



**Town of Merrillville**  
**Town Council Meeting Minutes**  
**July 25, 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 Dennis Walton of Faith Temple of Christ Church.

**PLEDGE OF ALLEGIANCE:** Led by Vice-President Hardaway.

**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)

Councilwoman Neal – (Ward 1)

Councilman Pettit – (Ward 6)

President Bella - (Ward 5)

All Seven (7) Present

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

**July's Employee of the Month – Jason Anderson (Parks & Recreation)**

Director King and Michael Neal presented Jason Anderson to the council and audience as Employee of the Month for the Town of Merrillville. Mr. Anderson received a certificate of recognition and a gift card on behalf of the Town of Merrillville. Director King elaborated on Mr. Anderson's exemplary qualities as an employee in the Parks Department.

**Swearing in of Patrolman Brycen Nylin**

Patrolman Brycen Nylin was sworn in by Madam Clerk-Treasurer Kelly White Gibson.

Chief Nuses welcomed Patrolman Nylin to the Town of Merrillville Police Department. Chief Nuses also informed the council that Patrolman Nylin will be attending the academy for training and after training, he will be out on the road.

**Swearing in of New Police Chief - Chief Konstantinos Nuses**

Chief Nuses was sworn in by Madam Clerk-Treasurer Kelly White Gibson as the new Police Chief of the Town of Merrillville Indiana.

The following Police Chiefs attended the ceremony in support of Chief Nuses:

- Chief Ryan Patrick (City of Crown Point, Indiana)
- Chief Pete Sormaz (Town of Schererville, Indiana)
- Chief Vincent M. Balbo (Lake County Sheriff's Department)
- Chief Anthony Titus (City of Gary, Indiana)

President Bella thanked the Police Chiefs, Clergies, Police Commissioners, Madam Clerk-Treasurer Kelly White Gibson, and the audience for attending the swearing-in ceremony and for all of their support.

Madam Clerk-Treasurer Kelly White Gibson thanked President Bella for setting up the ceremony.

**CONSENT AGENDA**

Accts. Payable Register Voucher Approval for July 25, 2023.  
Approval of Town Council Meeting Minutes of July 11, 2023.

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

No further questions or comments from the council.

Motion carries by voice vote

**STANDING & SPECIAL COMMITTEES REPORTS**

**BUDGET & FINANCE- HARDAWAY** – Vice-President Hardaway informed the council that all department heads should have received their packet for the 2024 budget, and the budget hearings are going to be scheduled for the second week of August around August 14<sup>th</sup> and 15<sup>th</sup>.

Vice-President Hardaway also informed the council and department heads that their budget information is due to Financial Advisor Hudson next week so she can formulate all the information. If the department heads have any questions regarding their budget packets, please reach out to Financial Advisor Hudson.

**COUNCIL AFFAIRS- PETTIT** – Councilman Pettit informed the council that later on the agenda is first reading Ordinance 23-19 and that he spoke to Chief Nuses and Attorney Svetanoff. This was in a group of ordinances that Attorney Svetanoff prepared.

Councilman Pettit also informed the council that he has received telephone calls regarding the problem in the East 72<sup>nd</sup> Avenue areas for problems homes. He spoke to Chief Nuses about the problem. Ordinance 23-19 will allow the Police Department to issue tickets to the property owner for public nuisances.

Chief Nuses stated that yes, the passing of Ordinance 23-19 will allow his department to issue tickets.

Councilman Pettit informed the council that we can't suspend because there are fines involved.

**STREET DEPARTMENT- MINCHUK** – Councilman Minchuk informed the council that Waste Management for the remainder of this week will start garbage pick-up at **5:00 am** due to the extremely high heat. He requested that this information be shared on the Town's social media platforms to inform the residents of this one-week-only change in the pickup time.

**ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT**- Councilman Pettit informed the council that he would defer his report to Vice-President Hardaway with announcements.

**ENVIRONMENTAL AFFAIRS- WHITE** - Councilman White informed the council that he has nothing to report at this time.

**PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY**- Vice-President Hardaway informed the council that on Monday, July 24<sup>th</sup> late afternoon President Bella received a letter from Mr. Patrick Reardon, Town Manager of the Town of Merrillville Indiana, Mr. Reardon advised the council he would be resigning his position as Town Manager effective Monday 24<sup>th</sup>.

