

TOTAL
BELLA
WHITE
PETIT
UZELAC
MINC huk
HARDWAY
SPAN N

- 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 February 14th, 2023
Approval of Town Council Meeting Minutes of January 24th 2023
- 7. Standing & Special Committees Reports**
 - A. Budget & Finance** – Chairman Mr. Hardaway
Members Mr. Pettit, Mr. Minchuk
 - B. Council Affairs** – Chairman Mr. Pettit
Members Mr. Minchuk, Mrs. Uzelac
 - C. Public Works & Utilities** – Chairman Mr. Minchuk
Members Mr. Spann, Mrs. Uzelac
 - D. Elections, Public Relations, Town Beautification** – Chairman Mr. Pettit
Members Mr. Hardaway, Mr. Minchuk
 - E. Environmental Affairs** – Chairman Mr. White
Members Mr. Spann, Mrs. Uzelac
 - F. Personnel Policy & Employee Benefits** – Chairman Mr. Hardaway
Members Mrs. Uzelac, Mr. Pettit-
 - G. Public Safety** – Chairman Mr. Minchuk
Members Mr. Spann, Mrs. Uzelac
 - H. Economic Development** – Chairman Mr. Pettit
Members Mr. Hardaway, Mr. Minchuk, Deann Patena, Jennifer Doffin
 - I. Parks & Recreation** – Chairwoman Mrs. Uzelac
Members Mr. Spann, Mr. White
 - J. Abandoned-Blighted Properties** – Chairman Mr. Hardaway
Members Vicki Bunnell, Adra Breclaw-Csanyi
 - K. Dean & Barbara White Community Center**-Chairman Mr. Pettit
Member Mr. White, Mr. Minchuk-Boys and Girls Club Facility Usage Agreement
 - L. Special Projects (F & B Tax, Diversity, 4th of July Celebration)**
Chairman Mr. Hardaway, Members Mr. Pettit, Mr. Minchuk

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MINCHEUK
HARDAWAY
SPANN

An Ordinance of the Town of Merrillville, Lake County, Indiana, Amending Ordinance 22-29a and Pay for Employees of the Town of Merrillville, Indiana, for the Calendar Year 2023.

10. American Rescue Plan

- ## 11. BZA & LARGE GATHERING ACTIONS

Zoning: C-2, Community Commercial Zoning District

Zoning: R-2, Residential Zoning District

13. New Business

12. Old Business

14. Special Presentations

- 15. Public Comment:** Please state your name & address for the record and limit your comment to three (3) minutes please.

16. Announcements

- Town Offices Closed February 20th in observance of President's Day
- Plan Commission Meeting February 21st at 6:30 pm
- Black History Celebration February 23rd from 5pm-9pm
- Redevelopment Commission Meeting February 28th at 6:15 pm
- Town Council Meeting February 28th at 6:30 pm

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - FEBRUARY 14, 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)
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	1962.60			93RD AVE W OF MERR RD
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	95.06			PARTS
//	1315	MENARDS	LRS/G&M SUPPLIES	75.83			GARAGE SUPPLIES
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	2275.98			73RD & GRANT ST
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	33.47			PARTS
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	2027.50			MISC TOWN MATTERS
//	1315	MENARDS	LRS/G&M SUPPLIES	313.47			GARAGE SUPPLIES
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	2100.98			63RD & HARRISON
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	14.27			PARTS
//	693	BARNES & THORNBURG LLP	MERR RD	76.50			RDC SERVICES
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	6475.00			COUNCIL MATTERS
//	1315	MENARDS	LRS/G&M SUPPLIES	166.74			GARAGE SUPPLIES
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	2100.98			73RD & GRANT ST
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	75.40			PARTS
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	45.00			
//	129	ACE HARDWARE	LRS/STREET SUPPLIES	338.00			STREET SUPPLIES
//	693	BARNES & THORNBURG LLP	MERR RD	76.50			RDC SERVICES
//	774	FLUID POWER SERVICES, INC.	LRS/REPAIR PARTS	1896.02			LABOR & PARTS
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	1216.97			STOCK PARTS
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	192.50			BZA
//	176	M & K TRUCK CENTERS	LRS/REPAIRS TO	563.75			PARTS
//	99	MACQUEEN EMERGENCY	CUML FIRE	1128.65			PAIR OF LEATHER BOOTS & FRT
//	1315	MENARDS	FD/BUILDING SUPPLIES	532.70			MISC. SUPPLIES
//	189	MICHAEL L. DEPPE, P.C./	GENERAL/ATTORNEY	2375.00			COURT ATTORNEY
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	2094.88			73RD AVE EAST OF AUTHUR ST
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	239.05			PARTS
//	691	POWER BRAKE & SPRING	LRS/REPAIR PARTS	295.00			PARTS
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	249.95			
//	373	A.E.BOYCE COMPANY, INC	GENERAL/FREIGHT	17.82			YEAR END CLOSE
//	111	ABLE PAPER & JANITORIAL	LRS/STREET SUPPLIES	187.97			STREET SUPPLIES
//	129	ACE HARDWARE	LRS/STREET SUPPLIES	3.94			STREET SUPPLIES
//	977	AIRGAS USA, LLC	LRS/G&M SUPPLIES	419.25			OXYGEN
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	5035.00			TRANS ASSY
//	693	BARNES & THORNBURG LLP	BDWY TIF/CONTRACTUAL	4077.50			RDC SERVICES
//	689	EMERALD PLANT SERVICES	PARKS/CONTR. SERVICE	400.00			PLANT RENTAL & MAINTENANCE
//	774	FLUID POWER SERVICES, INC.	LRS/REPAIR PARTS	1071.32			LABOR & PARTS
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	24.32			STOCK PARTS
//	4	J.P. COOKE COMPANY	GENERAL/FREIGHT	14.75			FREIGHT
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	1400.00			PLAN COMMISSION
//	176	M & K TRUCK CENTERS	LRS/REPAIRS TO	30.02			PARTS

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

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//	99	MACQUEEN EMERGENCY	CUML FIRE	175.75			V-BACK SUSPENDER & FRT
//	1225	MARY KENNEDY	PNR/MARKETING &	107.00			MARKETING
//	34	MAVIS TIRE SUPPLY LLC	GENERAL/REPAIRS TO	591.99			OIL CHANGE, ALIGNMENT, BATTERY,
//	1315	MENARDS	PARKS/OTHER SUPPLIES	329.86			SUPPLIES
//	189	MICHAEL L. DEPPE, P.C./	GENERAL/ATTORNEY	2062.50			COURT ATTORNEY
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	11874.60			71ST& BROADWAY
//	2303	MILESTONE	2022 RDC Bd(A)-RD	9000.00			TREE REMOVAL
//	1006	MORTON SALT	CASINO/SALT	15790.75			SALT
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIR PARTS	525.06			REFUND
//	1510	ODP BUSINESS SOLUTIONS,	GENERAL/OFFICE	50.38			SPEAKERS
//	691	POWER BRAKE & SPRING	LRS/REPAIR PARTS	127.32			PARTS
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	35.98			
//	49	THE LARSON GROUP, C/O	LRS/REPAIR PARTS	817.31			TURN SWITCH
//	373	A.E.BOYCE COMPANY, INC	GENERAL/INSTRUCTION-E	355.82			YEAR END CLOSE
//	105	AAA SUPPLY CORPORATION	LRS/REPAIR PARTS	339.63			PARTS
//	111	ABLE PAPER & JANITORIAL	SW/OFFICE SUPPLIES	10441.07			SW MFOLD TOWELS,ECO ICE MELTS
//	129	ACE HARDWARE	SW/OTHER EQUIPMENT	112.07			SW MISC HOOKS, NUTS/BOLTS
//	168	ACME PRINT COPY DESIGN	F&H/PRINTING O/T OFC.	671.00			MANPOWER REPORTS-2 PART
//	977	AIRGAS USA, LLC	LRS/G&M SUPPLIES	553.58			ACETYLENE
//	132	ALERT ALARM, INC.	SW/BUILDING MAINT.	72.00			SW ALARM MONITORING,
//	1234	ALL PHASE ELECTRIC SUPPLY	LRS/STOP & STREET	4050.86			CIRCUIT BREAKER
//	1175	AMAZON CAPITAL SERVICES	CUML FIRE EQPT/OTHER	339.14			MISC.EQUIPMENT
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	1695.00			3 IGN COILS & 3 SPARK PLUGS #389
//	693	BARNES & THORNBURG LLP	BDWY TIF/CONTRACTUAL	1993.00			RDC SERVICES
//	377	BMV, SPECIAL PLATE	GENERAL/TITLES & REGIS.	15.00			TITLE & REGISTRATION FOR NEW
//	209	BRANDY'S SAFE & LOCK, INC.	LRS/OFFICE SUPPLIES	7.50			OFFICE KEYS
//	673	CARD SERVICE CENTER	GENERAL/OTHER	131.45			EMPLOYEE & COMMISSIONER LUNCH
//	355	CENDER/DALTON	SW/FINANCIAL	9553.75			SW FINANCIAL SERVICES 12-1 THRU
//	400	CHS OCCUPATIONAL HEALTH	GENERAL/PSYCHOLOGICA	70.00			DRUG TESTING NEW EMPLOYEES
//	1	COKER SERVICE, INC	CUML FIRE EQPT/BLDG	1004.28			LABOR & PARTS TO REPAIR RANGE AT
//	93	CROSSROADS REGIONAL	PNR/CONTRACTUAL	1435.00			CHAMBER EVENTS
//	6	CUTE AS A CUPCAKE!	PNR/SUB-CONTRACTORS	200.00			ENTREPRENEUR & BUSINESS EXPO
//	997	DANTREASE HENDERSON	PNR/SUB-CONTRACTORS	627.50			BOSS BODY FITNESS & NUTRITION
//	662	DAVID ANTHONY DEGARD	PNR/SECURITY	665.00			SECURITY
//	384	DAVID BARRON	PNR/SECURITY	945.00			SECURITY
//	613	DISTRICT ONE LAW	GENERAL/SUBS. & DUES	300.00			2023 ANNUAL MEMBERSHIP DUES
//	348	EMERGENCY MEDICAL	FD/OTHER EQUIPMENT	992.15			MISC. MEDICAL SUPPLIES &
//	365	EWING IRRIGATION	FD/BLDG-GROUND	412.23			ILY SALT PURPLE MOUNTAIN-ICE
//	774	FLUID POWER SERVICES, INC.	LRS/REPAIR PARTS	2070.84			LABOR & PARTS
//	712	GRUEL BROS., INC.	SW/OTHER EQUIPMENT	706.90			

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TOWN OF MERRILLVILLE

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//	1218	H-FIT OCCUPATIONAL	SW/HEALTH INS.	145.00			SW RANDOM TEST FOR DOT
//	7	HERBERT FORD	PNR/SUB-CONTRACTORS	300.00			ENTREPRENEUR & BUSINESS
//	764	HUMANE SOCIETY	GENERAL/ANIMAL	195.00			JANUARY 2023 ANIMAL CONTROL
//	64	INDIANA OFFICE OF	GENERAL/IDACS	150.31			IT SERVICES JANUARY 2023
//	872	INDUSTRIAL ENGINE SERVICE	RG/REPAIR PARTS	79.00			PARTS
//	1164	J & L FASTENERS	LRS/G&M SUPPLIES	337.73			STOCK PARTS
//	4	J.P. COOKE COMPANY	GENERAL/OTHER	61.00			PET TAGS
//	101	JAMES MEYER & ASSOC., P.C.	SW/ATTORNEY FEES	420.00			SW LEGAL SERVICES- JANUARY 2023
//	139	JOANNA GUARDIOLA	GENERAL/ECON DEV	18.00			MILEAGE
//	21	JOE E. FISH	SW/REPAIRS TO	50.01			SW REIMBURSEMENT FOR SUPT. CAR
//	569	K-TECH SPECIALTY	LRS/SALT EXPENSE	7305.00			BEET HEET
//	657	KAMS AUTOMOTIVE & MORE	LRS/REPAIR PARTS	263.40			PARTS
//	1206	KOPKA PINKUS & DOLIN, PC	MERR RD	1032.50			RDC MSTTERS
//	29	LEGACY TEAM SPORTS &	GENERAL/OTHER	100.00			DETECTIVE PLAQUE
//	971	LEWIS SHINE II	PNR/SUB-CONTRACTORS	500.00			SUB CONTRACTOR FEE
//	1217	LINDCO EQUIPMENT SALES,	LRS/REPAIR PARTS	83.77			AMP RELAY
//	176	M & K TRUCK CENTERS	LRS/REPAIRS TO	2104.81			PARTS
//	99	MACQUEEN EMERGENCY	CUML FIRE	23891.28			REDZONE HOOD
//	1224	MARCHELLE AKINS	PNR/SUB-CONTRACTORS	1800.00			BLK HISTORY YOUTH ENRICHMENT
//	1223	MARIA NEVAREZ	PNR/SUB-CONTRACTORS	600.00			PHOTOGRAPHY
//	1225	MARY KENNEDY	PNR/MARKETING &	192.60			MARKETING
//	493	MATTHEW LAKE	SW/TELEPHONE	150.91			SW PHONE REIMBURSEMENT- EXEC
//	2	MAVIS TIRE & BRAKES	GENERAL/REPAIRS TO	29.99			TIRE REPAIR
//	34	MAVIS TIRE SUPPLY LLC	GENERAL/TIRES	789.24			PATCH TIRE
//	1315	MENARDS	PARKS/OTHER SUPPLIES	987.81			SUPPLIES
//	189	MICHAEL L. DEPPE, P.C./	GENERAL/ATTORNEY	3125.00			COURT ATTORNEY
//	1320	MIDWESTERN ELECTRIC	LRS/CONTRACTUAL	15365.40			BROADWAY
//	2303	MILESTONE	2022 RDC Bd(A)-RD	164914.16			TOWN PAVING
//	1006	MORTON SALT	CASINO/SALT	43840.51			SALT
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	74.95			OIL CHANGE #326
//	1380	McCANN INDUSTRIES, INC.	LRS/REPAIR PARTS	729.59			PARTS
//	1203	NORTHWEST INDIANA AUTO	GENERAL/REPAIRS TO	36.53			REPAIR PART
//	237	NORTHWEST INDIANA AUTO	LRS/REPAIRS TO	606.04			LUBE FILTER
//	1510	ODP BUSINESS SOLUTIONS,	GENERAL/OFFICE	268.21			OFFICE SUPPLIES: PENS, ENVELOPES,
//	691	POWER BRAKE & SPRING	LRS/REPAIR PARTS	512.19			PARTS
//	13	PRES-DEL ELECTRIC, INC.	LRS/REPAIRS TO	776.00			PUMP, SEAL & LABOR
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	116.80			
//	5	RICK BELLA	GENERAL/SUBSCRIPTION	14.99			ZOOM SUBSCRIPTION
//	885	RICOH USA, INC.	SW/COPIER	644.80			S3 BASE 1-29-23 TO 4-28-23
//	1821	ROBINSON ENGINEERING	SW/CONTRACTUAL SERV	5712.00			SW ON CALL MISC ENG THRU 12-30-22

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//	919	SAFE HIRING SOLUTIONS	FD/CONTRACTUAL	84.35			BACKGROUND CHECK FOR ELLIS
//	81	SERVICE SANITATION INC	PNR/CONTRACTUAL	1030.30			SERVICE
//	232	STAR UNIFORMS	GENERAL/CLOTHING	156.00			NEW HIRE UNIFORMS #427
//	49	THE LARSON GROUP, C/O	LRS/REPAIR PARTS	2066.48			TANK AIR
//	95	THE LAZZARO COMPANIES,	GENERAL/BLDG. &	5848.00			ADA BALLARD & AUTO OPERATOR
//	947	TRANS CHICAGO TRUCK	LRS/REPAIR PARTS	1317.44			STOCK PARTS
//	679	TRANSUNION RISK AND	GENERAL/TELEPHONE	139.40			TLO SVC FOR JAN 2023
//	356	TRI-ELECTRONICS, INC.	GENERAL/TELEPHONE	675.00			PLANNING PHONES
//	1236	WAYNE'S FRAME & BODY	FD/REPAIR PARTS	100.00			CHECK OUT FRONT END & GREASE ON
02/01/2023	807	KELLEY CHEVROLET	2022 RDC Bd	43240.00	43240.00	1819	2023 SILVERADO TRUCK
01/24/2023	650	TRUSTMARK VOLUNTARY	PAYROLL - TRUSTMARK	913.64	913.64	24050	EMPLOYEE PREMIUMS
01/24/2023	609	F.O.P. #168	PAYROLL - F. O. P. DUES	1416.26	1416.26	24051	UNION DUES - JAN 2023
01/24/2023	2104	NATIONWIDE RETIREMENT	PAYROLL - DEFERRED	5142.84	5142.84	24052	EMPLOYEE DEPOSITS FOR 1/20/2023
01/24/2023	847	STARKE CIRCUIT COURT	PAYROLL - COURT	1007.36	1007.36	24053	G. FIELDS CAUSE #75C01-2009-00272
01/24/2023	494	LAKE COUNTY SUPERIOR	PAYROLL - COURT	325.52	325.52	24054	L. ROBERTS CAUSE #
01/24/2023	61	GUARDIAN LIFE INS CO.	SW/HEALTH INS.	19377.96	19377.96	24055	SW EMPLOYEE PREMIUMS - FEB 2023
02/06/2023	650	TRUSTMARK VOLUNTARY	PAYROLL - TRUSTMARK	869.53	869.53	24061	EMPLOYEE PREMIUMS
02/06/2023	2104	NATIONWIDE RETIREMENT	PAYROLL - DEFERRED	10175.68	10175.68	24062	EMPLOYEE DEPOSITS - 2/3/23 PAYDAY
02/06/2023	104	AFLAC	PAYROLL - AFLAC	520.48	520.48	24063	EMPLOYEE PREMIUMS - JAN 2023
02/06/2023	1411	NEW YORK LIFE	PAYROLL - NEW YORK	46.41	46.41	24064	MONTHLY EMPLOYEE PREMIUMS
01/20/2023	1600	PAYROLL FUND	GENERAL/CLERK-TREAS.	394914.84	394914.84	59756	CT-Clerk-treasurer
01/20/2023	807	KELLEY CHEVROLET	SW/REPAIRS TO	420.00	420.00	59759	SW TRUCK ACCESSORIES FLR LINERS,
01/20/2023	627	JOI WHITESIDE	GENERAL/OTHER	124.58	124.58	59760	REFRESHMENTS BOYCE SYSTEMS
01/26/2023	1600	PAYROLL FUND	GENERAL/TC PRESIDENT	59316.87	59316.87	59772	TC-Tn Council President
01/25/2023	129	ACE HARDWARE	SW/OTHER EQUIPMENT	2.10	2.10	59776	SW HILLMAN NUTS/BOLTS
01/25/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/OTHER	371.73	371.73	59780	KEY CARDS, LANYARDS
01/25/2023	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	1709.54	1709.54	59781	R&R PURGE VALVE
01/25/2023	867	BAKOS AND RICHARDS	GENERAL/CONTRACTUAL	150.00	150.00	59783	MAGIC INFO TROUBLE
01/25/2023	236	BEST BUY BUSINESS	LRS/HARDWARE &	54.99	54.99	59784	POWER SYSTEM
01/25/2023	209	BRANDY'S SAFE & LOCK, INC.	GENERAL/OTHER	5.00	5.00	59785	2 KEYS FOR LOCK BOX
01/25/2023	673	CARD SERVICE CENTER	LRS/OFFICE SUPPLIES	1185.12	1185.12	59786	PENS
01/25/2023	776	COMCAST	LRS/TELEPHONE	513.84	513.84	59793	PHONE, INTERNET, & TV SVC
01/25/2023	334	COMCAST	GENERAL/TELEPHONE	2953.46	2953.46	59794	PHONE
01/25/2023	1060	CREEKSIDE OUTDOOR LIVING	SW/CONTRACTUAL SERV	894.00	894.00	59795	SW MOWING MEADOWDALE LOT 1040
01/25/2023	420	DELTA III, INC.	SW/CONTRACTUAL SERV	41650.00	41650.00	59798	SW 7312 TAFT PL-10"W/2 CB
01/25/2023	106	HINCKLEY SPRINGS	GENERAL/OTHER	30.96	30.96	59806	WATER & COOLER RENTAL
01/25/2023	64	INDIANA OFFICE OF	GENERAL/DACS	150.31	150.31	59809	IT SERVICES MONTH OF DECEMBER
01/25/2023	1231	JERRY GAZA	CASINO/CONTRACTUAL	100.00	100.00	59814	REIMBURSEMENT FOR PART
01/25/2023	973	LAW ENFORCEMENT RISK	GENERAL/INSTRUCTION	975.00	975.00	59818	DETECTIVE CLASSES #270, 390, 406
01/25/2023	34	MAVIS TIRE SUPPLY LLC	GENERAL/REPAIRS TO	16.00	16.00	59825	TIRE ROTATION #210

