



Town of Merrillville
Town Council Meeting Minutes
August 8, 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 Earl Barton of Impact Church.

PLEDGE OF ALLEGIANCE: Led by Commissioner Ward.

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

Present were:

Vice-President Hardaway - (Ward 2)

Councilman Minchuk - (Ward 3)

Councilwoman Uzelac - (Ward 4)

Councilman White - (Ward 7)

Councilwoman Neal – (Ward 1)

Councilman Pettit – (Ward 6)

President Bella - (Ward 5)

All Seven (7) Present

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

Swearing in of Officer Denise Marie Szany

Officer Denise Marie Szany was sworn in by Madam Clerk-Treasurer Kelly White Gibson.

Chief Nuses gave a brief overview of Officer Szany’s qualifications and experience.

President Bella asked Chief Nuses how soon can we expect to see Officer Szany out on patrol.

Chief Nuses informed the council that Officer Szany is currently doing her field training. After her field training, she will be out on patrol.

“Revised” License Agreement between the Town and Milestone

President Bella asked Attorney Svetanoff to give a brief synopsis regarding the agreement between the Town of Merrillville and Milestone Contractors North, Inc (Milestone).

Attorney Svetanoff informed the council that the Town was contacted by Milestone, who is the paver provider for the Town’s roadways since 2016, regarding a piece of land owned by the Town located North of 89th Avenue and East of Randolph Street in Merrillville Indiana called the Pit. The Pit is used for our trash, debris, and other “Clean Fill” material. We are going to allow Milestone to lease out a license agreement for one year regarding the Pit at \$50.00 per load of “Clean Fill” material. Milestone will keep track of the load and provide us with funds monthly. The area will be used by Milestone for hauling and filling of “Clean Fill” material and for no other purpose. Clean Fill is defined as dirt, clay, sand, aggregate, concrete, brick, ceramic tile, used asphalt, and non-Contaminate Material.

Attorney Svetanoff also informed the council that he has reviewed the contract with Milestone's council and our council. The agreement is in proper order and form. It should be entered into at this meeting by the council.

Director and Interim Town Manager King informed the council that the Pit referred to earlier is owned by the Town of Merrillville and monitored and permitted by the Indiana Department of Environmental Management (IDEM) to ensure that the Pit is a "Clean Fill" site.

A motion was made by Councilman Pettit to approve the License Agreement between the Town of Merrillville and Milestone Contractors North, Inc., seconded by Vice-President Hardaway.

Councilman Pettit informed the council that he received calls on this matter and has talked to Director and Interim Town Manager King. He would like to get together with Director and Interim Town Manager King and Chief Nuses to monitor what is happening at 98th and Randolph.

Councilman Pettit also informed the council that he has received several calls as to why a stop sign is going up. He is going to vote in favor of the contract, but we will need to sit down and look at traffic and trucks going down Randolph. Randolph has been repaved and 89th is a dirt road.

Director and Interim Town Manager King informed the council that the dirt road is a gravel road.

Councilman Pettit informed the council that this is all "Clean Fill" material as Director and Interim Town Manager King alluded to earlier. This is the location where we take all of our leaves during leaf collection and create mulch. This location is alongside the Lake County Water Park.

Councilman Pettit also informed the council that he wants to make sure the residents are comfortable with the traffic. The \$50.00 per load is a revenue generator so he will support this contract.

Councilman White asked Director and Interim Town Manager King about the permitting by IDEM for the non-compost site.

Director and Interim Town Manager King informed Councilman White that we won't be dumping the debris near the compost site. The compost site is a separate area. The "Clean Fill" site is further up where we bring the branches and other fill. IDEM monitors the entire site.

Councilman White informed the council he just wants to make sure the Town doesn't need approval from IDEM to enter into this agreement.

Director and Interim Town Manager King informed the council that the Town doesn't need approval from IDEM because we are already permitted as a "Clean Fill" site. We get audited twice a year by IDEM.

Councilman White informed the council that the license agreement states that Milestone will have asphalt. The asphalt is petroleum based which may cause contamination and that is his concern as Environmental Affairs Chairman.

No further questions or comments from the council.

Motion carries by roll call vote 6-1.

CONSENT AGENDA

Accts. Payable Register Voucher Approval for August 8, 2023.

Approval of Town Council Meeting Minutes of July 25, 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 7-0.