A motion was made by Vice-President Hardaway that the council accept Mr. Patrick Reardon's resignation letter, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote

**PUBLIC SAFETY- MINCHUK**- Councilman Minchuk informed the council that several projects in the works are still ongoing.

**ECONOMIC DEVELOPMENT-PETTIT** – Councilman Pettit informed the council that he would defer his report to Vice-President Hardaway on an announcement coming up on Thursday, July 27, 2023, for the Job Fair.

Vice-President Hardaway informed the council that the Job Fair will be Thursday, July 27<sup>th</sup> from 11:00 am until 3:00 pm at the Dean and Barbara White Community Center. There will be about fifty-two or fifty-three companies that are lined up to attend. Anyone looking for employment should attend this event.

Vice-President Hardaway also informed the council that he heard this morning that our employment numbers have increased so there're plenty of opportunities for people looking for employment. You may get interviewed on the spot and be hired by the company.

President Bella informed the council that the most recent report he was able to review indicates we now have sixty-five companies participating in this event.

**PARKS & RECREATION- UZELAC** – Councilwoman Uzelac informed the council that the parks are in order thanks to Director Price and his department.

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

**DEAN & BARBARA WHITE COMMUNITY CENTER-PETTIT** – Councilman Pettit informed the council that he would defer his report to Mr. Michael Neal from Parks and Recreations.

Mr. Neal informed the council that several events are coming up at the Dean and Barbara White Community Center. The events are as follows:

- Jazz and Gospel Feast – Saturday, July 29<sup>th</sup> from 12:00 pm until 7:00 pm
- Dana Evans' Basketball Camp – Monday, August 7<sup>th</sup> from 2:00 pm until 5:00 pm.
  - Dana Evans is a graduate of Westside High School who now plays for Chicago Sky. She won a championship ring with the team and will be giving a basketball camp at the Dean and Barbara White Community Center.
- Glow Night – Wednesday, August 19<sup>th</sup> starts at 8:00 pm.
- Cruise Night – Saturday, August 26<sup>th</sup> starts at 5:00 pm (more information will be forthcoming)

Mr. Neal also informed the council that the Mixed Martial Arts (MMA) event that occurred on Saturday, July 22<sup>nd</sup> at the Dean and Barbara White Community Center had twelve hundred (1,200) people in attendance. One of the MMA fighters went to Merrillville High School and won his match.

Councilman Pettit informed the council that he spoke to Mr. Neal and President Bella emailed Director Price regarding using the Dean and Barbara White Community Center as a cooling shelter from now until Friday, July 28<sup>th</sup>, 2023 until 9:00 pm.

Councilman White informed the council that he would like to offer 6120 Broadway as a cooling center.

President Bella informed Director Shine that we need to make sure Brian Deering knows about the Classic Auto Show being hosted at the Dean and Barbara White Community Center.

**SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4<sup>TH</sup> of JULY CELEBRATION- HARDAWAY** - Vice-President Hardaway informed the council about the following:

**Job Fair July 27<sup>th</sup> from 11:00 am – 3:00 pm**

Vice-President Hardaway informed the council that the Job Fair has already been mentioned earlier on the agenda.

**National Night Out August 1<sup>st</sup> from 5:00 pm until 8:00 pm**

Vice-President Hardaway informed the council that the National Night Out will be on Tuesday, August 1, 2023, at the Dean and Barbara White Community Center from 5:00 pm until 8:00 pm. The parking lot of the community center will be sectioned off by Wards 1 through 7. We encourage residents to come out and have an opportunity to meet their Elected Officials and fellowship with neighbors.

Vice-President Hardaway also informed the council at National Night Out we will have the following:

- Food
- Water
- Soda
- Music
- Games for the kids
- Bouncy House for the kids
- Snow Cones and popcorn

Vice-President Hardaway informed the council that the National Night Out was very successful last year and we had a great turnout. We encourage the residents they come out to find out what Ward they are in and go to that area. Last year there was a little misunderstanding when people were in the parking lot as opposed to going inside and sitting in the designated area of their Ward. To eliminate the confusion this year, we will have an information table set up at the front entrance. You will be able to find out what Ward you are located in and participate with the people in your Ward.

**DEPARTMENT & COMMISSION REPORTS**

**LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE** – Councilman White informed the council that a meeting was supposed to occur last Thursday, July 20, 2023, at Lake County Solid Waste Management, but there wasn't a quorum. The agenda items that were up for discussion were personnel and budgeting issues. The meeting has been rescheduled for Thursday, August 17, 2023.

**NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY** – Vice-President Hardaway informed the council that at the meeting there was a presentation from British Petroleum (BP) about the carbon-hydrogen

separation that's two or three years away, but it's something that is coming and will put Northwest Indiana on the map. This is going to help tremendously with the things we are trying to do here.

Vice-President Hardaway also informed the council that the 2050 Plan was approved for Northwestern Indiana Regional Planning Commission (NIRPC). A copy of the plan was given to Director Shine for her review. This may help the Town of Merrillville Comprehensive Plan.

**STORMWATER MANAGEMENT RESOURCES-LAKE** – Director Lake gave the council the status of the following project:

- Kaider Ditch Lateral Project (Taney Ditch)
  - Gough Contraction is back on the project for the crossing and plans to continue until the project is complete. The stone of some of the crossings has been smoothed out by Gough Construction because the stone was getting compacted.
- Southmoor Park Drainage Improvement Project
  - We are finalizing the bid documents for the project and shortly the project will be going out for bid.
- Clay Street Project
  - Clay Street is done with the triple box culvers so other than NIPSCO being there with the sub-transmission lines we can get that paved.
  -

**SOUTHSHORE VISITORS AND CONVENTION AUTHORITY -REARDON** - Town Manager Reardon resigned from his position.

**FIRE TERRITORY BOARD-MINCHUK** – Councilman Minchuk informed the council that the last meeting was postponed, and the new meeting date is August 10<sup>th</sup>.

Councilman Minchuk asked Councilwoman Neal did she get the meeting notice email.

Councilwoman Neal stated she doesn't recall.

Councilman Minchuk stated he would get with her regarding the details.

President Bella asked Director King and Interim Town Manager to make sure that the Fire Territory Board has the contact information for Councilwoman Neal.

## **DEPARTMENT REPORTS/TOWN MANAGER**

### **Director Shine – Building and Planning**

Director Shine informed the council that the Building and Planning Department is very busy. The department has issued all the building permits for Nuvu Flats which is the Berkshire Community located on 93<sup>rd</sup>. We will be issuing the permits for the Weiss Community on the other side of 93<sup>rd</sup> which will be the Monarchs.

Director Shine also informed the council that the Building and Planning Department has exceeded \$1,000,000.00 in building permit fees.

President Bella congratulated Director Shine and her department.

Councilman Pettit asked Director Shine will there be any petitions in August for the Planning Commission.

Director Shine stated there are no petitions scheduled for August.

### **Director King – Street Department**

Director King and Interim Town Manager informed the council that the Street Department is very busy. The department has been out crack sealing the roadways, asphalt pavement patching, maintaining the Town's properties, mowing, weed whacking, and various other projects.

President Bella asked Director King and Interim Town Manager to discuss the Tree Branch Program.

Director King and Interim Town Manager informed the council and audience that the Tree Branch Program has been revamped. The pickups were once in the Spring, once in the Fall, and when storm damage occurred. At any other time, residents could bring their branches to the North Barn located at 5750 Tyler Street. Now we have assigned a crew to do branch pick-up until our Leaf Pickup Program starts. We will have information on the Leaf Pickup Program at a later date. If the residents have questions, they can contact the Street Department at (219)769-6784.

### **Michael Neal – Parks Department**

Director Price was absent

President Bella asked Mr. Neal did he have anything else to add to his previous report.

Mr. Neal informed the council that he would like to thank all the employees for the great job they are doing in Parks and Recreation.

Councilman White informed the council that he would like to thank Director King and Interim Town Manager for the speed humps on Grant Place.

**Chief Nuses – Police Department**

Chief Nuses informed the council that he would like to thank everyone for tonight and he will do his very best to make everyone proud and serve the public to the best of his abilities.

Chief Nuses also informed the council that with the Police Department has started working on updating and creating new ordinances with the help of Attorney Svetanoff.

Chief Nuses informed the council the next project is to study traffic patterns from the data collected from the signs, accidents, and at-fault accidents. We're trying to put a formula together so we can have a creative and proactive approach to the traffic problems in the Town of Merrillville. We want to have an actual plan to determine what times throughout the day people are speeding.

Chief Nuses also informed the council that he is working with Director Price regarding installing cameras because of the incidents that have been occurring at the parks. He and Director Price will be talking to several companies to see what kind of solution is available.

Chief Nuses informed the council that he is looking forward to the National Night Out where he can meet and talk to the residents.

