



Town of Merrillville
Town Council Meeting Minutes
January 10, 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 Vice-President Hardaway.

ROLL CALL – Roll Call was taken by Madam Payroll Administrator Johnson.

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

Councilman Minchuk- (Ward 3)

Councilwoman Uzelac- (Ward 4)

Councilman White - (Ward 7)

Councilman Spann- (Ward 1)

Councilman Pettit- (Ward 6)

President Bella- (Ward 5)

Seven Present (7)

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS AND REMONSTRATIONS:

*Recognition of Pop Warner State Champion Teams

Councilman Minchuk recognized the Pop Warner State Champion Teams before the council. They are as follows:

- Pop Warner's Merrillville 2023 State Champions 12U Pirates– Councilman Minchuk elaborated on the team.
- Pop Warner's Merrillville 2023 State Champions JV Cheer Team– Councilman Minchuk elaborated on the team.
- Pop Warner's Merrillville 2023 State Champions 10U Pirates– Councilman Minchuk elaborated on the team.

Councilman Pettit stated these are the results of a \$24,000,000.00 investment in the Dean and Barbara White Community Center. The teams practice daily at the center and the Town is reaping the results.

*Nominations and Election of Town Council President for 2023

A motion was made by Councilman Pettit, seconded by Councilwoman Uzelac to renominate President Bella for the 2023 Town Council President.

President Bella asked are there any other nominations.

Vice-President Hardaway made a motion to close the nominations, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

A motion was made by Vice-President Hardaway to accept the nomination of President Bella as the 2023 Town Council President, seconded by Councilman Spann.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

***Nominations and Election of Town Council Vice-President for 2023**

A motion was made by Councilman Minchuk, seconded by Councilwoman Uzelac to nominate Vice-President Hardaway for the 2023 Town Council Vice-President.

President Bella asked are there any other nominations.

Councilman Pettit made a motion to close nominations.

President Bella asked Councilman Pettit to adjust his motion to close nominations and cast a unanimous ballot for Vice-President Hardaway.

Councilman Pettit adjusted his motion, seconded by Vice-President Hardaway.

Councilman Minchuk asked can Vice-President Hardaway cast a unanimous ballot for himself.

President Bella stated it was all right.

No further questions or comments from the council.

Motion carries by voice vote 6-1. The one descending vote for Councilman Hardaway Vice-President vote was Councilman White. 6-1 with Councilman White voting no.

***Appointment of Town Attorney for 2023**

A motion was made by Vice-President Hardaway to retain the current Town of Merrillville Attorney Joseph Svetanoff and his company KDP for 2023. Councilman Pettit seconded this motion.

President Belle stated he assumes this includes Plan Commission, Broad of Zoning Appeal, Redevelopment Commission, and Economic Development Commission.

It was stated by the council that Plan Commission, Broad of Zoning Appeal, Redevelopment Commission, and Economic Development Commission are included.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

***Appointment of Police Commission Attorney for 2023**

A motion was made by Councilwoman Uzelac to retain the current Police Commission Attorney Michael Deppe for 2023, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

***Swearing-in of Police Officer Jillian D. Evans**

Judge Velazco conducted the swearing-in of Police Officer Jillian D. Evans.

Interim Police Chief Nuses elaborated on Police Officer Evans' background.

***Swearing-in of Interim Police Chief Kosta Nuses**

Judge Velazco conducted the swearing-in Interim Police Chief Kosta Nuses.

Chief Nuses announced his selection for Assistant Police Chief. Detective Commander Joshua Gonzales was introduced as the new Assistant Police Chief to the council.

***Letter from Town Engineering Administrator & Director of Public Works Steve King recommending Acceptance of Unit 8 at Savannah Ridge.**

Director King informed the council that the final inspection of Unit 8 Savannah Ridge was completed on October 11, 2022, by Robinson Engineering. All the public improvements were found to be satisfactory and in compliance with the Town's ordinances.

Director King also informed the council that the ordinance only requires a 24-month maintenance bond, but the developers were gracious and provided a 30-month maintenance bond.