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01/25/2023	1315	MENARDS	LRS/G&M SUPPLIES	311.56	311.56	59826	ANCHORS
01/25/2023	1328	MERRILLVILLE	SW/WATER & SEWER	48.05	48.05	59827	SW SANITARY SERVICES 9-26 THRU
01/25/2023	1320	MIDWESTERN ELECTRIC	LRS/STOP & STREET	98.00	98.00	59829	MISS & 73RD & 73RD & MADISON
01/25/2023	614	HETTY INC	GENERAL/TOWN	4330.00	4330.00	59830	BANNERS FOR BROADWAY
01/25/2023	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	102.92	102.92	59833	OIL CHANGE #406
01/25/2023	1401	NIPSCO	FD/GAS & ELECTRIC	7231.12	7231.12	59834	GAS/ELECTRICAT ALL STATIONS
01/25/2023	953	PETERSON CONSULTING	FD/CONTRACTUAL	1115.40	1115.40	59836	PROFESSIONAL SERVICES FOR THE
01/25/2023	439	PRINT PRO	GENERAL/TOWN	1874.56	1874.56	59837	ADVERTISE STICKERS
01/26/2023	1028	TOWN OF MERRILLVILLE	FD/HEALTH, LIFE, AD&D	12000.00	12000.00	59853	ADDITIONAL HSA CONTRIBUTION - FIRE
02/06/2023	1600	PAYROLL FUND	GENERAL/UNAPPROPRIAT	383738.60	383738.60	59854	Unappropriated
01/27/2023	334	COMCAST	PNR/TELEPHONE	2181.53	2181.53	59855	PHONE BILL
01/27/2023	700	INDIANA AMERICAN WATER	GENERAL/WATER	702.93	702.93	59856	TOWN HALL
01/27/2023	673	CARD SERVICE CENTER	LRS/OFFICE SUPPLIES	10.55	10.55	59857	NAMEPLATE HOLDER
01/27/2023	200	SYNCB/AMAZON	CUML FIRE EQPT/OTHER	292.66	292.66	59858	MISC. EQUIPMENT
01/27/2023	776	COMCAST	FD/TELEPHONE	1845.08	1845.08	59859	INTERNER& PHONE AT ALL STATIONS
01/27/2023	1328	MERRILLVILLE	FD/SEWER	402.80	402.80	59860	SEWER SERVICE FOR HQ
01/27/2023	583	STAPLES BUSINESS CREDIT	FD/BUILDING SUPPLIES	49.71	49.71	59861	MISC. SUPPLIES
01/27/2023	517	CITI CARDS	FD/BUILDING SUPPLIES	6240.43	6240.43	59862	MISC. SUPPLIES
01/27/2023	551	MONROE PEST CONTROL INC.	FD/CONTRACTUAL	172.00	172.00	59863	MONTHLY PEST CONTROL AT STATION
01/27/2023	583	STAPLES BUSINESS CREDIT	FD/OFFICE SUPPLIES	283.14	283.14	59864	HP 78A BLACK INK CARTRIDGES
01/27/2023	915	WILLIAM L. TOUCHETTE	FD/ATTORNEY FEES	2000.00	2000.00	59865	LEGAL SERVICES FOR 12/1/22-1/24/23
01/27/2023	902	AT&T MOBILITY	FD/TELEPHONE	31.24	31.24	59866	E7011 MIFI
01/27/2023	289	WALTER COOK INSURANCE	FD/INSURANCE	29880.50	29880.50	59867	COMMERCIAL PACKAGE POLICY
01/27/2023	166	LAKE COUNTY TREASURER	GENERAL/UNAPPROPRIAT	386.00	386.00	59868	COUNTY COURT COST DECEMBER
02/01/2023	1506	ORKIN EXTERMINATING	GENERAL/CONTRACTUAL	121.00	121.00	59869	FEBRUARY PEST CONTROL
02/01/2023	1328	MERRILLVILLE	GENERAL/SEWER USER	930.50	930.50	59870	PW GARAGE
02/01/2023	642	SPRINT	GENERAL/TELEPHONE	315.84	315.84	59871	CLERKS CELL PHONE
02/01/2023	1315	MENARDS	GENERAL/REPAIRS TO	50.08	50.08	59872	ELECTRICAL SUPPLIES
02/01/2023	1315	MENARDS	GENERAL/REPAIRS TO	269.64	269.64	59873	LIGHTS FOR PD
02/01/2023	106	HINCKLEY SPRINGS	GENERAL/SUBSCRIPTION	75.58	75.58	59874	WATER SUBSCRIPTION
02/01/2023	776	COMCAST	GENERAL/TELEPHONE	358.49	358.49	59875	TELEPHONE
02/01/2023	374	CRAIG LAMB	GENERAL/CONTRACTUAL	325.00	325.00	59876	JANUARY VIDEO
02/01/2023	1197	US BANK	GENERAL/COPIER MTCE.	244.76	244.76	59877	PLANNING COPIER
02/01/2023	627	JOI WHITESIDE	GENERAL/POSTAGE	129.55	129.55	59878	POSTAGE
02/01/2023	700	INDIANA AMERICAN WATER	PNR/WATER & SEWER	132.87	132.87	59879	WATER BILL
02/01/2023	1075	ORALIA C. SANTOS	GENERAL/OTHER	33.85	33.85	59880	REFRESHMENYS BOYCE SYSTEMS
02/03/2023	135	INDIANA DEPT OF	MV/UNEMPLOYMENT	1558.56	1558.56	59884	U/E FOR ANDREW HURST
02/03/2023	673	CARD SERVICE CENTER	GENERAL/OTHER	866.81	866.81	59885	CLEAN FIRE AMMO (MIDWAY USA)
02/03/2023	402	AT & T MOBILITY	GENERAL/TELEPHONE	343.64	343.64	59886	LPR HOT SPOTS 12/12/22-1/11/23
02/03/2023	776	COMCAST	GENERAL/TELEPHONE	145.76	145.76	59887	SVC 1/29-2/28 IDACS

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

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Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
02/03/2023	776	COMCAST	GENERAL/TELEPHONE	199.69	199.69	59888	SVC 1/25-2/24 TRAINING CENTER
02/03/2023	776	COMCAST	GENERAL/TELEPHONE	248.87	248.87	59889	SVC 1/26-2/25
02/03/2023	776	COMCAST	GENERAL/TELEPHONE	407.60	407.60	59890	SVC 1/18-2/17 N. STATION
02/03/2023	236	BEST BUY BUSINESS	LRS/REPAIRS TO	334.98	334.98	59891	Vizio's
02/03/2023	563	STAPLES BUSINESS CREDIT	FD/BUILDING SUPPLIES	103.80	103.80	59892	MISC. SUPPLIES
02/03/2023	636	JOANN KRAFT	SW/CONTRACTUAL SERV	120.00	120.00	59893	SW OFFICE CLEANING- JANUARY 3RD
02/03/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/HR OFFICE	45.79	45.79	59894	SUPPLIES
02/03/2023	1175	AMAZON CAPITAL SERVICES	FD/OTHER SUPPLIES	26.95	26.95	59895	5 PK FLASH FRIVES
02/03/2023	357	TRACTOR SUPPLY CREDIT	SW/BUILDING MAINT.	9.99	9.99	59896	SW MOUNTING BRACKET
02/03/2023	79	AL WARREN OIL COMPANY	LRS/GASOLINE	41922.70	41922.70	59897	LRS UNLEADED
02/03/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/HR OFFICE	26.99	26.99	59898	SUPPLIES
02/03/2023	673	CARD SERVICE CENTER	GENERAL/REPAIRS TO	849.37	849.37	59899	BATTERY & RANGE REPAIRS INVERIS
02/03/2023	565	MATTIE M. COLLINS	GENERAL/CONTRACTUAL	961.54	961.54	59900	CONTRACTUAL PAY
02/03/2023	830	ORALIA SANTOS	GENERAL/CONTRACTUAL	800.00	800.00	59901	CONTRACTUAL PAY
02/03/2023	1401	NIPSCO	PNR/GAS & ELECTRIC	37516.18	37516.18	59902	GAS & ELECTRIC
02/03/2023	1132	JOHN WALSDORF	GENERAL/INSPECTORS	1198.58	1198.58	59903	47 INSPECTIONS IN JANUARY 2023
02/03/2023	714	CLARENCE G MECCHIA	GENERAL/INSPECTORS	686.68	686.68	59904	26 INSPECTIONS IN JANUARY 2023
02/03/2023	341	OUTDOOR HOME SERVICES	SW/CONTRACTUAL SERV	1246.92	1246.92	59905	SW LAWN SERVICES-FERTILIZATIONS
02/03/2023	1146	MIKE LASKARIN	GENERAL/INSPECTORS	1205.57	1205.57	59906	45 INSPECTIONS IN JANUARY 2023
02/03/2023	15	TERRY GUTHRIE	GENERAL/INSPECTORS	881.88	881.88	59907	32 INSPECTIONS IN JANUARY 2023
02/03/2023	1201	PAUL H. ANDERSON	GENERAL/INSPECTORS	992.36	992.36	59908	36 INSPECTIONS IN JANUARY 2023
02/03/2023	898	JOHN L. POWERS	GENERAL/INSPECTORS	472.16	472.16	59909	17 INSPECTIONS IN JANUARY 2023
02/03/2023	546	DAN BROWN	GENERAL/INSPECTORS	2100.00	2100.00	59910	84 INSPECTIONS IN JANUARY 2023
02/03/2023	673	CARD SERVICE CENTER	LRS/G&M SUPPLIES	485.00	485.00	59911	REFRACTOMETER
02/03/2023	470	VERIZON WIRELESS	GENERAL/TELEPHONE	2942.05	2942.05	59912	SVC 12/24/23-1/23/23 PD
02/08/2023	1600	PAYROLL FUND	GENERAL/SOCIAL	123239.27	123239.27	59913	Empr Liability Medicare
02/08/2023	700	INDIANA AMERICAN WATER	PNR/WATER & SEWER	102.40	102.40	59914	WATER BILL
02/08/2023	563	STAPLES BUSINESS CREDIT	PARKS/OFFICE SUPPLIES	601.60	601.60	59915	SUPPLIES
02/08/2023	563	STAPLES BUSINESS CREDIT	FD/TRAINING SUPPLIES	37.47	37.47	59916	MISC. SUPPLIES
02/08/2023	776	COMCAST	FD/TELEPHONE	63.44	63.44	59917	CABLE AT STATION #71
02/08/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/OFFICE	127.69	127.69	59918	OFFICE SUPPLIES
02/08/2023	673	CARD SERVICE CENTER	GENERAL/OTHER	131.45	131.45	59918	EMPLOYEE & COMMISSIONER LUNCH
02/08/2023	776	COMCAST	FD/TELEPHONE	21.13	21.13	59919	CABLE AT STATION #74
02/08/2023	673	CARD SERVICE CENTER	GENERAL/OTHER	1821.10	1821.10	59920	CLEAN FIRE AMMO
02/08/2023	673	CARD SERVICE CENTER	GENERAL/TOWN ADMIN	745.00	745.00	59921	CARWASH
02/08/2023	673	CARD SERVICE CENTER	LRS/TRAVEL EXPENSE	55.42	55.42	59922	LUNCH
02/08/2023	700	INDIANA AMERICAN WATER	FD/WATER	493.79	493.79	59923	WATER SERVICE FOR STATION #71
02/08/2023	174	CLARKE MOSQUITO CONTROL	LRS/MOSQUITO	29121.64	29121.64	59924	NATULAR TABLETS
02/08/2023	818	INDEPENDENCE HILL	FD/SEWER	20.00	20.00	59925	WASTEWATER FOR JANUARY
02/08/2023	470	VERIZON WIRELESS	FD/TELEPHONE	521.63	521.63	59926	WIRELESS SERVICE

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

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Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/ Memorandum (See Nota (2) Above)
02/08/2023	453	NEIL VELDMAN	FD/OFFICE SUPPLIES	220.00	220.00	59927	JANUARY COPIER RENTAL
02/08/2023	1197	US BANK	GENERAL/COPIER LEASE	1654.88	1654.88	59928	CLERKS COPIER LEASE
02/08/2023	673	CARD SERVICE CENTER	GENERAL/SUBSCRIPTION	562.26	562.26	59929	NEWSPAPER SUBS
02/08/2023	700	INDIANA AMERICAN WATER	GENERAL/WATER	23.29	23.29	59930	PD NORTHWATER
02/08/2023	592	THE TIMES	BDWY TIF/CONTRACTUAL	60.73	60.73	59931	86TH PARTNERS LEGAL NOTICE
02/08/2023	700	INDIANA AMERICAN WATER	SW/WATER & SEWER	48.37	48.37	59932	SW WATER USAGE DEC 28TH TO JAN
02/08/2023	296	ILLINOIS TOLLWAY	GENERAL/TRAVEL	32.50	32.50	59933	TOLLS
02/08/2023	1401	NIPSCO	LRS/STREET	18253.84	18253.84	59934	STREETLIGHTS/ELECTRIC
02/08/2023	1401	NIPSCO	GENERAL/ELECTRIC &	16761.16	16761.16	59935	GAS/ELECTRIC SERVICE
02/08/2023	1401	NIPSCO	GENERAL/ELECTRIC &	903.18	903.18	59936	PD SUB STATION
02/08/2023	673	CARD SERVICE CENTER	GENERAL/CONTRACTUAL	489.87	489.87	59937	GOOGLE DECEMBER BILL
02/08/2023	673	CARD SERVICE CENTER	GENERAL/INSTRUCTION	250.00	250.00	59938	TRAINING FOR #334
02/08/2023	673	CARD SERVICE CENTER	GENERAL/SUBS. & DUES	23.54	23.54	59939	265 MONTHLY SUB FEB.
02/08/2023	673	CARD SERVICE CENTER	GENERAL/OTHER	244.75	244.75	59940	HINCKLEY WATER BILL
02/08/2023	673	CARD SERVICE CENTER	LRS/G&M SUPPLIES	117.08	117.08	59941	HEAVY DUTY CLOTHS
02/08/2023	728	CAPITAL ONE TRADE CREDIT	LRS/G&M SUPPLIES	583.04	583.04	59942	GARAGE STOCK
02/08/2023	597	BUREAU OF MOTOR	LRS/CONTRACTUAL	15.00	15.00	59943	APPLICATION FEE FOR TITLE
01/24/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	274338.30	274338.30	146685	NET SALARIES FOR 1/20/2023 PAYDAY
01/24/2023	739	CENTIER BANK	PAYROLL - FEDERAL	68796.72	68796.72	146686	941 AUTO/DEBIT 1/20/2023 PAYDAY
01/24/2023	917	INDIANA CHILD SUPPORT	PAYROLL - COURT	2009.82	2009.82	146688	CHILD SUPPORT FOR 1/20/2023
01/24/2023	1630	IN Public Retirement System	POLICE PENSION - P.E.R.F.	6141.63	6141.63	146689	POLICE PERF ADJUSTMENT
01/24/2023	1630	IN Public Retirement System	POLICE PENSION - P.E.R.F.	3521.54	3521.54	146691	POLICE PERF ADJUSTMENT
01/24/2023	1630	IN Public Retirement System	PAYROLL - RETIREMENT	921.91	921.91	146692	CIVIL PERF ADJUSTMENT
01/24/2023	739	CENTIER BANK	PAYROLL - STATE	41636.98	41636.98	146693	AUTO DEBIT FOR DECEMBER 2022
01/26/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	49475.37	49475.37	146717	NET SALARIES FOR 1/27/2023 EOM
01/26/2023	739	CENTIER BANK	PAYROLL - FEDERAL	2477.01	2477.01	146718	941 AUTO DEBIT 1/27/2023 EOM
01/26/2023	739	CENTIER BANK	PAYROLL - FEDERAL	4730.38	4730.38	146719	945 AUTO DEBIT FOR 1/27/23 EOM
01/26/2023	1630	IN Public Retirement System	PAYROLL - SW PERF	19896.66	19896.66	146720	SW PERF FOR 1/24/2023 PAYDAY
01/26/2023	1630	IN Public Retirement System	POLICE PENSION - P.E.R.F.	44397.32	44397.32	146721	POLICE PERF FOR 1/20/2023 PAYDAY
01/26/2023	1630	IN Public Retirement System	FIRE PENSION-PERF	9855.44	9855.44	146722	FIRE PERF FOR 1/20/2023 PAYDAY
01/30/2023	138	REGIONS	BDWY PROJ BND/DEBT	91379.11	91379.11	146785	DEBIT SERVICE PAYMENT
01/30/2023	524	REGIONS BANK	AMERIPLEX/LEASE	579500.00	579500.00	146786	DEBT SERVICE PAYMENT
01/30/2023	335	HUNTINGTON NATIONAL BANK	AMERIPLEX 2018/DEBT	59850.00	59850.00	146787	DEBT SERVICE
01/31/2023	349	BANK OF NEW YORK MELLON	CUML FIRE EQPT/DEBT	368728.13	368728.13	146792	DEBT SERVICE PAYMENT
01/31/2023	349	BANK OF NEW YORK MELLON	SW/DEBT SERVICE	144084.38	144084.38	146793	DEBT SERVICE PAYMENT
01/31/2023	18	Town Court Tracking	TOWN COURT TRACKING	28710.10	28710.10	146810	DAILY CASH BALANCE REPORT
01/31/2023	739	CENTIER BANK	PNR/UNAPPROPRIATED	13298.92	13298.92	146811	AUTO DEBIT FOR PARKS SALES TAX
02/06/2023	739	CENTIER BANK	PAYROLL - FEDERAL	64714.49	64714.49	146876	941 AUTO/DEBIT 2/3/23 PAYDAY
02/06/2023	917	INDIANA CHILD SUPPORT	PAYROLL - COURT	2009.82	2009.82	146877	CHILD SUPPORT FOR 2/3/23 PAYDAY
02/06/2023	1630	IN Public Retirement System	PAYROLL - SW PERF	19683.70	19683.70	146879	SW PERF FOR 2/3/2023 PAYDAY

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

GOVERNMENTAL UNIT

AGENCY

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02/06/2023	1630	IN Public Retirement System	POLICE PENSION - P.E.R.F.	44397.32	44397.32	146881	POLICE PERF FOR 2/3/23 PAYDAY
02/06/2023	1630	IN Public Retirement System	FIRE PENSION-PERF	9855.44	9855.44	146882	FIRE PERF FOR 2/3/2023
02/06/2023	739	CENTIER BANK	PAYROLL - STATE	35072.78	35072.78	146886	AUTO DEBIT FOR JANUARY 2023
02/08/2023	986	AMERICAN EXPRESS	GENERAL/UNAPPROPRIAT	1003.65	1003.65	146960	CERTIFIED TO INDIANA TOX
02/08/2023	1600	PAYROLL FUND	GENERAL/HEALTH, LIFE &	42500.00	42500.00	146971	HSA - Employer Contribution
02/08/2023	371	PAYMENTGATEWAY	GENERAL/CONTRACTUAL	90.48	90.48	146979	MERCHANT BANKCARD BILLING
02/09/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	268050.90	268050.90	146992	NET SALARIES FOR 2/3/2023
		Checks: 0- 146992		4056772.39	3644065.18		

I hereby certify that each of the above listed vouchers and the invoices, or bills attached thereto,
are true and correct and I have audited same in accordance with IC 5-11-10-1.6

Fiscal Officer

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF MERRILLVILLE

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts
Payable Vouchers consisting of _____⁸ pages and except for accounts payables not allowed
as shown on the Register such accounts payables are hereby allowed in the total amount
of \$ 4056772.39.