**GENERAL ORDERS**

**A. Ordinances**

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

**Ordinance 23-19 (Discussion and Roll Call Vote)**

An Ordinance Concerning Real Estate in the Town of Merrillville Which Is Used or Permitted to be used by the owner for Illegal Activities and Declaring Same a Public Nuisance.

A motion was made by Councilman Pettit to approve Ordinance 23-19, seconded by Councilman White.

President Bella asked Attorney Svetanoff how much of Ordinance 23-19 would he like to read into the record.

Attorney Svetanoff stated all the WHEREAS specifically number five.

President Bella asked Madam Clerk-Treasurer Kelly White Gibson to read all of the WHEREAS into the record.

Madam Clerk-Treasurer Kelly White Gibson read the following into record:

**TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA**

**ORDINANCE NO. 23-19**

**AN ORDINANCE CONCERNING REAL ESTATE IN THE  
TOWN OF MERRILLVILLE WHICH IS USED OR PERMITTED  
TO BE USED BY THE OWNER FOR ILLEGAL ACTIVITIES,  
AND DECLARNG SAME A PUBLIC NUISANCE**

**WHEREAS**, the Indiana Unsafe Building Act, under Indiana Code 36-7-9-4 defines unsafe building and unsafe premises, in part, as those which are "... a public nuisance;" and

**WHEREAS**, the Unsafe Building Act, provides to municipalities, under Indiana Code 36-7-9-5 the statutory ability to take any reasonable action necessary against any unsafe buildings and unsafe premises by Ordinance and enforcement under the Unsafe Building Act;

**WHEREAS**, the Town Council of the Town of Merrillville, wishes to enable to the Town of Merrillville's Law Enforcement and Enforcement Authority to identify, address, remedy, cite and eliminate public nuisances located in the Town of Merrillville, under the Town's police powers and for the purposes of promoting public safety and welfare and building a stronger and safe Town for its residents; and

**WHEREAS**, The Town Council of the Town of Merrillville, has determined that property located in the Town of Merrillville, upon which illegal activity occurs, is a detriment to the public peace, health, welfare and safety and is thereby a public nuisance which shall be abated by Law Enforcement, the Law Department and the Town's Enforcement Authority; and

**WHEREAS**, it is the intention of the Town of Merrillville to create a lawful Ordinance and nothing in this Ordinance shall be construed to encourage or authorize discrimination by any person or entity against any person based upon race, creed, religion, gender, age, family status, disability or national origin. Rather it is the intent of this Ordinance to provide for safe and healthful housing for Merrillville residents and to hold persons and property owners accountable for acquiescing in, ignoring, tolerating, permitting or participating in the use of that property for criminal, illegal, unhealthy or unsafe conduct or activities, once receiving notice of such activity from the Town of Merrillville.

President Bella asked Attorney Svetanoff to paraphrase from this point.

Attorney Svetanoff informed the council that we have established or revamp the definition section of Ordinance 23-19. We went to criminal, legal, and unsafe use or real estate prohibition notice to the owner or activity on the property. We defined what criminal, legal, and unsafe use is in the ordinance. We go to section three which is eviction proceedings as a defense that's for the benefit of the property holder if they are leasing out the property. These will be civil charges not criminal against the property owner and or lessee. A records cap of the Town will be kept on file. The penalty has been severely advanced, and it'll be \$2,500.00 potentially for the first offense, second and subsequent offenses up to \$7,500 so it expands the penalty section. There is a severability that states that if any one of these sections is declared null and void, then the whole ordinance won't be considered null and void. We also have an effective date.

Attorney Svetanoff informed the council that concludes the sum and substances of Ordinance 23-19.

Councilman Pettit asked Chief Nuses and Attorney Svetanoff how many times must an officer goes to an address before action is taken and if the action is immediate.

Chief Nuses informed the council that the first time the officer shows up on the property the violator gets a warning. The second time a ticket will be issued.

Attorney Svetanoff confirmed that a warning is given the first time and after that action is taken.

Councilman Pettit illustrated with the following example:

A nescience call comes in on a Monday to the Police Department. The officer shows up and gives the violator a warning. Another call comes in on Friday regarding the same violator, the officer gives the violator a ticket with a potential of a \$2,500.00 fine,

Attorney Svetanoff informed the council that this is the way Ordinance 23-19 is interpreted.

Councilman Minchuk made a motion to approve Ordinance 23-19.

President Bella informed Councilman Minchuk that a motion was already on the floor.

