Hubingers.com

210 East 113th Avenue

Crown Point, Indiana

46307-9793

Phone: 219-662-9911 Fax: 219-662-6206

Landscape Architects & Contractors

Garden Center & Landscape Supplies

Date: 3-02-2023

Existing Hanging Baskets at Town Hall



16 Existing Planters on Poles

Install Annuals, Petunias plus spike

Add Fertilizer and Soil Moist

Hang Planters on poles

Note: We would like to get the planters on May 1 and plant them in our Greenhouse so we get a head start and baskets look fuller when they go up. ****need to know asap so we can secure the pictured petunias******

TOTAL \$ 2,663.00

Water and fertilize hanging baskets at town hall

water 2-3 days per week from installation (approx. mid-May) until

End of October

\$ 7,430.00 per season

Signature of Acceptance _____

Printed Name

Date

Notes:

- 1.) We are a ***Certified (State of Indiana) Women Business Enterprise***
- 2.) Base Bid Price **Does Not** Include:
 - Bid and/or Performance Bonds
 - Concrete Pads
 - Topsoil or Spreading of Topsoil

If you have any questions, please call.

David W. Hubinger or Lorraine Keilman



210 East 113th Avenue
Crown Point, Indiana
46307-9793
Phone: 219-662-9911 Fax: 219-662-6206

*Landscape Architects & Contractors
Garden Center & Landscape Supplies*

Date: 3-02-2023

Town of Merrillville

93rd Avenue and City Hall Planters

Spring cleanup – remove and dispose of all spent perennials

Apply preemergent herbicide – 2 applications one in June, one in August

Hand pull and spray weeds as needed in raised beds and ground level

Water all plants as needed from approx.. June15 thru November 15

Fertilize all perennials once in spring

8 months of service – approx. March 1 thru October 31

Billable in 8 monthly installments of \$ 3,169.00

\$ 25,352 per season

Signature of Acceptance _____

Printed Name

Date

Notes:

- 1.) We are a *Certified (State of Indiana) Women Business Enterprise*
- 2.) Base Bid Price **Does Not** Include:
 - Bid and/or Performance Bonds
 - Concrete Pads
 - Topsoil or Spreading of Topsoil

If you have any questions, please call.

David W. Hubinger or Lorraine Keilman

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY -

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - MARCH 14, 2023 TC MEETING

Page 1 of 5 Pages

General Form No. 354 (1997) APVREGISTER_SUM.FRX

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Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
//	237	NORTHWEST INDIANA AUTO	GENERAL/REPAIRS TO	1033.25			CORE CREDIT
//	373	A.E.BOYCE COMPANY, INC	GENERAL/INSTRUCTION-E	18.37			YEAR END CLOSE
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	380.00			R&R FRONT & REAR BRAKES #392
//	693	BARNES & THORNBURG LLP	MERR RD	322.00			RDC ADVISE
//	93	CROSSROADS REGIONAL	GENERAL/TOWN	30.00			BALANCE ON BUSINESS AWARDS
//	34	MAVIS TIRE SUPPLY LLC	GENERAL/REPAIRS TO	14.00			INSTALL TIRE #423
//	237	NORTHWEST INDIANA AUTO	GENERAL/REPAIRS TO	725.15			BRAKES & ROTORS #392
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	30.55			(2) GLUE STICK @ \$15.28
//	373	A.E.BOYCE COMPANY, INC	GENERAL/INSTRUCTION-E	18.37			YEAR END CLOSE
//	168	ACME PRINT COPY DESIGN	TOWN	475.00			BLACK HISTORY PROGRAMS
//	132	ADCO PREVENTIVE SECURITY	PNR/CONTRACTUAL	135.00			SECURITY SERVICE
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	408.95			OIL CHANGE & BATTERY #390
//	693	BARNES & THORNBURG LLP	MERR RD	1127.00			RDC ADVISE
//	862	CANTRELL & CANTRELL, P.C.	GENERAL/PROFESSIONAL	1500.00			PROFESSIONAL SERVICES
//	93	CROSSROADS REGIONAL	GENERAL/TOWN	30.00			CHAMBER LUNCH SPONSOR RICHARD
//	1218	H-FIT OCCUPATIONAL	GENERAL/POLYGRAPHS &	115.00			PRE-EMPLOYMENT DRUG TEST #385
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	497.42			CABLE TIES
//	231	KONSTANTINOS NUSES	GENERAL/TRAVEL	119.43			REIMBURSEMENT FOR FOOD
//	1225	MARY KENNEDY	PNR/MARKETING &	50.00			MARKETING
//	34	MAVIS TIRE SUPPLY LLC	GENERAL/REPAIRS TO	212.00			OIL CHANGE & BRAKSE #406
//	1315	MENARDS	LRS/G&M SUPPLIES	22.98			GREASE GUN & 12V BATTERIES
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	26.99			OIL CHANGE #112
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	854.70			CREDIT
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	233.60			(4) FOLDERS W/FASTNER @ \$58.40
//	232	STAR UNIFORMS	GENERAL/CLOTHING	69.00			NEW HIRE ACADEMY PT CLOTHES
//	49	THE LARSON GROUP, C/O	LRS/REPAIR PARTS	10.28			PART TRUCK #12
//	947	TRANS CHICAGO TRUCK	LRS/REPAIR PARTS	-626.11			CREDIT
//	373	A.E.BOYCE COMPANY, INC	GENERAL/INSTRUCTION-E	19.35			YEAR END CLOSE
//	111	ABLE PAPER & JANITORIAL	PNR/JANITORIAL	4401.94			JANITORIAL EQUIPMENT
//	129	ACE HARDWARE	SW/REPAIRS TO	45.40			SW HILLMAN NUTS/BOLTS-VARIOUS
//	168	ACME PRINT COPY DESIGN	TOWN	313.00			TABLE TENTS BHM EVENT
//	132	ADCO PREVENTIVE SECURITY	PNR/CONTRACTUAL	75.00			SECURITY SERVICE
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	1982.27			R&R R&L CONTROL ASSY ARMS #423
//	54	AMERICAN TEST CENTER	LRS/CONTRACTUAL	950.00			TRUCK SAFETY INSPECTIONS
//	763	B&H TECHNICAL SERVICES,	SW/COPIER	187.50			SW VARIOUS UPHOTS-PLOTS
//	867	BAKOS AND RICHARDS	PARKS/CONTR. SERVICE	150.00			IT
//	693	BARNES & THORNBURG LLP	MERR RD	644.00			RDC ADVISE
//	651	BITCO SOFTWARE LLC	CCI/CONTRACTUAL	15600.00			ANNUAL MAINTENANCE
//	561	BLOOMFIELD MECHANICAL	GENERAL/REPAIRS TO	975.00			REPAIRS TO AC
//	475	BLOOMINGTON FORD, INC	ARP/OTHER EQUIPMENT	49087.25			SQUAD CARS

