

**Town of Merrillville  
Town Council Agenda  
Municipal Complex  
September 12, 2023 6:30 P.M.**

- 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**
- 6. Consent Agenda**  
Accts. Payable Register Voucher Approval for September 12, 2023  
Approval of Town Council Meeting Minutes of August 22 & 29, 2023
- 7. Standing & Special Committees Reports**
  - A. Budget & Finance** – Chair Mr. Hardaway  
*Members Mr. Pettit, Mr. Minchuk*
  - B. Council Affairs** – Chair Mr. Pettit  
*Members Mr. Minchuk, Mrs. Uzelac*
  - C. Street Department** – Chair Mr. Minchuk  
*Members Mrs. Uzelac, Mrs. Neal*
  - D. Elections, Public Relations, Town Beautification** – Chair Mrs. Neal  
*Members Mr. Hardaway, Mr. Minchuk*
  - E. Environmental Affairs** – Chair Mr. White  
*Member Mrs. Uzelac, Mrs. Neal*
  - F. Personnel Policy & Employee Benefits** – Chair Mr. Hardaway  
*Members Mrs. Uzelac, Mr. Pettit*
  - G. Public Safety** – Chair Mr. Minchuk  
*Members Mrs. Uzelac, Mrs. Neal*
  - H. Economic Development** – Chair Mr. Pettit  
*Members Mr. Hardaway, Mr. Minchuk, Deann Patena, Jennifer Doffin*
  - I. Parks & Recreation** – Chair Mrs. Uzelac  
*Member Mr. White, Mrs. Neal*
  - J. Abandoned-Blighted Properties** – Chair Mr. Hardaway  
*Members Vicki Bunnell, Adra Breclaw-Csanyi*
  - K. Dean & Barbara White Community Center**-Chair Mr. Pettit  
*Member Mr. White, Mr. Minchuk*
  - L. Special Projects (F & B Tax, Diversity, 4<sup>th</sup> of July Celebration)**  
*Chair 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

TOTAL
BELLA
WHITE
PETIT
UZELAC
MINC HUK
HARD AWAY
NEAL



# ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

## TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - SEPTEMBER 12, 2023 TC MEETING

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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)
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	59.18			OIL CHANGE #GGA72068
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	-10.52			RETURN WIX SPIN
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	43.96			CARTRIDGE TAPE RED @26.49 2
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	7735.00			MISC
//	1315	MENARDS	PNR/REPAIR PARTS	36.68			REPAIR PARTS
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	90.67			OIL CHANGE #XDG109479
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	10.52			WEX SPIN
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	51.76			LABEL TAPE @25.88 2 PACKS
//	420	DELTA III, INC.	SW/CONTRACTUAL SERV	680.00			SW LABOR VARIOUS LOCATIONS
//	140	FIRE SERVICE, INC	GENERAL/CLOTHING	509.94			ANIMAL CONTROL UNIFORMS
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	26.80			SHOP PARTS
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	12547.50			TC
//	1315	MENARDS	PNR/REPAIR PARTS	84.97			REPAIR PARTS
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	46.99			OIL CHANGE #LGC51109
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	19.98			WIX SPIN
//	691	POWER BRAKE & SPRING	LRS/REPAIR PARTS	-36.72			RETURN CREDIT
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	52.98			CARTRIDGE TAPE BLACK @26.49 2
//	373	A.E.BOYCE COMPANY, INC	GENERAL/FREIGHT	17.19			FREIGHT
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	380.00			R&R PURGE COLENOID EGB79815
//	867	BAKOS AND RICHARDS	GENERAL/CONT SVCS IT	1136.80			WIRELESS UPGRADES
//	561	BLOOMFIELD MECHANICAL	GENERAL/REPAIRS TO	535.00			THERMOSTAT REPLACEMENT
//	210	BUTLER, FAIRMAN &	BDWY TIF/ST IMPROVMT	1472.59			ENGINEERING FEES
//	420	DELTA III, INC.	SW/CONTRACTUAL SERV	680.00			SW LABOR VARIOUS LOCATIONS
//	140	FIRE SERVICE, INC	GENERAL/CLOTHING	372.00			NEW HIRE UNIFORM #430
//	183	FIRST GROUP ENGINEERING,	WHEEL TAX	11137.08			ENGINEERING SERVICES
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	53.66			MISC SIZE SCREWS
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	1155.00			BZA
//	51	LINDCO EQUIPMENT SALES	SW/REPAIRS TO	923.56			SW WAUSAU ANGLE CYLINDER
//	742	MARTINEZ, SHARMAT &	BDWY TIF/ST IMPROVMT	1300.00			LAND APPRAISAL COMP PLAN
//	1315	MENARDS	PNR/REPAIR PARTS	269.70			REPAIR PARTS
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	514.72			2850 W 63RD LN
//	1153	MY FLEET CENTER.COM	GENERAL/E.M.A. REPAIRS	144.65			OIL CHANGE #EMA 1 EGB11291
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	49.37			TRAILER CONNECTER
//	691	POWER BRAKE & SPRING	LRS/REPAIR PARTS	56.05			AIR ELEMENT
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	13.48			MONEY PEN
//	1834	RAY O'HERRON CO., INC.	POLICE EQUIP/FREIGHT	7.19			SHIPPING
//	303	ROBERT PILLMAN	FD/TRAVEL	169.03			RE-IMBURSEMENT FOR MEALS
//	295	ROLAND MACHINERY	LRS/FREIGHT	114.16			FREIGHT
//	254	VERMEER-ILLINOIS, INC	LRS/G&M SUPPLIES	60.00			FREIGHT/SHIPPING
//	316	4IMPRINT, INC	FIREFI/DISCRETIONARY	7286.50			MISC. FIRE PREVENTION SUPPLIES

# 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)
//	373	A.E.BOYCE COMPANY, INC	GENERAL/OFFICIAL RCDS.	420.88			TOWN RECEIPT BOOKS
//	129	ACE HARDWARE	LRS/G&M SUPPLIES	7.16			BOLTS
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	140.00			CARGE AC GGB64869
//	763	B&H TECHNICAL SERVICES,	SW/CONTRACTUAL SERV	80.00			SW POND SIGNS 18"X24"
//	867	BAKOS AND RICHARDS	GENERAL/CONT SVCS IT	225.00			CLERKS NEW PRINTERS
//	561	BLOOMFIELD MECHANICAL	GENERAL/REPAIRS TO	375.08			REPAIRS TO MAIN RTU
//	210	BUTLER, FAIRMAN &	MISS ST	12271.54			ENGINEERING FEES
//	889	CASTONGIA TRACTOR/JOHN	LRS/REPAIR PARTS	118.00			OIL
//	355	CENDER/DALTON	FD/ACCOUNTING FEES	10227.50			PROFESSIONAL SERVICES FOR
//	519	CHRISTOPHER BURKE	SW/CONTRACTUAL SERV	546.40			SW HAYES FARM DRAINAGE IMPVMTS
//	667	CINTAS	GENERAL/CONTRACTUAL	121.51			MEDICINE CABINET
//	93	CROSSROADS REGIONAL	GENERAL/TOWN	30.00			CROSSROADS LUNCH PETTIT
//	662	DAVID ANTHONY DEGARD	PNR/SECURITY	420.00			SECURITY
//	364	DAVID BARRON	PNR/SECURITY	105.00			SECURITY
//	420	DELTA III, INC.	SW/CONTRACTUAL SERV	340.00			SW LAVOR VARIOUS LOCATIONS
//	1171	DLZ	WHEEL TAX	2435.00			DITCH RELOCATION SURVEY
//	835	DYER CONSTRUCTION	SW CONS/OTHER CAPITAL	39121.19			SW HAYES FARM DRAINAGE
//	370	ESO SOLUTIONS, INC.	CUML FIRE EQPT/OTHER	6908.06			AUTO CAD FOR FIRE INSPECTOR FIRE
//	140	FIRE SERVICE, INC	GENERAL/CLOTHING	690.00			NEW HIRE UNIFORMS #431
//	1097	FIRECOM	FD/REPAIR PARTS	200.00			RADIO TRANSMIT, HEADSET & DIGITAL
//	183	FIRST GROUP ENGINEERING,	WHEEL TAX	858.40			ENGINEERING SERVICES
//	774	FLUID POWER SERVICES, INC.	LRS/REPAIR PARTS	916.40			PARTS & LABOR
//	1194	GRACE THROUGH FAITH	LRS/UNIFORMS	310.78			APPARELL FOR TRACY & BRENDA
//	712	GRUEL BROS., INC.	LRS/REPAIR PARTS	381.69			CHAINS, 2 CYCLE OIL & GUIDE BAR
//	1218	H-FIT OCCUPATIONAL	LRS/CDL PHYSICALS	150.00			PHYSICAL FOR TRACY
//	802	HELLMAN'S TIRE SERVICE	SW/REPAIRS TO	2100.00			SW 4-TIRES TRUCK #80
//	1102	IAN FULTZ	PNR/SECURITY	105.00			SECURITY
//	378	INDIANA GROCERY GROUP,	SW/OFFICE SUPPLIES	123.64			SW OFFICE SUPPLIES
//	304	INSTANT PROMOTION, INC	CUML FIRE EQPT/BLDG	2283.95			10X10 VENTED CANOPY
//	851	INTERSTATE POWER	FD/REPAIR PARTS	43.96			3-LIME/TUBE HOSES
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	8.48			PHILLIPS PAN
//	312	JASON BESSE	PNR/SECURITY	140.00			SECURITY
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	2187.50			PLAN COMMISSION
//	249	LAKE & POND BIOLOGIST, LLC	SW/CONTRACTUAL SERV	1640.66			SW TREATMENT FOR DUCKWEED AND
//	199	LEWIS H NOE	GENERAL/CONT SVCS IT	5650.00			IT SERVICES AND INVENTORY
//	51	LINDCO EQUIPMENT SALES	SW/FREIGHT	819.25			SW FREIGHT FOR CYLINDER
//	99	MACQUEEN EMERGENCY	FD/VOLUNTEER	171.77			LION TOTAL CARE BLACK ARMOR
//	1135	MAPLE GROVE LANDSCAPE	2021	4830.00			REPAIR LANDSCAPING AT TURKEY
//	742	MARTINEZ, SHARMAT &	BDWY TIF/ST IMPROVMT	1300.00			LAND APPRAISAL COMP PLAN
//	669	MATTHEW A REYNOLDS	PNR/SECURITY	612.50			SECURITY

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//	493	MATTHEW LAKE	SW/REPAIRS TO	16.00			SW REIMBURSEMENT FOR CAR WASH
//	1315	MENARDS	PNR/REPAIR PARTS	1253.55			REPAIR PARTS
//	189	MICHAEL L. DEPPE, P.C./	GENERAL/ATTORNEY	3312.50			COURT ATTORNEY JULY
//	310	MIDWEST COMMERCIAL	PARKS/OTHER SUPPLIES	180.00			EQUIPMENT REPAIRS
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	18994.82			73RD & MADISON, 61ST BY MIS, 93RD &
//	2303	MILESTONE	MVRESTRICTED/HOTASPH	2103.24			9.5 COMM #12 SURFACE 64
//	1153	MY FLEET CENTER.COM	GENERAL/E.M.A. REPAIRS	280.42			OIL CHANGE #EMA 4 EGA38388
//	232	NEXTHILL CAPITAL PARTNERS,	GENERAL/CLOTHING	37.00			VELCRO BADGES
//	653	NICK BERZAC	PNR/SECURITY	560.00			SECURITY
//	1427	NORTHERN IND. MECHANICAL	LRS/REPAIRS TO	1638.42			FUEL HOSE REPAIR & DIESEL REPAIR
//	305	NORTHWEST INDIANA	FD/CONTRACTUAL	975.00			ASBESTOS INSPECTION @ 20 W 73RD
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	263.96			BATTERIES
//	322	OTTOSONS INDUSTRIES INC	SW/OTHER EQUIPMENT	457.89			SW SNOW PLOW CYLINDER
//	217	POLE BARN SPECIALISTS	CCD/PARKS	850.00			WALKING PATH REPAIR
//	691	POWER BRAKE & SPRING	LRS/REPAIR PARTS	318.12			UREA FLUID
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	79.96			WINDOW ENVELOPE @39.98 2 BOXES
//	146	PULSE TECHNOLOGY*	GENERAL/MACHINE	232.63			LEASED MONTHLY PRINTER BILL -
//	1834	RAY O'HERRON CO., INC.	POLICE EQUIP/OTHER	443.75			AMMO FX 5.56MM RED
//	432	RIED'S FIRE & SAFETY	CUML FIRE EQPT/BLDG	621.30			SERVICE FIRE SUPPRESSION SYSTEM
//	303	ROBERT PILLMAN	F&H/INST.-EDUCATION	347.84			RE-IMBURSEMENT FOR NATIONAL FIRE
//	1821	ROBINSON ENGINEERING	SW/CONTRACTUAL SERV	1848.50			SW MISC PROF ENG SERVICES
//	295	ROLAND MACHINERY	LRS/G&M SUPPLIES	74.44			PART
//	307	RUSTHEAD DESIGN CORP.	GENERAL/CLOTHING	395.34			ACCIDENT TEAM JACKETS
//	317	SEAN O'DONNELL	FD/VOLUNTEER	87.00			RE-IMBURSEMENT FOR NAME
//	297	SITE SERVICES, INC.	2021	23753.00			SEALCOAT & STRIPPING TOWN HALL
//	193	SOUTHEND BODY SHOP	POLICE EQUIP/REPAIRS	1341.68			repairs to 279's 10-50
//	97	TASK FORCE TIPS	FD/REPAIR PARTS	267.86			PARTS & LABOR TO REPAIR HYDRANT
//	49	THE LARSON GROUP, C/O	LRS/REPAIR PARTS	1438.41			TRUCK REPAIR
//	113	VALPARAISO AUTO & TRAILER	LRS/REPAIR PARTS	651.00			PARTS
//	743	VALUATION SERVICES	BDWY TIF/ST IMPROVMT	5000.00			LAND APPRAISAL COMP PLAN
//	254	VERMEER-ILLINOIS, INC	LRS/G&M SUPPLIES	1490.86			HYDRAULIC MOTORS
//	103	W.E.F. ENTERPRISES, INC.	POLICE EQUIP/REPAIRS	1519.35			REPAIRS TO #279'S 10-50 (WHEEL HUB)
//	933	WAFFCO INC	LRS/CONTRACTUAL	405.38			TOWING CHARGES
//	320	WISE GRAPHICS & DESIGN	SW/CONTRACTUAL SERV	303.80			SW FOUR SETS OF MAGNET SIGNS
08/25/2023	308	MIDWEST AEROSPACE	FIELDHOUSE/ED	331064.30	331064.30	1888	ED INCENTIVE DISBURSEMENT
08/30/2023	271	GARIUP CONSTRUCTION CO.,	BDWY TIFF/BDWY TIFF	200000.00	200000.00	1889	C&O TRAIL PHASE 3
08/30/2023	1814	RIETH-RILEY CONSTRUCTION	MISS ST TIF/ST IMPROVMT	654013.60	654013.60	1890	ENGINEERING FEES
08/30/2023	271	GARIUP CONSTRUCTION CO.,	MISS ST TIF/C&O TRAIL-PH	164799.72	164799.72	1891	C&O TRAIL PHASE 3
08/30/2023	841	AMERIPLEX FUND	BDWY TIF/TRANSFERS	491034.21	491034.21	1892	TRANSFER RESERVE TO COVER DEBIT
08/30/2023	1189	MISS. ST. TIF DEBT SVC.	MISS ST TIF/TRANSFERS	612957.42	612957.42	1893	TRANSFER TO DEBT SERVICES