Dated this _____ day of _____.

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signatures of Governing Board



Town of Merrillville
Town Council Meeting Minutes
January 24, 2023
6:30 P.M.

CALL TO ORDER: President Bella called the meeting to order at 6:30 P.M.

INVOCATION/MOMENT OF SILENCE: A brief invocation was given along with a moment of silence by Pastor Dennis Walton of Faith Temple of Christ Church.

PLEDGE OF ALLEGIANCE: Led by Pastor Denise Walton.

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

Present were:

Councilman Minchuk- (Ward 3)

Councilwoman Uzelac- (Ward 4)

Councilman Spann- (Ward 1)

Councilman Pettit- (Ward 6)

President Bella- (Ward 5)

Five Present (5) Two Absent (2) Councilman White and Vice-President Hardaway

PETITIONS, COMMUNICATIONS, ACKNOWLEDGEMENTS AND REMONSTRATIONS:

*Black History Month Proclamation

The Black History Month Proclamation was read by Court Administrator Chanda Flowers.

A motion was made by Councilman Pettit to approve the Black History Month Proclamation, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

*Letter from Town Engineering Administrator & Director of Public Works Steve King Recommending CORE Payment #27

Town Manager Reardon read the letter from Town Engineering Administrator & Director of Public Works Steve King recommending CORE Payment #27:

- Core Construction \$11,848.86
- Sweney Electric \$11,100.00
- Dant Clayton Corporation \$112,500.00

The total cost of CORE Payment #27 is \$135,448.86.

A motion was made by Councilman Pettit to approve the CORE Payment #27, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

*Amended Agreement Between Town and Merrillville Stormwater for Accounting Services.

President Bella asked Madam Clerk-Treasurer Kelly White Gibson to give a synopsis on the agreement.

Madam Clerk-Treasurer Kelly White Gibson stated that the agreement is between Stormwater Utility and the Town of Merrillville to pay for accounting services provided by the Clerk-Treasurer Office for the Stormwater.

President Bella asked Attorney Svetanoff didn't he have anything to add.

Attorney Svetanoff stated that the Clerk-Treasurer's Office will provide Professional Services to the Utility as well as books and records. At this time, the agreement looks to be in order and should be voted on by the Town Council.

A motion was made by Councilman Spann to approve the amended agreement between the Town of Merrillville and the Merrillville Stormwater Utility, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

CONSENT AGENDA

Accts. Payable Register Voucher Approval for January 24, 2023.
Approval of Town Council Meeting Minutes of January 10, 2023 & January 17, 2023

A motion was made by Councilman Minchuk 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

President Bella passed out Committees, Commissions, & Boards assignments.

BUDGET & FINANCE- HARDAWAY – President Bella stated that the Budget & Finance Committee remains the same. Vice-President Hardaway will remain Chair with Councilman Pettit and Councilman Minchuk as members.

Vice-President Hardaway was out of town and no report was given.

Town Manager Reardon stated there is nothing to add at this time.

COUNCIL AFFAIRS- PETTIT – President Bella stated that the Council Affairs Committee will remain the same. Councilman Pettit will remain Chair with Councilman Minchuk and Councilwoman Uzelac as members.

Councilman Pettit informed the council that Attorney Svetanoff is working on the pending ordinances that were discussed in the workshop. Councilman Pettit also requested from Attorney Svetanoff that the ordinances be ready for approval at the February 14, 2023 Town Council Meeting.

Attorney Svetanoff stated the thirteen ordinances will be ready for approval.

Councilman Pettit asked Director Shine is there a Planning Commission meeting in February.

Director Shine stated that possibly no but she is waiting on one person.

Councilman Pettit stated that the Council Affairs Committee will meet on the first Tuesday in February at 5:00pm. The thirteen ordinances will be reviewed before they are presented to the council for approval.

PUBLIC WORKS & UTILITIES - MINCHUK – President Bella stated that the Public Works & Utilities committee will remain the same. Councilman Minchuk will remain Chair with Councilman Spann and Councilwoman Uzelac as members.

Councilman Minchuk stated he won't be having a meeting until Director King gets back.

Councilman Minchuk also stated that about three inches of snow is expected and reminded residents to keep their cars off the street to allow the snow plows to clear and treat the streets.

ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT- President Bella stated that the Election, Public Relations, & Town Beautification Committee will remain the same.

Councilman Pettit will remain Chair with Councilman Minchuk and Vice-President Hardaway as members.

Councilman Pettit stated there is no report at this time.

ENVIRONMENTAL AFFAIRS- WHITE – President Bella stated that the Environmental Affairs Committee will remain the same. Councilman White will remain Chair with Councilwoman Uzelac and Councilman Spann as members.

Councilman White was absent because of illness.

Town Manager Reardon stated there was nothing to add at this time.

PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY- President Bella stated that the Personnel Policy & Employee Benefits Committee will remain the same. Vice-President Hardaway will remain Chair with Councilwoman Uzelac and Councilman Pettit as members.

Vice-President Hardaway was out of town and no report was given.

PUBLIC SAFETY- MINCHUK- President Bella stated that the Public Safety Committee will remain the same. Councilman Minchuk will remain Chair with Councilman Spann and Councilwoman Uzelac as members.

Councilman Minchuk informed the council that a meeting is scheduled for February 2, 2023 at 3:00pm.

ECONOMIC DEVELOPMENT-PETTIT – President Bella stated that the Economic Development Committee will remain the same. Councilman Pettit will remain Chair with Vice-President Hardaway, Councilman Minchuk, Deann Patena, and Jennifer Doffin as members.

Councilman Pettit stated at the Redevelopment Commission meeting a resolution was approved for a second draw with the Holiday Properties Group for improvements that was done.

Councilman Pettit also informed the council that several years ago a \$4,100,000.00 bond was authorized by the council and issued to construct 96th Avenue at Massachusetts which serves the Amazon facility. This will be the last draw for Holiday Properties Group.

PARKS & RECREATION- UZELAC – President Bella stated that the Parks & Recreation Committee will change. Councilwoman Uzelac will remain Chair with Councilman White and Councilman Spann as new members.

Councilwoman Uzelac informed the council that all five parks in Merrillville have been rehabbed. Councilwoman Uzelac also stated she is waiting for bids from Director Price regarding the shelter's roof at Rosenbaum Park

ABANDONED -BLIGHTED PROPERTIES-HARDAWAY – President Bella stated that the Abandoned-Blighted Properties Committee will remain the same. Vice-President Hardaway will remain Chair with Vicki Bunnell and Adra Breclaw-Csanyi as members.

Vice-President Hardaway was out of town and no report was given.

Town Manager Reardon stated there is nothing to add at this time.

DEAN & BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT – President Bella stated that the Dean & Barbara White Community Center Committee will remain the same. Councilman Pettit will remain Chair with Councilman Minchuk and Councilman White as members.

Councilman Pettit elaborated on the White Family's gift of \$10,000,000.00.

Councilman Pettit informed the council that he is going to change the meeting date for the committee to Tuesday January 31st at 4:30 P.M. at the Community Center to discuss the sponsorships and draw on the gift so graciously given by the White family.

SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4TH of JULY CELEBRATION-HARDAWAY – President Bella stated that the Special Projects (F & B Tax, Diversity, 4th of July Celebration Committee will remain the same. Vice-President Hardaway will remain Chair with Councilman Pettit and Councilman Minchuk as members.

President Bella asked Town Manager Reardon to give a report regarding table sales for the Black History Dinner.

Town Manager Reardon stated that twenty-seven tables were sold. If anyone would like to purchase a table which seats eight, the price is \$600.00 per table. Individual tickets are \$75.00 and can be purchase at Town Administration or, the Dean and Barbara White Community Center's front desk. Alonso Weems from the Lilly Foundation will be the speaker. The evening will also include music, great food, dancing, and a cash bar. Dr. Dan Lackey is going to be the MC for the evening.

President Bella stated the event isn't political, but to celebrate Black History.

DEPARTMENT & COMMISSION REPORTS

LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE -- President Bella stated he would entertain a motion to reappoint Councilman White as the Town's Representative on the Lake County Solid Waste Management District Board.

A motion was made by Councilman Spann to reappoint Councilman White as the Town's Representative on the Lake County Solid Waste Management District Board, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

President Bella asked Town Manager Reardon to notify Lake County Solid Waste Management District Board regarding the reappoint of Councilman White.

NORTHERN INDIANA REGIONAL PLANNING COMMISSION-HARDAWAY -- President Bella stated that Vice-President Hardaway is currently the Town's Representative and has been appointed the Chairman of the board.

A motion was made by Councilman Minchuk to reappoint Vice-President Hardaway as the Town's Representative on the Northern Indiana Regional Planning Commission, seconded by Councilman Spann.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

STORMWATER MANAGEMENT RESOURCES-LAKE -- Director Lake stated that VS Engineering just completed a plan for 69th and Connecticut Street.

Director Lake also stated they are working with the school board to get an easement and FEMA on the audit for CSR recertification. Director Lake elaborated on several other projects in the works.

SOUTHSHORE VISITORS AND CONVENTION AUTHORITY -- President Bella stated that Town Manager Reardon is currently the Town's Representative.

A motion was made by Councilman Minchuk to reappoint Town Manager Reardon as the Town's Representative on the Southshore Visitors and Convention Authority, seconded by Councilman Spann.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

Town Manager Reardon informed the council that he is yielding his time to Director Shine.

FIRE TERRITORY BOARD-MINCHUK -- President Bella stated that the council needs to appoint two new members.

A motion was made by Councilwoman Uzelac to reappoint Councilman Minchuk and Councilman Spann as the Town's Representative on the Fire Territory Board, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

Councilman Minchuk informed the council that he is yielding his time to Director Shine.

DEPARTMENT REPORTS/TOWN MANGER

Director Lake stated he yield his time to Director Shine.

Chief Nuses stated he has nothing to report at this time.

Town Manager Reardon informed the council that Director Shine put together an annual report of the activity in Planning and Building. The highlights from years 2018 through 2022 are follows:

- Permit Fees generated \$1,260,716.36
- Major Commercial Additions generated in 2022 alone \$146,524,714.00 in Merrillville.

Director Shine thanked the council, Attorney Svetanoff, and all the departments for supporting the Planning and Building Department. Director Shine elaborate on the annual revenue generated by the Planning and Building Department for years 2018, 2019, 2020, 2021 and 2022.

President Bella thanked everyone for all their hard work for the Town of Merrillville.

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

GENERAL ORDERS

A. Ordinances

First Readings: (Discussion and Roll Call Vote)

Ordinance 23-01 (Discussion and Voice Vote)

An Ordinance of the Town of Merrillville, Lake County, Amending Ordinance 22-29a and Pay for Employees of the Town of Merrillville, Indiana, for the Calendar Year 2023.

President Bella stated the ordinance is adding the Fire Inspector and a new Patrolman position that was negotiated with FOP to the salary ordinance.

President Bella asked Madam Clerk-Treasurer Kelly White Gibson and Financial Advisor Hudson did they have anything to add.

Madam Clerk-Treasurer Kelly White Gibson stated she has nothing to add. The salary ordinance just needed to be adjusted to add the two positions that were left off the approved salary ordinance.

Financial Advisor Hudson added that the Fire Inspector was under his on ordinance in 2022. Under Ordinance 23-01, he will be included with everyone else. During negotiations with the FOB, the Patrolman Special First Class position was adjusted on Ordinance 23-01. This ordinance will complete the FOB contract negotiation including pension payments.

A motion from Councilwoman Uzelac was made to approve Ordinance 23-01, seconded by Councilman Spann.

No further questions or comments from the council.

Motion carries by roll call voice vote 5-0.

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

None

B. Resolutions: (Discussion and Voice Vote)

Resolution 23-05 (Discussion and Voice Vote)

A Resolution of the Town of Merrillville, Lake County, Indiana, Transferring Monies Within the 2023 Budget.

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

President Bella asked Madam Clerk-Treasurer Kelly White Gibson and Financial Advisor Hudson did they have anything to add.

Madam Clerk-Treasurer Kelly White Gibson stated this is cleanup and to transfer funds appropriately for the police department.

Financial Advisor Hudson stated the transfer is to move the Patrolman Special First Class salary to a separate line item. The amount is currently included in the Patrolman lump sum line item. Financial Advisor Hudson also stated an additional appropriation is being prepared to supplement the rest of the salary for the position. The additional appropriation will be presented at the next council meeting.

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 January 24, 2023

President Bella informed the council that the ARP Voucher summary is \$16,604.15.

Councilman Pettit made a motion to approve \$16,604.15, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 5-0.

D.BZA & LARGE GATHERING ACTIONS

Petitioner: Crossroads Plaza
Owner: Crossroads Plaza
Request: Special Exception Approval
Purpose: To Allow Retail Sales Space
Location: 6110 Broadway
Zoning: M-2 industrial Zoning District

Planning and Building Director Shine elaborated towards the BZA Action.

President Bella asked Director Shine how long the building has been empty.

Director Shine stated the building has been empty for a lot of years.

Councilman Pettit asked Director Shine was there any remonstrators at the BZA.

Director Shine stated there were no remonstrators at the BZA.

Councilman Pettit informed the council this property requires a special exception because it was rezoned at M-2.

Councilman Pettit also informed the council he voted against the Petitioner several years ago and still opposes the Petitioner because the council was promised a 250,000 square foot industrial building and never got it. Councilman Pettit stated he is speaking as the Redevelopment Commission President and knows that his colleague Councilman White had some concerns about the condition of the roads and parking.

President Bella stated, as part of the conditions, the council will allow the Petitioner time to redo the parking lot.

The Petitioner's lawyer Mr. Anderson stated that he couldn't promise that condition will be met. What he can promise is the Petitioner will try to keep up the property.

Attorney Svetanoff stated that the council isn't asking that the entire parking lot be done this year or next year, but a plan on how it will be completed in phases.

Councilman Pettit inquired about the Petitioner having an outdoor vendor on the parking lot.

Director Shine stated the outdoor vendor will need approval from the Building and Planning Department.

President Bella informed the Petitioner's lawyer Mr. Anderson that one of the conditions is that a multi-year parking lot plan be presented to the council within six months by the Petitioner.

A motion from Councilman Pettit was made to approve Z32UV7-1222 with the conditions that were placed on it by the BZA along with a parking lot plan to be submitted to the council within six month. If there are outdoor vendors, they will receive a large gathering/special event permit. The motion was seconded by Councilwoman Uzelac with the conditions that Councilman Pettit mentioned.

No further questions or comments from the council.

Motion carries by roll call voice vote 5-0.

OLD BUSINESS

None

NEW BUSINESS

President Bella informed the council of the following appointments.

Stormwater Management Board

President Bella reappointed Ralph Simek.

Plan Commission

President Bella reappointed Councilwoman Uzelac, Councilman Minchuk, and Councilman Pettit.

Board of Zoning Appeals

A motion was made by Councilman Pettit to retain Andy Sylwestrowic to the BZA, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

President Bella asked Attorney Svetanoff do the motion pass with five members present.

Attorney Svetanoff stated the vote passed.

Motion carries by roll call vote 3-Yes 2-Abstain.

Redevelopment Commission

President Bella reappointed Vice-President Hardaway, Councilman Pettit, and Councilman White.

A motion was made by Council Pettit to retain Councilman Minchuk and Councilwoman Uzelac to the Redevelopment Commission, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 5-0

Economic Development Commission

President Bella reappointed Councilman Pettit.

A motion was made by Councilwoman Uzelac to retain Vice-President Hardaway and Councilman Minchuk to the Economic Development Commission, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 5-0

Police Commission

A motion was made by Councilman Pettit to reappoint William Polling to the Police Commission, seconded by Councilman Minchuk.

No further questions or comments from the council.

Motion carries by voice vote 5-0

A motion was made by Councilman Spann to reappoint Gene Ward to the Police Commission, seconded by Councilwoman Uzelac.

No further questions or comments from the council.

Motion carries by voice vote 5-0

SPECIAL PRESENTATIONS

None

ANNOUNCEMENTS:

Town Council Meeting February 14, 2023 at 6:30 P.M.

Town Office Closed Monday February 20th in observance of President’s Day
Plan Commission Public Meeting February 21st at 6:30 P.M.
Black History Celebration Dinner February 23rd at 5:00 P.M.

ADJOURNMENT:

A motion and a second were made and passed by voice vote.