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

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Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
//	822	BOSAK MOTORS OF	GENERAL/REPAIRS TO	160.00			R&R BATTERY #359
//	862	CANTRELL & CANTRELL, P.C.	GENERAL/PROFESSIONAL	9300.00			PROFESSIONAL SERVICES
//	355	CENDER/DALTON	FD/ACCOUNTING FEES	792.50			PROFESSIONAL SERVICES FOR
//	954	CHICAGO COMMUNICATIONS	GENERAL/REPAIRS TO	807.69			REPAIRS TO PORTABLE RADIO
//	1230	CINTAS CORPORATION 2	PNR/JANITORIAL	770.08			JANITORIAL SUPPLIES SERVICE
//	43	COASTAL VALLEY WATER CO.	GENERAL/CONTRACTUAL	227.25			WATER SERVICE
//	93	CROSSROADS REGIONAL	GENERAL/TOWN	30.00			CHAMBER LUNCH SPONSOR PAT
//	682	DAVID ANTHONY DEGARD	PNR/SECURITY	175.00			SECURITY
//	384	DAVID BARRON	PNR/MARKETING &	525.00			SECURITY
//	278	DOLAN CONSULTING GROUP,	GENERAL/INSTRUCTION	95.00			TRAINING FOR 331, 69, 332
//	510	FEDEX	GENERAL/FREIGHT	11.45			SHIPPING TO IND DEPT OF TOX
//	1194	GRACE THROUGH FAITH	LRS/UNIFORMS	169.92			APPAREL
//	712	GRUEL BROS., INC.	LRS/REPAIR PARTS	187.43			REPAIR OF POLE SAW
//	1218	H-FIT OCCUPATIONAL	LRS/CDL PHYSICALS	340.00			PHYSICAL FORREST & RAYMOND
//	802	HELLMAN'S TIRE SERVICE	LRS/TIRES	341.64			TIRE REPAIR
//	1102	IAN FULTZ	GENERAL/TRAVEL	117.62			REIMB. FOR FOOD FOR TRAINING
//	64	INDIANA OFFICE OF	GENERAL/IDACS	150.31			IT SERVICES FEBRUARY 2023
//	1056	INDIANA STREET	LRS/INSTRUCTION	35.00			ISCA CONFERENCE FOR KEVIN
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	40.77			BRUSHTOP
//	101	JAMES MEYER & ASSOC., P.C.	SW/ATTORNEY FEES	460.00			SW PROF LEGAL SERVICES-FEB 1-28,
//	904	JENSTAR ASPHALT LLC	MVRESTRICTED/HOTASPH	2375.00			COLD PATCH MIX
//	21	JOE E. FISH	SW/TELEPHONE	39.01			SW PHONE REIMBURSEMENT-SUPT
//	955	JOSHUA GONZALES	GENERAL/INSTRUCTION	51.38			REIMB. FOR PRE BASIC CLASS FOR
//	231	KONSTANTINOS NUSES	GENERAL/GASOLINE	133.88			REIMBURSEMENT FOR GASOLINE
//	315	LINDA ROSAS	GENERAL/TOWN ADMIN	98.94			COMMITTEE LUNCH
//	1217	LINDCO EQUIPMENT SALES,	PNR/CONTRACTUAL	5500.00			SERVICE
//	99	MACQUEEN EMERGENCY	CUML FIRE EQPT/OTHER	1639.00			BATTERY SAW KIT WITH VAC, CHAIN
//	1224	MARCHELLE AKINS	PNR/SUB-CONTRACTORS	2080.00			YOUTH PROGRAMMING
//	1223	MARIA NEVAREZ	PNR/SUB-CONTRACTORS	300.00			PHOTOGRAPHY
//	1225	MARY KENNEDY	PNR/MARKETING &	75.00			MARKETING
//	493	MATTHEW LAKE	SW/TELEPHONE	132.95			SW PHONE REIMBURSEMENT-EXC DIR
//	554	MATTHEW VASEL	GENERAL/OTHER	95.80			SUPPLIES TO PAINT TRAINING CENTER
//	34	MAVIS TIRE SUPPLY LLC	GENERAL/REPAIRS TO	294.31			OIL CHANG & FRONT BRAKES #103
//	1315	MENARDS	SW/DRAINAGE SUPPLIES	750.75			SW-OIL, ADHESIVE, CLAMPS, CANNEL
//	189	MICHAEL L. DEPPE, P.C./	GENERAL/ATTORNEY	2312.50			LEGAL FEES
//	1349	MICHAEL TODD & COMPANY	LRS/REPAIR PARTS	2857.52			SPREADER CHAIN
//	10	MICROBAC LABORATORIES,	SW/CONTRACTUAL SERV	3637.50			SW QUARTER1 SAMPLING
//	1320	MIDWESTERN ELECTRIC	LRS/STOP & STREET	1455.73			75TH PL & CHASE ST
//	1006	MORTON SALT	LRS/SALT EXPENSE	15655.11			SALT
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	133.31			OIL CHANGE #407

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TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

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//	653	NICK BERZAC	PNR/SECURITY	175.00			SECURITY
//	237	NORTHWEST INDIANA AUTO	GENERAL/REPAIRS TO	18.85			BRAKE HOSE #392
//	1203	NORTHWEST INDIANA AUTO	GENERAL/REPAIRS TO	53.43			OIL CHANGE TM
//	237	NORTHWEST INDIANA AUTO	PARKS/REPAIR PARTS	136.61			REPAIR
//	1150	NORTHWEST INDIANA MAJOR	GENERAL/SUBS. & DUES	200.00			ANUAL MEMBERSHIP DUES 2023
//	1510	ODP BUSINESS SOLUTIONS,	GENERAL/OFFICE	501.44			OFFICE SUPPLIES
//	46	PETER J. DOHERTY	TOWN	400.00			PHOTOS BHM EVENT
//	691	POWER BRAKE & SPRING	LRS/REPAIR PARTS	251.64			ENGINE HEATERS & PLUGS
//	1645	PRECISE COMPUTERS, INC.	SW/CONTRACTUAL SERV	550.00			SW ADOBE
//	439	PRINT PRO	PNR/MARKETING &	65.32			ADDITION
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	428.60			(4) STORAGE BOX @ \$107.15
//	38	REIPSA REAL ESTATE	FD/CONTRACTUAL	400.00			RESIDENTIAL APPRASIAL
//	1013	RICHARD CLEMONS	SW/CONTRACTUAL SERV	1500.00			SW RMV MAPLE TREE, CLEAN UP,
//	5	RICK BELLA	GENERAL/TOWN ADMIN	91.68			COUNCIL LUNCH FOOD AND BEV TRIP
//	81	SERVICE SANITATION INC	PNR/CONTRACTUAL	1030.30			PARKS SERVICE
//	14	SKM, LLC	FD/REPAIR PARTS	16387.84			LABOR, MATERIALS & PARTS TO
//	1202	STACY GAZA	FD/SUBS & DUES	49.37			REIMBURSEMENT FOR NOTARY CE
//	232	STAR UNIFORMS	FD/VOLUNTEER	289.00			METAL HAT STRAP FOR K. JANIA
//	1186	SWENEY ELECTRIC	GENERAL/REPAIRS TO	228.00			CT BREAKERS
//	2032	TERPSTRA'S SALES &	PNR/REPAIR PARTS	332.00			EQUIPMENT
//	49	THE LARSON GROUP, C/O	LRS/REPAIR PARTS	444.03			REAR HUB
//	947	TRANS CHICAGO TRUCK	LRS/REPAIR PARTS	1805.55			PARTS TRUCK #14
//	679	TRANSUNION RISK AND	GENERAL/TELEPHONE	128.60			TLO FEBRUARY 2023
//	103	W.E.F. ENTERPRISES, INC.	GENERAL/REPAIRS TO	1363.93			R&R EXHAUST SENSOR & ALARM KIT
03/02/2023	2104	NATIONWIDE RETIREMENT	PAYROLL - DEFERRED	5089.38	5089.38	24091	EMPLOYEE DEPOSITS FOR 3/3/23
03/02/2023	650	TRUSTMARK VOLUNTARY	PAYROLL - TRUSTMARK	947.53	947.53	24092	EMPLOYEE PREMIUMS
03/06/2023	104	AFLAC	PAYROLL - AFLAC	7676.20	7676.20	24093	EMPLOYEE PREMIUMS
02/24/2023	402	AT & T MOBILITY	GENERAL/TELEPHONE	343.64	343.64	60048	LPR HOT SPOTS
02/23/2023	597	BUREAU OF MOTOR	LRS/CONTRACTUAL	15.00	15.00	60067	APPLICATION FEE FOR TITLE
02/23/2023	653	NICK BERZAC	TOWN	140.00	140.00	60068	BLACK HISTORY MONTH EVENT
02/23/2023	660	TERRENCE MICHAEL	TOWN	140.00	140.00	60069	BLACK HISTORY MONTH EVENT
02/23/2023	27	AMANDA EARLEY	TOWN	140.00	140.00	60070	BLACK HISTORY MONTH EVENT
02/24/2023	402	AT & T MOBILITY	FD/TELEPHONE	31.24	31.24	60071	E 7011MIFI
02/24/2023	517	CITI CARDS	FD/BUILDING SUPPLIES	4679.36	4679.36	60072	MISC. SUPPLIES
02/24/2023	673	CARD SERVICE CENTER	GENERAL/OTHER	3221.10	3221.10	60073	AMMO PMM 124G FMJ
02/24/2023	1401	NIPSCO	PNR/GAS & ELECTRIC	32029.22	32029.22	60074	GAS/ELECTRIC
02/24/2023	28	TERRY RICHARDSON	TOWN	300.00	300.00	60075	ESEMBLE BHM
02/24/2023	30	STEVEN C MCANNS JR	TOWN	1000.00	1000.00	60076	BAND BHM
02/24/2023	31	ROSAYLN WHITFIELD	TOWN	233.34	233.34	60077	SOPRANO BHM
02/24/2023	36	LALOSA BURNS	TOWN	233.33	233.33	60078	SOPRANOS BHM