STANDING & SPECIAL COMMITTEES REPORTS

BUDGET & FINANCE- HARDAWAY – Vice-President Hardaway asked Financial Advisor Hudson the status of the scheduling of budget hearings.

Financial Advisor Hudson informed the council that she met with Director and Interim Town Manager King briefly to discuss putting a schedule together. I just need to give him a callback and get the times assigned.

Financial Advisor Hudson also informed the council she believes Vice-President Hardaway wanted to start Monday through Tuesday on August 14th and 15th at 4:30 pm for twenty to thirty minutes depending on the size of the department.

Vice-President Hardaway confirmed the dates and time. He asked Financial Advisor Hudson did every department submit its budget,

Financial Advisor Hudson stated that all departments have submitted their budget,

COUNCIL AFFAIRS- PETTIT – Councilman Pettit informed the council that later on the agenda under the second reading there is an ordinance that Attorney Svetanoff put together upon the recommendation of Chief Nuses regarding illegal activities for nuisances.

STREET DEPARTMENT- MINCHUK – Councilman Minchuk informed the council that fall is approaching so keep an eye out for the fall newsletter. We will have the leaf pickup schedule listed. Make sure you have your leaves ready for pickup during the times listed in the newsletter.

Council Minchuk also confirmed with Director and Interim Town Manager King that there will be two pickups early and late.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT- Councilman Pettit informed the council that he has nothing to report at this time.

ENVIRONMENTAL AFFAIRS- WHITE - Councilman White informed the council that there's an uptick in the numbers for Covid-19. The new variant is called EG.5 "ERIS". This variant isn't aggressive as the initial one, but the Center for Disease Control (CDC) is starting to see an uptick in hospitalizations. There isn't any data on how this new variant is impacting Merrillville. Our numbers in Merrillville are still consistent with being to be low.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- Vice-President Hardaway informed the council that he would like Chas Reilly to stay after the meeting to meet with him and President Bella.

PUBLIC SAFETY- MINCHUK- Councilman Minchuk informed the council that he has nothing to report at this time.

ECONOMIC DEVELOPMENT-PETTIT – Councilman Pettit informed the council that with the permission of President Bella and Councilwoman Uzelac, he would like to call a joint meeting of the Merrillville Planning Commission, Redevelopment Commission, and Town Council on Tuesday, September 5, 2023.

Councilman Pettit also informed the council that he and Director and Interim Town Manager King heard a presentation from Butler, Fairman, and Seufert. The Town of Merrillville was awarded \$3,800,000.00 from Northwestern Indiana Regional Planning Commission (NIRPC) for some roundabouts or traffic mitigation at US 30 in Mississippi and Butler, Fairman, and Seufert have come up with some alternatives.

Councilman Pettit informed the council that he told Butler, Fairman, and Seufert that he needed input from his colleagues on this matter. This isn't a sole decision as to how we handle the traffic that's taking place basically between the US and 73rd Avenue so at this time I would like to have the joint workshop on Tuesday, September 5, 2023, at 5:00 pm.

PARKS & RECREATION- UZELAC – Councilwoman Uzelac informed the council that the parks are in order and the bike trails have been cleaned.

Councilwoman Uzelac also informed the council that she has received calls regarding the debris left by NIPSCO. There are also wires hanging in one resident's yard. The yard is in bad shape. There is also an email from the resident included in your packet. Rosenbalm Park also had problems with equipment and debris.

Councilwoman Uzelac informed the council she tried to reach out to Director Lake.

President Bella informed the council that Director Lake is on a vacation day, but he did go out and talk to the representative. The debris, equipment, and wires have been removed. He has the picture to prove this was done. The road is being paved tomorrow.

President Bella also informed the council there is a bigger question. How do we allow utilities to come into the Town? We have had more utility work done this year than in the last fifty years. These companies are digging up all through Sedona. A bigger question is how to work with contractors Director Shine and Director King to ensure that contractors are held accountable when they work in our Town on a project.

President Bella also asked Attorney Svetanoff from a legal perspective how can we hold them accountable to do the work and then restore the yards and parkways to what they were before the work was done.

Attorney Svetanoff informed the council that we need to create a pipeline of communication with NIPSCO. We are going to sit down with one of their high-level representatives about the debris, wire, and equipment that is left by their third-party contractors. In talking to the upper-level management, we're hopeful to create some synergy to get this problem resolved. If not, we may have to get town contractors and hand NIPSCO the bill.

