

TOTAL
BEELA
WHITE
PETIT
UZELAC
MINCHUK
HARDAWAY
SPANAN

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**
  - Women's History Month Proclamation presented by Lauri Keagle
  - Roadway Grant Agreement Approval
  - Announcement of Town's pursuit of Block Grant Opportunity
6. **Consent Agenda**

Accts. Payable Register Voucher Approval for February 28<sup>th</sup>, 2023  
Approval of Town Council Meeting Minutes of February 14<sup>th</sup> 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, 4<sup>th</sup> of July Celebration)**  
*Chairman Mr. Hardaway, Members Mr. Pettit, Mr. Minchuk*

TOTAL
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WHITE
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MINCHUK
HARDWAY
SPANN

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.



# Town of Merrillville PROCLAMATION

## State of Indiana

### The Town Council of Merrillville Designating the Month of March as “Women’s History Month”

**Whereas**, The National Women’s History Alliance, which spearheaded the movement for March being declared National Women’s History Month, has announced the women’s history theme for 2023, “Celebrating Women Who Tell Our Stories.” Throughout 2023, the NWHHA will encourage recognition of women, past and present, who have been active in all forms of media and storytelling including print, radio, TV, stage, screen, blogs, podcasts, and more. The timely theme honors women in every community who have devoted their lives and talents to producing art, pursuing truth, and reflecting the human condition decade after decade. Women have long been instrumental in passing on our heritage in word and in print to communicate the lessons of those who came before us. Women’s stories, and the larger human story, expand our understanding and strengthen our connections to each other; and,

**Whereas**, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and,

**Whereas**, American women have played and continue to play a critical economic, cultural, and social roll in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and,

**Whereas**, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and,

**Whereas**, American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation, and more importantly in Merrillville; and,

**Whereas**, American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and,

**Whereas**, American women have served our country courageously in the military;

**Whereas**, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which created a more fair and just society for all; and,

**Whereas**, we are honored to have women serve in public office at the national, state, local and Town of Merrillville level; and,

**Whereas**, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history;

**Now, therefore be it resolved**, that the Town Council of the Town of Merrillville, Indiana, does hereby proclaim that the month of March 2023 is designated as “Women’s History Month” and call upon the residents of Merrillville to observe, discuss and educate others with appropriate programs, ceremonies, and other activities about the value and contributions that women have made to our nation and more specifically, the Town of Merrillville.

\_\_\_\_\_  
Rick Bella, Council President

\_\_\_\_\_  
Margaret A. Uzelac, Councilwoman

\_\_\_\_\_  
Donald Spann, Councilman

\_\_\_\_\_  
Shawn Michael Pettit, Councilman

\_\_\_\_\_  
Richard Hardaway, Vice President

\_\_\_\_\_  
Leonard White, Councilman

\_\_\_\_\_  
Jeff Minchuk, Vice President

ATTEST:

\_\_\_\_\_  
Kelly White Gibson, Clerk-Treasurer





## **ROADWAY EASEMENT**

**TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, by the MERRILLVILLE TOWN COUNCIL**, hereinafter called "Grantor," hereby grants, transfers, conveys and warrants to **INDIANA LAND 11 LLC**, hereinafter called "Grantee", for One Dollar and other Good and Valuable Consideration, the receipt and sufficiency of which is hereby acknowledged, a perpetual and assignable easement and right of way in, over and across the following described Real Estate owned by the "Grantor" and situated in the County of Lake, State of Indiana, described as follows:

(EXHIBIT "A" ATTACHED HERETO)

*(Burdens the real estate described in Document No. 2004-050307, recorded on 6/16/2004, Lake County Property Number 45-12-34-101-009.000-030)*

for the location, construction, operation, maintenance, alteration and replacement of a road and appurtenances thereto; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation, structures, or obstacles within the limits of the right of way; reserving, however, to the owners, their heirs and assigns, the right to cross over or under the right of way as access to their

adjoining land, if any; subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

IN WITNESS WHEREOF, the Merrillville Town Council President hereby executes and signs this Roadway Easement.