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02/24/2023	37	CASSANDRA WEAVER	TOWN	233.33	233.33	60079	SOPRANOS BHM
02/28/2023	166	LAKE COUNTY TREASURER	GENERAL/UNAPPROPRIAT	594.00	594.00	60082	COUNTY COURT COST JANUARY 2023
02/27/2023	1600	PAYROLL FUND	FD/SOCIAL SECURITY	576.56	576.56	60083	Empr Liability Medicare
03/01/2023	1401	NIPSCO	LRS/STREET	17616.75	17616.75	60142	STREETLIGHTS/ELECTRIC
03/01/2023	1401	NIPSCO	GENERAL/ELECTRIC &	15660.35	15660.35	60143	GAS/ELECTRIC SERVICE
03/01/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/OFFICE	8.88	8.88	60144	BRUSHES FOR TIME CAPSULE
03/01/2023	673	CARD SERVICE CENTER	LRS/UNIFORMS	61.45	61.45	60145	POSTAGE TO SEND UNIFORMS BACK
03/01/2023	986	AMERICAN EXPRESS	GENERAL/REPAIRS TO	683.08	683.08	60146	BATTERY
03/01/2023	565	MATTIE M. COLLINS	GENERAL/CONTRACTUAL	961.54	961.54	60147	CONTRACTUAL PAY
03/01/2023	830	ORALIA SANTOS	GENERAL/CONTRACTUAL	800.00	800.00	60148	CONTRACTUAL PAY
03/01/2023	700	INDIANA AMERICAN WATER	PNR/WATER & SEWER	132.87	132.87	60149	WATER BILL
03/01/2023	189	MICHAEL L. DEPPE, P.C./	GENERAL/UNAPPROPRIAT	2750.00	2750.00	60150	REISSUE OUTED STALE CHECK
03/02/2023	1600	PAYROLL FUND	GENERAL/CLERK-TREAS.	384292.59	384292.59	60151	CT-Clerk-treasurer
03/05/2023	1600	PAYROLL FUND	PNR/SOCIAL SECURITY	1311.02	1311.02	60152	Empr Liability FICA
03/08/2023	563	STAPLES BUSINESS CREDIT	FD/OTHER SUPPLIES	330.36	330.36	60153	GOJO HAND SOAP
03/08/2023	818	INDEPENDENCE HILL	FD/SEWER	20.00	20.00	60154	WASXTWATER FOR FEBRUARY
03/08/2023	470	VERIZON WIRELESS	FD/TELEPHONE	521.63	521.63	60155	WIRELESS SERVICE
03/08/2023	453	NEIL VELDMAN	FD/OFFICE SUPPLIES	220.00	220.00	60156	FEBRUARY COPIER RENTAL
03/08/2023	776	COMCAST	FD/TELEPHONE	63.44	63.44	60157	CABLE AT STATION #71
03/08/2023	700	INDIANA AMERICAN WATER	FD/WATER	60.18	60.18	60158	SPRINKLER SYSTEM@ST 71
03/08/2023	551	MONROE PEST CONTROL INC.	FD/CONTRACTUAL	172.00	172.00	60159	MONTHLY PEST CONTROLAT STATION
03/08/2023	1175	AMAZON CAPITAL SERVICES	FD/OTHER SUPPLIES	37.72	37.72	60160	SPIRAL HOSE WRAP PROTECTORS
03/08/2023	79	AL WARREN OIL COMPANY	LRS/GASOLINE	22965.29	22965.29	60161	LRS UNLEADED
03/08/2023	563	STAPLES BUSINESS CREDIT	FD/BUILDING SUPPLIES	77.85	77.85	60162	FOLGERS CLASSIC FILTERS
03/08/2023	836	JOANN KRAFT	SW/CONTRACTUAL SERV	120.00	120.00	60163	SW OFFICE CLEANING 3-7-23
03/08/2023	1201	PAUL H. ANDERSON	GENERAL/INSPECTORS	1010.16	1010.16	60164	37 INSPECTIONS IN FEBRUARY 2023
03/08/2023	1057	JOHN GIORDANO	GENERAL/INSPECTORS	234.17	234.17	60165	9 INSPECTIONS IN FEBRUARY 2023
03/08/2023	1146	MIKE LASKARIN	GENERAL/INSPECTORS	797.16	797.16	60166	30 INSPECTIONS IN FEBRUARY 2023
03/08/2023	714	CLARENCE G MECCHIA	GENERAL/INSPECTORS	1079.48	1079.48	60167	42 INSPECTIONS IN FEBRUARY 2023
03/08/2023	898	JOHN L. POWERS	GENERAL/INSPECTORS	360.37	360.37	60168	13 INSPECTIONS IN FEBRUARY 2023
03/08/2023	546	DAN BROWN	GENERAL/INSPECTORS	2400.00	2400.00	60169	56 INSPECTIONS IN FEBRUARY 2023
03/08/2023	1132	JOHN WALSDORF	GENERAL/INSPECTORS	1401.86	1401.86	60170	55 INSPECTIONS IN FEBRUARY 2023
03/08/2023	15	TERRY GUTHRIE	GENERAL/INSPECTORS	601.09	601.09	60171	22 INSPECTIONS IN FEBRUARY 2023
03/08/2023	673	CARD SERVICE CENTER	LRS/OFFICE SUPPLIES	93.83	93.83	60172	BLUE PENS
03/08/2023	673	CARD SERVICE CENTER	GENERAL/GASOLINE	1023.14	1023.14	60173	TM GAS
03/08/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/CLEANING	708.51	708.51	60174	CLEANING SUPPLIES
03/08/2023	776	COMCAST	GENERAL/TELEPHONE	348.55	348.55	60175	TELEPHONE
03/08/2023	642	SPRINT	GENERAL/TELEPHONE	225.50	225.50	60176	CLERKS CELL PHONES
03/08/2023	776	COMCAST	GENERAL/TELEPHONE	229.45	229.45	60178	SVC 2/26-3/25 PD
03/08/2023	776	COMCAST	GENERAL/TELEPHONE	189.69	189.69	60179	SVC 2/25-3/24 TRAINING CENTER

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

NOTES: (1) Use both sides of the form if needed. Signatures of governing board should appear only on the final page of each meeting in which accounts payable vouchers are allowed.
(2) The Memorandum is for entering action on accounts payable vouchers if disallowed in whole or in part, if continue to a later meeting of governing board, or for other pertinent information.

Page 5 of 5 Pages

General Form No. 354 (1997) APVREGISTER_SUM.FRX

Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
03/08/2023	776	COMCAST	GENERAL/TELEPHONE	130.75	130.75	60180	SVC 3/1-3/28 ITDACS
03/08/2023	299	WEX BANK	GENERAL/GASOLINE	951.38	951.38	60181	FUEL
03/08/2023	673	CARD SERVICE CENTER	LRS/GASOLINE	151.10	151.10	60182	GARBAGE BAGS
03/08/2023	1197	US BANK	GENERAL/COPIER LEASE	1654.88	1654.88	60183	CLERKS COPIER LEASE
03/08/2023	470	VERIZON WIRELESS	GENERAL/TELEPHONE	2821.07	2821.07	60184	SVC 1/24-2/23 PD
03/08/2023	673	CARD SERVICE CENTER	LRS/G&M SUPPLIES	88.82	88.82	60185	TOILET PAPER
03/08/2023	673	CARD SERVICE CENTER	LRS/OFFICE SUPPLIES	64.72	64.72	60186	OFFICE SUPPLIES
03/08/2023	374	CRAIG LAMB	GENERAL/CONTRACTUAL	275.00	275.00	60187	VIDEO TAPING FEBRUARY
03/08/2023	358	CULLIGAN WATER	GENERAL/OFFICE	70.89	70.89	60188	DELIVERY CHARGE
03/08/2023	484	HARRIS LAW FIRM	RP/CONTRACTUAL	4166.00	4166.00	60189	FEBRUARY RETAINER
03/08/2023	563	STAPLES BUSINESS CREDIT	PNR/JANITORIAL	1850.92	1850.92	60190	SUPPLIES
03/08/2023	99	MACQUEEN EMERGENCY	GENERAL/UNAPPROPRIAT	720.60	720.60	60191	STOP PAYMENT ON CHECK 59343 SEE
03/08/2023	545	MERR. VOLUNTEER FIRE	GENERAL/UNAPPROPRIAT	20.00	20.00	60192	2020 CHECK 50874 STOP PAYMENT
03/08/2023	99999	JDCD PROPERTIES	GENERAL/UNAPPROPRIAT	2500.00	2500.00	60193	2020 CHECK 51936 STOP PAYMENT
03/08/2023	99999	PERRY J HERZOR SR	GENERAL/UNAPPROPRIAT	13.09	13.09	60194	CK 23275 2020 STOP PAYMENT
03/08/2023	99999	VUK JOVANOVIC	GENERAL/UNAPPROPRIAT	70.10	70.10	60195	2020 CK 23243 STOP PAYMENT ISSUED
03/08/2023	99999	DAVID SPISAK	GENERAL/UNAPPROPRIAT	157.72	157.72	60196	2020 CK 23102 STOP PAYMENT ISSUED
03/08/2023	99999	JORDAN SURIS	GENERAL/UNAPPROPRIAT	796.06	796.06	60197	2020 CK 23257 STOP PAYMENT
02/27/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	660.87	660.87	147171	NET SALARIES FOR 2/23/23 FD
02/27/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	1797.85	1797.85	147172	NET SALARIES FOR 2/24/23 PD 22
02/27/2023	739	CENTIER BANK	PAYROLL - FEDERAL	2344.44	2344.44	147173	641 AUTO/DEBIT 2/23/2023 & 2/24/2023
02/27/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	502.70	502.70	147177	NET SALARIES FOR 2/23/23 FD
02/28/2023	18	Town Court Tracking	TOWN COURT TRACKING	9946.75	9946.75	147185	JANUARY 2023 COURT DISB TOTALS
03/02/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	268568.07	268568.07	147197	NET SALARIES FOR 3/3/23 PAYDAY
03/02/2023	739	CENTIER BANK	PAYROLL - SOCIAL	64287.61	64287.61	147198	641 AUTO/DEBIT 3/3/23 PAYDAY
03/02/2023	917	INDIANA CHILD SUPPORT	PAYROLL - COURT	2009.82	2009.82	147200	CHILD SUPPORT FOR 3/3/23 PAYDAY
03/02/2023	1630	IN Public Retirement System	PAYROLL - SW PERF	20040.09	20040.09	147201	SW PERF FOR 3/3/23 PAYDAY
03/02/2023	1630	IN Public Retirement System	POLICE PENSION - P.E.R.F.	44397.32	44397.32	147202	POLICE PERF FOR 3/3/23 PAYDAY
03/02/2023	1630	IN Public Retirement System	FIRE PENSION-PERF	9855.44	9855.44	147203	FIRE PERF FOR 3/3/23 PAYDAY
03/06/2023	137	BERNARD HEALTH, LLC	GENERAL/HEALTH, LIFE &	139.00	139.00	147251	Alpine Bernie Bill - March 2023
03/06/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	910.48	910.48	147265	NET SALARIES FOR 3/3/23 PARKS
03/06/2023	739	CENTIER BANK	PAYROLL - FEDERAL	218.93	218.93	147266	642 AUTO/DEBIT FOR 3/3/23 PARKS
03/06/2023	1630	IN Public Retirement System	PAYROLL - RETIREMENT	173.81	173.81	147269	CIVIL PERF ADJUSTMENT FOR 3/3/23
03/08/2023	371	PAYMENTGATEWAY	GENERAL/CONTRACTUAL	72.65	72.65	147318	MERCHANT BANKCARD BILLING
Checks: 0- 147318				1123071.15	959622.14		



Town of Merrillville
Town Council Meeting Minutes
February 28, 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 Andrew Sylwestrowicz.