Meeting Adjourned.

Rick Bella, President

Kelly White Gibson, Clerk-Treasurer

Minutes Submitted By Angela Lewis

ORDINANCE NO. 23-03

**AN ORDINANCE OF THE TOWN OF MERRILLVILLE,
LAKE COUNTY, INDIANA AMENDING ORDINANCE 22-29A,
THE 2023 SALARY ORDINANCE, AND AMENDMENT ORDINANCE 23-01**

**AND AUTHORIZING A TRANSFER OF APPROPRIATIONS
WITHIN THE ARP FUND**

WHEREAS the Town Council of the Town of Merrillville set out bonus amounts and schedule for payment of same for the calendar of 2022 which included all full-time employees, and

WHEREAS each department was to submit a list of qualifying employees to the Payroll Administrator for each quarter's payments, and

WHEREAS it has come to the attention of the Payroll Administrator from the Police Department Chief's Secretary that two officers were inadvertently left off the fourth quarter authorized employee list for payment, and

WHEREAS the monies for these two officers fourth quarter bonuses was budgeted for in the 2022 budget, and since unused, simply rolled to the cash balance of the ARP Fund, from which the bonuses were budgeted, therefore the funds are available and may still be used as previously planned, and

WHEREAS the Town Council recognizes that since the bonuses were not an item included in the 2023 budget that the line items proposed to be used for payment in 2023 are not appropriated and therefore Council needs to authorize a transfer of the amounts needed in order to complete these payments, and

NOW, THEREFORE BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that Ordinance 22-29A is amended to allow for the following:

- 1) Full-time sworn police officers Corey Nash and Daniel Knight shall receive what should have been paid as the 2022 fourth quarter bonus of One Thousand Dollars (\$1,000).
- 2) This payment can be paid at the convenience of the Payroll Administrator's payroll calendar within four (4) weeks, but should be shown as a separate payroll item just as the bonuses were handled in 2022.
- 3) The Payroll Administrator is authorized to use the same line items as has been used previously, and in order for her to do, authorized the following transfers:

Fund 2403 ARP Fund	Decrease	Increase
2403006399 ARP/Revenue Replacement	\$ 2,029.00	
2403006191 ARP/Bonuses		\$ 1,000.00
2403006192 ARP/Soc. Sec. Bonuses		\$ 29.00
	<u>\$ 2,029.00</u>	<u>\$ 2,029.00</u>

[The remainder of this page is intentionally blank.]

This ordinance shall be in full force and effect from its passage. **DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA,**
this____ day of _____, 2022.

Rick Bella, Council President
Ward 5

Marge Uzelac, Councilwoman
Ward 4

Don Spann, Councilman
Ward 1

Shawn Pettit, Councilman
Ward 6

Richard Hardaway, Vice President
Ward 2

Leonard White, Councilman
Ward 7

Jeff Minchuk, Councilman
Ward 3

ATTEST: Kelly White-Gibson
Clerk-Treasurer

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

ORDINANCE NO. 23-04

AN ORDINANCE AMENDING TOWN CODE SECTIONS: 12-91 ENTITLED "PARKING IN YARDS"; AND 12-188 ENTITLED "DEFINITIONS" AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has reviewed the provisions of Town Ordinance 12-91, and Town Ordinance 12-188 concerning the manner in which certain motor vehicles and equipment are parked and stored within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the provisions of Town Ordinance 12-91, and Town Ordinance 12-188, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of Merrillville that an amendment of said Town Ordinances appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That Section 12-91 of Chapter 12, Article IV of the Merrillville Town Code be, and the same is hereby amended to read, as follows, namely:

"Sec. 12-91. – Parking in yards.

No vehicle, motorized vehicle, off-road vehicles, or machinery may be parked in a front yard, side yard, rear yard, or courtyard other than on a designated or paved driveway in a residential district.

SECTION TWO: That Section 12-188 of Chapter 12, Article IV of the Merrillville Town Code be, and the same is hereby amended to read, as follows, namely:

"Sec. 12-188. – *All-terrain vehicle (ATV)* shall have the meaning as defined in IC 14-8-2-5.7.

Dirt bike means a lightweight motorcycle designed for operation on unpaved surfaces.

Dune buggy means a four-wheeled recreational vehicle designed for use on sand dunes, beaches, and desert terrain.

Go-kart means a small four-wheeled vehicle propelled by a two-stroke or four-stroke engine and chain drive.

Minibike means a miniature motorcycle propelled by a two-stroke or four-stroke engine and chain drive.

Moped means a low-powered motorcycle designed not to exceed a speed of thirty (30) miles per hour.

Motor scooter shall have the meaning as defined in IC 9-13-2-104.

Motorcycle shall have the meaning as defined in IC 9-13-2-108.

Motorized bicycle shall have the meaning as defined in IC 9-13-2-109.

Motorized vehicle means certain vehicles propelled by mechanical power, including a motorcycle, minibike, go-kart, motor scooter, and moped.

Off-road vehicle means certain vehicles propelled by mechanical power and intended for off-road use, including a snowmobile, dune buggy, dirt bike, all-terrain vehicle (ATV), *golf carts*, and riding lawnmowers.

Machinery means an apparatus or equipment which is operated by battery, electrical or mechanical power, including a lawn mower.

Snowmobile shall have the meaning as defined in IC 14-8-2-261.

SECTION THREE: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION FOUR: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION FIVE: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2023, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.

TOWN OF MERRILLVILLE,
LAKE COUNTY,
INDIANA, TOWN COUNCIL

Rick Bella, Town Council President

Margaret A. Uzelac, Member

Richard Hardaway, Vice-President

Shawn Pettit, Member

Don Spann, Member

Leonard White, Member

Jeff Minchuk, Member

ATTEST:

Clerk-Treasurer

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

ORDINANCE NO. 23-05

AN ORDINANCE AMENDING TOWN CODE SECTION 6-327 ENTITLED "STANDARDS FOR MAINTENANCE, AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has received a recommendation from the Town Manager and Administrative Staff that Section 6-327 of the Merrillville Town Code be amended to include provisions relative to noxious weeds; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has reviewed the recommendation of the Town Manager and Administrative Staff, and has determined that certain changes need to be made pertaining to vacant land within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the provisions of Town Ordinance 6-327, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of Merrillville that an amendment of said Town Ordinance No. 6-327 is appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That Section 6-327 of Chapter 6, Article IX of the Merrillville Town Code be, and the same is hereby amended to read, as follows, namely:

"Sec. 6-327. Standards of maintenance.

- (a) At least once each week, the owner of a property required to be registered under this article must ensure that the property is inspected and secured against unlawful entry, and that it is clean and vegetation is mowed. The owner shall also ensure that the property is free of noxious weeds as defined in Section 13-21 of the Merrillville Town Code. Records of such inspections shall be provided to the code enforcement Officer upon request.
- (b) The door openings of all buildings shall be secured against unlawful entry by the use of locks designed for such use.
- (c) In order to protect a vacant and abandoned residential or commercial building against unlawful entry or vandalism while it is vacant and in order to reduce blight and maintain property values, the code enforcement officer may order the owner to secure the windows and doors of the building by use of the following property board-up standards. Upon issuance of an order by the code enforcement officer, it shall be the duty of the owner to immediately procure and install the window and door coverings and exterior doors specified by this article.
 - o (1) *Property board-up standards.*
 - a. *General requirements.* Unless otherwise provided in this Article, all residential and commercial property that is unsecured shall be secured by boarding unsecured windows, doors, and other openings with sheeting material in accordance with this Section. As used herein, "sheeting material" or "sheeting" means a minimum of one-quarter-inch thick clear shatter-proof polycarbonate material with a strength capable of sustaining impact without breaking or shattering, absent excessive force. For example, such polycarbonate material shall be capable of sustaining a human propelled brick without

breaking or shattering. Examples of such sheeting strength yields would include strength yields equal to or greater than the American Society for Testing and Materials (ASTM) D638 tensile strength, yield value of eight thousand (8,000) psi. Sheeting shall be installed in a manner intended to provide an appearance approximating glass in the window casings, and consistent in appearance with the surrounding surface in the case of all other openings that require securing. Unless otherwise granted a variance by the code enforcement officer from strict compliance herewith, materials such as particle board, wafer board, masonite or other similar material shall not be used for boarding up residential property.

▪ b. *Boarding standard, windows.*

- 1. *Internal compression method.* Windows with broken, missing, or removed glass, or that are otherwise unsecured, shall be boarded as follows:
 - i. All remaining broken glass shall be removed from the window opening including damaged frames as to provide a clean opening;
 - ii. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;
 - iii. A one-half-inch hole shall be drilled into each of the four (4) corners of the sheeting material. The holes shall be positioned so they are no more than one inch from the window frame at width and no more than six (6) inches from the window sill and top frame.
 - iv. Two (2) solid composite cross-beams shall be cut in sufficient length to be no less than eight (8) inches longer than the horizontal width of the interior window casing. Each cross-beam shall be predrilled with seven-sixteenth-inch holes that are positioned to match the horizontal pattern of the holes in the sheeting.
 - v. The sheeting shall be secured in place over the exterior of the window opening by placing a three-eighths-inch corrosion-resistant, smooth-head carriage bolt through each of the holes in the sheeting and then placing one washer onto each of the carriage bolts; the cross-beams shall then be aligned and affixed to such carriage bolts from the interior of the window opening. Another nut and washer shall be placed onto each of the carriage bolts and tightened with a ratchet to achieve sufficient torque and a slight deflection in the cross-beams so that the nuts cannot be loosened by hand. Once secured, no space shall exist between the sheeting and the exterior window casing.
- 2. *Exterior screw method.* Fixed or inoperable windows with intact glass; or windows in which the internal compression method is impractical shall be secured as follows:
 - i. The sheeting material shall be cut to match the dimensions of the inside of the window casing so that when installed, the sheeting will fit tightly and not permit a tool to be placed behind it;
 - ii. Drill and countersink holes shall be made along the perimeter of the sheeting material starting with a hole at each of the four (4) corners and adding additional holes at ten-inch increments around the perimeter of the sheeting. Minimum length two-inch corrosion resistant security head

screws shall be used in each hole to affix the sheeting to the window frame or exterior casing.

- iii In the event the sheeting cannot be secured by cutting the sheeting material so as to neatly fit the inside window casing, the sheeting shall be placed over the exterior window casing such that the sheeting material covers the entire window casing and extends beyond the window casing at least eight (8) inches on center. The sheeting material shall be secured with minimum length two-inch corrosion resistant security head screws secured at the corners, and along the sheeting outer edges in ten-inch spaced increments as described in subsection 6-327(c)(1)a.2.ii above.
- 3. *Variance*. If circumstances make the foregoing methods of installation impractical such as due to excessive frame, door, and wall damage, or windows that are in an arc encasing or other unusual inset or characteristic, the window or opening shall still be secured with the sheeting, but may be affixed and secured in any manner approved by the code enforcement officer as to achieve substantial compliance with this article.
- c. *Boarding standard, Unsecure doors; sliding or other doors*.
 - 1. *Exterior access door*. At least one (1) exterior door shall allow authorized person access to the interior of the residential property. Such exterior access door may be secured by: (a) using a solid core wood or steel door with no windows or other openings in the door; (b) or hinged sheeting material. The door shall be securely locked using a padlock and hasp assembly that is bolted through the door or sheeting material. The lock loop portion of the hasp shall be attached to the door frame using a minimum of three-inch long security screws.
 - 2 *Sliding glass doors and other exterior doors*. Sliding glass doors or exterior doors other than the exterior access door shall be secured in the same manner as described in boarding standards and windows.
- (2) *Alternative board-up standards for exempt entities and non-residential properties*.
 - a. As an alternative to the sheeting material described in the general requirements, alternative sheeting material may be used for securing non-residential properties or residential properties that are secured by exempt entities as described below in subsection 6-327(c)(2)d. As used herein, "alternative sheeting material" or "alternative sheeting" shall mean minimum one-half-inch thick exterior grade plywood painted flat gray or to match the surrounding trim color of the residential property. "Non-residential property" shall mean any property with buildings in which no more than forty (40) percent of the usable space is dedicated by official use classification as dwelling or residential.
 - b. Unless secured pursuant to the general requirements, non-residential properties or residential properties that are secured by exempted entities shall be secured as follows:
 - 1. Remove all glass, waste, rubbish, or debris from the casing or door entranceway;
 - 2. Barricade all unsecured doorways, windows or exterior openings with the alternative sheeting material which shall extend to the molding stops or studs;
 - 3. Mount at least two (2) wood stocks or cross-beams of minimum 2 4 inch thickness to the reverse face of the alternative sheeting with minimum three-eighths-inch carriage bolts mated with nuts and two (2) flat washers;

- 4. Extend the cross-beams a minimum of eight (8) inches on each side of the interior wall;
 - 5. Cause all hardware to be galvanized or cadmium plated;
 - 6. The code enforcement officer may waive or change these standards so long as the property is secured adequately so as to prevent unauthorized entry or vandalism to the property.
- c. Notwithstanding anything to the contrary in this article, where the town has no proprietary or pecuniary interest in the residential property, the town may elect to use the alternative board up standards when the need to secure the unsecured property is based on any one or more of the following reasons:
 - 1. Health, safety, and welfare protection of the public pursuant to such political subdivisions' police powers;
 - 2. Emergencies such as fire damage, vandalism or other imminent threat to the health and safety of persons or property;
 - 3. Attractive nuisance conditions;
 - 4. Condemnation orders declaring the unsecured property a nuisance; or
 - 5. Actual or threatened illicit activity such as illegal drug use or trafficking, unlawful vice activity such as prostitution, trafficking in persons, kidnapping, unlawful gambling, and other such vice activity.
- d. *Exempt entities.* Notwithstanding anything to the contrary in this ordinance, where the town employs a third party for hire, independent contractor, non-profit community development entity, or utilizes the services of an agent acting on behalf of the town to secure a residential property pursuant to this ordinance, such party and agent shall likewise be permitted to use alternative sheeting material if instructed to do so by the code enforcement officer. In all such cases, such third parties, independent contractors or agents shall not be deemed to be exercising dominion and control over the residential property, nor shall be liable in trespass under the common law, nor liable under the common law for unauthorized entry in or upon the unsecured property, nor be deemed in possession on account of securing an unsecured property pursuant to this article.
- (2) *Joint and several obligations.* A financial institution with an interest in the property that is not an owner of the unsecured property to which an order to secure such property is issued by the code enforcement officer shall be required to comply with any such orders as prescribed herein. However, nothing herein shall absolve or diminish the owner's obligation to comply with the requirements of this article regardless of the issuance of any order to a financial institution. A financial institution with an interest in the property that is not in ownership of the unsecured property and any owner shall be jointly and severally liable to comply with this article and shall be jointly and severally liable for all civil fines and charges levied against them for non-compliance with any portion of this article.
- (3) *Owner or financial institution fails to comply.*
 - a. Any owner or financial institution that fails to comply with the requirements of this article, upon notice of non-compliance from the code enforcement officer, shall jointly and severally be subject to the civil penalties provided in section 6-331. In addition to the fines imposed, the town may, but is not required, to secure the unsecured property itself or through any authorized third party or agent, and charge the cost thereof to the owner and/or the financial institution, as the case may be. The owner and financial institution shall be jointly and severally liable for both the fine imposed herein and all costs to secure the unsecured property together with a board-up administrative fee of one hundred dollars (\$100.00), plus fees to file or release any liens, legal fees and any other fees incurred in enforcing this article.

- b. In addition to pursuing any money claim in a court of competent jurisdiction, the town may certify the charges and any continuing charges or fines: (a) to the county auditor for collection by placement on the tax duplicate for that parcel; and/or (b) to the county recorder as and for a lien against the property as permitted by law.
- (4) *Permits.*
 - a. Any owner or financial institution to which this article applies shall file an application with the building department prior to commencing any work to secure the unsecured property. Such owner or financial institution shall pay a building permit application fee of seventy-five (\$75.00). The application shall require the applicant to supply the following information which may be prescribed on forms promulgated by the town:
 - 1. , address and telephone number of the owner or natural contact person of the financial institution seeking the permit;
 - 2. , address and telephone number of the natural contact person of the entity performing the work on the unsecured property;
 - 3. , address and telephone number, if available, of the record owner of the unsecured property;
 - 4. The causes for which the applicant is seeking the permit (based on information and belief):
 - i. Vandalism;
 - ii. Open, vacant;
 - iii. Fire damage;
 - iv. Code violation order to secure the unsecured property;
 - 5. Proposed date on which the applicant proposes to secure the unsecured property;
 - b. Any application for a building permit which is not granted or responded to within five (5) business days shall extend the time period for compliance by the number of days in excess of the five (5) business day response period set forth in this section.

SECTION TWO: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2023, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.

TOWN OF MERRILLVILLE,
LAKE COUNTY,
INDIANA, TOWN COUNCIL

Rick Bella, Town Council President

Margaret A. Uzelac, Member

Richard Hardaway, Vice-President

Shawn Pettit, Member

Don Spann, Member

Leonard White, Member

Jeff Minchuk, Member

ATTEST:

Clerk-Treasurer

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA
ORDINANCE NO. 23-06

AN ORDINANCE AMENDING TOWN CODE SECTIONS: 21-172 ENTITLED "ZONING - OFF STREET PARKING" AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has reviewed the provisions of Town Ordinance 21-172, pertaining to off-street parking and storage within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the provisions of Town Ordinance 21-172, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of Merrillville that an amendment of said Town Ordinances appropriate.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the Code of Ordinances of the Town of Merrillville, Indiana is hereby amended in Chapter 21 entitled: "Zoning"; Article V entitled: "Off Street Loading and Parking"; Section(s) 21-172 entitled: "Off Street Parking" by amending the following Section:

"CHAPTER 21 - ZONING

Sec. 21-172. – Off-street parking.

- (a) *Definitions. A **STORAGE BOX** is defined as reusable containers which are designed to house and maintain materials.*

*A **DUMPSTER** is defined as a large trash receptacle or other container designed to be hoisted and emptied into a truck or other vehicle.*

*A **COMMERCIAL VEHICLE** is defined as any self-propelled or towed vehicle or other vessel used for the storage and/or transportation of goods or paying passengers, and shall include but not be limited to a semi-tractor, semi-trailer, cargo trailer, utility trailer, hitch trailer.*

- (b) Any off-street parking space in connection with existing buildings or structures on the effective date of this chapter shall not be removed, enlarged, or altered except in conformance with the requirements of this chapter. In connection with any building or structure which is to be erected or substantially altered, and which requires off-street parking spaces, there shall be provided such off-street parking space in accordance with the regulations set forth hereinafter.
- (1) Except as may otherwise be provided for the parking of trucks or for special exception uses, required accessory off-street parking facilities, required as accessory to uses listed herein, shall be solely for the parking of passenger vehicles of patrons, occupants or employees.
 - (2) Parking spaces shall be located on the same lot as the use served except for uses other than single or two-family dwellings which are in existence on the effective date of this chapter, and which are subsequently altered or enlarged, and new uses in the C2 and C3 commercial districts and M1 light industrial district may be served in accordance with requirements of this chapter by parking facilities located on land other than the lot on which the building or use served is located; provided such facilities are located within three hundred (300) feet walking distance from the main entrance to the use served.
 - (3) When determination of the number of off-street parking spaces required by this chapter results in a requirement of a fractional space, any fraction of one-half (1/2) or less may be disregarded; while a fraction in excess of one-half (1/2) shall be counted as one parking space.