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08/30/2023	1189	MISS. ST. TIF DEBT SVC.	MISS ST TIF/TRANSFERS	121395.00	121395.00	1894	TRANSFER TO DEBT SERVICE (CRP/CHI
08/30/2023	82	MISS. ST. TIF PROJECT FUND	MISS ST TIF/TRANSFERS	1132048.60	1132048.60	1895	TRANSFER TO PROJECT FUND
08/30/2023	156	MERR RD TIF DEBT SERVICE	MERR RD TIF/TRANSFERS	463487.57	463487.57	1896	TRANSFER TO DEBT SERVICE (2019 RA
09/06/2023	137	BERNARD HEALTH, LLC	GENERAL/HEALTH, LIFE &	181.25	181.25	14983	ALPINE BERNIE BILL- SEPT 2023
08/21/2023	2104	NATIONWIDE RETIREMENT	PAYROLL - DEFERRED	4457.63	4457.63	24247	EMPLOYEE DEPOSITS FOR 8/18/2023
08/23/2023	650	TRUSTMARK VOLUNTARY	PAYROLL - TRUSTMARK	891.53	891.53	24248	EMPLOYEE PREMIUMS
09/05/2023	104	AFLAC GROUP INS	PAYROLL - AFLAC	520.48	520.48	24257	EMPLOYEE PREMIUMS - AUG 2023
09/05/2023	216	AFLAC	PAYROLL - AFLAC	7359.70	7359.70	24258	EMPLOYEE PREMIUMS
09/05/2023	1411	NEW YORK LIFE	PAYROLL - NEW YORK	46.41	46.41	24259	MONTHLY EMPLOYEE PREMIUMS
09/05/2023	609	F.O.P. #168	PAYROLL - F. O. P. DUES	1287.36	1287.36	24260	UNION DUES AUGUST 2023
09/05/2023	2104	NATIONWIDE RETIREMENT	PAYROLL - DEFERRED	4457.63	4457.63	24261	EMPLOYEE DEPOSITS FOR 9/1/2023
09/05/2023	650	TRUSTMARK VOLUNTARY	PAYROLL - TRUSTMARK	891.53	891.53	24262	EMPLOYEE PREMIUMS
09/05/2023	494	LAKE COUNTY SUPERIOR	PAYROLL - COURT	651.04	651.04	24263	L. ROBERTS CAUSE #
09/05/2023	847	STARKE CIRCUIT COURT	PAYROLL - COURT	619.69	619.69	24264	G FIELDS CAUSE #
09/05/2023	494	LAKE COUNTY SUPERIOR	PAYROLL - COURT	1188.27	1188.27	24265	J. WHITESIDE CAUSE #
09/05/2023	494	LAKE COUNTY SUPERIOR	PAYROLL - COURT	182.50	182.50	24266	J PARKER CAUSE #
09/05/2023	274	ALLSTATE	PAYROLL - ALLSTATE	333.46	333.46	24267	ENMPLOYEE PREMIUMS
08/18/2023	636	JOANN KRAFT	SW/CONTRACTUAL SERV	120.00	120.00	61778	SW OFFICE CLEANING AUG 2023
08/18/2023	281	ROSHAUD BELL	GENERAL/CONTRACTUAL	300.00	300.00	61779	STORAGE ROOM PROJECT
08/18/2023	58	ELITE AMATEUR FIGHT	PNR/MARKETING &	2575.00	2575.00	61780	CONTRACTED MARKETING
08/18/2023	91	PAUL HAIRLSON	PNR/MARKETING &	600.00	600.00	61781	CONTRACTED MARKETING
08/18/2023	300	ALEXANDRIA MONIQUE & CO	PNR/MARKETING &	350.00	350.00	61782	CONTRACTED MARKETING
08/18/2023	302	LUGRASH E. TAYLOR	PNR/MARKETING &	250.00	250.00	61783	CONTRACTED MARKETING
08/18/2023	251	LEAF CAPITAL FUNDING LLC	GENERAL/CONTRACTUAL	268.00	268.00	61785	PLANNING COPIER NEW
08/18/2023	673	CARD SERVICE CENTER	LRS/G&M SUPPLIES	122.54	122.54	61787	PAPER TOWELS
08/18/2023	673	CARD SERVICE CENTER	GENERAL/ENG OFFICE	11.59	11.59	61788	PUSH PINS
08/23/2023	1600	PAYROLL FUND	GENERAL/CLERK-TREAS.	408580.28	408580.28	61789	CT-Clerk-treasurer
08/30/2023	546	DAN BROWN	GENERAL/INSPECTORS	3625.00	3625.00	61790	145 INSPECTIONS IN AUGUST PAYABLE
08/23/2023	1401	NIPSCO	FD/GAS & ELECTRIC	4490.54	4490.54	61863	GAS/ELECTRIC AT ALL STATIONS
08/23/2023	776	COMCAST	FD/TELEPHONE	1996.11	1996.11	61864	INTERNET & PHONE AT ALL STATIONS
08/23/2023	673	CARD SERVICE CENTER	GENERAL/HR EMPLOYEE	149.78	149.78	61865	APPRECIATION ICE CREAM- STREET
08/23/2023	673	CARD SERVICE CENTER	GENERAL/ENG OFFICE	90.00	90.00	61866	COPY PAPER
08/23/2023	776	COMCAST	LRS/TELEPHONE	264.94	264.94	61867	PHONE, INTERNET & TV SVC
08/29/2023	1600	PAYROLL FUND	GENERAL/TC PRESIDENT	59572.45	59572.45	61868	TC-Tn Council President
08/25/2023	402	AT & T MOBILITY	GENERAL/TELEPHONE	551.63	551.63	61869	LPR, HOT SPOTS, PHONES SVC 7/12 -
08/25/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/CLEANING	541.49	541.49	61870	VACCUM BAGS
08/25/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/CLEANING	996.37	996.37	61871	HAND SOAP CLEANING SUPPLIES
08/25/2023	673	CARD SERVICE CENTER	GENERAL/CLOTHING	3732.24	3732.24	61872	CLOTHING ADMIN
08/30/2023	1175	AMAZON CAPITAL SERVICES	PARKS/OTHER SUPPLIES	343.88	343.88	61873	OTHER SUPPLIES
08/30/2023	565	MATTIE M. COLLINS	GENERAL/CONTRACTUAL	961.54	961.54	61874	CONTRACTUAL PAY

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08/30/2023	334	COMCAST	PNR/TELEPHONE	551.39	551.39	61876	TELEPHONE BILL
08/30/2023	1223	MARIA NEVAREZ	PNR/MARKETING &	800.00	800.00	61877	CONTRACTED MARKETING
08/30/2023	1401	NIPSCO	PNR/GAS & ELECTRIC	17688.46	17688.46	61878	GAS & ELECTRIC
08/30/2023	1197	US BANK	GENERAL/CONTRACTUAL	244.76	244.76	61879	PLANNING OLD COPIER
08/30/2023	40	CHAS REILLY	GENERAL/CONTENT	725.00	725.00	61880	CONTENT MANAGER 7/30-8/12
08/30/2023	642	SPRINT	GENERAL/TELEPHONE	165.42	165.42	61881	PD CELL PHONES
08/30/2023	700	INDIANA AMERICAN WATER	GENERAL/WATER	788.72	788.72	61882	220015152684 TH
08/30/2023	776	COMCAST	GENERAL/TELEPHONE	211.30	211.30	61883	TELEPHONE
08/30/2023	936	GARY SANITARY DISTRICT	GENERAL/SEWER USER	8.50	8.50	61884	SEWER USE FEES
08/30/2023	334	COMCAST	GENERAL/TELEPHONE	1116.50	1116.50	61885	TELEPHONE/INTERNET
08/30/2023	2303	MILESTONE	WHEEL TAX	560037.94	560037.94	61886	FRONTAGE ROADS
08/30/2023	2303	MILESTONE	COMM.CROSS.GRNT/RD	560037.94	560037.94	61887	FRONTAGE ROADS
08/30/2023	1607	ALTORFER INDUSTRIES, INC.	CASINO/DISCRETIONARY	2416.70	2416.70	61888	GENERATOR AREPAIR
08/30/2023	898	JOHN L. POWERS	GENERAL/INSPECTORS	297.93	297.93	61890	11 INSPECTIONS IN AUGUST PAYABLE
08/30/2023	1201	PAUL H. ANDERSON	GENERAL/INSPECTORS	478.71	478.71	61891	17 INSPECTIONS IN AUGUST PAYABLE
08/30/2023	15	TERRY GUTHRIE	GENERAL/INSPECTORS	592.58	592.58	61892	22 INSPECTIONS IN AUGUST PAYABLE
08/30/2023	1146	MIKE LASKARIN	GENERAL/INSPECTORS	207.86	207.86	61893	8 INSPECTIONS IN AUGUST PAYABLE
08/30/2023	1057	JOHN GIORDANO	GENERAL/INSPECTORS	374.13	374.13	61894	13 INSPECTIONS IN AUGUST PAYABLE
08/30/2023	282	WILLIAM JACK VIRGIN	GENERAL/INSPECTORS	245.17	245.17	61895	9 INSPECTIONS IN AUGUST PAYABLE
08/30/2023	1132	JOHN WALSDORF	GENERAL/INSPECTORS	857.10	857.10	61896	33 INSPECTIONS IN AUGUST PAYABLE
08/30/2023	776	COMCAST	FD/TELEPHONE	63.44	63.44	61897	CABLE AT STATION
08/30/2023	1175	AMAZON CAPITAL SERVICES	CUML FIRE EQPT/OTHER	67.63	67.63	61898	MISC EQUIPMENT
08/30/2023	563	STAPLES BUSINESS CREDIT	FD/OFFICE SUPPLIES	84.06	84.06	61900	3-HP BLACK INK
08/30/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/HDWE.-SOFTWA	856.76	856.76	61901	DESKTOP PRINTERS (4)
08/30/2023	627	JOI WHITESIDE	GENERAL/REFUNDS,	21.58	21.58	61902	BRANDY'S SAFE & LOCK (KEYS)
08/30/2023	596	AIM	GENERAL/INSTRUCTION-E	25.00	25.00	61903	WEBINAR FOR BOOKKEEPER
08/30/2023	673	CARD SERVICE CENTER	GENERAL/ECON DEV BUS	115.54	115.54	61904	CLIENT BUSINESS MEETING
08/30/2023	93	CROSSROADS REGIONAL	GENERAL/ECON DEV BUS	60.00	60.00	61905	SEPTEMBER 2023 LUNCHEON
08/30/2023	902	AT&T MOBILITY	FD/TELEPHONE	31.24	31.24	61906	E7011 MIFI
08/30/2023	517	CITI CARDS	FD/SUBS & DUES	1075.60	1075.60	61907	ACROBATE PRO MONTHLY
08/30/2023	551	MONROE PEST CONTROL INC.	FD/CONTRACTUAL	172.00	172.00	61908	MONTHLY PEST CONTROL AT STATION
08/30/2023	1175	AMAZON CAPITAL SERVICES	CUML FIRE EQPT/OTHER	643.61	643.61	61909	MISC. EQUIPMENT
08/30/2023	299	WEX BANK	FD/DIESEL GAS	519.67	519.67	61910	DIESEL FUEL PURCHASES ON 7/29/23,
08/30/2023	673	CARD SERVICE CENTER	PNR/CONCESSION	3463.43	3463.43	61914	CONCESSIONS SUPPLIES
09/01/2023	700	INDIANA AMERICAN WATER	SW/WATER & SEWER	68.18	68.18	61915	SW SERVICE PERIOD JUL 28 TO AUG
09/01/2023	894	S & S COPIERS	FD/OFFICE SUPPLIES	220.00	220.00	61916	AUGUST COPIER RENTAL
09/05/2023	1600	PAYROLL FUND	GENERAL/CLERK-TREAS.	425505.02	425505.02	61917	CT-Clerk-treasurer
09/06/2023	358	CULLIGAN WATER	GENERAL/MACHINE	49.92	49.92	61918	3 gallon water (6.99)
09/06/2023	484	HARRIS LAW FIRM	RP/CONTRACTUAL	6950.00	6950.00	61919	DETAIL OF SERVICES RENDERED