Councilman Pettit elaborated on problems Chapel Manor has had with debris from third-party contractors.

President Bella informed the council that a third-party contractor doesn't have the same connection with Town as NIPSCO.

Councilwoman Uzelac elaborated on more problems with third-party contractors.

Councilman Minchuk elaborated on problems with American Water's third-party contractors.

Councilman Pettit informed the council that one of his constituents informed him that a big chunk of the gazebo roof is missing in the parking lot at Town Hall.

Councilwoman Uzelac informed the council that the roof is fixed at Rosenbalm Park. She also stated that the floor has been replaced.

Director Price informed the council that he has to double-check about the floor being replaced.

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

Councilman White informed the council that he, Vice-President Hardaway, and Attorney Svetanoff talked about some situations occurring at 61st. The Plaza has been sold and the owner wants to keep the Pancake House which has been empty for three years. Does this property fall under blighted properties?

Vice-President Hardaway informed the council that as long as the property is maintained by keeping the grass cut and making sure no windows are broken there's nothing we can do.

Councilman White informed the council that if no time limit is put on these empty buildings, they could be empty for a long time.

President Bella informed the council maybe we should reach out to Mr. Anderson to see if we can start a dialog.

Attorney Svetanoff asked Director Shine to research the Plaza to make sure the Pancake House is still in Mr. Israel's name and it's a separate key number. We will go from there with Mr. Israel and the new owners.

Vice-President Hardaway informed the council that the building also has a small portion of graffiti, on the southeast side of the building and asked Director and Interim Town Manager King to have someone from his staff paint over it.

Councilman White informed the council that graffiti is on one of the containers located on US 30 adjacent to Portillo's.

Director Shine informed the council that her department is trying to locate the owner. No one wants to take ownership of the container.

Councilman White informed the council the last time he painted the container, but we do need to take care of it.

DEAN & BARBARA WHITE COMMUNITY CENTER-PETTIT – Councilman Pettit informed the council that he will defer to Director Price.

Director Price informed the council that the center hosted Chicago Sky Guard and WNBA Dana Evans youth basketball camp yesterday. The camp had over 100 youth register and participate. Not only was there strong local representation, but the camp also had participants from Illinois and Michigan. A special thank you to the Evans family and Brand Jordan for allowing us the opportunity to host the camp, and also a special thank you to Officer Nic Berzac Ian Fultz, Matt Reynolds, and Kwata Osborne for theirs's efforts and great work with security. Kelly Soul Food Kitchen for the meal, our staff, and thank you again to the family of Darius Garland who provided us with a blueprint last summer on how to host events such as this one.

Director Price also informed the council of the following:

- The Boys and Girls Club Conference will be held at the Dean & Barbara White Community Center on Wednesday, August 8th, and Thursday, August 9th.

- Ms. Arianna Francis is the new Club director for the Merrillville Boys Club for the 2023-2024 school year.
- Kiwanis Club is dedicating a bench to Kurtis Park on Wednesday, August 9th at 10:30 am

Director Price informed the council that 219'N Wranglers in partnership with the Dean and Barbara White Community Center presents:

August 19th - Glow Night-Dean & Barbara White Community Center, starts at 8:00 pm. Food Trucks trophies will be given to the following:

- Best Glowing Jeep, Truck, Slingshot, Can-AM Spyder & Car
- Deepest Crew Trophy
- Best Sounds in Slingshot
- Best Sounds in Jeep

August 26th - Cruise Night starts 5:00 pm

- Food Trucks and Vendors
- Muscle Cars, Classic Cars, Motorcycles

Director Price encouraged residents to attend and bring lawn chairs for Cruise Night.

Councilman Pettit asked Councilman Minchuk has Pop Warner started practice.

Council Minchuk informed the council it should be soon.

Director Price informed the council that Pop Warner have already started practice.

Council Pettit informed Council Minchuk that they need to find a Thursday to meet to talk about physical improvements that need to work on the north parking lot and fence. The meeting will be on August 24th at the Dean and Barbara White Community Center.

Director Price informed the council that he would like to have a conversation regarding how we reserve our parks for the public. We have some concerns about what is going on at the Parks and cut down on the property being vandalized, trash, illegal firework, and other concern.

Councilman Pettit informed the council that he would like to meet with Director Price after the council meeting igniting Epic Volleyball Club.