- (4) Off-street parking facilities for separate uses may be provided collectively if the total number of spaces so provided is not less than the sum of the separate requirements of each such use; and if all regulations governing the location of accessory parking spaces in relation to the use served are observed. But no parking space, or portion thereof, shall serve as the required space for more than one use unless otherwise authorized in accordance with this chapter.
- (5) No motor-vehicle repair work of any kind shall be permitted in parking lots.
- (6) A required off-street parking space shall be at least nine (9) feet in width and at least nineteen (19) feet in length, exclusive of access drives, aisles, ramps, columns, and office or work areas. Such space shall have vertical clearance of at least seven (7) feet.
- (7) Each required off-street parking space shall open directly upon a parking lot aisle or a driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. Each aisle or driveway shall have a minimum width as shown in section 21-243 (Figure 18).

All off-street parking facilities shall be provided with appropriate means of vehicular access to a street, alley, or driveway in a manner which will least interfere with traffic movements.

All parking area regardless of spaces shall have vehicular access to it over a street, alley, or driveway containing all-weather, hard-surfaced pavement and the location and route of access to such a parking area shall be identified. No driveway approach area within the public street right-of-way shall have a width exceeding twenty-four (24) feet exclusive of curb returns except that at the discretion of the community development director, the width may be increased to thirty-six (36) feet to accommodate truck traffic. An improvement location permit shall be obtained prior to construction, reconstruction, or removal of a driveway approach within the public street right-of-way.

- (8) Off-street parking spaces may be located in any yard provided they conform to subsection (b)(14) and (15) of section 21-12 of this Code, meet all screening and buffer yard requirements, and comply with the following provisions:
 - a. Parking areas and access drives must be paved, except for agricultural uses and single-family uses on five (5) or more acres which must only pave driveways between a location twenty-five (25) feet from the street right-of-way and the public pavement within the public street right-of-way;
 - b. Cement wheel stops or concrete curbing must be provided along the perimeter of the parking area;
 - c. All maintenance and snow removal must be the responsibility of the owner;
 - d. Access to parking spaces must be obtained through ramps or aisles and not over the curbing or provided parkway (see section 21-21);
 - e. The owner is responsible for the replacement of parking area paving, necessitated by the town's repair of underground facilities.
- (9) All open automobile parking areas containing more than four (4) parking spaces, except for those on single-family residential lots, shall be effectively screened on each side adjoining or fronting on any residential or any institutional property by a wall or fence, not less than six (6) feet high, or more than eight (8) feet high, or a densely planted compact hedge not less than five (5) feet in height; and cement wheel stops shall be placed not nearer than ten (10) feet from the front line or from side lot lines. Also, where parking areas adjoin a public street, a planted buffer, at least ten (10) feet wide, shall be provided between the parking areas and the adjoining street right-of-way line. (See Figure 7.) Other planted buffers shall be provided in conformance with the yard requirements of the applicable zoning district.
- (10) All open automobile parking areas containing more than four (4) parking spaces shall be effectively screened on each side adjoining or fronting on any residential or any institutional property by a wall or fence not less than six (6) feet high, or a densely-planted, compact hedge not less than five (5) feet in height; and cement wheel stops shall be placed not nearer than ten (10) feet from the front line or from side lot lines. (See Figures 15, 16 and 17.)

- (11) A system of light fixtures shall be installed to provide an adequate standard of illumination over the entire parking lot during business hours and minimum-security illumination during non-business hours. All lighting shall meet requirements of the town engineer and section 21-20.
- a. Detailed drawings are to be submitted with respect to the lighting of all parking areas containing eight (8) or more spaces. Said drawings shall be submitted at the time application is made for a building permit in R3, R4 and R5 zoning districts. If a parking area containing less than eight (8) spaces, when added to a contiguous area of parking would result in a total parking area of more than eight (8) spaces, said drawings shall be required.
 - b. Said drawings shall show the location of light supports (which may be affixed directly to the building), the direction of light beams, heights, and the number of lights.
 - c. Parking lots in R3, R4, and R5 districts shall be illuminated from sunset to sunrise and shall be triggered with photoelectric cells or other automatic means as approved by the community development director.
- (12) Barrier-free parking shall be provided and marked in accordance with the requirements of the Americans with Disabilities Act and may be increased by the plan commission for uses where the expected number of physically disabled would be more than required (e.g. hospitals, halls, churches, etc.).
- (13) In residential zoning districts, the parking of commercial vehicles (over six thousand (6,000) pounds) or commercial equipment on public streets is prohibited. Commercial vehicles or commercial equipment (such as bobcats, backhoes, etc.) may be parked in a private driveway only for the time necessary to complete work or construction at the residence, but shall not exceed seventy-two (72) hours.

(No semi-trailer, cargo trailer, storage box, or any other container in excess of eighteen (18) square feet shall be utilized for storage in a residential zone)

Commercial vehicles are prohibited from parking upon any public street or private driveway in a residential zone. The parking of vehicles or vehicles with equipment on a public street for the performance of a service on the adjacent property is allowed, but for only a reasonable time to complete the service. Trailers, boats, campers, recreational vehicles, or similar vehicles must be stored in a structure or location other than the front yard or driveway between the dates of October 31 and the following March 31. Trailers, boats, campers, recreational vehicles, or similar vehicles must be parked, stored or located upon a hard-surfaced pavement per section 21-172(a)(7) of this chapter.

- (14) Off-street parking spaces accessory to designated uses shall be provided as follows:
- a. *Single-family dwellings.* At least two (2) parking spaces for each dwelling.
 - b. *Two-family dwellings.* At least two (2) parking spaces for each dwelling unit.
 - c. *Multiple family dwellings.* At least two (2) parking spaces for each dwelling unit.
 - d. *Motels, hotels and apartment hotels.* At least one space per employee, but no less than five (5) spaces of employee parking, plus one for each separate lodging room.
 - e. *Boarding and lodging houses (bed and breakfast).* One parking space for each person for whom living accommodations are provided plus two (2) additional parking spaces for owner/operator.
 - f. *Private clubs and lodges.* One parking space for each two (2) seats supplied throughout facility plus two (2) additional parking spaces per employee or officer.
 - g. *Schools, adult, business or trade.* At least one space per instructor and employee, plus one for each student.
 - h. *Schools, elementary or junior high, public or private.* Three (3) parking spaces per classroom.

- i. *Schools, high, public, or private.* At least one parking space of design capacity for each four (4) students, plus one for every employee in facility.
- j. *Churches.* At least one parking space for each two and one-half (2) seats of seating capacity in main auditorium or congregational room.
- k. *School and institutional auditoriums.* At least one parking space for each two (2) persons employed on the premises, and an additional parking space for each five (5) seats, or for each one hundred (100) inches of seating space in the main auditorium or assembly hall.
- l. *Theaters.* At least one parking space for each two (2) seats in the theater.
- m. *Hospitals.* At least one parking space for each two (2) hospital beds, plus one parking space for each three (3) employees, other than doctors, plus one parking space for each two (2) doctors assigned to the staff.
- n. *Libraries and museums.* At least one parking space for each one thousand (1,000) square feet of the floor area.
- o. *Recreational buildings or community centers.* At least one parking space shall be provided for each three (3) employees, plus one space for each three hundred (300) square feet of floor area in building.
- p. *Medical and dental offices and clinics.* At least three (3) parking spaces for each examining or treatment room, plus one for each doctor and employee in the building.
- q. *Public utility and public service use.* At least one parking space for each three (3) employees, plus spaces in adequate numbers as determined by the community development director to serve the visiting public.
- r. *Establishments handling the sale and consumption on the premises of food and refreshment.* At least one parking space for every seventy-five (75) square feet of floor area or one parking space for every two (2) seats of seating capacity, whichever standard results in the higher requirement. In addition, there shall be provided one parking space for every employee during the major shift operation.
- s. *Bowling alleys.* At least six (6) parking spaces for each alley which includes affiliated uses, such as restaurants, bars, etc.
- t. *Banks, savings and loans, and financial institutions.* At least one parking space for each three hundred (300) square feet of floor area.
- u. *Business and professional offices or public administration buildings exclusive of medical or dental offices.* At least one parking space per each two hundred (200) square feet of floor area for business offices; and at least one parking space per each four hundred (400) square feet of floor area for professional offices or public administration buildings.
- v. *Automobile service business.* At least one parking space for each employee, plus two (2) for each service stall.
- w. *Furniture and appliance stores, motor vehicle sales, wholesale stores, store for repair of household equipment or furniture.* At least one parking space for each six hundred (600) square feet of floor area.
- x. *Undertaking establishments and funeral parlors.* At least one parking space per fifty (50) square feet of floor area, plus one parking space for each funeral vehicle maintained on the premises.
- y. *Retail stores.* At least one parking space for each two hundred (200) square feet of floor area.
- z. *Manufacturing, fabricating, and processing plants not engaged in retail trade.* At least one parking space for each two (2) employees.

- aa. Warehouse and storage establishments and freight terminals. At least one parking space for each two (2) employees or two thousand (2,000) square feet of floor area, whichever is the greater number of spaces.
- bb. Other uses. Parking spaces on the same basis as required herein for the most similar use determined by the community development director.
- cc. Outdoor amusement establishments such as golf driving range, miniature golf courses, par 3 golf courses, kiddie parks, and other similar amusement centers. At least one parking space per: Golf hole, putting hole, driving range station, batting cage, and one per five hundred (500) square feet of open public space, i.e., porches, decks, verandas, midways, common areas. Additionally, if amusement rides and booths are provided, there shall be three (3) spaces per ride; two (2) spaces per game booth if applicable, and one space per five hundred (500) square feet of open public space, i.e., midways, etc., plus one space per each employee per shift.
- dd. Intermediate daycare center. At least one space per adult supervising children at facility, and one space per five (5) children.
- ee. Large daycare center. At least one space per adult supervising children at facility, and one space per each staff nurse, doctor, or other technician, and one space per five (5) children.

Employee parking calculations shall be determined by the maximum number of employees working during the major shift operation. Drive-up establishments, i.e. restaurant drive thru, bank, car wash, requires stacking for five (5) vehicles.

Permit Process: An applicant for the permit required by this section shall execute an application form at the office of the clerk-treasurer at least thirty (30) days prior to placement of any donation box, storage container, or dumpster within the town. Such application form shall contain the information found to be necessary by the clerk-treasurer in order to issue a permit, including liability insurance.

SECTION TWO: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2023, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.

TOWN OF MERRILLVILLE,
LAKE COUNTY,
INDIANA, TOWN COUNCIL

Rick Bella, Town Council President	Margaret A. Uzelac, Member
Richard Hardaway, Vice-President	Shawn Pettit, Member
Don Spann, Member	Leonard White, Member
Jeff Minchuk, Member	

ATTEST:

Clerk-Treasurer

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

ORDINANCE NO. 23-07

AN ORDINANCE TO PROMOTE THE GENERAL WELFARE OF THE CITIZENS AND PROHIBITING DONATION BOXES WITHIN THE TOWN, AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has been advised by the Town Manager and Administrative Staff that establishment of an Ordinance to prohibit donation boxes is recommended to promote and safeguard the welfare of residents within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the current recommendations of the Town Manager and Administrative Staff, and acknowledging the ability to adopt Ordinances pursuant to I.C. §36-1-3 *et seq.* as well as all information provided, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of Merrillville, to establish a regulation prohibiting donation boxes within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the Code of Ordinances of the Town of Merrillville, Indiana is hereby amended in Chapter 13 entitled: "Nuisances"; Article I entitled "In General"; Section 13-16 entitled "Reserved" by amending the following Section:

CHAPTER 13 – NUISANCES

"Sec. 13-16. – Donation drop boxes.

(A) *Donation boxes are prohibited.* No person shall place, use or allow the installation or operation of a donation box within the Town without a permit. The owners, lessee or other person or legal entity in control of a property where donation boxes are maintained in violation of this section and the owner or operator of said box shall be liable for any violation of this section.

(B) *Definitions.* A **DONATION DROP BOX** is defined as any receptacle or container located outside of an enclosed building designed, intended to be used for collection and storage of donated items or materials, including, but not limited to clothing, shoes, books, electronics, furniture, bedding and other like items.

(C) *Permit process.* An applicant for the permit required by this section shall execute an application form at the office of the clerk-treasurer at least thirty (30) days prior to placement of any donation box within the town. Such application form shall contain the information found to be necessary by the Clerk-Treasurer in order to issue a permit, including liability insurance.

(1) Such application shall be deemed a continuing application, and if, after the issuance of a permit, the information set forth in such application shall become inaccurate for any reason and the holder of the permit intends to or does continue thereunder, notice of such change and the correct information shall be furnished to the office of the clerk-treasurer within twenty-four (24) hours. An annual permit fee of twenty-five dollars (\$25.00) per donation box shall be paid to Clerk-Treasurer per calendar year.

(2) Required Information, Materials and Provisions for Donation Boxes.

- a. Zoning and Site Plan drawing of proposed location, including the distance box will be setback from the property line.
- b. Description of the donation box.
- c. Description of operation including dates and types of goods being received.
- d. Written statement of permission from private property owner/lessee, if applicable.
- e. Written approval of Board of Public Works for location on public property.
- f. Name, address and telephone number of the individual or entity who will be responsible for monitoring, emptying, and maintaining the box and responding to calls to clean the area around the box.
- g. The responsible individual or entity, identified in subparagraph "f" above must reside or conduct business within Lake County, Indiana, or a county immediately adjacent to Lake County, Indiana.
- h. Any person or entity seeking to place or maintain a donation box must clearly post on the outside of the box the name, address, and telephone number of the person, entity or organization receiving donations.
- i. The box must be emptied at least once every seven (7) days and monitored by the individual, or by a representative of the individual, entity or organization who owns or controls the box, or who owns the property on which the box is located.
- j. The responsible individual must respond to calls within 12 hours thereof, and remove items if donations overflow or lay within ten (10) feet of the box.
- k. A decal issued by the Town must be affixed to the front of the donation box.

(D) *Notice of violation.* In the event that a donation box has been located within the Town, a notice shall be provided by the property maintenance officers or any other Town employee that a donation drop box has been placed or is being maintained in violation of this section. The notice shall be provided by a certificate of mailing to the property owner, lessee, donation drop box owner, tenant or primary contact person designated by the donation drop box information, or other person or legal entity in control of a property. The notice shall inform the party that they have seven (7) days within which to remove the donation drop box from the property and from the Town.

(E) *Impoundment and redemption.*

(1) If the donation drop box has not been removed within the 7-day time period, the Town may seize and impound the donation drop box for failure to comply with the provisions of this chapter.

(2) Such impounding of the donation drop box shall require the donation drop box to be stored by the Town until it has been reclaimed by the owner, consistent with the provisions of this chapter. The owner of the donation drop box shall be sent notice of such impoundment at the owner's last known address by certified mail within five (5) days after the impoundment. Neither the Town nor any agency thereof shall be liable for any damages arising out of the provision of an erroneous name or address of such owner. The owner of the donation drop box utilized in violation of this chapter may redeem the same upon

satisfactory proof of ownership and payment of a redemption fee of one thousand dollars (\$1,000). Such impounded donation drop box may only be released to the owner of the donation drop box or his or her agent as evidenced by a written common notarized agent agreement or duly executed power of attorney. Any person or entity found violating this Ordinance who would have previously been in violation of said Ordinance shall be subject to a fine in the sum of one thousand dollars (\$1,000.00) multiplied by the number of occasions on which said person or entity would have been found in violation of this Ordinance.

(3) If the owner of the impounded donation drop box does not reclaim such donation drop box within forty-five (45) days of the date of impoundment, the Town may, at its discretion, dispose of such box.

SECTION TWO: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2023, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.

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

Rick Bella, Town Council President

Margaret A. Uzelac, Member

Richard Hardaway, Vice-President

Shawn Pettit, Member

Don Spann, Member

Leonard White, Member

Jeff Minchuk, Member

ATTEST:

Clerk-Treasurer

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA
ORDINANCE NO. 23-08

**AN ORDINANCE AMENDING TOWN CODE SECTION 13-2 ENTITLED
"NUISANCES-ILLUSTRATIVE ENUMERATION," AND REPEALING
ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS
THEREOF, IN CONFLICT HEREWITH.**

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has reviewed the provisions of Town Ordinance No. 13-2 pertaining to items, conditions, and actions which constitute a nuisance within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has determined that certain changes need to be made pertaining to the unobstructed use of roadways and sidewalks within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the provisions of Town Ordinance 13-2, now concurs that it is advisable, necessary, and in the best interests of the residents of the Town of Merrillville that an amendment of said Town Ordinance No. 13-2 is appropriate.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:**

SECTION ONE: That the Code of Ordinances of the Town of Merrillville, Indiana is hereby amended in Chapter 13 entitled: "Nuisances"; Article I entitled: "In General"; Section(s) 13-2 entitled: "Illustrative Enumeration" by amending the following Section:

"CHAPTER 13 - NUISANCES

Sec. 13-2. – Illustrative Enumeration.

The maintaining, using, placing, depositing, leaving, or permitting to be or remain on any public or private property of the following items, conditions, or actions are hereby declared to be and constitute a nuisance; provided, however, this enumeration shall not be deemed or construed to be conclusive, limiting or exhaustive:

- (1) Noxious weeds and other rank vegetation.
- (2) Accumulation of rubbish, trash, refuse, junk, and other abandoned materials, metals, lumber or other things.
- (3) Any condition which provides harborage for rats, mice, snakes, and other vermin.
- (4) Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a more than ordinarily dangerous fire hazard in the vicinity where it is located.
- (5) All unnecessary or unauthorized noises and annoying vibrations, including noises.
- (6) All disagreeable or obnoxious odors and stench, as well as the conditions, substances, or other causes which give rise to the emission or generation of such odors and stench.
- (7) The carcasses of animals or fowl not disposed of within a reasonable time after death.
- (8) The pollution of any public well or cistern, stream, leak, canal, or body of water by sewage, dead animals, creamery, industrial wastes, or other substances.