# 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.

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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)
09/06/2023	85	THE LAW OFFICE OF ANGELA	FD/ATTORNEY FEES	1000.00	1000.00	61920	LEGAL SERVICES FOR AUGUST
09/06/2023	106	HINCKLEY SPRINGS	GENERAL/OTHER	31.96	31.96	61921	WATER AND COOLER RENTAL
09/06/2023	1060	CREEKSIDE OUTDOOR LIVING	SW/CONTRACTUAL SERV	4205.20	4205.20	61922	SW TAFT ST DITCH 73RD TO 75TH 7879
09/06/2023	470	VERIZON WIRELESS	FD/TELEPHONE	551.29	551.29	61923	WIRELESS SERVICE
09/06/2023	700	INDIANA AMERICAN WATER	FD/WATER	60.18	60.18	61924	SPRINKLER SYSTEM @ ST # 71
09/06/2023	818	INDEPENDENCE HILL	FD/SEWER	20.00	20.00	61925	WASTEWATER FOR AUGUST
09/06/2023	776	COMCAST	SW/TELEPHONE	76.15	76.15	61926	SW DATA/VOICE SERVICES 8-5-23-
09/06/2023	405	IN, ASSN. FOR FLOODPLAIN &	SW/SUBS & DUES	50.00	50.00	61927	INAFSM MEMBERSHIP RENEWAL
09/06/2023	347	PAMPALONE INSURANCE	GENERAL/INSURANCE	143508.50	143508.50	61928	PROPERTY ZPL-81M63781
09/06/2023	64	INDIANA OFFICE OF	GENERAL/IDACS	221.20	221.20	61929	IT NETWORK FOR IDACS AUGUST
09/06/2023	299	WEX BANK	GENERAL/GASOLINE	1879.72	1879.72	61930	FUEL
09/06/2023	776	COMCAST	GENERAL/TELEPHONE	270.26	270.26	61931	SVC 8/26-9/25 PD
09/06/2023	776	COMCAST	GENERAL/TELEPHONE	130.76	130.76	61932	SVC 8/22-9/28
09/06/2023	43	COASTAL VALLEY WATER CO.	GENERAL/OTHER	87.25	87.25	61933	WATER & COOLER RENTAL AUGUST
09/06/2023	776	COMCAST	GENERAL/TELEPHONE	209.69	209.69	61934	SVC 8/25-9/24 TRAINING CENTER
09/06/2023	470	VERIZON WIRELESS	GENERAL/HWDE.-SOFTWA	2891.88	2891.88	61935	SVC 7/24-8/23 PB'S HOT SPOTS
09/06/2023	700	INDIANA AMERICAN WATER	GENERAL/WATER	29.16	29.16	61936	FIRE SPRINKLER NORTH STATION
09/06/2023	334	COMCAST	GENERAL/TELEPHONE	351.74	351.74	61937	INTERNET
09/06/2023	1401	NIPSCO	GENERAL/ELECTRIC &	23390.16	23390.16	61938	STREETLIGHTS/ELECTRIC
09/06/2023	679	TRANSUNION RISK AND	GENERAL/TELEPHONE	146.60	146.60	61939	TLO AUGUST 2023
09/06/2023	596	AIM	GENERAL/INSTRUCTION	25.00	25.00	61940	WEBINAR-NEAL
09/06/2023	195	AMERICAN EXPRESS	GENERAL/OFFICE	239.99	239.99	61941	SCANNER
09/06/2023	195	AMERICAN EXPRESS	CE/OTHER SUPPLIES	1603.93	1603.93	61942	AMMO FOR TRAINING
09/06/2023	195	AMERICAN EXPRESS	GENERAL/POSTAGE	3867.95	3867.95	61943	CERTIFIED TO IND DEPT OF TOX
09/06/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/OTHER	30.54	30.54	61944	SHREDDER BAGS
08/18/2023	739	CENTIER BANK	PNR/UNAPPROPRIATED	723.44	723.44	149557	AUTO DEBIT FOR PARKS SALES TAX
08/23/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	288011.18	288011.18	149576	NET SALARIES FOR 8/18/2023 PAYDAY
08/23/2023	739	CENTIER BANK	PAYROLL - FEDERAL	69219.71	69219.71	149577	941 AUTO DEBIT FOR 8/18/2023
08/23/2023	917	INDIANA CHILD SUPPORT	PAYROLL - COURT	1480.16	1480.16	149578	CHILD SUPPORT FOR 8/18/2023
08/29/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	49899.96	49899.96	149627	NET SALARIES FOR 8/25/2023 EOM
08/29/2023	739	CENTIER BANK	PAYROLL - FEDERAL	2176.89	2176.89	149628	941 AUTO DEBIT FOR 8/25/23 EOM
08/29/2023	739	CENTIER BANK	PAYROLL - FEDERAL	4796.67	4796.67	149630	945 AUTO DEBIT FOR 8/25/2023 EOM
08/29/2023	18	Town Court Tracking	TOWN COURT TRACKING	14833.00	14833.00	149647	JULY 2023 COURT DISB. TOTALS
08/31/2023	725	GENERAL FUND	LOIT CREDIT/TRANSFERS	301769.78	301769.78	149714	CREDIT TRANSFER TO GENERAL FUND
09/05/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	296291.48	296291.48	149729	NET SALARIES FOR 9/1/23 PAYDAY
09/05/2023	739	CENTIER BANK	PAYROLL - FEDERAL	76394.65	76394.65	149730	941 AUTO DEBIT 9/1/23 PAYDAY
09/05/2023	917	INDIANA CHILD SUPPORT	PAYROLL - COURT	1480.16	1480.16	149731	CHILD SUPPORT FOR 9/1/23 PAYDAY
09/06/2023	371	PAYMENTGATEWAY	GENERAL/CONTRACTUAL	20.39	20.39	149757	MERCHANT BANKCARD BILLING
		Checks: 0- 149757		7785717.39	7564977.65		





**Town of Merrillville**  
**Town Council Meeting Minutes**  
**August 22, 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 Payroll Administrator Robyn Johnson.

Present were:

Vice-President Hardaway - (Ward 2)

Councilwoman Uzelac - (Ward 4)

Councilwoman Neal – (Ward 1)

Councilman Pettit – (Ward 6)

President Bella - (Ward 5)

Five (5) were Present and Two (2) were Absent - Councilman Minchuk and Councilman White.

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

**Swearing in of K-9 Officers Blue & Yaga**

K-9 Officers Blue and Yaga were sworn in by Judge Velazco.

Chief Nuses gave a brief overview of K-9 Officers Blue's & Yaga's breed, qualifications, and experience.

President Bella informed the council that he would get together with them to issue the proper thank you letters to the donors of K-9 Officers Blue and Yaga.

Chief Nuses informed the council that each dog cost \$12,500.00 which doesn't include the necessary equipment.

**August Employee of the Month**

Director and Interim Town Manager King and Director of Economic Development Chilcott presented Joanna Guardiola to the council and audience as Employee of the Month for the Town of Merrillville. Mrs. Guardiola received a certificate of recognition and a gift card on behalf of the Town of Merrillville. Director Chilcott elaborated on Mrs. Guardiola's exemplary qualities as an employee in the Economic Development Department.

President Bella thanked Payroll Administrator Robyn Johnson for sitting in for Madam Clerk-Treasurer Kelly White Gibson.

***CONSENT AGENDA***

Accts. Payable Register Voucher Approval for August 22, 2023.  
Approval of Town Council Meeting Minutes of August 8, 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 5-0.

### ***STANDING & SPECIAL COMMITTEES REPORTS***

***BUDGET & FINANCE- HARDAWAY*** – Vice-President Hardaway informed the council that on Tuesday, August 29<sup>th</sup> at 4:30 pm there will be a Budget & Finance meeting. We already met with the department heads to discuss their budgetary needs. We are convening a committee meeting to look over everything. We will come back to the entire council to have a meeting with everyone to make, if needed, any budget adjustments.

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

***STREET DEPARTMENT- MINCHUK*** – Councilman Minchuk was absent from the meeting.

President Bella asked Director and Interim Town Manager King if he had anything to report for the Street Department.

Director and Interim Town Manager King informed the council that he has nothing to report at this time.

***ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION - NEAL*** – Councilwoman Neal informed the council that the committee met today and went over a lot of information. She was included in this meeting and more information will be forthcoming at a later date. Councilwoman Neal deferred the rest of her report to Councilman Pettit.

Councilman Pettit informed the council that every year Saints Constantine & Helen Greek Orthodox Cathedral has a spaghetti dinner benefit. This year it will be on September 25<sup>th</sup> at Greek Hall. This event will benefit the Ross Township Food Pantry.

Councilman Pettit also informed the council this event will be advertised and encourages everyone to attend. He also believes carryout will also be available at this event. Lamar will also advertise the artwork for the event on the digital billboards as a community service.

Councilman Pettit asked Director Shine to make sure the artwork that he emailed Councilwoman Neal is available to on-premises digital people.

***ENVIRONMENTAL AFFAIRS- WHITE*** – Councilman White was absent from the meeting.

President Bella asked Director and Interim Town Manager King if he had anything to report for Environmental Affairs.

Director and Interim Town Manager King informed the council that he has nothing to report at this time.

***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 was absent from the meeting.

President Bella asked Director and Interim Town Manager King if he had anything to report for Public Safety.

Director and Interim Town Manager King informed the council that he has nothing to report at this time.

President Bella asked Chief Nuses if he had anything to add to the report.

Chief Nuses informed the council that he has nothing to add at this time.

***ECONOMIC DEVELOPMENT-PETTIT*** – Councilman Pettit informed the council that a Redevelopment Commission meeting was held before the council meeting. In the Redevelopment Commission meeting, we passed a resolution that will implement a grant that the Town of Merrillville decided to give to Midwest Aerospace as part of their development of the old field house building.

Councilman Pettit also informed Payroll Administrator Johnson that a check needs to be processed tomorrow and that Financial Advisor Hudson will get in contact with Bookkeeper Santos.

***PARKS & RECREATION- UZELAC*** – Councilwoman Uzelac informed the council that the Parks are in order. The lawns are well mowed. Everything is going very well with the Parks and bike trails.

***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 a committee meeting is scheduled for August 24, 2023, at 4:30 p.m. The meeting will be held at the Mike Anderson Event Center in Room One (1). Director and Interim Town Manager King and I will be putting together an agenda.

**SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4<sup>TH</sup> of JULY CELEBRATION-HARDAWAY** - Vice-President Hardaway informed the council he has nothing to report at this time.

Councilwoman Neal informed the council that she has nothing to report at this time.

President Bella informed the council there were a couple of changes on the agenda.

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

**LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE** – Councilman White was absent from the meeting.

**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 was absent from the meeting.

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

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

Director Shine informed the council she doesn't have anything to report until the large gathering section on the agenda.

##### **Director Chilcott – Economic Development**

Director Chilcott informed the council that in the past we worked with a company to bring the Showcase Video to Merrillville. The next item for the Town is to work with that same company to bring a Showcase Banner Program. She has been working with the professionals to create a design. This Showcase Banner Program is cost-free for the Town of Merrillville. The company will reach out to local businesses for sponsorships.

Director Chilcott also informed the council that the banner will be approximately 30 by 72. We selected to place the banners throughout the main corridors. The banners will go Town limits from down Broadway, across 61<sup>st</sup>, 73<sup>rd</sup>, and 93<sup>rd</sup> to help promote and feature Merrillville. The program is fully insured by the company. The company will do all the maintenance and installs. The Town has a three-year program and every year we can change the design. The designs are in progress and will be shared with the council.

Director Chilcott informed the council that she is also working with the Chambers on a Chamber Spotlight Program and The Times for the Move To Indiana Program. We are looking to attract businesses and residents. Our goal is to showcase what makes Merrillville great.

President Bella asked Director Chilcott how much it would cost for a company to have its name on the banner.

Director Chilcott informed the council the company she is working with will get back to her regarding the cost.

Councilman Pettit asked Director Chilcott was the Town limited on the corridors or were the corridors selected by the company.

Director Chilcott informed the council that she selected the corridors.

Director and Interim Town Manager King also added that we picked those specific corridors to make sure we covered all the thoroughfares.

Councilman Pettit asked was Merrillville Road and Taft mentioned in the discussion regarding corridors.

Director Chilcott informed the council that we looked at all the poles that the Town owned and made the determination.

**Director King – Street Department and Town Manager’s Office**

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

- **Branch Pickup**  
The branch pickup is ongoing. The crew is out picking up branches every day.
- **Crack Sealing**  
The department has been out crack-sealing some of the major roadways and completed some spot asphalt repairs with our in-house pavement crew.

President Bella asked the Director and Interim Town Manager King to update the council on 86<sup>th</sup> Avenue.

Director and Interim Town Manager King informed the council that the work continues on the 86<sup>th</sup> Avenue extension project. The project has a completion date of September 30, 2023.

President Bella also informed the council that he noticed that the new roads have been paved especially over in the business section by Broadway. He also asked the Director and Interim Town Manager King will the roads be striped.

Director and Interim Town Manager King informed the council that the original roads weren’t striped, but we can handle the striping for the new roads on 86<sup>th</sup> Avenue.

**Chief Nuses – Police Department**

Chief Nuses informed the council of the following numbers for July 2023:

- Approximately 2,800 calls for service
- 435 traffic stops
- 200 traffic tickets issued out of the 435 traffic stops

Chief Nuses also informed the council these are rough numbers and will increase. He was also able to get all the data that was collected by the speed signs from the Director and Interim Town Manager King. Starting Saturday, August 26<sup>th</sup>, you will notice a lot more traffic enforcement. The problem areas for speeding will have a high visibility of traffic enforcement.

Chief Nuses informed the council that we have some issues in the Town. We have already identified who is the problem. The Merrillville Police Department is going to start doing what is considered a goal-oriented policing tactic where we are going to be preventive instead of reactive

Chief Nuses also informed the council that a couple of weeks ago there was an unfortunate incident on Taft Street. We had the assistance of Crown Point’s Emergency Management Agency (EMA) to help us with this situation and it was greatly appreciated. We are writing them a letter to say thank you.

Chief Nuses informed the council that the Police Department is forming good relationships and exchanging information with our law enforcement neighbors in Lake County. One thing we all have in common is the traffic woes. He shared with the other agencies that the Town of Merrillville will be doing a traffic study.

Chief Nuses also informed the council that he had been in contact with the citizens of Merrillville. The citizens are bringing a lot of things to light that the Police Department wasn’t aware of that is happening in the Town. This is a good start on building our relationship and trust with our citizens because they are our eyes and ears in the community. We have more citizens than Police Officers in this Town.

**Director Price– Parks Department**

Director Price was absent from the meeting. Manager Lisa Robertson from the Parks Department informed the council of the following:

- **219 Ride’N Wranglers Glow Night**  
In partnership with the 219 Ride’N Wranglers, the Glow Night was a huge success. It was exciting to see all the vehicles glowing and everyone having a good time. With any first-time event, we recognize there are things we can always improve on for the next event. We have spoken with Chief Nuses concerning our noise ordinance and making sure we do a better job with noise control to be considerate of our residents. We also spoke with Office Berzac to address traffic control and the possibility of additional security to assist with traffic control. We will continue to fine-tune our events to ensure that they meet the standards set forth by the Town of Merrillville.

- **NWI Indiana Basketball Club**

NWI Indiana Basketball Club is having tryouts on Saturday, August 26<sup>th</sup> for boys AAU Basketball. There will be two sessions. The first session for 3<sup>rd</sup> – 6<sup>th</sup> graders will be from 9:00 a.m. until 11:00 a.m. The second session for 7<sup>th</sup> -11<sup>th</sup> graders will be from 12:00 p.m. until 1:30 p.m. The tryouts are **free** for Merrillville residents, but students must have their's school IDs to verify residency.

- **Creative Joy Comprehensive Art Program**

On Tuesdays, the Creative Joy Comprehensive Art Program will be offering Art Classes at the Dean and Barbara White Community Center for Homeschooled children and their friends. The sessions are for six weeks and will instruct on basic art concepts. Elizabeth Munoz is the instructor for the class. If you have additional questions about the class, please contact her via email at CreativeJoyArtPrograms@gmail.com.

- **Cruise Night**

Cruise Night will be on August 26<sup>th</sup> at the Dean and Barbara White Community Center from 5:00 p.m. until 9:00 p.m. Koney King, Get Jerked, and Fat Guys food trucks will be in attendance.

Manager Roberts also thanked the Kiwanis Club and Heavenly Purposed Ministries for dedicating a bench to Kurtis Park on Tuesday, August 9th.

Manager Roberts informed the council that school has started and we hope everyone has had a successful first week. The open gym has started and will be on Tuesdays and Thursdays. This is a reminder that all students will need their's school ID's to be admitted to the gym. She also reminded students to be respectful and govern themselves according to the rules. The rules for the open gym will be posted on the Town's website at [www.merrillville.in.gov](http://www.merrillville.in.gov).

Manager Roberts also informed the council that Merrillville Pop Warner begins this Sunday. If you have time, please come out and support the present/future of Merrillville.

## **GENERAL ORDERS**

### **A. Ordinances**

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

*None*

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

#### **Ordinance 23-21 (Discussion, Public Comment, 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

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

Motion carries by roll call vote 5-0.

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

#### **Resolution 23-29 (Discussion and Voice-Vote)**

Town Of Merrillville, Indiana a Resolution of the Town of Merrillville, Lake County, Indiana, Transferring Monies of the 2023 Budget Within the Motor Vehicle Restricted Budget.

A motion was made by Councilwoman Uzelac to approve Resolution 23-29, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

### **C. American Rescue Plan**

AP Voucher Register Summary for ARP Purchases for August 22, 2023

Vice-President Hardaway informed the council that the ARP Voucher summary is \$42,367.67.