Director King concurs with Robinson Engineering that the council accept the improvements for Unit 8 at Savannah Ridge.

A motion was made by Councilwoman Uzelac to approve the recommendations from the Town's Engineer, seconded by Vice-President Hardaway.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

CONSENT AGENDA

Accts. Payable Register Voucher Approval for January 10, 2023.
Approval of Town Council Meeting Minutes of December 27, 2022

A motion was made by Councilwoman Uzelac to approve the Consent Agenda.

A motion was made by Councilman Minchuk to approve only the minutes for December 27, 2022, and table the Accts. Payable Register Voucher for January 10, 2023 of the Consent Agenda.

President Bella asked Councilwoman Uzelac did she want to withdraw her motion to approve.

Councilwoman Uzelac withdrew her motion to approve.

President Bella recognized the motion that was made by Councilman Minchuk to only approve the meeting minutes for January 10, 2023 and table the Accts. Payable Register Voucher for January 10, 2023 of the Consent Agenda. Vice-President Hardaway seconded this motion.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

STANDING & SPECIAL COMMITTEES REPORTS

BUDGET & FINANCE- HARDAWAY – No Report

COUNCIL AFFAIRS- PETTIT – Councilman Pettit informed the council that the committee needs to reconvene. The committee still has five outstanding ordinances that need to be discussed.

President Bella informed the council that he asked Attorney Svetanoff to investigate a couple of ordinances that the council is working on with the Police Department. One is a fee ordinance and the other a nuisance ordinance.

Councilman White asked for details regarding the fee ordinance.

President Bella elaborated on the fee ordinance.

PUBLIC WORKS & UTILITIES- MINCHUK – No Report

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT- Councilman Pettit informed the council that filing for the 2023 Municipal Election cycle has opened up as of Wednesday January 3, 2023.

Councilman Pettit also informed the council that the Crossroads Regional Chamber of Commerce is going to host their Business Excellence Awards on Thursday March 9, 2023 at the Dean and Barbara White Community Center from 5:30 P.M. to 7:30 P.M.

ENVIRONMENTAL AFFAIRS- WHITE – Councilman White informed the council that caseloads are going up, and the CDC is monitoring a new situation called Sudden Death Epidemic.

Councilman White also informed the council that we are still in the mid-range for Covid-19 caseloads, and the flu epidemic is very strong.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY – Vice-President Hardaway informed the council that applications are being accepted for open positions at Public Works. The deadline for accepting application is Friday January 13, 2023.

President Bella asked what kind of positions are open.

Vice-President Hardaway informed the council the open positions are entry level and pays 22.07 per hour.

PUBLIC SAFETY- MINCHUK- Councilman Minchuk informed the council that a Public Safety meeting was held last week with surrounding Police Departments in the area to discuss ideas from different administrations.

Councilman White asked to go back to Public Safety after Councilman Pettit stated he had no report to present at this time.

Councilman White stated he spoke to Chief Nuses regarding the uptick of gunshots in the wards.

President Bella asked Attorney Svetanoff is there anything we can do regarding the celebratory shooting that happens on New Year's Eve and Fourth of July. Do we have an ordinance we can put in place to give our Police Department some enforcement capabilities,

Attorney Svetanoff asked Chief Nuses to speak on this issue.

Chief Nuses stated that shooting in the air is criminal recklessness; it proves to be a great obstacle in the Town of Merrillville. In order for the shooters to be arrested, they must be caught in the act. Chief Nuses elaborated how the community can help the department catch the individuals.

ECONOMIC DEVELOPMENT-PETTIT – No Report

PARKS & RECREATION- UZELAC – Councilwoman Uzelac asked Director Price about the bids to fix the roof of the shelter at Rosenbalm Park.

Director Price stated he is trying to get new bids. He will inform the council when bids are received.