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 Spann (Ward 1)

Councilman Pettit- (Ward 6)

President Bella- (Ward 5)

All Seven Present (7)

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS, AND REMONSTRATIONS:

Women's History Month Proclamation presented by Lauri Keagle

President Bella described Lauri Keagle's work achievements, skills, and experience before he presented her to the council to read the Women's History Month Proclamation.

A motion from Councilman Minchuk was made to approve the Women's History Month Proclamation as presented, seconded by Councilwoman Uzelac.

Motion carries by voice vote 7-0.

Roadway Grant Agreement Approval

President Bella asked Town Manager Reardon if there were any more details on the grant agreement.

Town Manager Reardon informed the council that this grant agreement was discussed at the RDC meeting. He informed the council that a Road Easement Agreement is included in the packet.

Town Manager Reardon asked Director Shine to elaborate on the agreement.

Director Shine informed the council that the first part of the Road Easement Agreement is for the Missner Group to be approved by the council. The second part of the agreement would have to be advertised and an ordinance has to be written.

Director Shine also informed the council that Robinson Engineering has reviewed the agreement.

Councilman Pettit elaborated more on the easement.

Attorney Svetanoff informed the council that he and Robinson Engineering has reviewed the agreement. Attorney Svetanoff also stated that he would encourage the council to approve the access easement in its true and proper form.

A motion from Councilman Pettit was made to approve the Road Easement Agreement for East 93rd Avenue, seconded by Councilwoman Uzelac.

Councilman White asked about the price.

President Bella stated there isn't a price. The council is granting an easement.

Motion carries by voice vote 7-0.

Announcement of Town's pursuit of Block Grant Opportunity

Town Manager Reardon informed the Town Council and Citizens of Merrillville that we have been notified by Lake County Economic Development Department that the Town of Merrillville is a recipient of approximately \$147,448.00 for its 2023-2024 allocation from block rent revenues.

Town Manager Reardon also informed the council that staff recommended that a public hearing be held to further elaborate on how the grant can be used. Town Manager Reardon also stated that we would like to have the public hearing meeting two weeks from this evening.

President Bella stated that the public hearing will be held on March 14, 2023.

Councilman White asked Town Manager Reardon have we targeted how the Block Grant funding will be used.

Town Manager Reardon stated no. He informed the council, in the past, we have utilized the funding to target dilapidated structures and to bridge financial gaps in road projects.

President Bella informed the council that he received a letter from Town Manager Reardon in response to the recommendation for the Municipal Recycling and Waste contract. He reminded the council that the Town's existing contract with Waste Management of Indiana LLC sunsets on Friday, March 31, 2023.

President Bella also informed the council that it is our opinion that the Town continues with Waste Management by opting into our option year three which would be April 1, 2023, through March 31, 2024, and option four which would be April 1, 2024, through March 31, 2025, effectively agreeing to a two-year contract extension. The Town's contract with Waste Management states that extensions are in two-year increments. The annual cost will increase by 3% from \$21.95 to \$22.61 per month and a 3.4% increase in the following year.

President Bella informed the council that the contract does provide for continuity of Service Plus and immediate access to Waste Management officials. Additionally, we continue to benefit from Waste Management's annual marketing grant of \$17,000.00. This grant pays for the Town's newsletter.

President Bella informed the council that a Council Workshop Executive Session will be held on March 7, 2023, at 4:30 pm to discuss the contract with Attorney Svetanoff so it can be voted on at the next Town Council meeting on March 14, 2023.

CONSENT AGENDA

Accts. Payable Register Voucher Approval for February 28, 2023.

Approval of Town Council Meeting Minutes of February 14, 2023.

A motion was made by Councilwoman Uzelac to approve the Consent Agenda, seconded by Vice-President Hardaway.

President Bella asked Madam Clerk-Treasurer Kelly White Gibson about the ARP bonuses listed on the Accounts Payable Register Voucher in Payroll Fund 1600 for 2,023.32.

Madam Clerk-Treasurer Kelly White Gibson reviewed the Accounts Payable Claim list and Accounts Payable Voucher for the amount questioned. After reviewing the information, she informed the council that she would contact the Payroll Administrator for the details.

President Bella stated the council will come back to the Consent Agenda.

Councilman White asked if the amount of \$ 31,000.00 for Robinson Engineering was a retainer.

Town Manager Reardon stated that Robinson Engineering functions as the Town's engineering firm and the dollar amount of 31, 000.00 would suggest that a higher volume of work than normal was done for the Town.

The council came back to the Consent Agenda.

Madam Clerk-Treasure Kelly White Gibson informed the council that vendor 1600 Payroll Fund in the amount of 2,023.32 is the amount of the ARP bonuses that were approved at the last council meeting on the second reading of Ordinance 23-03. The Ordinance had to be corrected because of a misspelled word before it could be signed. It was approved so the Police Officers who were accidentally left off the list in 2022 could get their bonuses this year. The word is still misspelled on the latest reversion of the ordinance. The ordinance needs to be corrected before the council can sign it.

President Bella thanked Madam Clerk-Treasure Kelly White Gibson for clearing up the matter regarding the bonuses.

A motion was made by Vice-President Hardaway to approve the Consent Agenda, seconded by Councilman White.

Councilman White asked about the food and beverage tax going to the House of Representatives.

Attorney Svetanoff elaborated on the food and beverage tax going to the House of Representatives.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

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 several ordinances are on the agenda for the second reading tonight.

PUBLIC WORKS & UTILITIES - MINCHUK – Councilman Minchuk informed the council that Director King is working with the committee on the communication situation with the new radios, and plans have begun for Spring Cleanup with Director King.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT - Councilman Pettit informed the council that Crossroads Regional Chamber of Commerce is hosting its Business Excellence Award night on Thursday, March 9, 2023, at the Dean and Barbra White Community Center inside the Mike Anderson Event Center.

Councilman Pettit also stated that the council is sponsoring the longevity award being handed out by President Bella at the event.

Councilman White inquired why a reporter was hired as the Content Manager without him knowing about it.

President Bella stated that the Content Manager isn't an employee. He's contractually doing contractual work for the Town. President Bella also reminded Councilman White that he approved the salary ordinance that listed the position.

Councilman White indicated that he is uncomfortable with Chaz White the Content Manager.

President Bella instructed Town Manager Reardon to get Councilman White a copy of the Content Manager Job Description.

Town Manager Reardon informed the council that he talked at length with Councilman White about the position and will follow up with him.

ENVIRONMENTAL AFFAIRS- WHITE - Councilman White asked Councilwoman Uzelac did she have anything to add to the report.

Councilwoman Uzelac informed the council according to local and national news reports Covid-19 virus has leaked out of China. She also encouraged the council and public to get their shots and boosters.

Councilman White informed the council about the COVID-19 status in Lake County. The status is currently at a low level in Lake County. We still must be vigilant because the virus is still out there.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Vice-President Hardaway informed the council that he has nothing to report at this time.

PUBLIC SAFETY- MINCHUK- Councilman Minchuk informed the council that the Fraternal Order of Police's contract is still in transition because of contract verbiage. We look forward to having it approved at one of the Town Council meetings in March.

President Bella asked Councilman Minchuk where the contract is stalled is it our office or the Fraternal Order of Police?

President Bella stated his office just received the contract from the Fraternal Order of Police. At this time his office is reviewing it and will get it back to them for another reading.

Councilman White asked Chief Nuses about license plate readers.

Chief Nuses informed Councilman White that the license plate readers will be installed in March.

Councilman Minchuk informed the council that a citizen gave him a letter regarding the service of one of the officers, and the letter will be turned over to Chief Nuses.

ECONOMIC DEVELOPMENT-PETTIT – Councilman Pettit informed the council that a Redevelopment Commission meeting occurred before the Town Council Meeting. The major item of action was the awarding of the C & O Trail phase III project to Gariup Construction for \$1,300,000.00. This is an 80/20 grant from the Indiana Department of Natural Resources. The Town of Merrillville is only responsible for 20% of the cost which is approximately \$275,000.00. The Town's 20% will come out of the various TIFF districts.

Councilman Pettit asked Town Manager Reardon for confirmation regarding the Town's 20% funding source.