GRANTOR:

---

Merrillville Town Council President: Rick Bella

Attest:

---

Merrillville Clerk Treasurer: Kelly White Gibson

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF LAKE       )

Before me, the undersigned, a Notary Public for the State of Indiana, came RICK BELLA and KELLY WHITE GIBSON and acknowledged the execution of the foregoing Roadway Easement.

Witness my hand and Notarial Seal this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

My Commission Expires:

\_\_\_\_\_ Day of \_\_\_\_\_, \_\_\_\_\_

Resident of \_\_\_\_\_ County

\_\_\_\_\_  
NOTARY PUBLIC

Affirmation:

I, \_\_\_\_\_, affirm under penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law.

\_\_\_\_\_

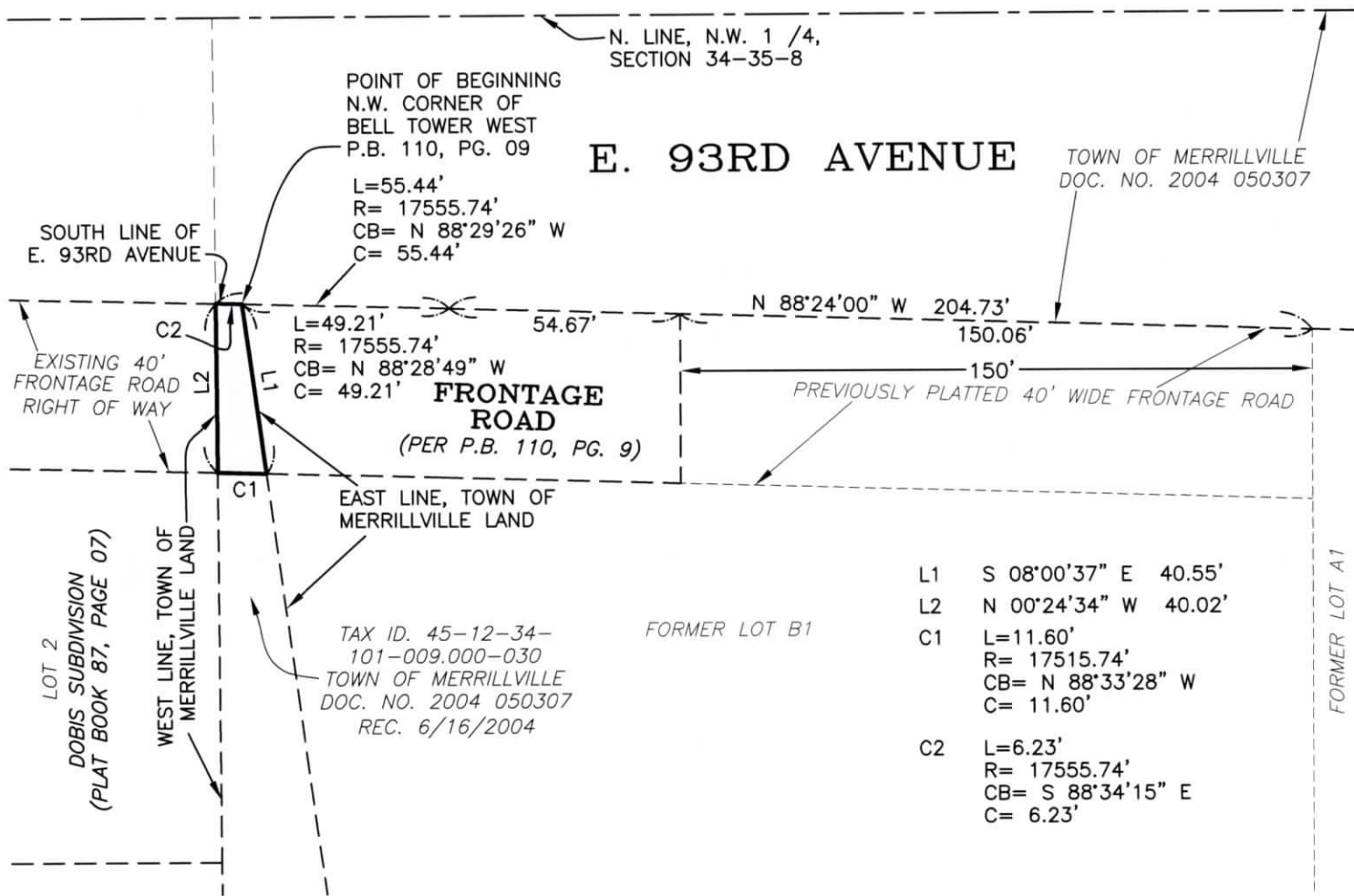
This instrument prepared by DVG Team, Inc., 1155 Troutwine Road, Crown Point,  
Indiana 46307, (219) 662-7710