Councilman Minchuk informed the council that Director and Interim Town Manager come to the meeting along with Andrew.

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 participated in National Night Out. We had a great time.

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE – Councilman White informed the council that a meeting is scheduled for August 17, 2023.

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

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

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY -

FIRE TERRITORY BOARD-MINCHUK – Councilman Minchuk informed the council that a meeting is scheduled for August 10, 2023, at 3:30 pm.

DEPARTMENT REPORTS/TOWN MANAGER

Director Price– Parks Department

President Bella asked Director Price did he have anything to add to his earlier report.

Director Prices informed the council that he has nothing to add.

Chief Nuses – Police Department

Chief Nuses informed the council that he would like to thank everyone who came out to the National Night Out. The Job Fair was excellent and resulted in two potential candidates for Police Officers.

Chief Nuses also informed the council that at the last meeting he discussed gathering information from the speed signs and accident reports. We have almost concluded our investigation into the accidents that were caused by excessive speed. We didn't want to follow up with any type of speed report because we didn't want a biased report.

Chief Nuses informed the council he will be meeting with Director and Interim Town Manager King to get the actual reports regarding the speed and put everything together.

Chief Nuses elaborate on the steps the department is taking in modern-day policing or smart policing.

Chief Nuses also informed the council that an incident occurred where one of the officers went to serve a felony warrant for a violent crime and the suspect fled, but he was successfully apprehended via a police canine. The containers are being addressed with tickets being written by Code Enforcement. If anyone sees these containers, please feel free to notify the Police Department and we will address the issue first with a warning, then ticketing occurs if the warning doesn't prompt removal of the container.

Councilman White asked Chief Nuses can the containers be removed.

Chief Nuses informed the council that we can't remove the containers because they are private property,

Councilman White informed the council that he did speak with Director Lake regarding the pond at Barkley Village. The people who own the property will implement improvements. Councilman White elaborated on the improvement.

Director Shine – Building and Planning

Director Shine informed the council that she and Chief Nuses have met with the prospective or proposed owners of the Hickory Lake Ridge Apartment Complex. A permit will be issued to JMB Restoration to remove the bricks from two buildings. The structure of the building can't be properly assessed until the bricks are removed.

Director Shine elaborated on the project.

President Bella asked Director Shine can we ask the current owner to put out a flyer to let the residents know what is going on with this project.

Director Shine informed the council that the current owners will be issuing flyers to the residents,

Attorney Svetanoff asked Director Shine to make that the current owner copies the council on all communication to the residents.

Councilman White asked Chief Nuses to contact the Lake County Health Department and ask about the mold remediation at Hickory Lake Ridge Apartment Complex.

Director Shine informed the council she and Chief Nuses will try to get all of the requested information.

Director King – Street Department and Town Manager's Office

Director and Interim Town Manager King informed the council of the following:

- **Job Fair**
The Job Fair was another great event put on by the Town and hats off to everyone who was involved especially Administrative & Building Manager Rosas and Brenda Mecchia. We had seventy-five vendors and a line out the door before we even opened.
- **Summer Operations**
Our department is doing some crack sealing, mowing the Town's lawn on the property, and keeping everything maintained. Branch pick-up is ongoing. We have a crew running around town picking up branches all summer.
- **Town Manager's Office**
We're in the process of getting some appraisals for some properties around Town Hall and hopefully we will complete the purchase of the property to do our new Town Center. We did get about \$250,000.00 from Northwestern Indiana Planning Regional Planning Commission for the planning of the new Town Center.

GENERAL ORDERS

A. Ordinances

First Readings: (Discussion and Roll Call Vote)

Ordinance 23-21 (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 Councilman Pettit to approve Ordinance 23-21, seconded by Councilwoman Uzelac.

Councilman White asked where the additional appropriation is going to and coming from on Ordinance 23-21.

President Bella informed the council that this isn't a transfer, but an appropriation. The appropriation allows us to spend the funding.

President Bella asked Financial Advisor Hudson to explain Ordinance 23-21.

Financial Advisor Hudson informed Councilman White there is a balance of over \$1,000,000.00 in the Wheel Tax Fund right now. Director and Interim Town Manager King has some projects that will be using some of these funds. There is cash available in the fund with money left over to be a nice cash balance for reserve.

Councilman Pettit informed the council that the Community Crossing projects are funded out of Wheel Tax.

Director and Interim Town Manager King informed the council that Ordinance 23-21 is to pay the bills for the projects.