Town Manager Reardon confirmed that the Town's 20% would come from the TIFF districts.

Councilman Pettit also informed the council that a Redevelopment Commission Workshop will be held on Tuesday, March 14, 2023, at 5:00 pm.

PARKS & RECREATION- UZELAC – Councilwoman Uzelac informed the council that she will be checking all the parks because spring is fast approaching. She also informed the council that last year all of the parks were rehabbed.

Councilwoman Uzelac also stated she is waiting on bids from Director Price regarding the shelter's roof at Rosenbaum Park. She plans to meet with Director Price to discuss the issue.

ABANDONED -BLIGHTED PROPERTIES-HARDAWAY – Vice-President Hardaway informed the council that we have a lot of vacant lots and fallen trees in the Town. The owners aren't maintaining their property.

Vice-President Hardaway also stated he is going to get with Code Enforcement and Director Bunnell to identify the owners of the property. Letters will be sent to the owners to encourage them to address these issues.

President Bella stated that we have an ordinance on the agenda that will address this issue.

Councilman White inquired about a vacant building being added to abandoned-blighted properties.

Vice-President Hardaway informed Councilman White that as long as the owner of the property pays their taxes there is nothing we can do about the property being vacant.

DEAN & BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT – Councilman Pettit informed the council that Attorney Svetanoff and the Boys and Girls Club have put together a Dean and Barbara White partial facility usage agreement. The Boys and Girls Club is using the facility for its after-school program.

Councilman Pettit made a motion to approve the Dean and Barbara White Community Center Partial Facility Usage Agreement that will pay the Town \$2,000.00 from August 22, 2022, through the last day of school, second by Vice-President Hardaway

Attorney Svetanoff informed the council that he has nothing to add and encourage the council to accept the agreement as written.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

Councilman Pettit also informed the council that he and Attorney Svetanoff will be finalizing the sale of three acres to the Boys and Girls Club. The Redevelopment Commission in previous actions has committed \$250,000.00 for 10 years on a lease payment to the Boys and Girls Club as our contribution to them for building a standalone facility on the property. We are hoping to finalize the transaction in the next 60 to 90 days.

Councilman Pettit informed the council that he is going to meet with Director Price to schedule a Dean and Barbara White Community Center Committee meeting.

Vice-President Hardaway asked did President Bella get the email regarding Pierce Middle School expanding from 30 to 60 students.

President Bella inquired if Pierce Middle School will be at capacity.

Vice-President Hardaway confirmed that Pierce Middle School will be at capacity.

SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4TH of JULY CELEBRATION-

HARDAWAY - Vice-President Hardaway informed the council that he would like to thank everyone who attended the Black History Celebration on February 23rd. At the event, we had three hundred attendees. The reviews regarding the event were mixed.

Vice-President Hardaway also informed the council about the upcoming events for the Town of Merrillville:

Municipal Day May 9th

Vice-President Hardaway stated he is having conversations with the Principal of Merrillville Intermediate School regarding the event.

Juneteenth June 17th

Vice-President Hardaway stated that the planning for this event is open to all residents. Interested residents should contact Director Shine in the Building and Planning Department.

President Bella informed the council about the Town of Merrillville's food and beverage tax. The Indiana State Senate passed Merrillville's and Jasper's request to authorize a food and beverage tax of up to 1%. It now moves to the House of Representatives before it goes to the Governor's desk for approval.

President Bella also informed the council that the food and beverage tax isn't automatic. The council is authorized to use the tax at their discretion by passing an ordinance and having a public hearing to decide what will be done with the revenue.

President Bella informed the council that estimates from London Witte show that \$1,300,000 annually could be generated for the Town. This revenue would support our parks, recreation programs, and other town endeavors.

Council Pettit informs the council that this tax is only for restaurants and bars. This tax doesn't apply to groceries.

President Bella informed the council we are going back to the Consent Agenda.

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE – Councilman White informed the council due to a medical issue he able to attend the past meetings. He will be attending the meeting in March.

NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Vice-President Hardaway informed the council that he has no report, but the next meeting is on the third Thursday in March.

STORMWATER MANAGEMENT RESOURCES-LAKE – Director Lake was absent from the meeting.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY – Town Manager Reardon informed the council that much of the focus has been on the two bills in the Indiana General Assembly. The two bills are the Food and Beverage Tax, and the bill relating to the establishment of a Convention Center.

FIRE TERRITORY BOARD-MINCHUK – Councilman Minchuk informed the council he has nothing to report at this time

DEPARTMENT REPORTS/TOWN MANAGER

Lisa Roberts from the Parks Department informed the council of several events that will take place at the Dean and Barbara White Community Center. The events for March are as follows:

- Card & Collectible Expo - Saturday and Sunday, March 11th - 12th
- Elite Fighting (MMA) - Saturday, March 18th
- Gymnastics Competition - Friday, Saturday, and Sunday, March 24th – 26th

Chief Nuses informed the council that the Police Department is currently working on establishing new Standard Operating Procedures now that Code Enforcement is part of the Department. The Code Enforcement employees will be trained so that they can operate more efficiently.

Chief Nuses also informed the council the department is in the process of hiring someone for animal control. The job posting will be going up on March 9th. In the meantime, the department has been in contact with different shelters and the Humane Society for assistance with animal control.

Chief Nuses elaborated on other endeavors the Police Department is working on in the community.

Director Shine informed the council that she has nothing to report until the BZA section of the agenda.

President Bella asked Town Manager Reardon do he have anything to add.

Town Manager Reardon stated he has nothing to add at this time.

GENERAL ORDERS

A. Ordinances

First Readings: (Discussion and Roll Call Vote)

Ordinance 23-11 (Discussion and Roll Vote)

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

A motion from Councilman Pettit was made to approve Ordinance 23-11, seconded by Councilman Minchuk.

No further questions or comments from the council.

Motion carries by roll call vote 6 -Yes and 1-Abstain

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

Ordinance 23-02 (Discussion, Public Comment, 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 Councilwoman Uzelac was made to approve Ordinance 23-02, seconded by Councilman Pettit.

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

Ordinance 23-03 (Discussion, Public Comment, and Roll Vote)

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

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

Madam Clerk-Treasurer informed the council that Ordinance can't be signed tonight because of misspellings.

Attorney Svetanoff stated that Ordinance 22-03 will be approved, but it won't be signed until the misspellings are corrected.

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

Ordinance 23-04 (Discussion, Public Comment, 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 did he have anything to add.

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 to include those vehicles.

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

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

President Bella informed the council that Ordinance 23-04 now covers a lot of different types of vehicles.

Councilman Minchuk elaborated on the meaning of Parking in a Yard. Residents can't routinely or permanently park vehicles in their yards.

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0.

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 secure in the Town.

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

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

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

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 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 the second reading.

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

President Bella announced to the audience that the council is trying to clean up the Town with these ordinances which help the property values in the community.

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

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 a process in place where approval from the Town is needed to have a drop box on the property.

Attorney Svetanoff also asked that the ordinance be approved on the second reading

A motion from Councilwoman Uzelac was made to approve Ordinance 23-07, seconded by Councilman Pettit.

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

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.

Attorney Svetanoff informed the council that Ordinance 23-08 deals with the famous problem of 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 second reading.

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

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

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.

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 second 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 the wording was changed in the ordinance to be more specific.

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

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 second reading

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

No further questions or comments from the council or the public.

Motion carries by roll call vote 7-0

B. Resolutions: (Discussion and Voice Vote)

None

C. American Rescue Plan

AP Voucher Register Summary for ARP Purchases for February 28, 2023

Vice-President Hardaway informed the council that the ARP Voucher summary is \$7,385.89.

Vice-President Hardaway made a motion to approve \$7,385.89, seconded by Councilman Pettit.

Councilman White asked for a balance in the ARP funding.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

D.BZA & LARGE GATHERING ACTIONS

Petitioner: Andy Tylka
Owner: Lake County Trust #2100 Janis Qualizza Beneficiary
Request: Special Exception Approval
Purpose: To have an Auto Repair Shop with outside storage
Location: 401 West 82nd Place
Zoning: C-3, Highway Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA Action.

President Bella asked the Petitioner to review the address with the Post Office.

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

Councilman Pettit asked the Petitioner what is the investment in the project.

The Petitioner stated that the investment is estimated to be a \$120,000.00

President Bella asked the Petitioner about the number of employees.

The Petitioner stated that the business will have five employees.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

Petitioner: Divine Goddess Dance Studies
Owner: Tiger Group, LLC
Request: Special Exception Approval
Purpose: To have a Dance Studio
Location: 7870 Broadway
Zoning: C-2, Community Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA Action.

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

Councilman Pettit asked the Petitioner for confirmation of the location.

The Petitioner confirmed the address was a suite in the Ross Township Accessor building.

Councilwoman Uzelac asked the Petitioner how much are they paying per month.

The Petitioner stated they are paying \$1,300.00 per month.

No further questions or comments from the council.

Motion carries by roll call vote 7-0.

Petitioner: Merrillville Community School Corp
Owner: Merrillville Community School Corp
Request: Special Exception Approval
Purpose: Building addition on an existing building
Location: 276 East 68th Place
Zoning: R-2, Residential Zoning District

Planning and Building Director Shine elaborated on the BZA Action.