# EXHIBIT "A"

## ROAD EASEMENT

### PARCEL DESCRIPTION:

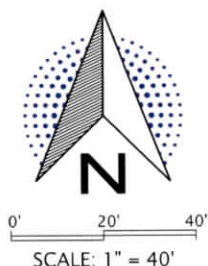
A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 35 NORTH, RANGE 8 WEST OF THE SECOND PRINCIPAL MERIDIAN IN THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, SAID PARCEL BEING THE NORTH 40 FEET OF A PARCEL OF LAND DESCRIBED TO THE TOWN OF MERRILLVILLE IN DOCUMENT NUMBER 2004-050307 ON JUNE 16, 2004 IN THE OFFICE OF THE RECORDER OF SAID COUNTY, SAID PARCEL DESCRIBED AS: BEGINNING AT THE NORTHWEST CORNER OF BELL TOWER WEST AS SHOWN IN PLAT BOOK 110, PAGE 09 IN SAID RECORDER'S OFFICE, SAID CORNER BEING ON THE EAST LINE OF SAID TOWN OF MERRILLVILLE LAND; THENCE SOUTH 08 DEGREES 00 MINUTES 37 SECONDS EAST, 40.55 FEET ALONG SAID EAST LINE TO THE BEGINNING OF A NON TANGENT CURVE CONCAVE SOUTH, HAVING RADIUS OF 17,515.74 FEET, AND A CHORD THAT BEARS NORTH 88 DEGREES 33 MINUTES 28 SECONDS WEST, 11.60 FEET; THENCE WEST 11.60 FEET ALONG SAID CURVE TO THE WEST LINE OF SAID TOWN OF MERRILLVILLE LAND; THENCE NORTH 00 DEGREES 24 MINUTES 34 SECONDS WEST, 40.02 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF 93RD AVENUE AND THE BEGINNING OF A NON TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 17,555.74 FEET AND A CHORD THAT BEARS SOUTH 88 DEGREES 34 MINUTES 15 SECONDS EAST, 6.23 FEET; THENCE EAST 6.23 FEET ALONG LAST SAID CURVE BEING THE SOUTH LINE OF SAID 93RD AVENUE TO THE POINT OF BEGINNING, SAID PARCEL CONTAINING 357 SQUARE FEET MORE OR LESS.



### GRANTORS:

TAX ID. NO.:  
45-12-34-101-009.000-030  
TOWN OF MERRILLVILLE  
DOC. NO. 2004-050307  
REC. 6/16/2004

Reference Name: MISSNER  
Survey Job No: S22-17  
Drawn By: DAR  
Date: 4/12/22  
Last Revised: 1/26/23  
/22-17/Final Plat.DWG  
Sec. 34-35-8  
Lake County, IN



*Glen E. Boren*

THIS DRAWING IS NOT INTENDED TO  
BE REPRESENTED AS A RETRACEMENT  
OR ORIGINAL BOUNDARY SURVEY,  
OR A SURVEYOR LOCATION REPORT.

DVG TEAM, Inc  
1155 Troutwine Road  
Crown Point, IN 46307  
Phone: (219) 662-7710  
Fax: (219) 662-2740  
www.dvgteam.com







June 27, 2022  
22-R0084.08

Town of Merrillville  
Planning & Building Department  
7820 Broadway  
Merrillville, IN 46410

Attn: Sheila Shine, Building and Planning Director

RE: Merrillville Commerce Center  
PLAT Roadway Easement  
Recommendation for Approval

Dear Sheila:

Robinson Engineering, Ltd. has reviewed the PLAT for Frontage Roadway Easement dated April 12, 2022, revision date of June 23, 2022, for the above referenced location. The review finds that it to be in substantial compliance to the requirements and ordinances set forth by the Town of Merrillville as presented/prepared by Glen E. Boren, PLS.