Vice-President Hardaway made a motion to approve \$42,367.67, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

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

**Applicant:** Adam Espinoza

**Owner:** Pepe's off-Broadway

**Request:** Approval for A Large Gathering

**Purpose:** Mexican Independence Day Celebration

**Location:** 260 East 84<sup>th</sup> Drive

**Date:** September 9<sup>th</sup>, 4:30 pm – 9:30 pm

Planning and Building Director Shine elaborated on the Large Gathering Action. She also asked Mr. Adam Espinoza for clarification regarding the start time of the event.

Mr. Espinoza stated that the start time is 4:30 p.m., not 4:00 p.m.

President Bella informed the council that Mr. Espinoza does this event every year without any issues. He also stated that has no problem with approving this event, but will defer to Councilman Pettit to elaborate.

Councilman Pettit informed the council that this restaurant is in his Ward 6 and that Mr. Espinoza's parents lived in Chapel Manor for a long time.

A motion was made by Councilman Pettit to approve the Large Gathering Action, seconded by Councilwoman Neal.

President Bella informed the council that he would like to take this opportunity to thank Mr. Espinoza for staying in Merrillville and opening his business down the street when he sold his property to CVS.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

#### ***OLD BUSINESS***

**None**

#### ***NEW BUSINESS***

- Recommendation and appointment of a New Town Representative to serve on the South Shore Visitors and Convention Authority.
  - President Bella gave an overview of Deann Patena's qualifications.
  - A motion was made by Councilman Pettit to approve the President/CEO of Crossroads Regional Chamber of Commerce Deann Patena as the Town of Merrillville representative on the South Shore Visitors and Convention Authority, seconded by Councilwoman Uzelac.
  - Councilman Pettit informed the council that in working with the Board of Directors he has worked with Deann Patena for several years on different activities and feels she will make an excellent representative.
  - President Bella informed the council that in anticipation of their approval, he did pen a letter which is included in your packets, After the approval of this recommendation, the letter will be sent over to the South Shore Visitors and Convention Authority.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

#### ***SPECIAL PRESENTATIONS***

**None**

#### ***ANNOUNCEMENTS:***

- BZA Meeting August 23<sup>rd</sup> at 6:30 PM
- Town Council Meeting September 12th at 6:30 pm
- Town Council Executive Session on Wednesday, August 23<sup>rd</sup> at 5:30 pm.

***ADJOURNMENT:***

A motion and a second were made.

Motion carries by voice vote 5-0.

Meeting Adjourned.

---

***Rick Bella, President***

---

***Kelly White Gibson, Clerk-Treasurer***

***Minutes Submitted By Angela Lewis***





**Town of Merrillville**  
**Special Town Council Meeting Minutes**  
**August 29, 2023**  
**5:30 P.M.**

**CALL TO ORDER:** President Bella called the meeting to order at 5:30 P.M.

**ROLL CALL** – Roll Call was taken by Accounts Payable Secretary Angela Lewis.

Present were:

Vice-President Hardaway - (Ward 2)

Councilwoman Uzelac - (Ward 4)

Councilman White - (Ward 7)

Councilwoman Neal – (Ward 1)

Councilman Pettit – (Ward 6)

President Bella - (Ward 5)

Five (6) Present and One (1) Absent - Councilman Minchuk

President Bella informed the council of the passing of Councilman Minchuk's father and information will be forthcoming regarding a service that will be held at Town Hall. Administrative Manager Rosas will be sending flowers to the funeral home on behalf of the council.

Vice-President Hardaway informed the council that he has an update from Councilman Minchuk, and everything will be held at Burns Funeral Home in Crown Point.

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

**OLD BUSINESS**

None

**NEW BUSINESS**

- **Approval of Interim Town Manager:**

President Bella informed the council that an Executive Workshop was held regarding Michael Griffin's qualifications for the Interim Town Manager position.

A motion was made by Vice-President Hardaway to approve the hiring of Mr. Griffin as the Interim Town Manager at a salary of 92,499.94 per Salary Ordinance 23-22, seconded by Councilwoman Neal.

Councilwoman Uzelac asked about the \$10,000.00 raise given to former Town Manager Patrick Reardon. She thought the annual salary was \$80,000.00.

President Bella informed the council that former Town Manager Reardon didn't get a \$10,000.00 raise at once, but two \$5,000.00 raises. He was at \$85,500.00. The council approved \$5,000.00 in July 2023 which brought him up to \$92,499.94. listed on the Salary Ordinance 23-22.

President Bella also informed the council that Mr. Griffin has committed to teaching college classes on Mondays and Wednesdays. We talked about this in the workshop and we are going to allow him to fulfill this commitment. He will go teach the classes and then come back to make up the time.



Councilman Pettit asked if Mr. Griffin hiring effective immediately and if he will be in the office on Wednesday, August 23, 2023, at 8:00 a.m.

President Bella informed the council that Mr. Griffin's effective date of hire will be when he is available to start. Mr. Griffin isn't here tonight because of health reasons.

Councilman Pettit informed the council that we owe the Director and Interim Town Manager King a firm decision that he can go back to the Street Department after Labor Day which is Tuesday, September 5, 2023. Councilman Pettit thanked the Director and Interim Town Manager for all he has done as Interim Town Manager.

Councilman Pettit added to the motion made by Vice-President Hardaway and seconded by Councilwoman Uzelac that Mr. Griffin given health is to report to Town Hall no later than Tuesday, September 5<sup>th</sup> at 8:00 am because Director and Interim Town Manager King is going back to the Street Department.

No further questions or comments from the council.

President Bella informed the council that we have learned through a court order that Ayes and Yess have the same meaning.

Councilman Pettit informed the council that Aye and Yes don't have the same meaning.

President Bella informed the council Aye and Yes are affirmative to voting.

Motion carries by voice vote 6-0.

## **GENERAL ORDERS**

### **A. Ordinances**

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

##### **Ordinance 23-22 (Discussion and Roll Call Vote)**

An Ordinance of the Town of Merrillville, Lake County, Indiana, Amending Ordinances 23-18, 23-16, 23-01, AND 22-29A, The 2023 Salary Ordinance, and Pay for the Employees of the Town of Merrillville, Indiana for the Calendar Year 2023

\*A motion was made by Vice-President Hardaway to approve Ordinance 23-22, seconded by Councilwoman Neal.

President Bella didn't entertain a motion.

The motion wasn't recognized by President Bella or voted on by the council.

President Bella informed the council that, instead of an 11.20% Town contribution to the Public Retirement Fund (PERF), a 3% Town contribution will be made to a qualified retirement account for Mr. Griffin.

Attorney Svetanoff informed the council that this satisfies the State Board of Accounts requirements in terms of this position.

Vice-President Hardaway informed the council that he wants to make it clear that Mr. Griffin is adamant about not looking for a full-time job. This is just interim for Mr. Griffin and at the end of the year, he will leave. When the full-time position opens up for Town Manager, he won't be applying for the permanent position.

Councilwoman Uzelac informed the council that Mr. Griffin will be staying possibly for six months.

President Bella informed the council that the length of time is the council's timetable and he doesn't want to say six months. Mr. Griffin will stay until the council hires someone new and helps transition the new Town Manager.

\*A motion was made by Councilwoman Uzelac to approve Ordinance 23-22, seconded by Vice-President Hardaway.

No further questions or comments from the council.

Motion carries by roll call vote 6-0.

\*A motion was made by Vice-President Hardaway to suspend the rules to read Ordinance 23-22 on second reading, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by roll call vote 6-0.

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

**Ordinance 23-22 (Discussion, Public Comment, Roll Call Vote)**

An Ordinance of the Town of Merrillville, Lake County, Indiana, Amending Ordinances 23-18, 23-16, 23-01, AND 22-29A, The 2023 Salary Ordinance, and Pay for the Employees of the Town of Merrillville, Indiana for the Calendar Year 2023

A motion was made by Vice-President Hardaway to accept Ordinance 23-22 on the second and final reading, seconded by Councilman Pettit.

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

Motion carries by roll call vote 6-0.

***ADJOURNMENT:***

A motion and a second were made.

Motion carries by voice vote 6-0.

Meeting Adjourned.

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***Rick Bella, President***

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***Kelly White Gibson, Clerk-Treasurer***

***Minutes Submitted By Angela Lewis***



**ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY****TOWN OF MERRILLVILLE**

GOVERNMENTAL UNIT

AGENCY

**APV Register Batch - ARP SEPTEMBER 12, 2023 TC MEETING (2)**

Page 1 of 1 Pages

General Form No. 364 (1997) APVREGISTER\_SUM FRX

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.

Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
/ /	637	DENNIS J DOBROLECKI	ARP/BLDG MAINT	650 00			8/20/23-9/2/23
/ /	1107	KENNETH WOODSIDE	ARP/BLDG MAINT	850 00			8/20/23-9/2/23
/ /	1161	PAUL ROBERTS	ARP/SMALL BUSINESS	4477 00			ARP GRANT- DOUG & STEVE
/ /	345	RAY TRISTAIN	ARP/BLDG MAINT	650 00			8/20/23-9/2-23
		Checks: 0- 0		6627 00			



**FROM:** SHEILA SHINE

**RE:** VARIANCE OF USE APPROVAL

**PETITIONER:** MERRILLVILLE SOLAR, LLC BY LIGHTSOURCE BP

**OWNER:** SEE ATTACHED APPLICATION

**PURPOSE:** TO ALLOW A SOLAR PROJECT

**LOCATION:** SOUTH OF HWY 30 BETWEEN COLORADO / CLAY,  
WEST OF GRAND

**ZONING:** M-1, INDUSTRIAL ZONING DISTRICT AND M-2,  
INDUSTRIAL ZONING DISTRICT

**DATE OF BOARD OF ZONING APPEALS:** AUGUST 23, 2023

**DEADLINE FOR TOWN COUNCIL ACTION:** NOVEMBER 28, 2023

**ACTION TAKEN BY THE BOARD:** APPROVED

**VOTE:** (5) APPROVED

**CONDITIONS:**

1. **SCREENING** PERIMETER OF THE AREA CONTAINING SOLAR PANELS VIEWABLE FROM ADJACENT RESIDENCES WILL BE SCREENED BY APPROPRIATE VEGETATION.
2. **GLARE** SOLAR PANELS WILL BE DESIGNED AND INSTALLED TO PROHIBIT GLARE FROM BEING DIRECTED TOWARD VEHICULAR TRAFFIC ON ROADS ADJACENT TO PROJECT OR ANY HABITABLE PORTION OF ANY ADJACENT STRUCTURE.
3. **HEIGHT.** HEIGHT OF SOLAR PANEL WILL NOT EXCEED 16 FEET.
4. **EPA COMPLIANT.** ALL SOLAR PANELS INSTALLED ON THIS PROJECT WILL BE REQUIRED TO MEET THE TEST PROTOCOLS ESTABLISHED BY THE ENVIRONMENTAL PROTECTION AGENCY (EPA).
5. **SETBACKS.** NO SOLAR PANEL IN REQUIRED YARD SETBACKS.
6. **ABANDONMENT.** IF A SOLAR PROJECT CEASES TO PERFORM ITS ORGINALLY INTENDED FUNCTION FOR MORE THAN 12 CONSECUTIVE MONTHS, THE PETITIONER OR ITS SUCCESSOR SHALL REMOVE THE COLLECTORS, MOUNTS, AND ASSOCIATED EQUIPMENT AND FACILITIES FROM THE PROPERTY NO LATER THAN 90 DAYS AFTER THE END OF THE TWELVE-MONTH PERIOD.
7. **NO BATTERY STORAGE**

VARIANCE OF USE: CASE # 2154v2-0723

NOTICE OF BOARD OF ZONING APPEALS DECISION ON PETITION  
OF Merrillville Solar LLC

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 # 2154v2-0723 from the terms of the zoning ordinance this 23rd day of August, 2023. The Board of Zoning Appeals, pursuant to I.C. 36-7-4-918.4, imposes the following conditions as part of its approval:

1. See Condition\*
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_

CHAIRMAN

SECRETARY



MERRILLVILLE BOARD OF ZONING APPEALS  
APPLICATION FOR VARIANCE OF USE

Shula Shume  
6-14-23

FEE: \$200.00

DATE:

RECEIPT #

\*\*\*FILING FEE WILL NOT BE REFUNDED IF PETITION IS WITHDRAWN OR DENIED

**NOTE TO APPLICANT: Please read the following State Law Carefully**

36-7-4-918.4 - 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 (IC36-7-4-918.4 as added by P.L. 357-1983, Sec. 13.)

APPLICATION FILED AND PLANS RECEIVED: Date \_\_\_\_\_

ADDRESS OF PROPERTY OR GENERAL LOCATION: South of Hwy 30, btwn Colorado/Clay, W of Grand

TAX KEY # See attached

CURRENT ZONING: M-1, M-2, XXX

AREA OF GROUND: See attached

PROPOSED USED OF PROPERTY: Solar Farm and Battery Storage Project

PRESENT USE OF PROPERTY: Agriculture & Vacant Land

**USES OF ADJACENT PROPERTIES**

<b>NORTH</b> Vacant land, tilled land, low density rural residential	<b>EAST</b> Vacant land, tilled land, low density rural residential
<b>SOUTH</b> Vacant land, tilled land, low density rural residential	<b>WEST</b> Vacant land, tilled land, low density rural residential

**PLEASE PRINT**

<b>PETITIONER:</b> Merrillville Solar, LLC by Lightsource bp	<b>OWNER:</b> See attached (Power of Attorneys attached)
<b>ADDRESS:</b>	<b>ADDRESS:</b> See attached
<b>CITY</b> <b>STATE</b> <b>ZIP</b>	<b>CITY</b> <b>STATE</b> <b>ZIP</b>
<b>PHONE:</b> ( )	<b>PHONE:</b> ( )

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/orwe 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

Jaquie Kitchen  
JAQUIE KITCHEN, SR. DIRECTOR  
OF DEVELOPMENT

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 her voluntary act and deed for the uses and purposes therein mentioned.

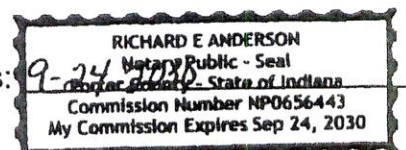
DATED THIS 13<sup>th</sup>, DAY OF June, 20023.