ABANDONED -BLIGHTED PROPERTIES-HARDAWAY – No Report

DEAN & BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT – Councilman Pettit informed the council that a joint meeting with the Budget and Finance Committee and Dean & Barbara White Community Center Committee will occur on Thursday January 12, 2023 at 5:30 P.M. at the center to discuss the operating budget.

SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4TH of JULY CELEBRATION-HARDAWAY – Vice-President Hardaway informed the council that the committee is in the process of planning our First Annual Black History Dinner Celebration. The tickets are \$75.00 and can be purchased at Town Hall or the Dean & Barbara White Community Center. This event will be on Thursday February 23, 2023 at the community center.

Vice-President Hardaway elaborated on the event.

Councilman White stated he would like more inclusion of other council members for special projects,

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE – Councilman White stated he has no report at this time.

NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY – Vice-President Hardaway asked Town Manager Reardon about broadband.

Town Manager Reardon stated he and Director Chilcott will be attending the broadband meeting.

STORMWATER MANAGEMENT RESOURCES-LAKE – Director Lake stated he met with FEMA to coordinate on the Town's five-year cycle visit for CRS. Director Lake elaborated on his meeting with FEMA.

Director Lake also stated that we are hosting the Northwestern Nana Regional Contractors Workshop which is going to include all communities within Northwest Indiana as well as contractors and engineers. This event will be at the Dean & Barbara White Community Center.

Director Lake also stated that the Marcella Road Project is completed, and reimbursement is being requested.

Councilman White asked Director Lake about the retention pond basins on 57th.

Director Lake stated that the engineering on the Hickory Ridge project is 95% completed. Director Lake elaborated on the Hickory Ridge and Purzin Center projects.

President Bella stated he will be encouraging the Town to take over retention ponds that property owners association and homeowner association owns because of their lack of expertise and finances to take care of the retention ponds.

Director Lake informed the council we need to get an inventory of available retention ponds and do a fee study based on the area.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY – Town Manager Reardon informed the council that the first meeting of the year is next week. The council and department heads can look forward to a weekly circular of events and activities.

FIRE TERRITORY BOARD-MINCHUK – Councilman Minchuk stated no meetings are scheduled.

DEPARTMENT REPORTS/TOWN MANGER

Town Manager Reardon stated there is nothing to report from Administration.

GENERAL ORDERS

A. Ordinances

First Readings: (Discussion and Roll Call Vote)

None

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

None

B. Resolutions: (Discussion and Voice Vote)

Resolution 23-01 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Indiana, Retroactively Transferring Monies Within the 2022 Budget.

A motion from Vice-President Hardaway was made to approve Resolution 23-01, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

Resolution 23-02 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Indiana Encumbering Monies From the 2022 Budget Into the 2023 Year.

President Bella informed the council that Madame Clerk Treasurer Kelly White Gibson does not support Resolution 23-02. President Bella also stated that the council should approve it and work out the details with Madam Clerk Treasurer Kelly White Gibson.

President Bella asked Madam Payroll Administrator Johnson did she have anything to add to Resolution 23-02.

Madam Payroll Administrator Johnson stated that she has a statement to read.

“It was just on the discussion that all departments were notified on November 9, 2022 that we had a deadline to turn in encumbrances. The deadline was December 6, 2022. On January 6, 2023, Public Works turned in forty-five encumbrances without so much as a phone call. One entire month after the deadline, The Clerk Treasure is not intending to complete these and she believes deadlines are set for a reason. The complete and utter disregard for deadlines must stop. The efforts to supersede the directives of the Clerk Treasurer are disrespectful and will not continue to be tolerated.”

Councilman White asked Madam Payroll Administrator Johnson which department had the forty-five encumbrances.

Madam Payroll Administrator Johnson stated Public Works.

A motion was made by Councilman Pettit to approve Resolution 23-02, seconded by Councilman White.

President Bella asked Director King to enlighten him as why the encumbrances were turned in after the deadline.

Director King stated he would have to find out from his department because he was on vacation.

President Bella asked Financial Advisor Hudson is processing the encumbrances on Resolution 23-02 creating a hardship on the Clerk Treasure's Office.