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

President Bella asked about the Petitioner about the section of the parking lot that the Town uses for the July 4th fireworks display.

The Petitioner confirmed that the section of the parking lot that was used by the Town will be available this year for the July 4th fireworks display.

No further questions or comments from the council.

Motion carries by roll call vote 7-0.

NEW BUSINESS

Councilman White elaborated on Black History Month.

Vice-President Hardaway elaborated on the Black History Celebration.

OLD BUSINESS

None

SPECIAL PRESENTATIONS

None

ANNOUNCEMENTS:

- Council Workshop Executive Session will be held on March 7, 2023, at 4:30 pm
- Town Council Meeting March 14, 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

ORDINANCE NO. 23-12

AN ORDINANCE OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA,
AUTHORIZING ADDITIONAL APPROPRIATIONS IN THE 2023 BUDGET
- GENERAL FUND, DEPT. 6
AND, AUTHORIZING A REDUCTION OF APPROPRIATIONS IN THE 2023 BUDGET -
PARKS NON-REVERTING FUND

WHEREAS, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the annual budget in the General Fund, Parks Department, of the Town; and

WHEREAS, the Town Council is aware that the General Fund currently holds a sufficient cash balance; and

WHEREAS, it has been determined that the Parks Non-Reverting Fund was budgeted in excess of need; and

WHEREAS, the Town Council wishes to reduce the appropriated amounts to those more in line with operational expenses.

NOW, THEREFORE BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that it is hereby provided and ordered for the expenses of the taxing unit, the following:

An additional sum of money is appropriated out of the fund named, subject to laws governing the same:

	ADDITIONAL AMOUNT REQUESTED	ADDITIONAL AMOUNT APPROVED BY FISCAL BODY
<u>Fund 1101: GENERAL FUND, DEPT. 6</u>		
1101006142 PARKS/MAINTENANCE CREW	\$ 45,978.00	\$ 45,978.00
Total for GENERAL FUND	<u>\$ 45,978.00</u>	<u>\$ 45,978.00</u>

A reduction of appropriation out of the fund named, subject to laws governing the same:

<u>Fund 2211: PARKS NON-REVERTING FUND</u>	<u>AMOUNT OF REDUCTION</u>
2211010120 PNR/FRONT DESK SUPERVISO	\$ 78,203.00
2211010153 PNR/LABORER	25,000.00
2211010154 PNR/FINANCE	30,000.00
2211010182 PNR/SOCIAL SECURITY	57,776.00
2211010334 PNR/EVENTS	189,215.00
2211010394 PNR/CONTRACTUAL SERVICES	50,000.00
2211011132 PNR/REC SUPERVISOR (P-T)	21,000.00
2211011133 PNR/PART TIME STAFF	15,000.00
2211011396 PNR/SUB-CONTRACTORS	100,000.00
2211012130 PNR/RECREATION COORDINATOR	5,000.00
2211012396 PNR/SUB-CONTRACTORS	85,000.00
2211013130 PNR/RECREATION COORDINATOR	25,000.00
2211013132 PNR/REC SUPERVISOR (P-T)	42,000.00
2211013140 PNR/EVENT CENTER MNGR	14,000.00
2211014132 PNR/REC SUPERVISOR (P-T)	5,000.00
2211014133 PNR/PART TIME STAFF	75,000.00
2211014396 PNR/SUB-CONTRACTORS	45,000.00
2211015396 PNR/SUB-CONTRACTORS	<u>45,000.00</u>
Total Reduction for PARKS NON-REVERTING FUND	<u>\$ 907,194.00</u>

[The remainder of this page is intentionally blank.]

This Ordinance shall be in full force and effect from and after its passage.

DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, this ____ day of _____, 2023.

Rick Bella, Council President
Ward 5

Marge Uzelac, Councilwoman
Ward 4

Don Spann, Councilman
Ward 1

Shawn Pettit, Councilman
Ward 6

Richard Hardaway, Vice President
Ward 2

Leonard White, Councilman
Ward 7

Jeff Minchuk, Councilman
Ward 3

ATTEST: _____
Kelly White-Gibson
Clerk-Treasurer

ORDINANCE NO. 23-11

AN ORDINANCE OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA,
AUTHORIZING ADDITIONAL APPROPRIATIONS
IN THE 2023 BUDGET

WHEREAS, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the annual budget in the Town Donation Fund of the Town; and

WHEREAS, the Town Council is aware that the Fund currently holds sufficient cash balance and is expected to receive additional miscellaneous revenue to support the requested additional appropriation.

NOW, THEREFORE BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that it is hereby provided and ordered for the expenses of the taxing unit, the following additional sum of money is appropriated out of the fund named, subject to laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED BY FISCAL BODY</u>
<u>Fund 2301: TOWN DONATION FUND.</u>		
2301010380 Town Donation/Black History Month	\$ <u>51,875.00</u>	\$ <u>51,875.00</u>
Total for TOWN DONATION FUND	\$ <u>51,875.00</u>	\$ <u>51,875.00</u>

This Ordinance shall be in full force and effect from and after its passage.

DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, this ____ day of _____, 2023.

Rick Bella, Council President
Ward 5

Marge Uzelac, Councilwoman
Ward 4

Don Spann, Councilman
Ward 1

Shawn Pettit, Councilman
Ward 6

Richard Hardaway, Vice President
Ward 2

Leonard White, Councilman
Ward 7

Jeff Minchuk, Councilman
Ward 3

ATTEST: _____
Kelly White-Gibson
Clerk-Treasurer

**RESOLUTION 23-07
TOWN OF MERRILLVILLE, INDIANA**

**A RESOLUTION OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA,
TRANSFERRING MONIES WITHIN THE 2023 BUDGET – GENERAL FUND, DEPT. 6,
AND, WITHIN THE 2023 BUDGET – PARKS NON-REVERTING FUND**

WHEREAS, within the appropriation of funds for the year 2023, there is a need to transfer certain monies within the 2023 Budget,

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that the following transfer of funds be approved:

	<u>DECREASE</u>	<u>INCREASE</u>
<u>GENERAL FUND – PARKS DEPARTMENT</u>		
1101006393 Parks/Hdwe-Software Rec Trac	<u>\$ 10,000.00</u>	
1101006142 Parks/Maintenance Crew		\$ 6,022.00
1101006182 Parks/Social Security		3,978.00
		<u>\$ 10,000.00</u>
<u>PARKS NON-REVERTING FUND</u>		
2211010120 PNR/Front Desk Supervisor	<u>\$ 188,429.00</u>	
2211010121 PNR/Front Desk Staff		\$ 5,000.00
2211010164 PNR/Building Manager		82,000.00
2211010171 PNR/Site Supervisor		95,000.00
2211010184 PNR/P.E.R.F.		6,429.00
		<u>\$ 188,429.00</u>
2211010334 PNR/Events	<u>\$ 10,785.00</u>	
2211010316 PNR/Inspections		\$ 785.00
2211010351 PNR/Telephone		10,000.00
		<u>\$ 10,785.00</u>
2211013140 PNR/Event Center Manager	\$ 5,000.00	
2211013142 PNR/Laborer	75,000.00	
	<u>\$ 80,000.00</u>	
2211013141 PNR/Event Center (P-T)		<u>\$ 80,000.00</u>

DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, THIS _____ day of MARCH, 2023.

Rick Bella, Council President
Ward 5

Margaret Uzelac, Councilwoman
Ward 4

Don Spann, Councilman
Ward 1

Shawn Pettit, Councilman
Ward 6

Richard Hardaway, Vice-President
Ward 2

Leonard White, Councilman
Ward 7

Jeff Minchuk, Councilman
Ward 3

ATTEST: _____
Kelly White-Gibson
Clerk-Treasurer

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - ARP MARCH 14, 2023 TC MEETING

NOTES: (1) Use both sides of the form if needed. Signatures of governing board should appear only on the final page of each meeting in which accounts payable vouchers are allowed.
(2) The Memorandum is for entering action on accounts payable vouchers if disallowed in whole or in part, if continue to a later meeting of governing board, or for other pertinent information.

Page 1 of 1 Pages

General Form No. 364 (1997) APVREGISTER_SUM.FRX

Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
/ /	561	BLOOMFIELD MECHANICAL	ARP/OTHER EQUIPMENT	6820.40			DUCTLESS MINI SPLIT IN PD
/ /	673	CARD SERVICE CENTER	ARP/OTHER EQUIPMENT	753.65			UNIFORMS FOR PUBLIC WORKS
/ /	637	DENNIS J DOBROLECKI	ARP/BLDG MAINT	506.25			GREETERS PAY 2/19/23-03/4/2023
/ /	1171	DLZ	ARP/CONTRACTUAL	2700.00			SW PROF SVR KAISER DITCH TRIB
/ /	1107	KENNETH WOODSIDE	ARP/BLDG MAINT	925.00			GREETERS PAY 2/19/23-3/4/23
/ /	345	RAY TRISTAIN	ARP/BLDG MAINT	500.00			GREETERS PAY 2/19/23-3/4/23
/ /	41	RDG PLANNING & DESIGN INC	ARP/CONTRACTUAL	2162.25			MASTER PLAN PROFFESIONAL
/ /	1821	ROBINSON ENGINEERING	ARP/CONTRACTUAL	1035.50			SW MSU SOUTHMOOR SUBDIV DRNG
/ /	158	VS ENGINEERING, INC.	ARP/CONTRACTUAL	3255.00			SW LIFT STATION CONVERSION SWX
		Checks: 0 - 0		18658.05			

FROM: SHEILA SHINE

RE: SPECIAL EXCEPTION APPROVAL

PETITIONER: CROSSROADS PLAZA

OWNER: CROSSROADS PLAZA

PURPOSE: VARIANCE OF USE APPROVAL

LOCATION: 6110 BROADWAY

ZONING: M-2, LIMITED INDUSTRIAL CORRODOR DISTRICT

DATE OF BOARD OF ZONING APPEALS: DECEMBER 28, 2022

DEADLINE FOR TOWN COUNCIL ACTION: MARCH 28, 2023

ACTION TAKEN BY THE BOARD: APPROVED

VOTE: (3) APPROVED (2) ABSENT

CONDITIONS: FOR THIS PETITIONER ONLY, AT THIS LOCATION ONLY
AND FOR THIS USE ONLY.