RQE  
Notary Public

OWNERS (S) SIGNATURES

Power of Attorneys attached

My Commission Expires:





**TOWN OF MERRILLVILLE, INDIANA  
BOARD OF ZONING APPEALS  
DATE: \_\_\_\_\_**

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, [Merrillville Solar LLC, by Lightsource bp](#) 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 [Merrillville Solar](#) and to the surrounding area:

1. Petitioner owns the property commonly known as [Merrillville Solar Farm](#) Which is classified as "[Unlisted use](#)" pursuant to the zoning ordinance.
2. Petitioner has requested a variance of use from the zoning ordinance for the following reasons:

[Solar Farm is not a listed land use in the Merrillville Zoning Ordinance. However, this type of land use is consistent with the subject zoning districts because a solar farm represents a passive use of land that, though long-term \(approximately 35 years\), is temporary in nature. The land use does not create a permanent change in the land, and has fewer impacts than other permitted uses.](#)

[Installation of the Project requires relatively minor land disturbance compared to other uses such as warehouses and residential subdivisions and does not require permanent new off-site infrastructure \(such as sewer lines or additional road lanes\). Once installed, the Project has few moving parts, requires minimal maintenance, generates negligible new traffic, and overall does not generate a significant strain on public infrastructure or resources. When the Project's life cycle ends, it is fully decommissioned, and the landowner has the option of returning the land to its prior use or converting it to any suitable use permitted by the underlying zoning.](#)

[Additional information on project design, construction, decommissioning and solar energy development can be found on the Lightsource bp FAQ webpage: <https://lightsourcebp.com/us/projects/solar-farm-faqs/>.](#)

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:

[During construction, industry best practices will be employed to ensure that activities are not injurious to the public health or safety; including efforts to work with local officials to identify methods to identify appropriate traffic routes, reduce noise, and ensure that the Project does not interfere with existing drainage patterns of adjacent public roads and properties. The Project has also offered to enter into a Road Use Agreement with the Town to solidify these terms and to guarantee any construction related wear and tear to the roads is repaired upon completion of construction.](#)

[Once constructed, the Project will be a passive use of the land that is consistent with existing surrounding development, and non-impactful to public health, safety, morals, and general welfare, as the project will not generate pollution, significant traffic, or increased noise audible offsite. Many areas of the Project will also be screened from public view by existing vegetation and new vegetative buffers to be installed by the Petitioner. The Project will also be designed in accordance with industry standards, the National Electrical Code, and will meet or exceed local, state and federal regulations for safe construction and operation.](#)

[Additionally, the Project will support the general welfare of the community in two key ways:](#)

- [New revenue: The project will generate substantial new property tax revenues without increasing taxes on local residents or creating significant new demand on local infrastructure or municipal resources.](#)
- [Improving land health: As a part of Lightsource bp's "Responsible Solar" approach, we will design and implement a site-specific Land Management and Biodiversity Plan at the Project aimed to improve soil health, foster new pollinator habitats and to integrate/retain agricultural use of the land through "agrivoltaics" \(integration of sheep grazing or other farm activities at the site\).](#)

- 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:

[The Solar Farm project is a passive use of the land that does not interfere with the quiet enjoyment of adjacent properties. Additionally, numerous studies throughout the United States have demonstrated](#)



that Solar Projects do not have a negative impact on the value of properties adjacent to or in the vicinity of the projects. For example, a 2018 study across five counties in Indiana found that upon completion of a solar farm, properties within two miles of the project were an average of two percent more valuable compared to their value prior to project installation ("Property Impact Study" [Mcleancounty.gov](https://www.mcleancounty.gov)).

- c. The need for the proposed variance arises from some condition peculiar to the property involved in that:

The Project site consists of large parcels that are currently being farmed or are vacant land. The landowners wish to lease their properties to the Petitioner in order to develop their land with a solar farm. It is the Petitioner's understanding that a use variance will be required since Solar Farm is not currently listed as a use in the Town's zoning ordinance.

- 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:

Solar Farms are less intensive uses than most others permitted in the subject zoning districts, and this proposed use provides a beneficial service (i.e., producing and providing clean renewable electricity, and additional new property tax revenue to the Town).

Additionally, to be feasibly developed, the use must be located in specific geographic areas; that is, solar farm projects are strictly limited to locations with suitable characteristics (e.g., minimal topography and unimpeded southern exposure) that are near transmission lines and substations with adequate capacity.

Through extensive due diligence, the Petitioner has determined that the subject properties, all of which are within the Town of Merrillville, meet the requirements for such a project and are owned by landowners willing to lease their property for this use. This combination of site suitability and accommodating landownership is rare and is critically important to increasing the quantity of renewable energy produced in Indiana. As such, the subject properties are uniquely qualified for the proposed Project.

However, Solar Farm is not listed in the Town of Merrillville zoning ordinance, and a strict application of the ordinance will not allow the Project to be developed in the Town, creating an unnecessary hardship on both the Petitioner and the landowners.

- e. The proposed variance of use will not substantially interfere with the comprehensive master plan because:

The proposed variance of use will not substantially interfere with the Town's comprehensive plan. Instead, the Project will aid in the implementation of several goals identified in the comprehensive plan, specifically:

*Goal 1 – Improve transportation corridors to reduce congestion and increase public safety*

While the Project does not propose any major corridor improvements, the use within the project (Solar Farm) will not generate a meaningful number of vehicle trips for the next 35 years. When compared to the new traffic that would be generated by other uses currently allowed on the subject properties, namely light industrial developments, the Petitioner's Project will significantly lower forecasted travel demand in the vicinity, effectively removing those future vehicle trips from the roadways that would have been generated by other more intensive land uses on the same properties.

*Goal 2 – Encourage the preservation of natural areas and open space*

A Solar Farm is a semi-permanent use, and the Project is likely to be decommissioned in 35 years. When this occurs, the solar panels and other parts of the Project are removed, and the land can return to its prior use (agriculture or vacant) or become natural areas/open space. In contrast, when a property is developed with permanent improvements such as paved roads, building foundations, and underground sewer/water infrastructure, that land is likely permanently converted to that use, with no potential to return to a less intensive use like agriculture or open space.

Additionally, as part of Lightsource bp's Responsible Solar approach, we will design and implement a site-specific Land Management and Biodiversity Plan at the Project aimed to improve soil health, foster new pollinator habitats and to integrate/retain agricultural use of the land through "agrivoltaics" (integration of sheep grazing or other farm activities at the site). This is achieved by developing seed mixes specific to the local environment that will facilitate pollinator growth, allowing for the integration of sheep grazing to help with maintenance of the site, and improving soil health through rest and regeneration during the lifecycle of the project.

Additional information on Lightsource bp's approach to Environmental Sustainability can be found



online: <https://lightsourcebp.com/us/communities/environmental-sustainability/>

Goal 7 – Encourage new, clean industrial and commercial development in appropriate locations

Based on current zoning and the prevailing development patterns in Merrillville, the preferred location for new industrial development appears to be in the southeastern portion of the Town. The Project will occur in that southeastern region, with all of the Project parcels located in the Limited Industrial and Limited Industrial Corridor Overlay zoning designations. A renewable energy development project in this location will further implement Goal 7.

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**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.**

## LEGAL DESCRIPTION

45-12-25-200-009.000-030

45-12-25-400-001.000-030

THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP THIRTY-FIVE (35) NORTH, RANGE EIGHT (8) WEST OF THE SECOND PRINCIPAL MERIDIAN, CONTAINING 78 ACRES, MORE OR LESS, EXCEPTING THEREFROM THE RIGHT-OF-WAY OF THE CHESAPEAKE & OHIO RAILROAD, COUNTY OF LAKE, STATE OF INDIANA; AND THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION TWENTY-FIVE (25), TOWNSHIP THIRTY-FIVE (35) NORTH, RANGE EIGHT (8) WEST OF THE SECOND PRINCIPAL MERIDIAN, CONTAINING 80 ACRES, MORE OR LESS, COUNTY OF LAKE, STATE OF INDIANA.

45-12-25-300-007.000-030

PARCEL 1: THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND, P.M., IN LAKE COUNTY, INDIANA, EXCEPT THAT PART DESCRIBED AS: BEGINNING AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER A DISTANCE OF 350 FEET THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 25 A DISTANCE OF 200 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 25 A DISTANCE OF 275 FEET; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, A DISTANCE OF 50 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 25 A DISTANCE OF 75.00 FEET TO THE SOUTH LINE OF SAID SECTION 25; THENCE WEST ALONG THE SOUTH LINE OF SAID SECTION 25 A DISTANCE OF 250.0 FEET TO THE POINT OF BEGINNING.

PARCEL 2: ALL THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA.

PARCEL 3: THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 36, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA.

PARCEL 4: THE NORTH 1 ROD OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA,

PARCEL 5: PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SAID SOUTHWEST QUARTER OF SAID SECTION 25; THENCE NORTH ALONG THE WEST LINE OF THE SAID SOUTHEAST QUARTER OF THE SAID SOUTHWEST QUARTER OF THE SAID SECTION 25, A DISTANCE OF 350 FEET; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, A DISTANCE OF 200 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SAID SOUTHWEST QUARTER OF SAID SECTION 25, A DISTANCE OF 275 FEET; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID SECTION 25, A DISTANCE OF 50 FEET; THENCE SOUTH PARALLEL TO THE WEST LINE OF THE SOUTHEAST QUARTER OF THE SAID SOUTHWEST QUARTER OF SAID SECTION 25, A DISTANCE OF 75 FEET TO THE SOUTH LINE OF THE SAID SECTION 25; THENCE WEST ALONG THE SOUTH LINE OF THE SAID SECTION 25, A DISTANCE OF 250.0 FEET TO THE POINT OF BEGINNING.

PARCEL 6: THE WEST 250 FEET OF THE NORTH 1 ROD OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION '36, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M. IN LAKE COUNTY, INDIANA.

PARCEL 7: THE NORTH 1 ROD OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2ND P.M., IN LAKE COUNTY, INDIANA.

45-12-25-200-006.000-030

PARCEL 1: PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2<sup>ND</sup> PM, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER THEREOF; THENCE NORTH 00 DEGREES 03 MINUTES 37 SECONDS EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25 A DISTANCE OF 1224.25 FEET MORE OR LESS TO THE SOUTHERLY LINE OF SAID RAILROAD A DISTANCE OF 1527.82 FEET, MORE OR LESS, TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25;

THENCE SOUTH 00 DEGREES 01 MINUTES 14 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST CORNER THEREOF; THENCE NORTH 89 DEGREES 45 MINUTES 14 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25 A DISTANCE OF 1323.42 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN LAKE COUNTY, INDIANA.

45-12-25-200-001.000-030

PART OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 24, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2<sup>ND</sup> PRINCIPAL MERIDIAN, AND PART OF THE NORTHWEST  $\frac{1}{4}$  OF THE NORTHEAST  $\frac{1}{4}$  OF SECTION 25, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2<sup>ND</sup> PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHEAST  $\frac{1}{4}$  OF SAID SECTION 24 AND 17.88 FEET NORTH OF THE SOUTHWEST CORNER THEREOF; SAID POINT BEING ON THE NORTHERLY LINE OF THE CHESAPEAKE AND OHIO RAILROAD; THENCE SOUTH 59 DEGREES 54 MINUTES 44 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID RAILWAY 263.42 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, PARALLEL TO THE WEST LINE OF THE SOUTHEAST  $\frac{1}{4}$  OF SAID SECTION 24, A DISTANCE OF 281.1 FEET; THENCE NORTH 89 DEGREES 45 MINUTES 30 SECONDS WEST, 177.92 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST; 650.69 FEET TO THE CENTER LINE OF HARMS ROAD; THENCE SOUTH 60 DEGREES 28 MINUTES 30 SECONDS WEST 57.46 FEET TO THE WEST LINE OF THE SOUTHEAST  $\frac{1}{4}$  OF SAID SECTION 24; THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 772.16 TO THE POINT OF BEGINNING.

45-12-26-400-001.000-030

THAT CERTAIN LAND SITUATED IN LAKE COUNTY, INDIANA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 26, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE 2<sup>ND</sup> PRINCIPAL MERIDIAN, IN LAKE COUNTY, INDIANA.



NOTES -

- 445 ACRES ARE LEASED BY LSBP, BUT ONLY 279 ACRES WILL BE FENCED (63% LOT COVERAGE)
- 260 ACRES OF LEASED PROPERTY ARE IN THE MISSISSIPPI TIF
- UP TO 100 MWac

PO LOCATION

PROPOSED  
GEN-TIE ROUTE  
(NOT FINAL)

PROJECT  
COLLECTION  
SUBSTATION

EXISTING TREE BUFFER BLOCKS  
VIEW OF PANELS FROM 89<sup>TH</sup> AVE,  
HARMS RD & 83<sup>RD</sup> AVE

OVERHEAD LINE  
CROSSING

ROAD + THIEF LINE  
CROSSING

ROAD + THIEF LINE  
CROSSING

PANELS WILL BE 760' TO EXISTING  
HOME: PANELS ARE SCREENED BY  
EXISTING TREES AND HOUSE

PLANTINGS AS NEEDED TO COMPLEMENT  
EXISTING TREE BUFFER TO THE SOUTH

PANELS WILL BE 2,600' TO 97<sup>TH</sup> AVE &  
650' FROM REAR PROPERTY LINES;  
SCREENED BY DEEP RIVER & EXISTING TREES



**LIMITED POWER OF ATTORNEY FOR  
MERRILLVILLE BOARD OF ZONING APPEALS PETITION**

Petition #: Z15Uv2-0723

Project Name: Solar Farm and Battery Storage Project

Variance Requested: Use Variance for Solar Project

Property Owner: Ann M. Merkel

Mailing Address  
of Property Owner: 8047 Hopkins Ln  
Indianapolis, IN 46250

Petitioner: Merrillville Solar, LLC by Lightsource bp and its representatives,  
Jacqui Kitchen and Jake Libaire, and its attorneys, Anderson &  
Anderson, P.C.

Phone: (206) 949-0688

E-mail: jake.libaire@lightsourcebp.com

I hereby grant the above Petitioner to act as my/our true and lawful attorney-in-fact and in my/our name, place and stead with full power and authority, I/we would have if acting personally to seek approval of the application on file and to set forth and offer such legally acceptable voluntarily proffered conditions in his or her discretion are deemed reasonable, appropriate and necessary. This special Limited Power of Attorney shall expire upon final action or withdrawal of the application to which this form applies.

Property Owner: Ann M. Merkel Date: June 19, 2023

STATE OF Indiana )  
COUNTY OF Marion ) SS: Mike Breier  
Notary Public - Seal  
State of Indiana  
Hamilton County  
My Commission Expires 09/05/2030

Before me, a notary public in and for said county and state, personally appeared the above ~~Property Owner~~ Petitioner by Ann M. Merkel, its Owner, and acknowledged the execution of the above and foregoing instrument to be his/her voluntary act and deed for the uses and purposes therein mentioned.

Dated this 19<sup>th</sup> day of June, 2023.

Mike Breier, Notary Public

My Commission Expires: 09/05/2030  
County of Residence: Hamilton

LIMITED POWER OF ATTORNEY FOR  
MERRILLVILLE BOARD OF ZONING APPEALS PETITION

Petition #:

Z15Uv2-0723

Project Name:

Solar Farm and Battery Storage Project

Variance Requested:

Use Variance for Solar Project

Property Owner:

Elian Properties, LLC - Attn Artis Shepherd

Mailing Address of Property Owner:

8877 Patterson Street  
Saint John, Indiana 46373

Petitioner:

Merrillville Solar, LLC by Lightsource bp and its representatives, Jacqui Kitchen and Jake Libaire, and its attorneys, Anderson & Anderson, P.C.

Phone:

(206) 949-0688

E-mail:

jake.libaire@lightsourcebp.com

I hereby grant the above Petitioner to act as my/our true and lawful attorney-in-fact and in my/our name, place and stead with full power and authority, I/we would have if acting personally to seek approval of the application on file and to set forth and offer such legally acceptable voluntarily proffered conditions in his or her discretion are deemed reasonable, appropriate and necessary. This special Limited Power of Attorney shall expire upon final action or withdrawal of the application to which this form applies.