Councilman Minchuk apologized.

Councilman White asked does Ordinance 23-19 applies to apartment buildings.

President Bella stated that Ordinance 23-19 applies to any address.

No further questions or comments from the council.

Motion carries by roll call vote 7-0.

**Ordinance 23-20 (Discussion and Roll Call Vote)**

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

A motion was made by Vice-President Hardaway to approve Ordinance 23-20, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by roll call vote 7-0.

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

**Ordinance 23-18 (Discussion, Public Comment, and Roll Call Vote)**

An Ordinance of The Town of Merrillville, Lake County, Indiana, Amending Ordinances 23-16, 23-01, and 22-29A, and Pay for Employees of The Town of Merrillville, Indiana, For the Calendar Year 2023.

A motion was made by Vice-President Hardaway to approve Ordinance 23-18, seconded by Councilman Minchuk.

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 July 25, 2023

Vice-President Hardaway informed the council that the ARP Voucher summary is \$67,460.00.

Vice-President Hardaway made a motion to approve \$67,460.00, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote.

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

**Applicant:** St. Elijah Serbian Orthodox Cathedral

**Owner:** St Elijah Cathedral Serbfast

**Request:** Approval for Large Gathering Permit

**Purpose:** SNF Golf Tournament

**Location:** 8700 Taft Street

**Date:** August 3<sup>rd</sup>, 4<sup>th</sup>, 5<sup>th</sup> 2023 3:00pm – 12:00 am

Planning and Building Director Shine elaborated on the Large Gathering Action

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

Councilman White asked Director Shine about playing golf until midnight.

Director Shine informed the council that is their hours of operation, and she doesn't know how the golf tournament is set up.

Attorney Svetanoff informed the council that the golf tournament is off-site then people come back to the venue for the festival.

Director Shine informed the council we are only approving what is happening at 8700 Taft Street and that is where the Large Gathering Action will occur.

President Bella informed Director Shine and the council that signs are going up as soon as the activities and Church events are approved. He doesn't have a problem with the signs, but if they block traffic or the line of traffic, line of sight, and or during a windstorm they pose a hazard. We need to be involved and help them understand the sign ordinances in Town and adhered to them.

Director Shine informed the council she sends out an approval letter with the event permit. She will make sure information regarding the signs is included in the letter.

No further questions or comments from the council.

Motion carries by voice vote.

**OLD BUSINESS**

None

**NEW BUSINESS**

Councilman White informed the council that he spoke to Pastor Robert Szoke of Impact Church, and they are going to have a Back-to-School Block Party on August 5<sup>th</sup> from 1:00 pm until 4:00 pm.

**SPECIAL PRESENTATIONS**

None

**ANNOUNCEMENTS:**

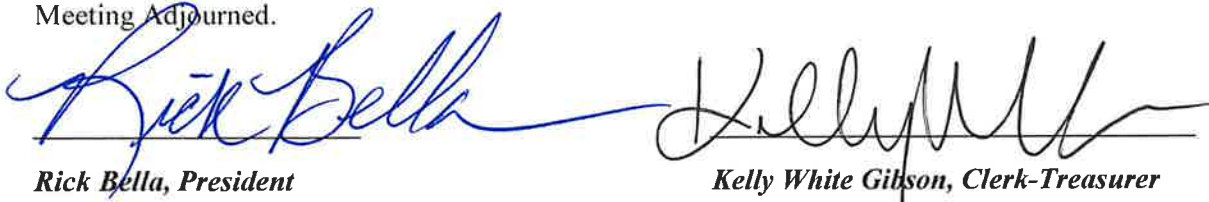
- BZA Meeting July 26<sup>th</sup> at 6:30 pm
- Job Fair July 27<sup>th</sup> from 11:00 am – 3:00 pm at the Dean and Barbara White Community Center
- National Night Out August 1<sup>st</sup> from 5:00 pm until 8:00 pm
- Town Council Meeting August 8<sup>th</sup> at 6:30 pm

**ADJOURNMENT:**

Councilman Pettit made a motion to adjourn, seconded by Councilwoman Uzelac.

Motion carries by voice vote.

Meeting Adjourned.

The image shows two handwritten signatures in blue ink. The signature on the left is for Rick Bella, and the signature on the right is for Kelly White Gibson. Both signatures are written over horizontal lines.

*Rick Bella, President*

*Kelly White Gibson, Clerk-Treasurer*

*Minutes Submitted By Angela Lewis*