PETITIONER IS AWARE OF THE MERRILLVILLE CAMERA ORDINANCE.

MUST HAVE SIGNED LEASE

**TOWN OF MERRILLVILLE
PLANNING DEPARTMENT
7820 BROADWAY
STAFF REPORT
BOARD OF ZONING APPEALS**

CASE NO: Z33uV7-1222 BZA MEETING DATE: DECEMBER 28, 2022

PREPARED BY: SHEILA SHINE

APPLICANT: CROSSROADS PLAZA

PETITIONER: CROSSROADS PLAZA

OWNERS: CROSSROADS PLAZA

REQUEST: VARIANCE OF USE APPROVAL

LOT SIZE: 20.606 ACRES

EXISTING ZONING: M-2, LIMITED INDUSTRIAL CORRIDOR DISTRICT

LOCATION: 6110 BROADWAY

SURROUNDING USES:

NORTH - COMMERCIAL AND RESIDENTIAL

SOUTH - COMMERCIAL AND RESIDENTIAL

EAST - COMMERCIAL

WEST - VACANT

SURROUNDING ZONING:

NORTH - C-2, COMMUNITY COMMERCIAL DISTRICT

SOUTH - C-2, COMMUNITY COMMERCIAL DISTRICT

EAST - C-2, COMMUNITY COMMERCIAL DISTRICT

WEST - R-2, SINGLE FAMILY RESIDENTIAL DISTRICT

COMMENTS: PETITIONER IS SEEKING VARIANCE OF USE APPROVAL TO ALLOW A RETAIL STORE ON 20.606 ACRES IN A M-2, LIMITED INDUSTRIAL CORRIDOR ZONING DISTRICT. PETITIONER IS PROPOSING TO HAVE A FOREMAN MILLS CLOTHING FACTORY WAREHOUSE AT THE 50,000 SQ FT VACANT SITE. THE SITE WOULD BE LOCATED NEAR THE WEST END OF THE PLAZA (THE MAILING ADDRESS WOULD BE 6110-B BROADWAY). PETITIONER STATES THAT THIS STORE WOULD HELP REVITALIZE THE UNDERUTILIZED PLAZA. THE ADDITION OF THIS STORE WILL INVIGORATE THE PLAZA, AND NOT NEGATIVELY AFFECT THE COMMUNITY. UTILITIES ARE ALREADY IN PLACE FROM PREVIOUS BUSINESS ENTITIES AND THE EGRESS/INGRESS WILL NOT BE ALTERED.

THE PROPOSED BUSINESS WOULD JOIN OTHER LOCATIONS NATIONWIDE. FOREMAN MILLS CLOTHING STORES OFFERING OFF-PRICE APPAREL IN

MENS, LADIES, KIDS & TOYS, SHOES, AND HOME GOODS. HOURS OF OPERATION ARE TYPICALLY 10:00 AM – 8 PM SUNDAY THROUGH THURSDAY, 10:00 AM – 9:00 PM ON FRIDAYS AND 9:00 AM – 9:00 PM ON SATURDAYS. CLOSED ON SUNDAY. THERE WILL BE APPROXIMATELY 100 EMPLOYEES PETITIONER IS AWARE OF THE CAMERA ORDINANCE. PETITIONER HAS NOT PROVIDED A LEASE OR A LETTER OF INTENT TO ATTORNEY.

FOR THIS PETITIONER ONLY, AT THIS LOCATION ONLY AND FOR THIS USE ONLY.

VARIANCE OF USE: CASE # 233uV9-1222

NOTICE OF BOARD OF ZONING APPEALS DECISION ON PETITION
OF Crossroads Plaza

The Town of Merrillville Board of Zoning Appeals, after conducting a public hearing in accord with I.C. 36-7-4-920, 5-3-1-2, and 5-3-1-4, hereby rules that the law is (with/not with) the Petitioner. In support of such conclusion, the Board of Zoning Appeals makes the following findings of fact:

1. The Petitioner (did/did not) establish that the proposed variance will not be injurious to the public health, safety, morals, and general welfare of the community because:

COMMENT:

2. The Petitioner (did/did not) establish that the proposed variance will not have a substantially adverse effect on the use and value of the property adjacent to the property included in the proposed variance because:

COMMENT:

3. The Petitioner (did/did not) establish that the need for the proposed variance arises from some condition peculiar to the property involved in that:

COMMENT:

4. The Petitioner (did/did not) establish that the strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the proposed variance is sought because:

COMMENT:

5. The proposed variance (will/will not) substantially interfere with the comprehensive Master Plan adopted because:

COMMENT:

Accordingly, the Board of Zoning Appeals hereby approves/denies Petition for variance of use, Case # 233uV-1222 from the terms of the zoning ordinance this 28th day of December 2022. The Board of Zoning Appeals, pursuant to I.C. 36-7-4-918.4, imposes the following conditions as part of its approval:

1. For this petitioner only, for this location only and for this use only
2. _____
3. _____
4. _____

[Signature]
CHAIRMAN

[Signature]
SECRETARY

MERRILLVILLE BOARD OF ZONING APPEALS
APPLICATION FOR VARIANCE OF USE

REV. Nov 2002

FEE: \$200.00 DATE: 12-20-22 RECEIPT # 93547
***FILING FEE WILL NOT BE REFUNDED IF PETITION IS WITHDRAWN OR DENIED

NOTE TO APPLICANT: Please read the following State Law Carefully
36-7-4-913.4 - VARIANCES OF USE FROM THE TERMS OF ZONING ORDINANCE - ADVISORY-METRO: A Board of Zoning Appeals shall approve or deny variances of use from the term of the zoning ordinance. The Board may impose reasonable conditions as a part of its approval. A variance may be approved under this section only upon a determination in writing that:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
- (3) The need for the variance arises from some condition peculiar to the property involved;
- (4) The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
- (5) The approval does not interfere substantially with the comprehensive plan adopted under the 500 series of this chapter (IC36-7-4-913.4 as added by P.L. 357-1983, Sec. 13.)

APPLICATION FILED AND PLANS RECEIVED: Date 12/6/2022

ADDRESS OF PROPERTY OR GENERAL LOCATION: 6110 Broadway, Merrillville, IN 46410

TAX KEY # 45-12-09-226-003-000-030 CURRENT ZONING: M-2 AREA OF GROUND: 20.606 acres

PROPOSED USED OF PROPERTY: Forman Mills Clothing Factory Warehouse - Approx: 50,000 square feet in west building - Suite mailing address: 6110-B, Merrillville, Indiana.

PRESENT USE OF PROPERTY: Vacant commercial

USES OF ADJACENT PROPERTIES			
NORTH		EAST	
Commercial and Residential		Commercial	
SOUTH		WEST	
MCD, Residential and Commercial		Vacant	

PLEASE PRINT			
PETITIONER:		OWNER:	
Crossroads Plaza, LLC		Crossroads Plaza, LLC	
ADDRESS: c/o Richard E. Anderson Anderson & Anderson, P.C. 9211 Broadway		ADDRESS: c/o Richard E. Anderson Anderson & Anderson, P.C. 9211 Broadway	
CITY Merrillville	STATE IN	ZIP 46410	CITY Merrillville
PHONE: (219) 769-1892			PHONE: (219) 769-1892

Being duly sworn upon (my/our) oath, do hereby declare that the facts and figures set forth in the above petition are true to (my/our) information and belief, and that I am/we are submitting such facts and figures to the Merrillville Board of Zoning Appeals for the purpose of this request for the above described real estate.

PETITIONER (S) SIGNATURES

Crossroads Plaza, LLC

By: David Israel, Manager
STATE OF INDIANA

SS
COUNTY OF LAKE)

Before me, a notary public in and for said county and state, personally appeared the above petitioner (s) and owner (s) and acknowledged the execution of the above and foregoing instrument to be voluntary act and deed for the uses and purposes therein mentioned.