Property Owner: Elia M Shepherd Date: 6.21.23

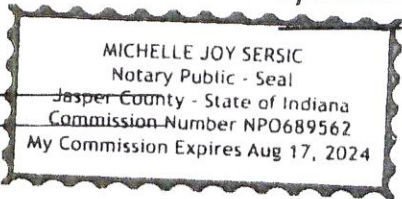
STATE OF INDIANA )  
) SS:  
COUNTY OF LAKE )

Before me, a notary public in and for said county and state, personally appeared the above ~~Property Owner~~ ~~Petitioner~~ by Elia M Shepherd, its member, and acknowledged the execution of the above and foregoing instrument to be his/her voluntary act and deed for the uses and purposes therein mentioned.

Dated this 21 day of June, 2023.

Michelle Joy Sersic, Notary Public

My Commission Expires:  
County of Residence:



**LIMITED POWER OF ATTORNEY FOR  
MERRILLVILLE BOARD OF ZONING APPEALS PETITION**

Petition #: Z15Uv2-0723

Project Name: Solar Farm and Battery Storage Project

Variance Requested: Use Variance for Solar Project

Property Owner: Albert DeYoung

Mailing Address  
of Property Owner: 4809 E. 109th Avenue  
Crown Point, Indiana 46307

Petitioner: Merrillville Solar, LLC by Lightsource bp and its representatives,  
Jacqui Kitchen and Jake Libaire, and its attorneys, Anderson &  
Anderson, P.C.

Phone: (206) 949-0688

E-mail: jake.libaire@lightsourcebp.com

I hereby grant the above Petitioner to act as my/our true and lawful attorney-in-fact and in my/our name, place and stead with full power and authority, I/we would have if acting personally to seek approval of the application on file and to set forth and offer such legally acceptable voluntarily proffered conditions in his or her discretion are deemed reasonable, appropriate and necessary. This special Limited Power of Attorney shall expire upon final action or withdrawal of the application to which this form applies.

Property Owner: Albert DeYoung Date: 6/16/23

STATE OF Indiana )  
 ) SS:  
COUNTY OF Lake )

Before me, a notary public in and for said county and state, personally appeared the above  
Property Owner, Albert DeYoung, its Representative, and  
acknowledged the execution of the above and foregoing instrument to be his/her voluntary act and  
deed for the uses and purposes therein mentioned.

Dated this 16<sup>th</sup> day of June, 2023.

Susan M. Diamond  
Susan M. Diamond, Notary Public

My Commission Expires: 4-28-2027  
County of Residence: Lake



**LIMITED POWER OF ATTORNEY FOR  
MERRILLVILLE BOARD OF ZONING APPEALS PETITION**

Petition # Z15U-2-0723  
Project Name Solar Farm and Battery Storage Project  
Variance Requested Use Variance for Solar Project  
Property Owner Mohamed Krad  
Mailing Address of Property Owner 2 San Simeon  
Laguna Niguel CA 92677  
Petitioner Merrillville Solar, LLC by Lightsource bp and its representatives,  
Jacqui Kitchen and Jake Libaire, and its attorneys, Anderson &  
Anderson P.C.  
Phone (206) 949-0688  
E-mail jake.libaire@lightsourcebp.com

I hereby grant the above Petitioner to act as my/our true and lawful attorney-in-fact and in my/our name, place and stead with full power and authority, I/we would have if acting personally to seek approval of the application on file and to set forth and offer such legally acceptable voluntarily proffered conditions in his or her discretion are deemed reasonable, appropriate and necessary. This special Limited Power of Attorney shall expire upon final action or withdrawal of the application to which this form applies.

Property Owner Mohamed Krad Date 6.16.2023

STATE OF IN  
COUNTY OF SS

Before me, a notary public in and for said county and state, personally appeared the above Petitioner by Jacqui Kitchen, its and Jake Libaire, and acknowledged the execution of the above and foregoing instrument to be his/her voluntary act and deed for the uses and purposes therein mentioned.

Dated this 16 day of June, 2023.

\_\_\_\_\_  
Notary Public

My Commission Expires 6/16/2025  
County of Residence SS



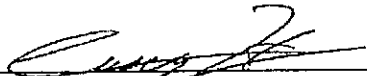
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA       )  
  ) ss  
COUNTY OF ORANGE       )

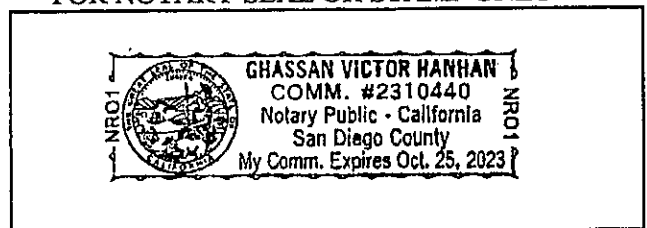
On this the 16 day of June, 2023, before me, Ghassan Victor Hanhan, a Notary Public, personally appeared **MOHAMED KRAD**, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public

FOR NOTARY SEAL OR STAMP ONLY



**FROM:** SHEILA SHINE

**RE:** SPECIAL EXCEPTION APPROVAL

**PETITIONER:** CODY R. WALLENIOUS

**OWNER:** 2450-2490 WEST 81<sup>ST</sup> HILLSIDE LLC

**PURPOSE:** TO ALLOW A TATTOO STUDIO

**LOCATION:** 2460 WEST LINCOLN HIGHWAY

**ZONING:** C-3, HIGHWAY COMMERCIAL ZONING DISTRICT

**DATE OF BOARD OF ZONING APPEALS:** AUGUST 23, 2023

**DEADLINE FOR TOWN COUNCIL ACTION:** NOVEMBER, 28 2023

**ACTION TAKEN BY THE BOARD:** APPROVED

**VOTE:** (5) APPROVED

**CONDITIONS:** FOR THIS PETITIONER ONLY, FOR LOCATION ONLY  
AND FOR THIS USE ONLY

PETITIONER IS AWARE OF THE SECURITY CAMERA ORDINANCE

SPECIAL EXCEPTION CASE# Z19E10-0823

NOTICE OF BOARD OF ZONING APPEAL'S DECISION ON PETITION  
OF Cody R. Wallenius

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 special exception will not be detrimental to or endanger the public health, safety, morals, and general welfare of the community and/or in accordance with the comprehensive plan.  
COMMENT:

2. The Petitioner (did/did not) establish that the special exception will not be injurious to use and enjoyment of other property in the immediate vicinity for the purpose already permitted nor substantially diminish and impair property values within the neighborhood.  
COMMENT:

3. The Petitioner (did/did not) establish that the special exception will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district.  
COMMENT:

4. The Petitioner (did/did not) establish that the special exception will provide adequate utilities, access roads, drainage, and/or other necessary facilities.  
COMMENT:

5. The Petitioner (did/did not) establish that adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets.  
COMMENT:

6. The Petitioner (did/did not) establish that the special exception will conform to the applicable regulations of the district in which it is located and there is a public necessity for the proposed special exception.  
COMMENT:

Accordingly, the Board of Zoning Appeals hereby approves/denies Petition for Special Exception Case # Z19E10-0823 this 23<sup>rd</sup> day of August, 2023. The Board of Zoning Appeals, pursuant to I.C. 36-7-4-918.2, imposes the following conditions as part of its approval:

1. For this petitioner only, at this location only and for this use only  
2. \_\_\_\_\_  
3. \_\_\_\_\_  
4. \_\_\_\_\_  
5. \_\_\_\_\_

[Signature]  
Chairman

Robert P. Lutz  
Secretary

Andrew Sylvestern

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

**CASE NO: Z19E10-0823    BZA MEETING DATE: AUGUST 23, 2023**

**PREPARED BY:                    SHEILA SHINE**

**APPLICANT:                      CODY R. WALLENIOUS**

**PETITIONER:                    CODY R. WALLENIOUS**

**OWNERS:                         2450-2490 WEST 81<sup>ST</sup> HILLSIDE LLC**

**REQUEST:                        SPECIAL EXCEPTION APPROVAL**

**LOT SIZE:                        1.402 ACRES**

**EXISTING ZONING:              C-3, HIGHWAY COMMERCIAL ZONING DISTRICT**

**LOCATION:**

**SURROUNDING USES:**

**NORTH -                         RESIDENTIAL**

**SOUTH -                         COMMERCIAL**

**EAST -                          COMMERCIAL**

**WEST -                          COMMERCIAL**

**SURROUNDING ZONING:**

**NORTH -                         R-2, SINGLE FAMILY RESIDENTIAL ZONING DISTRICT**

**SOUTH -                         C-3, HIGHWAY COMMERCIAL ZONING DISTRICT**

**EAST -                          C-3, HIGHWAY COMMERCIAL ZONING DISTRICT**

**WEST -                          C-3, HIGHWAY COMMERCIAL ZONING DISTRICT**

**COMMENTS: PETITIONER IS REQUESTING SPECIAL EXCEPTION APPROVAL FOR A TATTOO STUDIO AND ART GALLERY. THE STUDIO AND ART GALLERY WOULD BE LOCATED AT 2460 WEST LINCOLN HIGHWAY IN A C-3, COMMERCIAL ZONING DISTRICT. AFTER TWENTY YEARS OF IN THE INDUSTRY AS A TRAVELING ARTIST, HE WANTS HIS OWN STUDIO. PETITIONER HS COMPLETED THE YEARLY TRAINING OF BLOODBORNE PATHOGEN AS WEEL AS THE ARTIST WHO WILL BE WORKING IN THE STUDIO. PETITIONER PRACTICES ALL THE SAFETY PROCEDURES OF THE INDUSTRY. PETITIONER FOLLOWS THE INDIANA STATE HEALTH DEPARTMENT LAW THAT GOVERNS TATTOOING IN INDIANA. THIS INCLUDES THAT ANYONE UNDER THE AGE OF 18 MUST BE ACCOMPANIED BY AND HAVE WRITTEN PERMISSION BY A PARENT OR GUARDIAN. ALL NEEDLES MUST BE STERILE AND DESIGNED FOR SINGLE USE. ARTIST MUST**

**WEAR STERILE GLOVES DURING THE PROCEDURE. ANY AND ALL SURFACES THAT COME IN CONTACT WITH CLIENTS SKIN WILL BE SANITIZED WITH STANDARD CLEANING PRACTICES. ALL CLIENTS MUST PROVIDE IDENTIFICATION AND FILL OUT CONCENT FORM. THE STUDIO WILL BE KNOWN AS EASY TIGER TATTOO LLC. THE HOURS OF OPERATIONS ARE TUESDAY THROUGH SATURDAY 11:00 AM- 8:00 PM. THE STUDIO WILL BE CLOSED SUNDAY AND MONDAY. CURRENT ARTIST WORK ALMOST EXCLUSIVELY BY APPOINTMENT. THERE WILL BE APPROXIMATELY 3 TO 4 ARTISTS.**

**MERRILLVILLE PLAN COMMISSION & BOARD OF ZONING APPEALS**  
**7820 Broadway, Merrillville, Indiana 46410**

**APPLICATION FOR A SPECIAL EXCEPTION**

**FEE: \$250.00**      **DATE PAID: 8-3-23**      **RECEIPT # 97975**

**Proposed Use:** Tattoo Studio - Art Gallery

**Address or General Location:** 2460 - West Lincoln Highway

(Attach Complete Legal Description)

**Current Zoning:** C-3      **Area of Ground:** 0.599 Acres

**Tax Key #:** 45-12-20-178-009.000-030      **Present Use:** Vacant Space.

**USES OF ADJACENT PROPERTY TO REQUESTED SPECIAL EXCEPTION:**

**North** \_\_\_\_\_ **East** \_\_\_\_\_  
**South** \_\_\_\_\_ **West** \_\_\_\_\_

SUBMIT WITH THIS APPLICATION SEVERAL PHOTOGRAPHS OF YOUR PROPERTY AND THE PROPERTY SURROUNDING IT. ALSO, SUBMIT A PLAT SHOWING THE PROPERTY AND INDICATING THE PRESENT USAGE AS WELL AS USAGE OF ADJACENT PROPERTY.

TYPE or PRINT	
PETITIONER	OWNER
NAME: <u>Cody R. Wallenius</u>	NAME: <u>2450-2490 W. 81st Hillside LLC</u>
ADDRESS: <u>715 East Clark St.</u> <u>Crown Point, IN 46307</u>	ADDRESS: <u>801 E. Main St.</u> <u>Griffith, IN 46319</u>
PHONE: <u>(708) 250-4768</u>	PHONE: <u>(219) 922-2074 x117</u>

Being first 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 Plan Commission and Board of Zoning Appeals for the purpose of this request for the above described real estate.

**SIGNATURES:**

**PETITIONER(S)**

[Signature]

**OWNER(S)**

[Signature] C/O Austgen Property  
2450-2490 W. 81st Hillside LLC

STATE OF INDIANA, COUNTY OF LAKE) SS

Before me, a Notary Public in and for said County and State, personally appeared the above named petitioner(s) and owner(s) and acknowledged the execution of the above and foregoing instrument to be a voluntary act and need for the use and purposes therein mentioned.

Dated this 3rd day of August, 2023.

[Signature]  
Notary Public

My commission expires: 3/3/2031



**CONTACT:** Cody Wallenius      **PHONE #** (219) 708-250-4768

**\*\*\*FILING FEE WILL NOT BE REFUNDED IF PETITION IS WITHDRAWN OR DENIED**

cody.wallenius.dst@gmail.com

SPECIAL EXCEPTION CASE # \_\_\_\_\_

TOWN OF MERRILLVILLE, INDIANA  
BOARD OF ZONING APPEALS  
DATE: \_\_\_\_\_

Pursuant to Article III, Section 6 of the Rules and Regulations of Practice and Procedure of the Town of Merrillville Board of Zoning Appeals, Petitioner, Cody R. Wallenius submits the following findings of fact which address the effects that Petitioner's proposed special exception for the property commonly known as \_\_\_\_\_ will have on such property and to the surround area:

1. Petitioner owns the property commonly known as \_\_\_\_\_ which is classified as \_\_\_\_\_ pursuant to the terms of the zoning ordinance.

2. Petitioner has request a special exception for the following purpose:  
to open a Tattoo Studio in Merrillville.

3. Petitioner submits that:

a. The establishment, maintenance, or operation of the proposed special exception use will not be detrimental to or endanger the public health, safety, morals and general welfare and is in accordance with the comprehensive plan because:

After 20+ years in the industry, as a traveling artist, we will only operate following all proper codes, procedures, and age req.

b. The proposed special exception will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminished and impair property values within the neighborhood because:

We hope to add to your community, in the form of an upstanding, clean, sterile, and safe environment for clients as well as guests visiting our establishment.

c. The establishment of the proposed special exception will not impede the normal and orderly development and improvement of surrounding properties for uses permitted in the district because:

We only have plans on using the allotted signage as proposed by the landlord; as per his request.

d. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided in the following manner:

All of which would be maintained by landlord / operating company.

e. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets in the following manner:

All employee vehicles will be parked in allotted spaces either in the rear of premises or the front street facing spaces, as to reduce congestion.

f. The proposed special exception shall in all other respects conform to the applicable regulations of the district in which it is located and there is a public necessity for the proposed special exception in that:

People are more apt to get a tattoo in the current day and age, being that it's an up and coming industry with a more focused view on artwork and proper technique.

\*\*\*\*\*

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.