Should you have any questions, please contact me at your convenience.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert J. Csanyi".

Robert J. Csanyi  
Project Manager  
(219) 525-4881  
[bcsanyi@reltd.com](mailto:bcsanyi@reltd.com)

cc: Steve King, Engineering Administrator (via email)  
Matt Lake, Director Storm Water Utility (via email)  
Quiana Davis, Planning & Building Assistance (via email)  
Ed Adler, Missner Group (via email)  
Glen Boren, PLS, DVG Team, Inc. (via email)

Encl:

*This review is only for general conformance with the design criteria established by the Town and is subject to both the completeness of the information submitted by the developer's professional staff and also the actual ability of the plan to perform in accordance with its intent. Actual field conditions may vary, and additional items may arise which are not readily apparent based on this submittal. The developer's design professionals are responsible for performing and checking all design computations, dimensions, and details relating to design, construction, compliance with all applicable codes and regulations, and obtaining all permits. Additionally, other bodies of government have jurisdiction over various aspects of this development. The developer is advised through copy of this letter that additional measures may be required based on actual field conditions and formal approvals of the other agencies.*

# ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - FEBRUARY 28, 2023 TC MEETING

Page 1 of 4 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.  
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Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
//	93	CROSSROADS REGIONAL	GENERAL/SUBSCRIPTION	30.00			FEBRUARY MEMBERSHIP LUNCH
//	1800	PAYROLL FUND	LRS/UNIFORMS	10000.00			LRS Clothing Allowance
//	93	CROSSROADS REGIONAL	GENERAL/SUBSCRIPTION	600.00			BUSINESS EXCELLENCE AWARDS
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	4742.50			MISC
//	1315	MENARDS	PARKS/OTHER SUPPLIES	195.36			SUPPLIES
//	1800	PAYROLL FUND	MV/SOCIAL SECURITY	145.00			Empr Liability Medicare
//	1821	ROBINSON ENGINEERING	BDWY TIF/CONTRACTUAL	17183.00			ENGINEERING FEES
//	93	CROSSROADS REGIONAL	GENERAL/SUBSCRIPTION	750.00			BUSINESS EXCELLENCE AWARDS
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	5964.81			TC
//	1225	MARY KENNEDY	PNR/CONTRACTUAL	296.03			MARKETING
//	1315	MENARDS	PARKS/OTHER SUPPLIES	161.94			SUPPLIES
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	24.98			OIL CHANGE #425
//	1800	PAYROLL FUND	MV/SOCIAL SECURITY	620.00			Empr Liability FICA
//	1821	ROBINSON ENGINEERING	BDWY TIF/CONTRACTUAL	308.93			ENGINEERING FEES
//	210	BUTLER, FAIRMAN &	MISS ST	6314.00			ENGINEERING SERVICES
//	93	CROSSROADS REGIONAL	GENERAL/SUBSCRIPTION	30.00			FEBRUARY MEMBERSHIP LUNCH
//	33	DJS SCUBA LOCKER, INC.	FD/REPAIR PARTS	768.00			SUPPLIES, MATERIAL & LABOR DIVE
//	183	FIRST GROUP ENGINEERING,	WHEEL TAX	1733.46			ENGINEERING SERVICES
//	1206	KOPKA PINKUS & DOLIN, PC	GENERAL/ATTORNEY	560.00			BZA
//	1225	MARY KENNEDY	PNR/MARKETING &	53.50			MARKETING
//	34	MAVIS TIRE SUPPLY LLC	GENERAL/REPAIRS TO	132.00			OIL CHANGE REAR BRAKES & TIRE
//	1315	MENARDS	PARKS/OTHER SUPPLIES	193.45			RETURN CHARGE SUPPLIES
//	2303	MILESTONE	2022 RDC Bd(A)-RD	352639.61			TOWN PAVING
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	24.98			OIL CHANGE #386
//	1380	McCANN INDUSTRIES, INC.	LRS/REPAIR PARTS	2295.91			FLOOR
//	1800	PAYROLL FUND	ARP/SOCIAL	1636.76			Empr Liability Medicare
//	1821	ROBINSON ENGINEERING	MISS ST	15114.12			ENGINEERING FEES
//	373	A.E.BOYCE COMPANY, INC	GENERAL/INSTRUCTION-E	1410.00			YEAR END CLOSE
//	129	ACE HARDWARE	SW/OTHER EQUIPMENT	0.40			SW HILLMAN NUTS/BOLTS
//	168	ACME PRINT COPY DESIGN	FD/PRINTING O/T OFFICE	609.00			BUSINESS CARDS FOR YERGA &
//	948	ADRA BRECLAW- CSANYI	SW/OFFICE EQUIPMENT	72.95			SW MISC OFFICE SUPPLIES
//	721	ADVANCE AUTO PART	FD/REPAIR PARTS	535.63			CQ CLAY OIL ABSORBANT
//	132	ALERT ALARM, INC.	GENERAL/POLYGRAPHS &	175.00			NEW HIRE POLY
//	1234	ALL PHASE ELECTRIC SUPPLY	LRS/STOP & STREET	2263.44			HPS LAMPS & PHOTOCELLS
//	314	AMERICAN COMPLETE AUTO	GENERAL/REPAIRS TO	340.00			R&R BATTERY POOL CAR #8
//	752	AMERICLEAN	CUML FIRE EQPT/BLDG	963.69			SERVICE ALL TO EXTRACT WATER,
//	1059	AXON ENTERPRISE, INC.	POLICE EQUIP/OTHER	2288.65			TASE BATTERY PACS & CARTRIDGES
//	561	BLOOMFIELD MECHANICAL	GENERAL/REPAIRS TO	730.88			REPAIRS TO 2 UNIT HEATERS
//	822	BOSAK MOTORS OF	GENERAL/REPAIRS TO	160.00			DIAG ON #410'S CAR
//	210	BUTLER, FAIRMAN &	MISS ST	3150.00			ENGINEERING SERVICES

# ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

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General Form No. 384 (1997) APVREGISTER\_SUM.FRX

Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
//	355	CENDER/DALTON	SW/FINANCIAL	387.50			SW FINANCIAL SERVICES FOR
//	519	CHRISTOPHER BURKE	SW/CONTRACTUAL SERV	2394.00			SW HAYES FARM DRAINAGE IMPVMT
//	24	CHRISTOPHER T. WESBY	PNR/SUB-CONTRACTORS	200.00			PHOTOGRAPHY
//	667	CINTAS	GENERAL/CONTRACTUAL	30.31			MEDICINE CABINET
//	776	COMCAST	LRS/TELEPHONE	264.29			PHONE, INTERNET, & TV SVC
//	93	CROSSROADS REGIONAL	GENERAL/SUBSCRIPTION	30.00			JANUARY MEMBERSHIP LUNCH
//	364	DAVID BARRON	PNR/SECURITY	805.00			SECURITY
//	420	DELTA III, INC.	SW/CONTRACTUAL SERV	2800.00			SW NOBLE ST CASTING R & R
//	26	DENISE SHACKELFORD	PNR/SUB-CONTRACTORS	150.00			SPEAKER
//	33	DJS SCUBA LOCKER, INC.	FD/REPAIR PARTS	542.98			SUPPLIES, MATERIAL & LABOR DIVE
//	365	EWING IRRIGATION	FD/BLDG-GROUND	308.70			OLY SALT WINDY CITY ROCK SALT
//	183	FIRST GROUP ENGINEERING,	WHEEL TAX	7001.49			ENGINEERING SERVICES
//	1218	H-FIT OCCUPATIONAL	LRS/CDL PHYSICALS	75.00			PHYSICAL BLAKE STONE
//	887	HOOSIER DIESEL AND OFF	FD/REPAIR PARTS	2882.31			SERVICE, PARTS& LABOR ON PUMPER
//	378	INDIANA GROCERY GROUP,	SW/OFFICE EQUIPMENT	173.84			SW OFFICE MISC
//	903	IUPPS	LRS/CONTRACTUAL	487.35			JANUARY LOCATE TICKETS
//	21	JOE E. FISH	SW/REPAIRS TO	22.00			SW SUPT. CAR WASH
//	434	KEOUGH MECHANICAL CORP.	GENERAL/REPAIRS TO	478.18			repairs to water faucets
//	1206	KOPKA PINKUS & DOLIN, PC	BDWY TIF/CONTRACTUAL	2152.50			RDC
//	25	KORELLIS ROOFING, INC.	GENERAL/REPAIRS TO	666.85			ROOF REPAIRS
//	901	LEEP'S SUPPLY CO., INC.	CUML FIRE EQPT/BLDG	1904.51			WATER COOLER & BOTTLE FILLING
//	963	LEXIPOL: PRAETORIAN	CE/HDWE.-SOFTWARE	7410.71			POLICE ONE ACADEMY ANNUAL
//	981	LINE-X OF SCHERERVILLE INC	LRS/OTHER EQUIPMENT	850.00			STROB LIGHTS & LABOT
//	22	LOVE INFINITY, INC.	PNR/SUB-CONTRACTORS	1250.00			SPEAKER FEE