- (9) Any building, structure, or other place or location where any activity which is in violation of local, state, or federal law is conducted, performed, or maintained.
- (10) Any accumulation of stagnant water permitted or maintained on any lot or piece of ground.
- (11) Dense smoke, noxious fumes, gas, soot, or cinders, in unreasonable quantities.
- (12) The unauthorized obstruction of any public street, road, or sidewalk.
- (13) Any abandoned vehicle.
- (14) Any building, sidewalk, or driveway that is defaced. Defaced is defined as "to mar the external appearance thereof" and to mar is defined as to detract from the perfection or wholeness thereof. Said meaning of deface is contained in IC 35-43-1-2 and Haverstick v. State, 648 N.E. 2d (Ind. Ct. App. 1995).
- (15) Any recreational or sporting equipment or device under such conditions as to leave less than twelve (12) feet of the width of the roadway for free movement of vehicular traffic, and three (3) feet of the width of the sidewalk for the free movement of pedestrians.

SECTION TWO: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2023, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.

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

Rick Bella, Town Council President

Margaret A. Uzelac, Member

Richard Hardaway, Vice-President

Shawn Pettit, Member

Don Spann, Member

Leonard White, Member

Jeff Minchuk, Member

ATTEST:

Clerk-Treasurer

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

ORDINANCE NO. 23-09

AN ORDINANCE TO PROMOTE THE GENERAL WELFARE OF THE CITIZENS AND LIMIT THE NUMBER OF ANIMALS RESIDING WITHIN A HOUSEHOLD WITHIN THE TOWN, AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has been advised by the Town Manager and Administrative Staff that establishment of an Ordinance to limit the number of mature animals living within a household within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the current recommendations of the Town Manager and Administrative Staff, and acknowledging the ability to adopt Ordinances pursuant to I.C. §36-1-3 *et seq.* as well as all information provided, now concurs that it is necessary, advisable, and in the best interests of the residents of the Town, to establish a regulation aimed limiting the number of animals residing within household within the Town at promoting the welfare of residents within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the Code of Ordinances of the Town of Merrillville, Indiana is hereby amended in Chapter 5 entitled: "Animals and Fowl"; Article I entitled: "In General"; Section(s) 5-8 – 5-20 entitled: "Reserved" by creating the following Section:

"CHAPTER 5 – ANIMALS AND FOWL

§ Section 5-8 – Limiting the Number of Animals Residing Within a Household

It shall be unlawful and a public nuisance for any person in charge of a residence *not located in an agricultural zone* to keep or allow to be kept at such residence more than three (3) animals, reptiles or birds, or any combination of said animals, reptiles or birds exceeding three (3) in number, over the age of ninety (90) days. Such age shall be calculated with reference to the first day being the date on which this Ordinance becomes effective.

Any household or property owner violating the provisions of this Ordinance shall be notified in writing of any violation. The individual or property owner shall be given twenty-one (21) calendar days to rectify the violation. If, after twenty-one (21) calendar days, said violation persists, the town shall impose a fine of two-hundred and fifty dollars (\$250.00) for each day that the violation persists, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION TWO: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION THREE: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION FOUR: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2023, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.

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

Rick Bella, Town Council President

Richard Hardaway, Vice-President

Don Spann, Member

Jeff Minchuk, Member

Margaret A. Uzelac, Member

Shawn Pettit, Member

Leonard White, Member

ATTEST:

Clerk-Treasurer

TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA

ORDINANCE NO. 23-10

AN ORDINANCE ESTABLISHING A PARKING REGULATION PROMOTING UNENCUMBERED ACCESS TO MAILBOXES, AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH.

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, has been advised by the Town Manager and Administrative Staff that the establishment of a parking regulation is recommended to proscribe encumbrance and free access to residential mailboxes within the Town; and

WHEREAS, the Town Council of the Town of Merrillville, Lake County, Indiana, having reviewed the current recommendations of the Town Manager and Administrative Staff, and acknowledging the ability to adopt Ordinances pursuant to I.C. §36-1-3 *et seq.* as well as all information provided, now concurs that it is necessary, advisable, and in the best interests of the residents of the Town, to establish a parking regulation promoting unencumbered access to mailboxes within the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AS FOLLOWS:

SECTION ONE: That the Code of Ordinances of the Town of Merrillville, Indiana is hereby amended in Chapter 12 entitled: "Motor Vehicles and Traffic"; Article VII entitled: "Miscellaneous Rules"; Section(s) 12-158 – 12-187 entitled: "Reserved" by creating the following Section:

"CHAPTER 12 – MOTOR VEHICLES AND TRAFFIC

§ Section 12-158 – Access to Mailboxes

That no person shall stop or park a vehicle on a public roadway within five (5) feet of any mailbox, except under the following circumstances:

- (a) with the express permission of the owner of the property with which the mailbox is associated;
- (b) when necessary to avoid conflict with other traffic; or
- (c) to comply with the directions of a police officer, or traffic control device.

SECTION TWO: That the Code of Ordinances of the Town of Merrillville, Indiana is hereby amended in Chapter 12 entitled: "Motor Vehicles and Traffic"; Article VII entitled: "Miscellaneous Rules"; Section(s) 12-158 – 12-187 entitled: "Reserved" by creating the following Section:

"CHAPTER 12 – MOTOR VEHICLES AND TRAFFIC

§ Section 12-159 – Specific Violation of Access to Mailboxes

Any person found violating the provisions of this Ordinance shall be liable:

- (a) Unless another penalty is expressly provided by law, every person against whom a judgment is taken for a violation of the provisions of this Ordinance shall be fined in an amount not to exceed five hundred dollars (\$250.00) and costs for each violation.
- (b) Any person found violating this Ordinance may, in lieu of having a case filed in the town court or any other court of competent jurisdiction, pay within five (5) days the sum of twenty-five dollars (\$25.00) to the Clerk-Treasurer. Persons found violating this Ordinance who have previously been in violation of said Ordinance shall be subject to the penalties provided in section 12-92(a). Any person refusing to comply within the five-day period provided herein and whose case is filed in court shall be subject to the provisions of subsection (a) of this Ordinance. A civil citation in accordance with the law shall be filed in those cases in which the person has not complied within the five-day period for payment of the fine into the office of the Clerk-Treasurer.

SECTION THREE: That all existing Town Code Sections and Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

SECTION FOUR: If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision, or portion of this Ordinance.

SECTION FIVE: That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Merrillville, Lake County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ DAY OF _____, 2023, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA.

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

Rick Bella, Town Council President

Margaret A. Uzelac, Member

Richard Hardaway, Vice-President

Shawn Pettit, Member

Don Spann, Member

Leonard White, Member

Jeff Minchuk, Member

ATTEST:

Clerk-Treasurer

ORDINANCE 23-01

AN ORDINANCE OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, AMENDING ORDINANCE 22-29A AND PAY FOR EMPLOYEES OF THE TOWN OF MERRILLVILLE, INDIANA, FOR THE CALENDAR YEAR 2023

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, INDIANA:

SECTION 1: That from and after the First day of January, 2023, the salary and pay schedule for elected, and appointed officers and employees of the Town of Merrillville, Indiana, be fixed as follows, with the rates, salaries and quantities listed being the maximum allowed for each position:

Department(s) Amended: Police Department and Planning & Building

Elected Officials	Hiring Limit	Compensation		
		Type	Rate	Annual
Town Council President	1	Monthly	\$ 1,433.33	\$ 17,199.96
Town Council Members	3	Monthly	\$ 1,333.33	\$ 15,999.96
Town Council Members + Plan Commission	3	Monthly	\$ 1,383.33	\$ 16,599.96
Clerk-Treasurer	1	Bi-weekly	\$ 2,326.94	\$ 60,500.44
Town Judge	1	Bi-weekly	\$ 2,269.24	\$ 59,000.24
Town Administration				
Town Manager/Director of Municipal Operations	1	Bi-weekly	\$ 3,365.38	\$ 87,499.88
Administrative Manager, Council/Town Manager	1	Bi-weekly	\$ 1,863.46	\$ 48,449.96
Information Technology Director (partial PNR)	1	Bi-weekly	\$ 2,692.30	\$ 69,999.80
Content Manager	\$ 20,000	Hourly	\$ 25.00	
Town Hall Building Maintenance	1	Bi-weekly	\$ 1,224.00	\$ 31,824.00
Human Resources Director	1	Bi-weekly	\$ 2,550.00	\$ 66,300.00
Administrative Secretary	1	Bi-weekly	\$ 1,530.00	\$ 39,780.00
Economic Development Director	1	Bi-weekly	\$ 2,550.00	\$ 66,300.00
Administrative Secretary	1	Bi-weekly	\$ 1,530.00	\$ 39,780.00
Town Court				
Judge Pro Temp (Ref.)	1	Bi-weekly	\$ 698.46	\$ 18,159.96
Part Time Judge Pro Temp (Ref.)	-	Bi-weekly	\$ 557.70	-
Administrative Assistant, Court	1	Bi-weekly	\$ 2,138.85	\$ 55,610.10
Civil Court Administrator	1	Bi-weekly	\$ 1,750.00	\$ 45,500.00
Secretary Class I, Court	1	Bi-weekly	\$ 1,509.62	\$ 39,250.12
Secretary Class II, Court	-	Bi-weekly	\$ 1,375.00	-
Secretary Class III, Court	2	Bi-weekly	\$ 1,192.31	\$ 31,000.06
Part Time Secretaries, Court	\$ 21,590	Hourly	\$ 15.79	
Public Defender I	1	Bi-weekly	\$ 663.46	\$ 17,249.96
Public Defender II	1	Bi-weekly	\$ 625.01	\$ 16,250.26
Full Time Bailiff	-	Bi-weekly	\$ 1,365.39	-
Part Time Bailiffs	\$ 11,700	Hourly	\$ 14.48	
Probation Officer	1	Bi-weekly	\$ 598.46	\$ 15,559.96
Part Time Staff, Court		Hourly	\$ 13.04	
Clerk-Treasurer				
Administrative Bookkeeper, Clerk-Treasurer	1	Bi-weekly	\$ 2,228.92	\$ 57,951.92
Office Manager, Clerk-Treasurer	1	Bi-weekly	\$ 1,921.19	\$ 49,950.94
Payroll Administrator, Clerk-Treasurer	1	Bi-weekly	\$ 1,921.19	\$ 49,950.94
Admin. Secretary, Class I, Clerk-Treasurer	3	Bi-weekly	\$ 1,602.51	\$ 41,665.26
Admin. Secretary, Class II, Clerk-Treasurer	-	Bi-weekly	\$ 1,530.00	\$ 39,780.00
Admin. Secretary, Class III, Clerk-Treasurer	-	Bi-weekly	\$ 1,451.54	\$ 37,740.04
Admin. Secretary, Class II, Clerk-Treasurer (F&H)	1	Bi-weekly	\$ 1,530.00	\$ 39,780.00
Part Time Secretary	\$ 7,650	Hourly	\$ 16.60	-
Police Department				
Police Commissioner	5	Monthly	\$ 100.00	\$ 1,200.00
Chief of Police	1	Bi-weekly	\$ 3,149.43	\$ 81,885.18
Assistant Police Chief	1	Bi-weekly	\$ 2,951.35	\$ 76,735.10
Operations Commander	1	Bi-weekly	\$ 2,852.31	\$ 74,160.06
Police Captain	-	Bi-weekly	\$ 2,792.89	\$ 72,615.14
Police Department Commander	3	Bi-weekly	\$ 2,792.89	\$ 72,615.14
Police Lieutenant	7	Bi-weekly	\$ 2,733.46	\$ 71,069.96
Shift Commander	2	Bi-weekly	\$ 2,733.46	\$ 71,069.96
Police Sergeant	3	Bi-weekly	\$ 2,674.04	\$ 69,525.04

Police Department (cont.)

Police Corporal	11	Bi-weekly	\$ 2,614.62	\$ 67,980.12
Detective	6	Bi-weekly	\$ 2,614.62	\$ 67,980.12
Patrolman, Special First Class	1	Bi-weekly	\$ 2,980.76	\$ 77,499.76
Master Patrolman	25	Bi-weekly	\$ 2,555.20	\$ 66,435.20
Patrolman, First Class (after 24 months)		Bi-weekly	\$ 2,555.20	\$ 66,435.20
Patrolman, Second Class (13-24 months)		Bi-weekly	\$ 2,475.96	\$ 64,374.96
Patrolman, Probationary (1-12 months)		Bi-weekly	\$ 2,396.73	\$ 62,314.98
Administrative Assistant, Police	1	Bi-weekly	\$ 1,889.84	\$ 49,135.84
Senior Secretary, Class I Police	1	Hourly	\$ 20.87	\$ 35,833.79 ⁽¹⁾
Senior Secretary, Class II Police	1	Hourly	\$ 19.38	\$ 33,275.46 ⁽¹⁾
Secretary Class I	-	Hourly	\$ 18.85	-
Secretary Class II	-	Hourly	\$ 18.26	-
Secretary Class III (Probation)	1	Hourly	\$ 17.32	\$ 36,025.60 ⁽²⁾
Secretary, Part Time	-	Hourly	\$ 16.60	-
Law Enforcement Technician	1	Hourly	\$ 20.87	\$ 43,409.60
Information Technology Technician	-	Bi-weekly	\$ 2,157.69	\$ 56,099.94
Special Service Officer	1	Bi-weekly	\$ 1,618.27	\$ 42,075.02
Animal Control Officer, Part Time	-	Hourly	\$ 15.00	\$ 18,720.00 ⁽³⁾

⁽¹⁾ Annual Salary listed is based on 64 hr/pay period schedule, with additional for Holiday pay. ⁽²⁾ Based on 80 hr/pay.

⁽³⁾ Annual Salary listed is based on 48 hr/pay period schedule.

Planning & Building, Engineer, Code Enforcement

Board of Zoning Appeals Member	3	Monthly	\$ 100.00	\$ 1,200.00
Plan Commission Member	3	Monthly	\$ 200.00	\$ 2,400.00
Building & Planning Director	1	Bi-weekly	\$ 2,942.31	\$ 76,500.06
Planning & Building Assistant	1	Bi-weekly	\$ 1,726.15	\$ 44,879.90
Fire Inspector	1	Bi-weekly	\$ 1,961.53	\$ 50,999.78
Secretary, Senior, Planning & Building	1	Bi-weekly	\$ 1,553.54	\$ 40,392.04
Secretary, Planning and Building	1	Bi-weekly	\$ 1,490.77	\$ 38,760.02
Part Time Secretary, Planning & Building	\$ 7,000	Hourly	\$ 20.00	-

Code Enforcement

Director of Code Enforcement	1	Bi-weekly	\$ 2,000.76	\$ 52,019.76
Code Enforcement Officer	1	Bi-weekly	\$ 1,526.08	\$ 39,678.08
Code Enforcement Officer	1	Bi-weekly	\$ 1,333.84	\$ 34,679.84

Public Works

Public Works Director/Engineering Administrator	1	Bi-weekly	\$ 3,020.76	\$ 78,539.76
Street Superintendent	1	Hourly	\$ 27.85	\$ 57,928.00 **
Public Works Administrative Secretary	1	Bi-weekly	\$ 1,618.27	\$ 42,075.02
Part-time Secretary	-	Hourly	\$ 16.60	- **
Foreman	1	Hourly	\$ 26.83	\$ 55,806.40 **
Senior Operator	4	Hourly	\$ 24.09	\$ 50,107.20 **
Mechanic/Shop Foreman	1	Hourly	\$ 25.28	\$ 52,582.40 **
Mechanic	1	Hourly	\$ 24.09	\$ 50,107.20 **
Operator I	4	Hourly	\$ 23.34	\$ 48,547.20 **
Operator II	6	Hourly	\$ 23.70	\$ 49,296.00 **
Labor Class I	1	Hourly	\$ 22.07	\$ 45,905.60 **
Labor Class II	6	Hourly	\$ 22.83	\$ 47,486.40 **
Summer Help Class I	\$ 60,000	Hourly	\$ 14.60	-
Summer Help Class II		Hourly	\$ 15.10	-
Part Time, Regular	\$ 70,000	Hourly	\$ 21.64	-

** Annual Salary listed is based on 80 hour/pay period schedule.

Parks Department

Parks Director (partial PNR)	1	Bi-weekly	\$ 2,942.30	\$ 76,499.80
Assistant Director (partial PNR)	1	Bi-weekly	\$ 1,944.27	\$ 50,551.02
Recreation Coordinator / Office Manager (PNR)	2	Bi-weekly	\$ 1,569.23	\$ 40,799.98
Recreation Supervisor FT (PNR)	2	Bi-weekly	\$ 1,387.20	\$ 36,067.20
Recreation Supervisor PT (PNR)	\$ 135,000	Hourly	\$ 15.30	-
Building Manager (PNR)	-	Bi-weekly	\$ 1,569.23	\$ 40,799.98
Front Desk Supervisor (PNR)	1	Bi-weekly	\$ 1,569.23	\$ 40,799.98
Front Desk Attendant, Level I (PNR)	\$ 80,000	Hourly	\$ 13.00	-
Front Desk Attendant, Level II (PNR)		Hourly	\$ 9.00	-
Event Center Manager (PNR)	1	Bi-weekly	\$ 1,569.23	\$ 40,799.98
Event Center Coordinator (PNR)	\$ 40,000	Hourly	\$ 12.00	-

Parks Department (cont.)

Maintenance Supervisor (PNR)	1	Bi-weekly	\$ 1,765.39	\$ 45,900.14
Custodian (PNR)	1	Bi-weekly	\$ 1,224.00	\$ 31,824.00
Part Time Custodian (PNR)	\$ 16,000	Hourly	\$ 13.00	
Maintenance Crew	\$ 40,000	Hourly	\$ 14.60	-
Laborer (PNR)	\$ 17,160	Hourly	\$ 11.00	-
Activity Leader, Level I (PNR)	\$ 30,000	Hourly	\$ 15.00	-
Activity Leader, Level II (PNR)		Hourly	\$ 9.00	-

Fire Protection Territory

Fire Chief	1	Bi-weekly	\$ 3,386.73	\$ 88,054.98
Deputy Fire Chief	1	Bi-weekly	\$ 3,152.66	\$ 81,969.16
Fire Captain	3	Bi-weekly	\$ 2,684.47	\$ 69,796.22
Lieutenant	3	Bi-weekly	\$ 2,555.70	\$ 66,448.20
Firefighter/EMT(special)		Bi-weekly	\$ 3,089.06	\$ 80,315.56
Firefighter/EMT	\$ 378,630	Bi-weekly	\$ 2,426.94	\$ 63,100.44
Firefighter - Probationary		Bi-weekly	\$ 2,263.07	\$ 58,839.82
Fire Department Administrative Assistant		Hourly	\$ 23.39	\$ 48,651.20
Volunteer Firefighter (on scene)	\$ 400,000	Per Call	\$ 20.04	
Volunteer Firefighter (on standby)		Per Call	\$ 15.59	
Volunteer Firefighter (in training)		Per Training	\$ 22.28	-
Volunteer Officer (on scene)		Per Call	\$ 22.28	
Part Time Firefighter		Hourly	\$ 13.37	
Part Time Firefighter/EMT		Hourly	\$ 16.71	

Stormwater

Stormwater Management Board Member	3	Monthly	\$ 100.00	\$ 1,200.00
Stormwater Director	1	Bi-weekly	\$ 3,442.31	\$ 89,500.00
Stormwater Administrative Secretary	1	Bi-weekly	\$ 1,892.88	\$ 49,214.88
Stormwater Superintendent	1	Bi-weekly	\$ 1,670.13	\$ 43,423.38
Stormwater Senior Operator	1	Hourly	\$ 27.22	\$ 56,617.60 **
Stormwater Crew Member/Part Time II	\$ 44,000	Hourly	\$ 20.00	-
Stormwater Crew Member/Part Time II		Hourly	\$ 20.00	-

** Annual Salary listed is based on 80 hour/pay period schedule.

*** Note: Monthly = 12 payments per year at the end of each month

Bi-Weekly = 26 pays per year (some years might have 27 pays depending on the calendar of a particular year)

LONGEVITY - FULL-TIME EMPLOYEES ONLY:

The Longevity Program is again adopted for full-time employees and elected officials. Please refer to the current Personnel Policy Manual for the policy and levels of longevity compensation.