# Easy Tiger Tattoo LLC

## # of Artists

5 tattoo artists will be operating on the premises  
4 current artists work almost exclusively by appointment  
1 walk-in artist

## General Hours of Operation

Tuesday - Saturday (Closed Sunday & Monday)  
11 am - 8 pm

Ultimately hours may vary due to appointment times

## Procedures of Operating Proposed Business

1. We will provide a separate area for storing and/or preparing tattoo inks, needles, and other equipment.
2. Each artist must/will wear sterile gloves during each/any procedure.
3. Fully disposable and brand-new razors, needles, tubes, rubberbands, ink caps, table/work area set-ups will be used for every client. Single-use only!
4. All surfaces that come in contact with the client's skin will be sanitized in accordance with industry standards and practices. (Cavicide spray/wipes, bleach for cleaning)
5. All potential clients must provide valid identification and fill out the required consent forms. Clients must be 18 years old.
6. Minors between the ages of 16 and 18 must have written consent from a parent and corresponding identification and be accompanied by that parent or guardian.
7. All premises will be kept and maintained in a neat and clean fashion.
8. Patron's rights and our universal precautions will be posted at the entry.
9. We will not now or ever provide body piercing or jewelry.
10. All artists and employees are required to perform yearly training seminars to further their knowledge and skills in the field.



Use	Districts														
	A-1	R-1	R-2	R-3	R-4	R-5	C-1	C-2	C-3	C-4E	C-5	M-1	M-2	F	PUD
Offices (business or professional) as follows: Architect, artist, attorney, bank machines, bank / savings & loan, credit union, clinic*, dentist, design services, engineer, insurance agent, medical and dental laboratories, musician, optometrists, other professionals, physician, pharmacist, photographic studio, real estate, service organization, travel agency, or uses similar to those listed above as determined by the planning and building administrator.	X	X	X	X	X	S	P	P	P	X	P	P	X	X	P
Parking lots* and structures (see section 21-172)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Parks and playgrounds publicly owned and operated	P	P	P	P	P	P	X	X	X	X	X	X	X	P	P
Parks and playgrounds privately owned and operated	S	S	S	S	S	S	X	X	X	X	X	X	X	S	P
Personal services as follows: Barber shop, beauty shop; health spa, nail salon, tanning salon or uses similar to those listed above as determined by the planning and building administrator.	X	X	X	X	X	X	P	P	P	P	X	X	X	X	P
Personal services as follows: Body painting, body piercing or tattoo shop, massage therapy or uses similar to those listed above as determined by the planning and building administrator	X	X	X	X	X	X	X	X	S	X	X	X	X	X	S
Personal storage building*	X	X	X	X	X	X	X	X	X	X	X	P	S	X	P
Pole building*	P	X	X	X	X	X	X	X	X	X	X	P	X	P	P
Produce stands for sale of products raised on the premises	A	X	X	X	X	X	X	X	X	X	X	X	X	A	X
Public buildings for governmental functions	S	S	S	S	S	S	P	P	P	S	S	S	S	S	P
Public transportation facilities	X	X	X	X	X	X	X	S	S	X	X	P	X	X	X
Recording studio	X	X	X	X	X	X	X	S	P	X	X	X	X	X	X
*Religious use*	P	S	S	S	S	S	S	S	S	X	X	X	X	X	P
Rental office for residential developments	X	X	X	A	A	A	X	X	X	X	X	X	X	X	A
Research laboratory*	X	X	X	X	X	X	X	S	S	X	P	P	S	X	P
Residential facility for the developmentally disabled*	P	P	P	P	P	P	X	X	X	X	X	X	X	X	P
Residential facility for the mentally ill* if located more than three thousand (3,000) feet from another residential facility for the mentally ill as measured between lot lines.	P	P	P	P	P	P	X	X	X	X	X	X	X	X	P

# Certificate

OF COMPLETION

IN RECOGNITION OF SUCCESSFUL COMPLETION IN:  
**Bloodborne Pathogens**  
Infectious Disease Control  
Best Practices / Precautions

THIS CERTIFICATE IS PROUDLY PRESENTED TO:

**CODY R WALLENIOUS**

The above mentioned Student is now certified in the above mentioned course by demonstrating proficiency in the subject by passing the examination in accordance with the Terms & Conditions of National CPR Foundation - Valid for 1 year. Course administered in accordance with the **2020** ECC/ILCOR and AHA guidelines. ID#: **4645FC**

Completion: **August 4, 2023**  
Instructor: **Paul J. Scruton**

Signature: *Paul J. Scruton*



COURSE PROVIDED BY:  
**NationalCPRFoundation™**

C.F.O

# Certificate

OF COMPLETION

IN RECOGNITION OF SUCCESSFUL COMPLETION IN:  
**Bloodborne Pathogens**  
Infectious Disease Control  
Best Practices / Precautions

THIS CERTIFICATE IS PROUDLY PRESENTED TO:

**ASHLEY C EWING**

The above mentioned Student is now certified in the above mentioned course by demonstrating proficiency in the subject by passing the examination in accordance with the Terms & Conditions of National CPR Foundation - Valid for 1 year. Course administered in accordance with the **2020** ECC/ILCOR and AHA guidelines. ID#: **649F27**

Completion: **August 4, 2023**

Instructor: **Paul J. Scruton**

Signature:



COURSE PROVIDED BY:

**National CPR Foundation™**



MANAGER

# Certificate

OF COMPLETION

IN RECOGNITION OF SUCCESSFUL COMPLETION IN:

**Bloodborne Pathogens**  
Infectious Disease Control  
Best Practices / Precautions

THIS CERTIFICATE IS PROUDLY PRESENTED TO:

**ROBERTO S ESPINOSA**

The above mentioned Student is now certified in the above mentioned course by demonstrating proficiency in the subject by passing the examination in accordance with the Terms & Conditions of National CPR Foundation - Valid for 1 year. Course administered in accordance with the **2020** ECC/ILCOR and AHA guidelines. ID#: **2E2A852**

Completion: **August 4, 2023**

Instructor: **Paul J. Scruton**

COURSE PROVIDED BY:

**NationalCPRFoundation™**



Signature:

A handwritten signature in black ink, appearing to read "Paul J. Scruton".

RT.30 ↑

□ - ANY STRUCTURE TO BE ADDED

SIDE WALK @ FRONT OF PREMISES

FRONT WINDOWS (A X A)  
SEATING

FRONT DOOR

(LOBBY AREA)

DISPLAY CASE / HISTORIC ARTIFACTS

FRONT COUNTER / RECEPTION

SEATING

gar

4

gar

5

TABLE

TABLE

TABLE

TABLE

TABLE

1

gar

2

gar

3

gar

5 ARTIST STATIONS

Supply Room /  
CLOSET STORAGE

OFFICE

REAR CLOSET

BATH ROOM

REAR KITCHEN

DRAWING TABLE

STENCIL AREA

gar

GARAGE

CABINETS

SMALL FRIDGE

TABLE

(ARTIST /  
EMPLOYEE AREA)

REAR EXIT DOOR

REAR OF PREMISES

ARTIST STATIONS 15-16-17

SINK TOILET

3/4 wall



INDUSTRY STANDARD  
CLEANING AGENT

CaviCide™  
Date Prepared: 3/23/16

## SAFETY DATA SHEET

### Section 1. Product And Company Identification

**Product Name:** CaviCide™

**Product Use:** Hard surface cleaner and disinfectant

**Manufacturer:** METREX™ RESEARCH  
28210 Wick Rd  
Romulus, MI 48174  
U.S.A.

**Information Phone Number:** 1-800-841-1428 (Customer Service)

**Chemical Emergency Phone Number** (Chemical Spills, Leaks, Fire, Exposure or Accident only):  
CHEMTREC 1-800-424-9300 (in the US) 1-703-527-3887 (Outside the US)

**SDS Date Of Preparation/Revision:** 3/23/16

### Section 2. Hazards Identification

**GHS / HAZCOM 2012 Classification:**

Flammable Liquid Category 3

Eye Irritation Category 2A

Specific Target Organ Toxicity Single Exposure Category 3 (Narcotic effects)

**Warning!**



**Hazard Phrases**

Flammable liquid and vapor.

Causes serious eye irritation.

May cause drowsiness or dizziness.

**Prevention:**

Keep away from heat, sparks, open flames, hot surfaces – No smoking.

Keep container tightly closed.

Use explosion-proof electrical, ventilating and light equipment.

Take precautionary measures against static discharge.

Avoid breathing vapors.

Wash thoroughly after handling.

Use only outdoors or in a well-ventilated area.

Wear eye protection.

**Response:**



IF INHALED: Remove victim to fresh air and keep at rest in a position comfortable for breathing. Call a POISON CENTER or physician if you feel unwell.  
IF IN EYES: Rinse cautiously with water for several minutes. Remove contact lenses if present and easy to do – continue rinsing. If eye irritation persists get medical attention.  
In case of fire: Use water spray or fog, alcohol-resistant foam, carbon dioxide or dry chemical to extinguish.

Storage  
Store in a well ventilated place. Keep cool.

Disposal  
Dispose of contents and container in accordance with local and national regulations.

Other hazards: None

### Section 3. Composition/Information On Ingredients

Component	CAS No.	Amount
Water	7732-18-5	70-80%
Isopropanol	67-63-0	17.2%
Ethylene Glycol Monobutyl Ether (2-Butoxyethanol)	111-76-2	1-5%
Diisobutylphenoxyethoxyethyl dimethylbenzyl ammonium chloride	121-54-0	0.28%

### Section 4. First Aid Measures

**Inhalation:** Move to fresh air if effects occur and seek medical attention if effects persist.

**Skin Contact:** Remove contaminated clothing. Wash all affected and exposed areas with soap and water. If skin irritation or redness develops and persists, seek medical attention.

**Eye Contact:** Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

**Ingestion:** If swallowed, get medical advice by calling a Poison Control Center or hospital emergency room. If advice is not available, take victim and product container to the nearest emergency treatment center or hospital. Do not attempt to give anything by mouth to an unconscious person.

**Most Important symptoms and effects, both acute and delayed:** Causes serious eye irritation. Inhalation of concentrated vapors may cause irritation of the eyes, nose and throat and dizziness and drowsiness.

**Indication of any immediate medical attention and special treatment needed:** Immediate medical attention is not generally required.



## Section 5. Fire Fighting Measures

**Suitable (and Unsuitable) Extinguishing Media:** Use water spray or fog, alcohol-resistant foam, carbon dioxide or dry chemical. Cool fire exposed containers with water.

**Specific Hazards Arising from the Chemical:** Flammable liquid and vapor. May form explosive mixtures in air at temperatures at or above the flashpoint. Flammable vapors may collect in confined areas. Vapors are heavier than air and may travel along surfaces to remote ignition sources and flashback. Fire exposed containers may rupture explosively.

**Special Protective Equipment and Precautions for Fire-fighters:** Firefighters should wear positive pressure self-contained breathing apparatus and full protective clothing for fires in areas where chemicals are used or stored.

## Section 6: Accidental Release Measures

**Personal precautions, Protective equipment, and Emergency procedures:** Wear appropriate protective clothing and equipment.

**Environmental Precautions:** Avoid release to the environment.

**Methods and Materials for Containment and Cleaning up:** Eliminate all ignition sources. Ventilate area. Use explosion-proof equipment if large amounts are released. Stop leak if it is safe to do so and move containers from the spill area. Collect material with an inert absorbent material and place in appropriate, labeled container for disposal.

## Section 7. Handling and Storage

**Precautions for Safe Handling:** Do not get in eyes or on clothing. Wear appropriate eye protection when handling. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco or using the toilet. Remove and wash contaminated clothing before reuse.

Flammable liquid and vapor. Keep away from heat, sparks, open flames and all other sources of ignition.

Do not smoke in storage or use areas. Keep containers closed when not in use. Do not reuse empty containers.

**Conditions for Safe Storage, Including any Incompatibilities:** Store in a cool, well ventilated area away from heat, oxidizers and all sources of ignition. Do not contaminate water, food or feed by storage.

Empty containers retain product residues and may be hazardous. Do not flame cut, drill, weld, etc. on or near empty containers, even empty.



Section 8. Exposure Controls / Personal Protection

Exposure Limits

Chemical	Exposure Limit
Water	None Established
Isopropanol	200 ppm TWA, 400 ppm STEL ACGIH TLV 400 ppm TWA OSHA PEL
Ethylene Glycol Monobutyl Ether (2-Butoxyethanol)	20 ppm TWA ACGIH TLV 50 ppm TWA OSHA PEL (skin)
Diisobutylphenoxyethoxyethyl dimethyl benzylammonium chloride	None Established

**Appropriate Engineering Controls:** General ventilation should be adequate for normal use. For operations where the exposure limits may be exceeded, mechanical ventilation such as local exhaust may be needed to minimize exposure. Use explosion proof electrical equipment and wiring where required.

**Respiratory Protection:** None under normal use conditions with adequate ventilation. For operations where the occupational exposure limits are exceeded, an approved respirator with an organic vapor cartridge or supplied air respirator is recommended. Equipment selection depends on contaminant type and concentration. Select in accordance with applicable regulations and good industrial hygiene practice. For firefighting, use self-contained breathing apparatus.

**Hand protection:** Impervious gloves such as butyl rubber or nitrile are recommended for operations which may result in prolonged or repeated skin contact.

**Eye Protection:** Splash proof goggles, face shield, or safety glasses are recommended to prevent eye contact.

**Skin Protection:** Wear protective clothing if needed to avoid prolonged/ repeated skin contact. Contaminated clothing should be removed and laundered before re-use.

**Hygiene measures:** Suitable eye wash and washing facilities should be available in the work area.

Section 9. Physical and Chemical Properties

<b>Appearance:</b>	Clear liquid.	<b>Odor:</b>	Alcohol
<b>Odor Threshold:</b>	0.001 ppm (ethylene glycol monobutyl ether)	<b>pH:</b>	11.0-12.49
<b>Melting/Freezing Point:</b>	Not determined	<b>Boiling Point/Range:</b>	Not determined
<b>Flash Point:</b>	28.3°C (83°F)	<b>Evaporation Rate:</b>	Not determined
<b>Flammability: (Solid, Gas)</b>	Not applicable	<b>Flammability Limits:</b>	LEL: 2% UEL: 12.7%
<b>Vapor Pressure:</b>	43.3 mmHg @ 20°C (isopropanol)	<b>Vapor Density:</b>	2.1 (isopropanol)
<b>Relative Density:</b>	0.972	<b>Solubilities:</b>	Completely soluble in water

Partition Coefficient: Not determined  
(N-Octanol/Water)  
Decomposition Not determined  
Temperature:

Autoignition Not determined  
Temperature:  
Viscosity: Not determined

#### Section 10. Stability and Reactivity

**Reactivity:** Not reactive at ambient temperatures.

**Chemical Stability:** Stable.

**Possibility of Hazardous Reactions:** Not reactive.

**Conditions to avoid:** Heat, sparks, flames and all other sources of ignition.

**Incompatible Materials:** Strong oxidizing agents, acids and strong reducing agents.

**Hazardous decomposition products:** Thermal decomposition will produce carbon monoxide, carbon dioxide, nitrogen oxides, amines, chlorine and hydrogen chloride.

#### Section 11. Toxicological Information

##### Potential Health Effects:

**Inhalation:** May cause irritation of the nose, throat and upper respiratory tract. High vapor concentrations may produce nausea, vomiting, headache, dizziness, drowsiness, weakness, fatigue, narcosis and possible unconsciousness. Not acutely toxic in rats.