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 23-19 (Discussion, Public Comment, 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 Councilwoman Uzelac.

Councilman White informed the council that he supports Ordinance 23-19 one hundred percent.

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

Motion carries by roll call vote 7-0.

Ordinance 23-20 (Discussion, Public Comment, 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 Councilman Pettit to approve Ordinance 23-20, seconded by Councilwoman Uzelac.

President Bella informed the council that we are making an appropriation and asked Financial Advisor Hudson to confirm.

Financial Advisor Hudson informed the council that the initial appropriation of \$70,000 has already been expended and that additional appropriation will fund the last of the projects.

Councilman Pettit asked Financial Advisor Hudson about ordinances for an additional appropriation.

Financial Advisor Hudson elaborated on the publishing, first-reading, and second-reading process.

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 August 8, 2023

Vice-President Hardaway informed the council that the ARP Voucher summary is \$396,042.00.

Vice-President Hardaway made a motion to approve \$396,042.00, seconded by Councilman Minchuk.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

D. BZA & LARGE GATHERING ACTIONS

Applicant: FR. Mikola Markiewicz SDS

Owner: Salvatorian Fathers

Request: Approval for A Large Gathering

Purpose: Religious Gathering

Location: 5755 Pennsylvania Street

Date: August 13th, 10:00 am – 5:00 pm

Planning and Building Director Shine elaborated on the Large Gathering Action

A motion was made by Vice-President Hardaway to approve the Large Gathering Action, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

Applicant: Amy McDunn

Owner: Food Bank of NWI

Request: Approval for A Large Gathering

Purpose: Organization Fund Raiser

Location: 6490 Broadway

Date: August 12th, 12:00 pm – 2:00 pm

Planning and Building Director Shine elaborated on the Large Gathering Action

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

Councilman White asked if the fundraiser was for food.

Director Shine informed the council that the Food Bank is raising money for its budget.

Councilman White stated that alcohol is being sold.

Director Shine informed Councilman White that the alcohol is being sold at the event.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

Applicant: NWI Hindu Religious Center

Owner: NWI Hindu Religious Center

Request: Approval for A Large Gathering

Purpose: India Fest

Location: 8605 Merrillville Road

Date: August 18th, 10:00 am – 5:00 pm

Planning and Building Director Shine elaborated on the Large Gathering Action

A motion was made by Vice-President Hardaway to approve the Large Gathering Action, seconded by Councilwoman Neal.

President Bella informed the council this is in his district, and he supports this Large Gathering Action.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

Applicant: Food Bank of NWI
Owner: Food Bank of NWI
Request: Variance of Use Permit
Purpose: LED Electronic Message Center
Location: 6490 Broadway
Zoning: C-3 HWY Commercial Zoning District

Planning and Building Director Shine elaborated on the BZA Action

Councilman White asked the Petitioner how much the LED sign cost.

The Petitioner informed the council that they aren't cheap but last a long time and doesn't cost much to operate.

A motion was made by Vice-President Hardaway to approve the BZA Action, seconded by Councilwoman Neal.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

OLD BUSINESS

None

NEW BUSINESS

- Discussion/motion for town-wide traffic study – President Bella

President Bella elaborated on the traffic woes in the Town of Merrillville in regards to traffic congestion, red lights, stop signs, turn signals, speeding, and traffic tools.

President Bella asked for a motion and a vote on starting a process of a Request for Proposal for a town-wide traffic study and ask that we pay for the study utilizing the American Rescue plan funding since this study and subsequent actions will assist all Merrillville residents and visitors.

A motion was made by Councilwoman Uzelac and seconded by Councilman White.

Vice-President Hardaway informed the council of an incident where six cars ran the red light and didn't slow down.

Councilwoman Uzelac informed the council about the incident regarding the street stop sign and school bus stop sign being ignored.

No further questions or comments from the council.

Motion carries by voice vote 7-0.

SPECIAL PRESENTATIONS

None

ANNOUNCEMENTS:

- Plan Commission August 15th at 6:30 pm
- RDC Meeting August 22nd at 6:15 pm
- Town Council Meeting August 22nd at 6:30 pm

ADJOURNMENT:

A motion and a second were made.

Motion carries by voice vote.

Meeting Adjourned.



Rick Bella, President



Kelly White Gibson, Clerk-Treasurer

Minutes Submitted By Angela Lewis