SECTION 2 - Holidays:

The Holiday Schedule for Calendar Year 2023 is to follow that adopted by the Town Council in Resolution 22-73, or any superceding Resolution thereto.

SECTION 3 - Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days:

Refer to the current Personnel Policy Manual for the Overtime, Holiday Pay, Vacation Leave, Sick Leave and Personal Days policies.

SECTION 4 - Merrillville Police Depart specific polices:

Refer to Appendix A for policies involving the employees of the Merrillville Police Department.

This ordinance shall be in full force and effect from and after its passage. **DULY ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, THIS _____ DAY OF DECEMBER, 2022.**

Rick Bella, Council President
Ward 5

Don Spann, Councilman
Ward 1

Richard Hardaway, Vice-President
Ward 2

Jeff Minchuk, Councilman, Ward 3

Margaret Uzelac, Councilwoman
Ward 4

Shawn Michael Pettit, Councilman
Ward 6

Leonard White, Councilman
Ward 7

ATTEST:

Kelly White-Gibson, Clerk-Treasurer

APPENDIX A to ORDINANCE 23-01

The following sections relate to the employees of the Merrillville Police Department.

SECTION A-1 - Credit for Previous Law Enforcement Service:

An individual hired for the Merrillville Police Department as a sworn officer will be given a credit for previous service for salary purposes only, if he or she was a sworn full-time officer in another police department for at least 2 years. The individual will be compensated as a 2nd Class patrolman for the first year of employment and as a first class patrolman for the second year of employment.

SECTION A-2 - Specialty Pay:

The Chief of Police will establish approved categories classified as Specialists. Officers on the approved Specialist list will receive an additional \$500.00 annually. Specialists serving on more than one approved category will receive no more than \$500.00 annually.

SECTION A-3 - Overtime and Compensatory Time:

(A) Full time employees of the Police Department who work additional hours which would be deemed overtime in relationship to any federal, state or county grant or for a specific law enforcement purpose approved by the Chief of Police is entitled to receive overtime compensation at a rate of one and one half times their calculated base hourly pay.

(B) The full time employees of the Police Department will receive in lieu of overtime compensation, compensatory time off at a rate of not less than one and one half hours for each hour of employment for which overtime compensation is required pursuant to the Fair Labor Standards Amendments of 1985.

(C) Such employees shall receive compensatory time off in lieu of overtime for hours worked according to a 28 day 7(k) work period system.

(D) Such employees may accrue not more than four hundred eighty (480) hours of compensatory time for hours worked after April 14, 1986. Any employees who accrue four hundred eighty (480) hours of compensatory time off shall, for additional overtime hours of work, be paid overtime compensation.

(E) An employee who has accrued compensatory time off authorized to be provided hereunder shall, upon termination of employment, be paid for the unused compensatory time off at a rate of compensation not less than:

- (1) The average regular rate received by such employee during the last three (3) years of the employees employment, or
- (2) The final regular rate received by such employee, whichever is higher.

(F) An employee under this section who has accrued compensatory time off who has requested the use of such compensatory time, shall be permitted by the Town to use such time within a reasonable period after making the request if the use of the compensatory time does not unduly disrupt the operation of the Town.

(G) An employee under this section who agrees to be employed on a special detail by a separate or independent employer, such hours the individual was employed by such separate and independent employer, shall be excluded by the Town in the calculation of compensation, if the Town:

- (1) Required that the employee be hired by a separate and independent employer to perform the special detail,
- (2) Facilitates the employment of such employees by a separate and independent employer, or
- (3) Otherwise affects the condition of employment of such employees by a separate and independent employer.

(H) If an employee under this section on an occasional or sporadic basis and solely at his or her option, has part time employment for the Town which is in a different capacity from any capacity in which the employee is regularly employed with the Town, the hours such employee was employed in performing the different employment shall be excluded by the Town in a calculation of the hours for which the employee is entitled to overtime compensation.

SECTION A-4 - Sick Leave:

Police Officers may accumulate sick leave from year to year, up to a maximum of 360 hours. Sick leave is accumulated at six (6) hours per month of service.

End of Appendix A to Ordinance 23-01

ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - ARP FEBRUARY 14, 2023 TC MEETING

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)
/ /	561	BLOOMFIELD MECHANICAL	ARP/OTHER EQUIPMENT	2669.00			OX FILTER AND INSTALL AT PD SUB
/ /	355	CENDER/DALTON	ARP/CONTRACTUAL	135.00			ARP BUDGETING SERVICES
/ /	637	DENNIS J DOBROLECKI	ARP/BLDG MAINT	606.25			GREETERS PAY 01222023-02042023
/ /	1171	DLZ	ARP/CONTRACTUAL	275.00			SW PROF SERVICES 12-10-22 THRU
/ /	1107	KENNETH WOODSIDE	ARP/BLDG MAINT	893.75			GREETERS PAY 01/22/2023-02/04/2023
/ /	434	KEOUGH MECHANICAL CORP	ARP/OTHER EQUIPMENT	79705.00			TOUCHLESS
/ /	8	POWER DMS, INC	ARP/HDWE-SOFTWARE	11215.48			SCHEDULING SOFTWARE 3 YRS SVC
/ /	1147	PROVEN BUSINESS SYSTEMS	ARP/CONTRACTUAL	19100.00			IT SVC FOR MONTH OF MARCH
/ /	345	RAY TRISTAIN	ARP/BLDG MAINT	600.00			GREETERS PAY 01/22/2023-02/04/2023
/ /	1821	ROBINSON ENGINEERING	ARP/CONTRACTUAL	555.00			SW INDP ST & 75TH AV DRNG
/ /	11	SAYERS	ARP/HDWE-SOFTWARE	7353.92			NETMOTION
02/03/2023	637	DENNIS J DOBROLECKI	ARP/BLDG MAINT	600.00	600.00	59881	GREETERS PAY 1/8/23-1/21/23
02/03/2023	1107	KENNETH WOODSIDE	ARP/BLDG MAINT	775.00	775.00	59882	GREETERS PAY 1/8/23-1/21/23
02/03/2023	345	RAY TRISTAIN	ARP/BLDG MAINT	625.00	625.00	59883	GREETERS PAY 1/8/23- 1/21/23
		Checks: 0 - 59883		125108.40	2000.00		

FROM: SHEILA SHINE
RE: SPECIAL EXCEPTION APPROVAL
PETITIONER: MALCOLM ADAMS
OWNER: MALCOLM ADAMS
PURPOSE: U-HAUL TRUCK RENTAL
LOCATION: 5690 HARRISON STREET
ZONING: C-2, COMMUNITY COMMERCIAL ZONING DISTRICT
DATE OF BOARD OF ZONING APPEALS: JANUARY 25, 2023
DEADLINE FOR TOWN COUNCIL ACTION: APRIL 28, 2023
ACTION TAKEN BY THE BOARD: DENIED
VOTE: (3) DENIED (1) ABSTAINED
CONDITIONS: FOR THIS PETITIONER ONLY, AT THIS LOCATION ONLY
AND FOR THIS USE ONLY.
PETITIONER IS AWARE OF THE MERRILLVILLE CAMERA ORDINANCE.

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

CASE NO: Z30E14-1122 BZA MEETING DATE: JANUARY 25, 2023

PREPARED BY: SHEILA SHINE

APPLICANT: MLA PRINTING, INC.

PETITIONER: MLA PRINTING, INC.

OWNERS: MALCOLM ADAMS

REQUEST: SPECIAL EXCEPTION APPROVAL FROM 21-136

LOT SIZE: 0.548 ACRES

EXISTING ZONING: C-2, COMMUNITY COMMERCIAL DISTRICT

LOCATION: 5690 HARRISON STREET

SURROUNDING USES:

NORTH - COMMERCIAL (VACANT)

SOUTH - CHURCH

EAST - COMMERCIAL (GAS STATION)

WEST - RESIDENTIAL

SURROUNDING ZONING:

NORTH - C-2, COMMUNITY COMMERCIAL DISTRICT

SOUTH - C-2, COMMUNITY COMMERCIAL DISTRICT

EAST - C-2 COMMUNITY COMMERCIAL DISTRICT

WEST - R-2, SINGLE FAMILY RESIDENTIAL DISTRICT

COMMENTS: PETITIONER IS SEEKING SPECIAL EXCEPTION APPROVAL FROM SECTION 21-136 TO ALLOW RENTAL OF U-HAUL TRUCKS IN A C-2, COMMUNITY COMMERCIAL ZONING DISTRICT ON 0.548 ACRES. PETITIONER HAS A COMMERCIAL PRINTING COMPANY ON PREMISES AND STATES THAT THE ADDITION OF THE RENTAL TRUCKS WILL PROVIDE ANOTHER BUSINESS TO THE TOWN. PETITIONER BELIEVES THIS SERVICE WILL BE A RESOURCE FOR THE PUBLIC AND WILL NOT ENDANGER ITS RESIDENTS OR ADJECENT PROPORTIES, BECAUSE THEY WILL BE LOCATED AND SECURED ON PROPERTY. TRUCK STORAGE WILL NOT AFFECT THE ESTABLISHED INGRESS OR EGRESS OF THE PROPERTY.

HOURS OF OPERATION ARE 9:00 AM – 5:00 PM, MONDAY THROUGH SUNDAY.

THERE WILL BE A MAXIMUM OF TEN (10) TRUCKS ON THE PROPERTY AT ANY TIME. TRUCK RENTAL PRICING IS IN LINE WITH U-HAUL NATIONWIDE. PETITIONER HAS ALREADY ENTER INTO A LEASE WITH U-HAUL AND WAS NOT AWARE OF THE ZONING ORDINANCE. ONCE PETITIONER WAS MADE AWARE OF THE SPECIAL EXCEPTION APPROVAL, HE APPLIED.

PETITIONER WAS DEFERRED AND REQUESTED TO UPDATE TRUCK PARKING PLAN. PETITIONER PROVIDED A SITE PLAN WITH (5) TRUCKS AND REQUESTED TO HAVE A 5 TRUCK LIMIT ON THE SITE AT 5690 HARRISON STREET.

PETITIONER HAS PROVIDED A SITE PLAN FOR YOUR CONVENIENCE.

NOTICE OF BOARD OF ZONING APPEAL'S DECISION ON PETITION
OF MLA Printing / Malcolm Adams

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 # 230E14-1122 this 25th day of January, 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 + for this use only

2. _____

3. _____

4. _____

5. _____

Chairman

Secretary

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

APPLICATION FOR A SPECIAL EXCEPTION

FEE: \$250.00

DATE PAID: 10-31-22

RECEIPT #

91981

Proposed Use: Rental U-Haul

Address or General Location:

5690 Harrison St. Merrillville IN 46410

(Attach Complete Legal Description)

Current Zoning: C-2

Area of Ground: 0.548

Tax Key #: 45-12-04-179-022,000

Present Use: Commercial Printing

USES OF ADJACENT PROPERTY TO REQUESTED SPECIAL EXCEPTION:

North Commercial (vacant)

East Gas station

South Church

West Residential

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: MZA Printing Inc.	NAME: Malcolm Adams
ADDRESS: 5690 Harrison St. Merrillville IN 46410	ADDRESS: 5690 Harrison St Merrillville IN 46410
PHONE: (219) 398-8888	PHONE: (219) 588-6139

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)

X [Signature]

OWNER(S)

X [Signature]

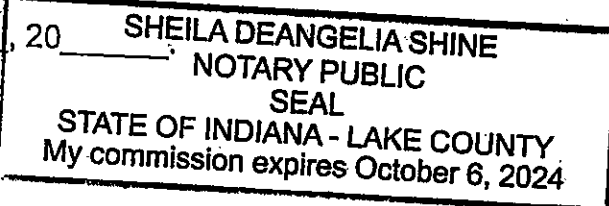
STATE OF INDIANA, COUNTY OF LAKE) SS

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 1st day of November

[Signature] Notary Public

My commission expires: 10-6-2024



CONTACT:

PHONE # ()

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

SPECIAL EXCEPTION CASE # 230E14-1122

TOWN OF MERRILLVILLE, INDIANA
BOARD OF ZONING APPEALS
DATE: 11-16-2022

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, MLA Printing Inc. submits the following findings of fact which address the effects that Petitioner's proposed special exception for the property commonly known as MLA Printing Inc. will have on such property and to the surround area:

1. Petitioner owns the property commonly known as MLA Printing Inc. which is classified as C-2 pursuant to the terms of the zoning ordinance.
2. Petitioner has request a special exception for the following purpose:
Rent U-Haul Trucks
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:
It is a public resource to aid members for relocation.
 - 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:
The trucks will be located on my own property and kept clear of egress & ingress.
 - 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:
The trucks will be located on my own property and kept clear of egress & ingress.
 - d. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided in the following manner:
Not needed for operation of this business.
 - 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:
The addition of the truck will not change the egress & ingress.
 - 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:
The Truck won't impede or impact the regulation of the district.

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.

2

97074764

STATE OF INDIANA
LAKE COUNTY
FILED FOR RECORD

97 NOV -3 AM 11:45

MODERN CENTER
JULY ENTERED FOR RECORD SUBJECT
FINAL ACCEPTANCE FOR TRANSFER

T&C File No.: 05-001-IN-7573

MOC Unit No: 2321

Location: 5690 Harrison St. & 57th Ave.
Merrillville, IN

LAWYER

ONE PRO

SUITE 215

CROWN POINT, IN 46307

OCT 31 1997

SPECIAL WARRANTY DEED

SAM ORLICH
AUDITOR LAKE COUNTY

MARATHON OIL COMPANY, an Ohio corporation, whose address is 539 South Main Street, Findlay, Ohio 45840, Grantor, for the consideration of Ten and no/100 Dollars (\$10.00) received to its full satisfaction of EMRO MARKETING COMPANY, a Delaware corporation, Grantee, whose TAX MAILING ADDRESS will be c/o Property Tax Records, 539 South Main Street, Findlay, Ohio 45840, conveys and warrants to said Grantee the following described real estate in the County of Lake, and State of Indiana, to-wit:

Beginning at the SE corner of the SE¼ of the NW¼ of Section 4, Township 35 North, Range 8 West, of the 2nd Principal Meridian, thence West a distance of 179.19 feet, thence North a distance of 154.7 feet, thence East a distance of 178.90 feet, thence South a distance of 154.7 feet to the point of beginning, subject to an easement of 25 feet on the East and South side of said parcel for street purposes.

PRIOR INSTRUMENT REFERENCE: Book 1324, Page 268
PARCEL ID NUMBER: 15-0018-0115

This conveyance is made subject to taxes for the year 1997 and all subsequent years; all legal highways; zoning and building laws, ordinances and regulations, and violations of any of the foregoing; such a state of facts as an accurate survey might show; and to all restrictions, easements, rights-of-way, exceptions, reservations and conditions which are unrecorded or contained in prior instruments of record in the chain of title to the property conveyed hereby.

GRANTOR, insofar as it has the legal right to do so, does further release, remise and forever quitclaim unto GRANTEE, all of GRANTOR's rights, title and interest, if any, in and to all roadways, streets, alleys, easements and rights-of-way adjacent to or abutting on the property above described.

GRANTOR covenants and warrants with GRANTEE that GRANTOR, its successors and assigns, shall warrant and defend the property unto the GRANTEE, its successors and assigns, against the claims and demands of GRANTOR and the lawful claims of all persons claiming by, through or under GRANTOR, but no other.

IN WITNESS WHEREOF, said corporation sets its hand this 13th day of October, 1997.

Signed and acknowledged
in the presence of:

MARATHON OIL COMPANY

Linda R. Schroeder
Linda R. Schroeder
Paula M. Leonard
Paula M. Leonard

By: R. E. White
Name: R. E. White
Title: Vice President



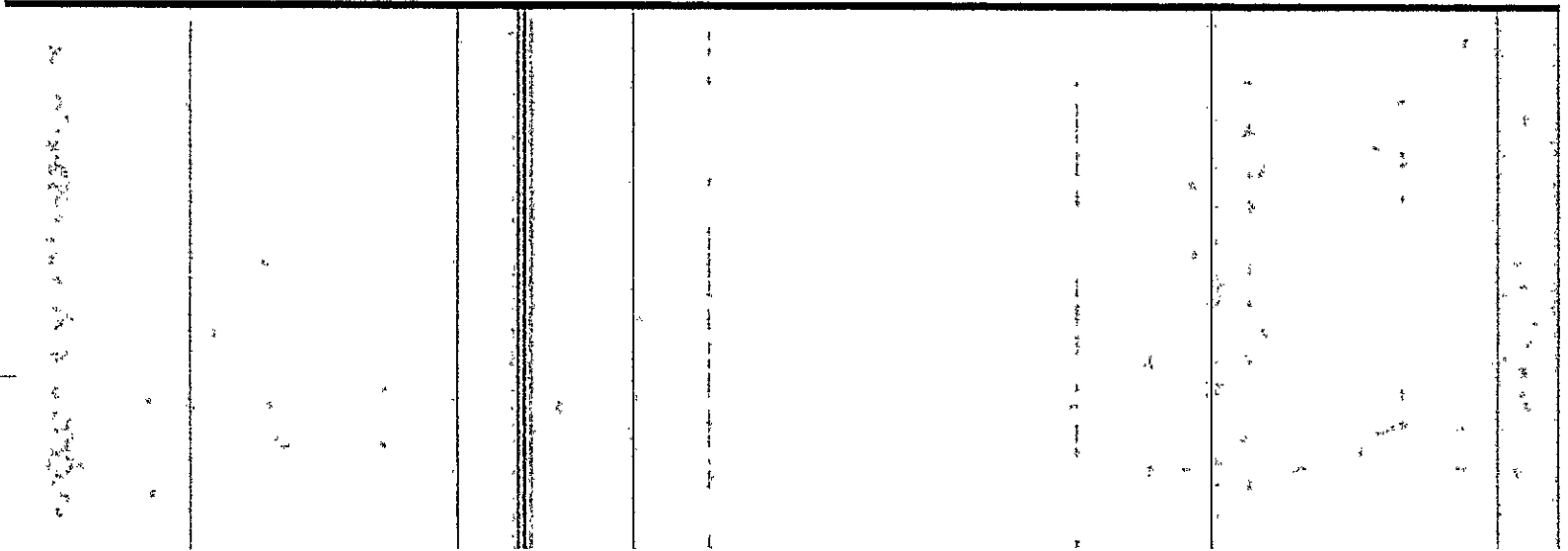
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1270
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LEGAL DESCRIPTION

ADDRESS: 5690 HARRISON ST, MERRILLVILLE, IN 46410
PARCEL #: 45-45-12-04-179-022.000-030

BEGINNING AT THE SE CORNER OF THE SE1/4 OF THE NW ¼ OF SECTION 4, TOWNSHIP 35 NORTH, RANGE 8 WEST, OF THE 2ND PRINCIPAL MERIDIAN, THENCE WEST A DISTANCE OF 179.19 FEET, THENCE NORTH A DISTANCE OF 154.7 FEET, THENCE EAST A DISTANCE OF 178.90 FEET, THENCE SOUTH A DISTANCE OF THE 154.7 FEET TO THE POINT OF BEGINNING, SUBJECT TO AN EASTMENT OF 25 FEET ON THE EAST AND SOUTH SIDE OF SAID PARCEL FOR STREET PURPOSES.