**Skin Contact:** Prolonged or repeated exposure may cause mild irritation. No signs of toxicity or irritation were observed in a dermal toxicity study in rabbits. Non-irritating in a primary irritation study with rabbits. Negative in a skin sensitization study with guinea pigs.

**Eye Contact:** May cause irritation with tearing, redness and pain. Moderate irritant in an eye irritation study with rabbits. Effects reversed in 7 days.

**Ingestion:** Ingestion may cause gastrointestinal disturbances and central nervous system effects such as headache, dizziness, drowsiness and nausea. Not acutely toxic in rats.

**Chronic Hazards:** Prolonged overexposure to ethylene glycol monobutyl ether may affect liver, kidneys, blood, lymphatic system or central nervous system.

**Medical Conditions Aggravated By Exposure:** None currently known.

**Carcinogen:** None of the components is listed as a carcinogen or potential carcinogen by IARC, NTP, ACGIH, or OSHA.

##### Acute Toxicity Values for CaviCide:

LD50 Oral Rat >5000 mg/kg, LD50 Dermal Rat >2000 mg/kg, LC50 inhalation LC50 rat >2.08 mg/L

#### Section 12. Ecological Information



This product is not classified as aquatically toxic based on the GHS criteria for aquatic toxicity.

**Toxicity:** No toxicity data available for product.

Isopropanol: LC50 fathead minnows 11,130 mg/L/48 hr; LC50 brown shrimp 1400 mg/L/48 hr

Diisobutylphenoxyethoxyethyltrimethylbenzylammonium chloride: LC50 pimephales promelas 1.6 mg/L/96 hr, LC50 lepomis macrochirus 1.4 mg/L/96 hr.

**Persistence and degradability:** Isopropanol and 2-butoxyethanol are readily biodegradable in screening tests. Diisobutylphenoxyethoxyethyltrimethylbenzylammonium chloride is not readily biodegradable.

**Bioaccumulative Potential:** Isopropanol has an estimated BCF of 3 suggesting that the potential for bioaccumulation is low.

**Mobility in Soil:** Isopropanol is expected to have very high mobility in soil.

**Other Adverse Effects:** None known

### Section 13. Disposal Considerations

**Solution Disposal:** Discharge residual and unused solutions in accordance with Federal, State, and local regulations. For used solution, the waste solution must be characterized by the generator and disposed of in accordance with Federal, State, and local regulations.

**Container Disposal:** Nonrefillable container. Do not reuse or refill this container. Offer for recycling, if available. If recycling is not available, discard in accordance with hospital policy.

### Section 14. Transport Information

	UN Number	UN Proper Shipping Name	Hazard Class(s)	Packing Group	Environmental Hazards
US DOT	None	Not Regulated per alcohol exception (49CFR 173.150(e))	None	None	None
EU ADR/RID	UN1987	Alcohols, n.o.s. (Isopropanol)	3	III	None
IMDG	UN1987	Alcohols, n.o.s. (Isopropanol)	3	III	None
IATA/ICAO	UN1987	Alcohols, n.o.s. (Isopropanol)	3	III	None

**Transport in bulk (according to Annex II of MARPOL 73/78 and the IBC Code):** Not applicable – product is transported only in packaged form.

**Special precautions:** None identified

### Section 15. Regulatory Information



**U.S. Federal Regulations:**

**EPA SARA 311/312 Hazard Classification:** Fire Hazard, Acute Health, Chronic Health

**EPA SARA 313: This Product Contains the Following Chemicals Subject to Annual Release Reporting Requirements Under SARA Title III, Section 313 (40 CFR 372):**

Ethylene Glycol Monobutyl Ether (Glycol Ether)	111-76-2	1-5%
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**Protection Of Stratospheric Ozone:** This product is not known to contain or to have been manufactured with ozone depleting substances as defined in 40 CFR Part 82, Appendix A to Subpart A.

**CERCLA SECTION 103:** This product is not subject to CERCLA reporting requirements; however, many states have more stringent release reporting requirements. Report spills required under federal, state and local regulations.

**US EPA Registered Pesticide:** This chemical is a pesticide product registered by the United States Environmental Protection Agency and is subject to certain labeling requirements under federal pesticide law. These requirements differ from the classification criteria and hazard information required for safety data sheets (SDS), and for workplace labels of non-pesticide chemicals. The hazard information required on the pesticide label is reproduced below. The pesticide label also includes other important information, including directions for use.

**CAUTION!**  
Harmful if absorbed through the skin.  
Causes moderate eye irritation.  
Keep out of reach of children.

**International Inventories**

**US EPA TSCA Inventory:** All of the components of this product are listed on the Toxic Substances Control Act (TSCA) Chemical Substances Inventory or exempt.

**Canadian Environmental Protection Act:** All of the components in this product are listed on the Domestic Substances List (DSL) or exempt.

**Australia:** All of the components in this product are listed on the Australian Inventory of Chemical Substances (AICS) or exempt.

**China:** All of the components in this product are listed on the Inventory of Existing Chemical Substances in China (IECSC) or exempt.

**European Union:** All the components in this product are listed on the EINECS inventory or exempt.

**Japan:** All of the components in this product are listed on the Japanese Existing and New Chemical Substances (ENCS) inventory or exempt.

**Korea:** All of the components in this product are listed on the Korean Existing Chemicals List (KECL) or



exempt.

**Philippines:** All of the components of this product are listed on the Philippines Inventory of Chemicals and Chemical Substances (PICCS) or exempt.

<b>Section 16. Other Information</b>
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**Effective Date:** March 23, 2016

**Supersedes Date:** June 1, 2015

**Revision Summary:** Removed prop 65 notice per exposure assessment.

The information and recommendations set forth herein are taken from sources believed to be accurate as of the date of preparation, however, METREX™ RESEARCH makes no warranty with respect to the accuracy or suitability of the recommendations, and assumes no liability to any use thereof.

# Tattoos and Body Piercing in Indiana: FAQs

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## What is a tattoo?

By Indiana law, a tattoo is:

1. Any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instruments; or
2. Any design, letter, scroll, figure, symbol done by scarring on or under the skin.

## What is body piercing?

By Indiana law, body piercing is:

The perforation of any human body part, other than ear lobe, for the purpose of inserting jewelry or other decoration or for some other nonmedical purpose.

## How is a tattoo applied?

A needle, connected to a small machine with tubes containing dye, repeatedly pricks into the skin. Each needle puncture inserts tiny droplets of ink. The process, which may last several hours for a large tattoo, causes a small amount of bleeding.

## What laws govern tattooing and body piercing in Indiana?

In 1997, Indiana Code (IC) 16-19-3-4.1 required the Indiana State Department of Health (ISDH) to adopt rules to regulate the sanitary operation of tattoo parlors. The rule, 410 IAC 1-5, became law on June 12, 1998, and was readopted July 21, 2004 and July 15, 2010. IC 25-1-19 prohibits scleral tattooing as of 7/1/2018. The following are some requirements of the tattoo rule:

- All tattooists must receive yearly training concerning how diseases are spread by contact with blood
- To receive a tattoo or body piercing, anyone under 18 years of age must be accompanied by, and have written permission from, a parent or legal guardian
- Gloves or other appropriate personal protection must be worn when performing tattooing and piercing procedures and when handling blood
- All needles must be sterile and designed for single use
- Reusable equipment must be sterilized
- Infectious waste must be handled properly according to Indiana law

## What is NOT included in the rule?

The rule does NOT:

- Require a tattoo or piercing artists or shop owners to register with the ISDH
- Require the ISDH to perform routine inspections of tattoo and piercing parlors

\*REG. CURRENTLY  
USED TO OPERATE



- Require tattoo or piercing artists to receive training or certification on the tattooing or piercing process

**IMPORTANT NOTE:** Tattoo and body piercing artists and shop owners should contact their local, county health department for local laws that might pertain to the registration or licensing of tattoo and body piercing facilities. Investigations may occur as the result of a complaint filed with the local health department. Some local health departments perform routine inspections based on county ordinances. Call your local health department for more information about inspections and requirements.

#### **What should you look for when selecting a tattoo parlor?**

- The tattooist and parlor should be neat and clean in appearance
- **PATRON RIGHTS AND UNIVERSAL PRECAUTIONS** posters must be displayed
- There should be handwashing facilities with running water available for the tattooist to use
- The staff should be willing and able to answer your questions
- Tattooists should not work when sick
- Tattooists must wear gloves when tattooing
- All equipment should be single use. Each needle and tube set should be individually packaged, dated, sealed, sterilized, and opened immediately prior to your tattoo
- A new ink supply should be poured into a disposable container
- Any razors, needles, ink, plastic trays or containers, gloves, or ointments used in your tattoo application should be discarded after use
- Appropriate disinfectants should be used to clean the work area after tattoo application

#### **What are the risks of getting a tattoo or body piercing?**

While a tattoo or piercing may only take a few minutes to acquire, it is permanent. You should understand the risks and research the process and the facility before getting a tattoo or piercing. Tattooing and piercing involves breaking the skin, one of your body's main protective barriers. This means you can be more susceptible to skin and blood infections. Specific risks include:

- Blood-borne diseases such as HIV, hepatitis B, and hepatitis C could be contracted if equipment used for your tattoo or piercing is contaminated with the blood of an infected person (please refer to ISDH HIV, hepatitis B, and hepatitis C Quick Facts at <http://www.in.gov/isdh/20209.htm#i>)
- Unsterile tattooing and piercing equipment, or re-used tattoo ink can cause symptoms of minor skin infections from redness, swelling, or pus-like drainage, to potentially serious antibiotic resistant skin infections (please refer to ISDH MRSA Quick Facts, <http://www.in.gov/isdh/20209.htm#i>).
- Granulomas, or bumps, may form around the site of the tattoo as a reaction to the ink
- Tattooing can cause keloids, or raised areas of excessive scarring
- Tattoo ink may cause allergic reactions, such as an itchy rash, at the tattoo site even if you have had the tattoo for years
- Magnetic resonance imaging (MRI) exams may cause swelling or burning of tattooed areas

#### **What are some signs of an infection?**

Your tattoo or piercing artist should tell you what to expect after getting a tattoo or piercing. Some swelling around the tattoo is normal. You should contact your health care provider if you have any of any of the following signs of infection:

- Thick yellow or green drainage from the site
- Continuous oozing or bleeding
- Red streaks or a hot sensation surrounding and moving away from the tattooed or pierced area
- Worsening pain
- Any unusual swelling
- Removal Issues: only laser treatment removal is approved in Indiana and requires physician management since it is a medical procedure. The process is painstaking and involves several treatments. Complete removal without scarring may be impossible.

- • Infectious waste must be handled properly according to Indiana law (IC 16-41-16, <https://iga.in.gov/legislative/laws/2014/ic/titles/016>).

### **What is NOT included in the rule?**

The rule does NOT:

- Require a tattooist to register with the **ISDH**.
- Require the **ISDH** to perform routine inspections of tattoo parlors.
- Require tattooists to receive training or certification on the tattooing process.

Tattooists should **contact their local county health department** for local laws and regulations that pertain to the registration, licensing and inspection of tattoo parlors in their county.

### **What should you look for when selecting a tattoo parlor?**

- The tattooist and parlor should be neat and clean in appearance
- Patron (client) rights materials must be displayed
- There should be hand-washing facilities with running water available for the tattooist to use
- The staff should be willing and able to answer your questions and provide information about the proper care of your tattoo after it has been applied
- Tattooists should not work when sick
- Tattooists must wear disposable gloves when tattooing
- All equipment should be single use. Each needle and tube set should be individually packaged, dated, sealed, sterilized, and opened immediately prior to the application of your tattoo
- A new ink supply should be poured into a disposable container
- Any razors, needles, ink, plastic trays or containers, gloves, or ointments used in your tattoo application should be discarded after use
- Appropriate disinfectants should be used to clean the skin and work area before and after tattoo application

### **What are the risks of getting a tattoo?**

While a tattoo may only take a few minutes to acquire, it is permanent. You should understand the risks and research the process before getting a tattoo. If you are prone to getting infections, check with your healthcare provider before getting a tattoo. Tattooing involves breaking the skin, one of your body's main protective barriers. This means you can be more prone to skin and blood infections such as hepatitis B, hepatitis C and human immunodeficiency virus (HIV). These infections could be contracted if equipment used for your tattoo is contaminated with the blood of an infected person (see HIV, hepatitis B, and hepatitis C Quick Facts)

All information presented is intended for public use. For more information, please refer to: [http://www.cdc.gov/niosh/topics/body\\_art](http://www.cdc.gov/niosh/topics/body_art) ; <http://1.usa.gov/15Gw69u>; and <http://www.safe-tattoos.com>.

This page was last reviewed June 28, 2018

### **How should you care for a tattoo?**

The tattoo artist should provide you with detailed instructions on care for your tattoo, to include:

- Cleaning with soap and water
- Applying moisturizer
- Avoiding sun exposure
- Not picking at scabs

All information presented is intended for public use. For more information, please refer to:

- Guide for Sanitary Operations of Tattoo and Body Piercing Facilities in Indiana (<http://www.in.gov/isdh/20182.htm>)
- Occupational Safety and Health Administration blood-borne pathogen Standard 29 CFR 1910.1030 ([https://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=standards&p\\_id=10051](https://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=standards&p_id=10051))
- Food and Drug Administration, Tattoos and Permanent Makeup (<http://www.fda.gov/cosmetics/productsingredients/products/ucm107327.htm>)

Updated: 6/27/18



# Indiana State Department of Health

Epidemiology Resource Center

## Quick Facts

### About...Tattoos

#### What is a tattoo?

By Indiana Law, a tattoo is:

1. Any indelible design, letter, scroll, figure, symbol, or other mark placed with the aid of needles or other instruments; or
2. Any design, letter, scroll, figure, symbol done by scarring on or under the skin

Facial tattooing, i.e. permanent make-up or body art, is an invasive procedure and considered a tattoo. Examples of facial tattooing include eyebrow tattooing (microblading), lip liner, eyeliner, or blush that looks like make-up. As of July 1, 2018 scleral tattooing is prohibited by state law.

#### How is a tattoo done?

Permanent tattoos are made by using a handheld electric device that uses a tube and needle system. On one end is a sterilized needle, which is attached to tubes that contain ink. When the machine is turned on, the needle moves in and out of the skin, driving the ink into the deeper layers of skin. The process, which may last several hours for a large tattoo, can cause a small amount of bleeding.

#### What laws govern tattooing in Indiana?

In 1997, Indiana Code 16-19-3-4.1 required the Indiana State Department of Health (ISDH) to adopt rules to regulate the sanitary operation of tattoo parlors. The rule, 410 IAC 1-5, became law on June 12, 1998, and was readopted July 15, 2010. IC 25-1-19 prohibits scleral tattooing as of July 1, 2018. The following are some requirements of the tattoo rule:

- All tattoo artists must receive yearly training concerning how diseases are spread by contact with blood (i.e. bloodborne pathogen training).
- To receive a tattoo, anyone under 18 years of age must be accompanied by, or have written permission from, a parent or legal guardian.
- Gloves or other appropriate personal protection must be worn by the artist when performing tattooing procedures and when handling blood or contaminated waste.
- All needles must be sterile and designed for single use.
- Reusable equipment must be sterilized before being used.

\*RULES TO BE FOLLOWED