DATED THIS DAY OF 200

OWNERS (S) SIGNATURES

Crossroads Plaza, LLC

By: David Israel, Manager

My Commission Expires:

Notary Public

VARIANCE OF USE - CASE # 233uV7-1222

TOWN OF MERRILLVILLE, INDIANA
BOARD OF ZONING APPEALS
DATE: 12-28-22

Pursuant to Article II, Section 21-41 of the Rules and Regulations of Practice and Procedure of the Town of Merrillville Board of Zoning Appeals, Petitioner, Crossroads Plaza, LLC submits the following findings of fact which address the effect that Petitioner's proposed variance of use from the terms of the zoning ordinance will have on the property commonly known as 6110 Broadway, Merrillville, IN 46410 and to the surrounding area:

1. Petitioner owns the property commonly known as 6110 Broadway, Merrillville, IN 46410 Which is classified as M-2 pursuant to the zoning ordinance.
2. Petitioner has requested a variance of use from the zoning ordinance for the following reasons:
The property was previously rezoned to M-2 in anticipation of revitalizing the area. A suitable tenant has not been found and in the interim, a proposed tenant is interested in space for a commercial use.
3. Petitioner submits that:
 - a. The proposed variance of use will not be injurious to the public health, safety, morals, and general welfare of the community because:
The proposed tenant will fill space in an under-utilized building with vacant space.
 - b. The proposed variance of use will not have a substantially adverse effect on the use and value of the properties adjacent to the property included in the proposed variance because:
It will permit a tenant to occupy vacant space in the building.
 - c. The need for the proposed variance arises from some condition peculiar to the property involved in that:
The property is in transition, and since the M-2 users have not yet materialized, an interim user is better than a vacant building.
 - d. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the proposed variance is sought because:
It will result in the space continuing to be vacant.
 - e. The proposed variance of use will not substantially interfere with the comprehensive master plan because:
The area contains a mix of commercial, industrial and residential uses.

The Board of Zoning Appeals shall approve or deny the above findings prior to approval or denial of the Petition. The Board of Zoning Appeals can modify Petitioner's findings if facts presented at the public hearing show false information in the findings and/or new information pertinent to the Petition. Findings of fact which are modified shall then be resubmitted on the approved forms within FIVE (5) days of the modification.

The North 838.68 feet of the Northeast Quarter of the Northeast Quarter of Section 9, Township 35 North, Range 8, West of the Second Principal Meridian, excepting the North 302.50 feet of the East 340.00 feet and the South 70.00 feet of the East 255.00 feet thereof; and excepting therefrom the North 55 feet thereof, and also excepting therefrom those parcels deed to the State of Indiana as set forth in Warranty deed recorded October 5, 1982, as document no. 683149, and except the buildings, improvements, and structures located thereon, all in Lake County, Indiana, and excepting therefrom:

Parcel One:

Commencing at the Northeast corner of said Section; thence West 375 feet along the North line of said Section; thence South 90 degrees a distance of 55 feet to the point of beginning; thence South 140 feet along the same line; thence West 90 degrees a distance of 150 feet; thence North 90 degrees a distance of 140 feet; thence East 90 degrees a distance of 150 feet to the point of beginning.

Parcel Two:

Commencing at the Northeast corner of said Section; thence South 603.68 feet along the East line of said Section; thence West 90 degrees a distance of 50 feet to the point of beginning; thence West 190 feet along the same line; thence South 90 degrees a distance of 120 feet; thence East 90 degrees a distance of 190 feet; thence North 90 degrees a distance of 120 feet to the point of beginning.

Parcel Three:

Commencing at the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 9, Township 35 North, Range 8, West of the Second Principal Meridian; thence West 685 feet along the North line of said Section; thence South 90 degrees a distance of 55 feet to the point of beginning; thence South on the same line a distance of 130 feet; thence West 90 degrees a distance of 100 feet; thence North 90 degrees a distance of 130 feet; thence East 90 degrees a distance of 100 feet to the point of beginning.

Parcel Four:

Commencing at the Northeast corner of the Northeast Quarter of the Northeast Quarter of Section 9, Township 35 North, Range 8, West of the Second Principal Meridian; thence South 347.50 feet along the East line of said Section; thence West 90 degrees a distance of 50 feet to the point of beginning; thence West along the same line a distance of 125 feet; thence South 90 degrees a distance of 100 feet; thence East 90 degrees a distance of 125 feet; thence North 90 degrees a distance of 100 feet to the point of beginning.

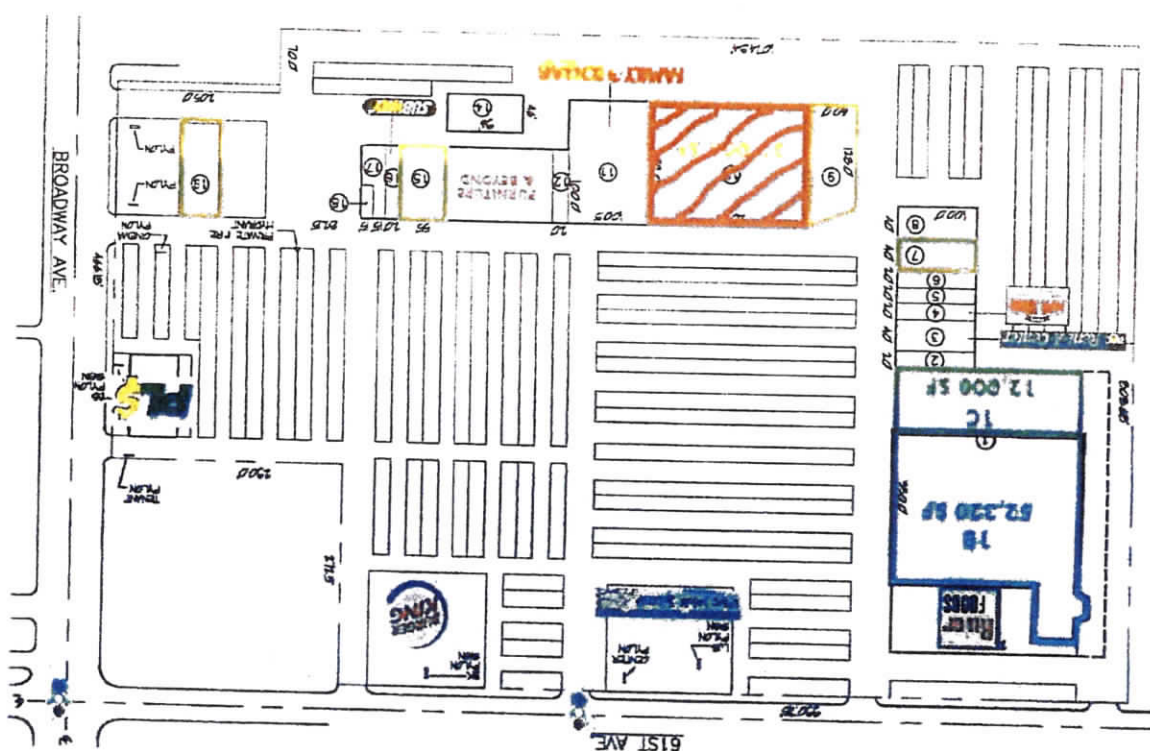


EXHIBIT B

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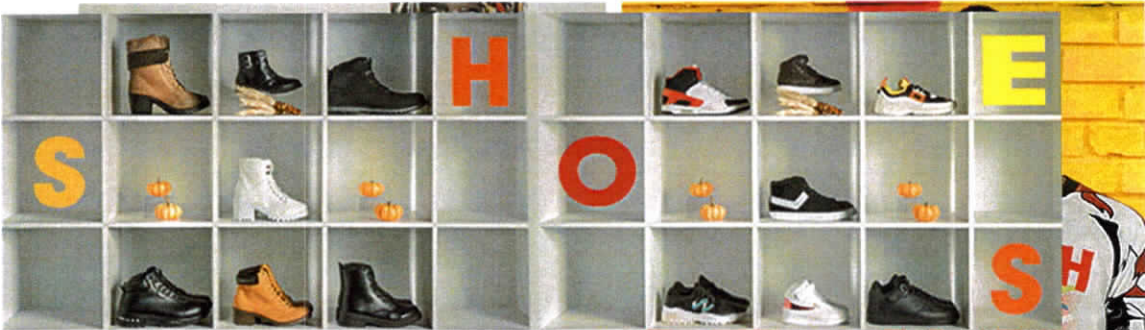
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About Us



Our Story

In 1977, with an \$80 loan from his father, Rick Forman began his retail career selling t-shirts, sweat-shirts and sportswear in local flea markets on weekends.

The business expanded rapidly to become one of the biggest flea market operations and in 1981 Rick opened the first Forman Mills Clothing store in an old alleyway on Frankford Avenue in Philadelphia. The store combined an outdoor flea market with an indoor

showroom. With hard work, fair prices and quality merchandise, the first Forman Mills quickly became a major success.

In 1985 the first Forman Mills Clothing Factory Warehouse superstore opened in an old warehouse in South Philadelphia. With 16,000 square feet the product assortment expanded beyond just "tees and sweats" to include a wide array of Men's, Ladies' and Children's clothing.

From 1989 to 2007 the business grew from a single store to a chain of "Big Box" warehouse-style stores, serving communities in Philadelphia, New Jersey, Delaware, Maryland, and now Michigan and New York. From a weekend concession in a flea market to a fast-growing major retailer in the off-price apparel sector, our company has grown to multi-location, multi-state enterprise.

But that is just the beginning – The Vision Continues!

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