Use	Districts														F	PU/D
	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			
Outdoor: Swimming pools, skateboard and dirtbike tracks, paint ball fields, skeet shooting ranges, drive-in theaters 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	P	
Animal hospital*	X	X	X	X	X	X	X	X	S	X	X	P	X	X	P	
Art galleries, museums	X	X	X	X	X	X	X	P	P	X	X	X	X	X	P	
Automobile service as follows: New automobile and/or truck dealership sales and service.	X	X	X	X	X	X	X	S	S	X	X	P	X	X	S	
Automobile, truck, and/or trailer rental services, automobile repair, automobile parts sales, car wash (automatic and self), gasoline service station with or without repair, painting and customizing, RV and camper sales and service, tire and auto service center, auto convenience mart or uses similar to those listed above as determined by the planning and building administrator.																
Automobile service as follows: Auto, truck, boat, recreational vehicle sales with an open sales lot 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	P	X	X	P	
Automobile wrecking yard*	X	X	X	X	X	X	X	X	X	X	X	S	X	X	X	
Bed and breakfast*	S	S	S	S	S	S	X	X	X	X	X	X	X	X	P	
Boarding house* for three (3) or more persons	X	X	X	X	S	S	X	X	X	X	X	X	X	X	X	
Campground*	S	X	X	X	X	X	X	X	X	X	X	S	X	S	P	
Car wash*	X	X	X	X	X	X	X	S	S	X	X	S	X	X	P	
Cemeteries/crematory	S	S	S	S	S	S	X	X	X	X	X	X	X	X	P	
Child care ministry* (operated by a religious use)	A	A	A	A	A	A	A	A	A	X	A	X	X	X	A	
Child care institution*	S	S	S	S	S	S	S	S	S	X	S	S	X	X	P	
Child care home* (Class I, six (6) to twelve (12) children or Class II, twelve (12) to sixteen (16) children)	P	P	P	P	S	S	S	S	S	X	S	X	X	X	P	
Child care center* (seventeen (17) or more children)/adult care center	S	S	S	S	S	S	S	S	S	X	S	X	X	X	P	
Clinic*	X	X	X	X	X	S	S	P	P	X	P	X	X	X	P	
Club*/hall or lodge	S	X	X	X	S	S	X	S	P	X	X	X	X	X	P	

MERRILLVILLE CODE

20 21-136

FROM: SHEILA SHINE

RE: SPECIAL EXCEPTION APPROVAL

PETITIONER: MERRILLVILLE COMMUNITY SCHOOL CORP.

OWNER: MERRILLVILLE COMMUNITY SCHOOL CORP

PURPOSE: ADDITION TO EXISTING SCHOOL

LOCATION: 5901 WAITE STREET

ZONING: R-2, RESIDENTIAL ZONING DISTRICT

DATE OF BOARD OF ZONING APPEALS: JANUARY 25, 2023

DEADLINE FOR TOWN COUNCIL ACTION: APRIL 28, 2023

ACTION TAKEN BY THE BOARD: APPROVED

VOTE: (4) APPROVED

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

NOTICE OF BOARD OF ZONING APPEAL'S DECISION ON PETITION
OF Merrillville Community School

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 # 22E1-0123 this 25th day of January, 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. _____
2. _____
3. _____
4. _____
5. _____


Chairman


Secretary


Andrew Sylvestre

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

CASE NO: Z2E1-0123 BZA MEETING DATE: JANUARY 25, 2023

PREPARED BY: SHEILA SHINE

APPLICANT: MERRILLVILLE COMMUNITY SCHOOL CORP.

PETITIONER: MERRILLVILLE COMMUNITY SCHOOL CORP.

OWNERS: MERRILLVILLE COMMUNITY SCHOOL CORP

REQUEST: SPECIAL EXCEPTION APPROVAL

LOT SIZE: 17.283 ACRES

EXISTING ZONING: R-2, RESIDENTIAL ZONING DISTRICT

LOCATION: 5901 WAITE STREET

SURROUNDING USES:

NORTH- RESIDENTIAL

SOUTH- RESIDENTIAL

EAST- RESIDENTIAL

WEST- CHURCH

SURROUNDING ZONING:

NORTH- R-2, RESIDENTIAL ZONING DISTRICT

SOUTH- R-2, RESIDENTIAL ZONING DISTRICT

EAST- R-2, RESIDENTIAL ZONING DISTRICT

WEST- R-2, RESIDENTIAL ZONING DISTRICT

COMMENTS: PETITIONER IS REQUESTING SPECIAL EXCEPTION APPROVAL FROM SECTION 21-136 TO ALLOW AN ADDITION TO AN EXISTING SCHOOL IN A R-2, RESIDENTIAL ZONING DISTRICT. MERRILLVILLE COMMUNITY SCHOOL CORPORATION WOULD LIKE TO BUILD AN CAFETERIA AND KITCHEN ADDITION TO MILLER SCHOOL LOCATED AT 5901 WAITE STREET. THE ADDITION WILL BE 132' X 78'. THE ADDITION WILL BE 45' FROM THE BANK OF EXISTING DRAIN AND ABOVE ANY FLOOD PLAIN. THE CURRENT SPACE IS USED AS A PLAY GROUND. THIS ADDITION WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT OF SURROUNDING PROPERTIES. THE PROPOSED SPECIAL EXCEPTION WILL NOT CHANGE TRAFFIC FLOW OR SCHOOL ENROLLMENT. ROBINSON ENGINEERING, MATT LAKE WITH STORMWATER AND STEVE KING ARE PRESENTLY REVIEWING THE PLANS FOR THE ADDITION.

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

APPLICATION FOR A SPECIAL EXCEPTION

FEE: \$250.00 DATE PAID: 1-12-23 RECEIPT # 94301

Proposed Use: Elementary School

Address or General Location:

5901 Waite Street

Merrillville IN 46410

PT SE1/4 S.6 T.35 R.8 AND ST SW 1/4 S.5 T.35 R.8

(Attach Complete Legal Description)

45-12-06-477-001, 000-130

Current Zoning: R-2

Area of Ground: 17.283 ACRES

Tax Key #: 030

Present Use: Elementary School

USES OF ADJACENT PROPERTY TO REQUESTED SPECIAL EXCEPTION:

North RESIDENTIAL

East RESIDENTIAL

South RESIDENTIAL

West CHURCH

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: Merrillville Community School Corp	NAME: Merrillville Community School Corp
ADDRESS: 6701 Delaware Street Merrillville IN 46410	ADDRESS: 6701 Delaware Street Merrillville IN 46410
PHONE: (219) 650-5320	PHONE: (219) 650-5320

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]

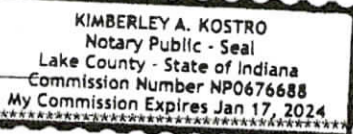
STATE OF INDIANA, COUNTY OF LAKE) SS

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 9th day of December, 2022.

Notary Public

My commission expires:



CONTACT:

PHONE # ()

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

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, Merrillville Community School Corporation submits the following findings of fact which address the effects that Petitioner's proposed special exception for the property commonly known as 5901 Walte Street (Miller Elementary School) will have on such property and to the surround area:

1. Petitioner owns the property commonly known as 5901 Walte Street (Miller Elementary School) which is classified as R-2 pursuant to the terms of the zoning ordinance.
2. Petitioner has request a special exception for the following purpose:

Exception from IC 36-9-27-33 (a) requiring a seventy-five (75) foot limit from top edge of each bank of an open drain (Griffith Ditch No 2 Lateral No 7 aka Turkey Creek Lat 7).
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:

New cafeteria addition will be ## feet from bank of existing drain and above any flood plain. Access to the drain will be maintained from Taney Pl/59th Ave. as well as along the back of the school.
 - 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:

The addition and encroachment on drain does not change current use of the facility nor provide any impairment to adjacent property use. The current space is used as the elementary school playground and the cafeteria addition will not impact adjacent properties.
 - 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:

New cafeteria addition will be approximately 45 feet from bank of existing drain and above any flood plain. Access to the drain will be maintained from Taney Pl/59th Ave. as well as along the back of the school. Existing adjacent properties (residential units on east side) are currently located within the 75 foot limit.
 - d. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided in the following manner:

Access will be maintained along the back of the cafeteria addition. No change to the access from Taney Pl / 59th Ave.
 - 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:

No change to existing traffic or school enrollment. Exits from the new addition will be located outside of the flood plane and outside of the 75' easement providing safe egress from the new addition.
 - 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:

The new cafeteria building addition will be located within the seventy-five foot right-of-way as indicated in IC 36-9-27-33. The right of way is reduced to approximately 45 feet which aligns with IC 36-9-27-33 section (e) limited distance to 25 feet.

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.

Narrative Statement:

Owner: Merrillville Community School Corporation
Parcel: 45-12-06-477-001.000-030
Local Parcel: 008-08-15-0020-0064
Legal Description: PT SE1/4 S.6 T.35 R.8 AND PT SW1/4 S.5 T.35 R.8
Site Address: 5901 Waite Street
Current use: Miller Elementary School

Merrillville Community School Corporation currently operates Miller elementary school at this location. The school serves elementary school students and have since the original construction around 1966. The school is interested in a new building addition on the east side of the building to create a new cafeteria and kitchen. This will allow for additional large group instructional / multipurpose space in the existing building.

The new addition is located within the 75-foot right-of-way along Griffith Ditch No. 2 Lateral No. 7 aka Turkey Creek Lat 7 on the east side of the building per IC 36-9-27-33. The proposed variance would reduce this right-of-way from 75 feet to approximately 40 feet to the top of the bank. This will still allow for access to the drain from the south around the building as well from the north from 59th Ave / Taney Place. In addition, current housing in the adjacent subdivision is located within this 75-foot right-of-way.

To maintain maintenance, approximate 30' is maintained between the new building addition and existing fence.

The new addition will be located above the 100-year flood plan.



FLOOD PLAIN AND EASEMENT DIAGRAM
MERRILLVILLE PUBLIC SCHOOLS

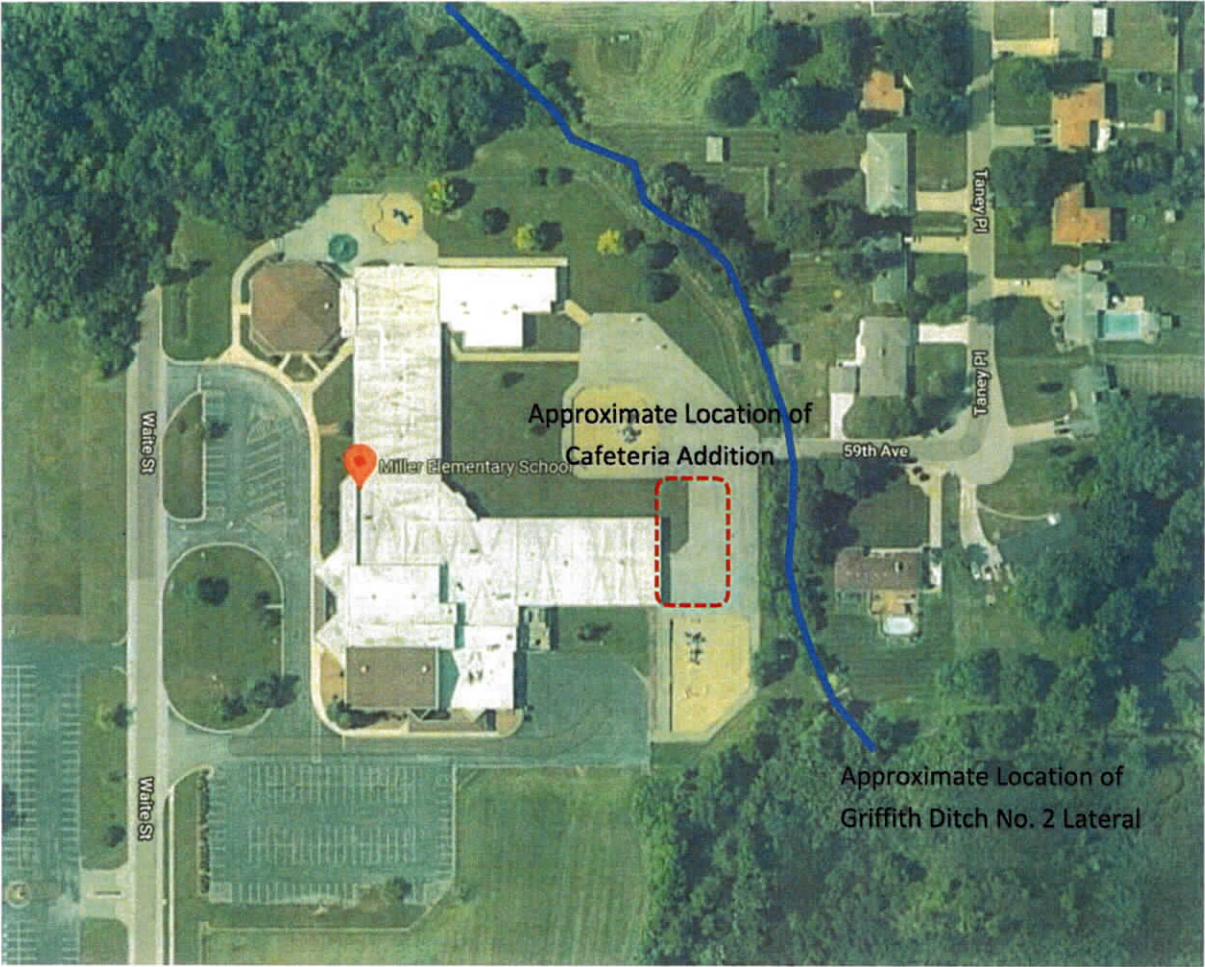
12/15/2022

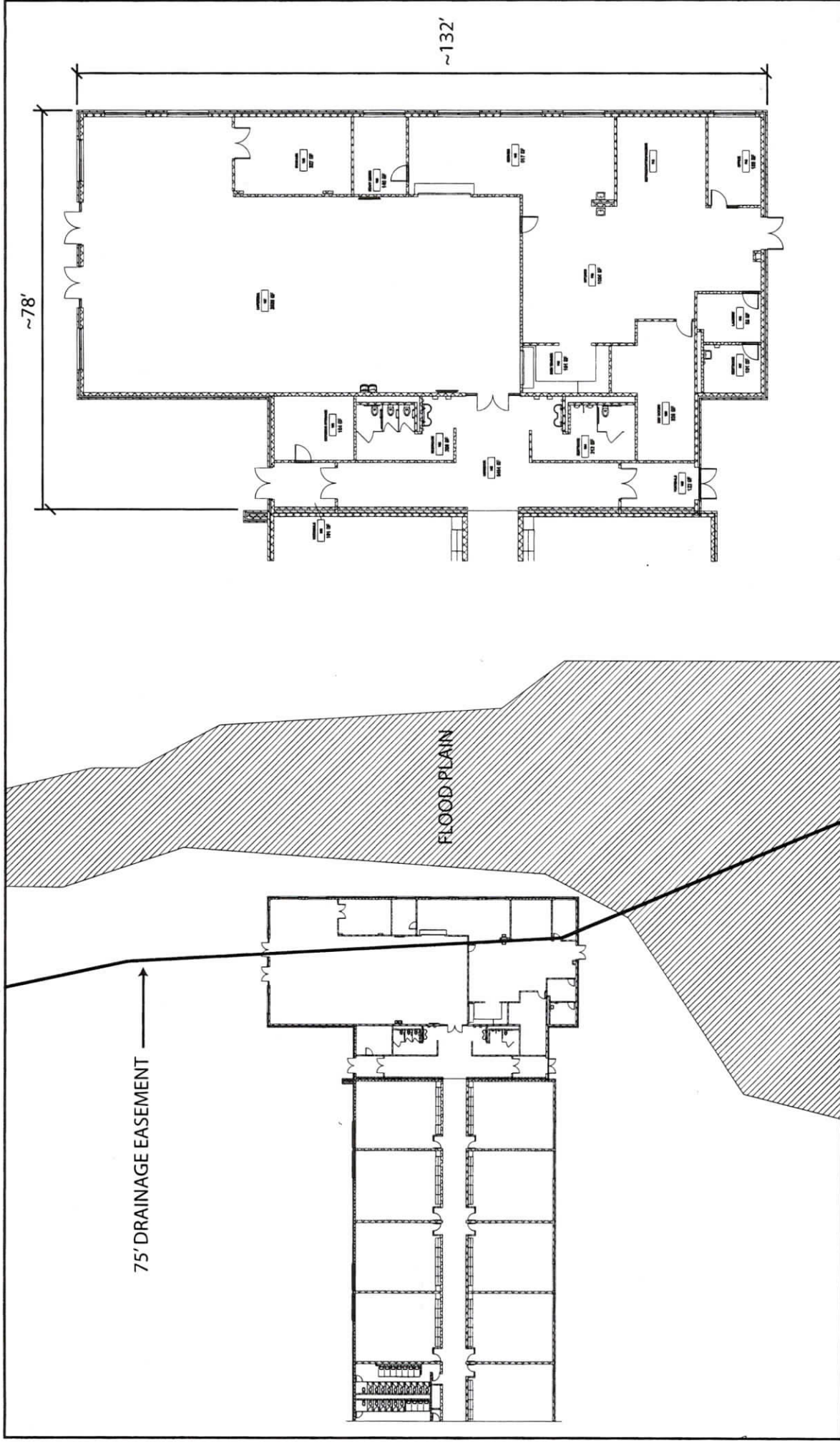


Performance
Services

Existing Conditions:

(Reference attached drawings for detailed drawings. Image for reference and orientation only)





FLOOD PLAIN AND EASEMENT DIAGRAM
MERRILLVILLE PUBLIC SCHOOLS

12/15/2022