Financial Advisor Hudson informed the council she was made aware of the bills that came in after the deadline by the Bookkeeper from the Clerk Treasurer's Office. Financial Advisor Hudson stated that she and the Bookkeeper discussed a solution and worked on Resolution 23-02 together.

Financial Advisor Hudson stated that the Clerk Treasurer wasn't involved in the process.

President Bella asked Financial Advisor Hudson do you talk to the Clerk Treasurer regarding resolutions about encumbrances and transferring funds.

Financial Advisor Hudson stated she only talks to the Clerk Treasurer's staff.

Councilman Pettit asked Financial Advisor Hudson is the forty-five encumbrances for Merrillville vendors.

Financial Advisor Hudson stated that many of the forty-five encumbrances are for Merrillville vendors.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

President Bella asked Madam Payroll Administrator Johnson to let Madam Clerk Treasurer Kelly White Gibson know the resolution passed, and they would talk later.

Resolution 23-03 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Indiana Supporting the Election of Superior Court Judges in Lake County Indiana.

President Bella asked Madam Payroll Administrator Johnson to read Ordinance 23-03 for the record.

Madam Payroll Administrator Johnson read Ordinance 22-03.

A motion was made by Vice-President Hardaway to approve Resolution 23-03, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

President Bella asked for a roll call vote.

Motion carries by roll call vote 7-0.

C. American Rescue Plan

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

Vice-President Hardaway informed the council that the AP Voucher summary is \$449,172.07.

Vice-President Hardaway made a motion to approve \$449,172.07, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by roll call vote 7-0.

D.BZA & LARGE GATHERING ACTIONS

Petitioner: Edgar Tapis
Owner: GNA Property Group
Request: Special Exception Approval
Purpose: Dine-In Restaurant
Location: 8255 Georgia Street
Zoning: C-3, Highway commercial Zoning District

Planning and Building Director Shine elaborated towards the BZA Action.

A motion was made by Councilman Pettit to approve the BZA Action for discussion, seconded by Councilman Minchuk.

Councilman Pettit asked Petitioner Tapia is he leasing the facility at 8255 Georgia Street.

Petitioner Tapia stated that he is leasing.

Councilman Pettit stated for the benefit of council that the building use to be Athenian Restaurant.

Councilman Manchuk asked is the location on Broadway staying.

Petitioner Tapia stated that the location on Broadway is staying under a new name.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

Petitioner: Hasan Ali
Owner: Hasan Ali
Request: Special Exception Approval
Purpose: Automobile Repair Shop
Location: 5970 Broadway
Zoning: C-2, Community Commercial Zoning District

Planning and Building Director Shine elaborated towards the BZA Action.

A motion was made by Councilman White to approve the BZA Action for six months with a review of all aspects of the business including but not limited parking vehicles and gathering of trash, seconded by Councilman Spann.

No further questions or comments from the council.

Motion carries by roll call vote 7-0.

Petitioner: Vanessa Yanez
Owner: 2450-2490 West 81st Hillside, LLC
Request: Special Exception Approval
Purpose: Dine-IN Restaurant
Location: 5970 Broadway
Zoning: C-2, Community Commercial Zoning District

Planning and Building Director Shine elaborated towards the BZA Action

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

No further questions or comments from the council.

Motion carries by voice vote 7-0.

None

OLD BUSINESS

None

NEW BUSINESS

None

SPECIAL PRESENTATIONS

None

ANNOUNCEMENTS:

Town Building Closed Monday January 16th in Honor of Martin Luther King Jr.

Plan Commission Public Meeting January 17th at 6:30 P.M.

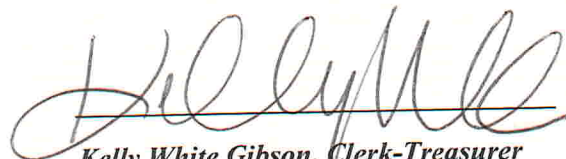
Redevelopment Commission Meeting January 31st at 6:00 P.M.

Town Council Meeting January 24th 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