//	99	MACQUEEN EMERGENCY	FD/REPAIR PARTS	5457.00			PARTS& LABOR TO HYDRO TEST 191
//	1225	MARY KENNEDY	PNR/MARKETING &	53.50			MARKETING
//	34	MAVIS TIRE SUPPLY LLC	GENERAL/E.M.A. REPAIRS	372.90			R&R FRONT AND REAR BRAKES EMA4
//	1315	MENARDS	PARKS/OTHER SUPPLIES	583.28			GLOVES
//	1320	MIDWESTERN ELECTRIC	LRS/STOP & STREET	995.10			NON ROUTINE MAINTENANCE
//	2303	MILESTONE	2022 RDC Bd(A)-RD	68235.38			TOWN PAVING
//	1006	MORTON SALT	LRS/SALT EXPENSE	18678.92			SALT
//	1153	MY FLEET CENTER.COM	GENERAL/REPAIRS TO	24.98			OIL CHANGE #392
//	1380	McCANN INDUSTRIES, INC.	LRS/FREIGHT	57.59			SHIPPING/FREIGHT
//	237	NORTHWEST INDIANA AUTO	GENERAL/E.M.A. REPAIRS	542.52			BRAKES & ROTORS EMA4
//	1600	PAYROLL FUND	ARP/BONUSES	2023.32			TH - ARP Bonus
//	1339	PULSE TECHNOLOGY	GENERAL/OFFICE	138.10			SUPPLIES
//	146	PULSE TECHNOLOGY	GENERAL/OFFICE	202.13			MONTHLY RENTAL
//	1821	ROBINSON ENGINEERING	MISS ST	9129.43			ENGINEERING FEES
//	14	SKM, LLC	FD/REPAIR PARTS	1912.78			LABOR, MATERIALS & PARTS TO
//	660	TERRENCE MICHAEL	PNR/SECURITY	52.50			SECURITY

# ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

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General Form No. 354 (1997) APVREGISTER\_SUM.FRX

Check Date	Vendor	Name of Claimant	Office Department	Amount of Voucher	Amount Allowed	Warrant	Check/Memorandum (See Note (2) Above)
//	910	TRAFFIC AND PARKING	CASINO/CONTRACTUAL	3537.77			BLINKING STOP SIGNS
//	16	V & L PLUMBING & HEATING,	PNR/CONTRACTUAL	1288.00			WINTERIZED CONCESSION BUILDING
//	158	VS ENGINEERING, INC.	BDWY TIF/CONTRACTUAL	31832.00			ENGINEERING SERVICES
02/09/2023	274	ALLSTATE	PAYROLL - ALLSTATE	499.83	499.83	24065	MONTHLY EMPLOYEE PREMIUMS
02/09/2023	1196	UNITED HEALTHCARE	SW/HEALTH INS.	189438.98	189438.98	24068	SW FEB 2023 PREMIUM
02/09/2023	1196	UNITED HEALTHCARE	GENERAL/HEALTH, LIFE &	1889.76	1889.76	24069	CIVIL & MV ADJUSTMENT INVOICE
02/16/2023	847	STARKE CIRCUIT COURT	PAYROLL - COURT	1007.36	1007.36	24073	g. fields cause#75c01-2009-00272
02/16/2023	494	LAKE COUNTY SUPERIOR	PAYROLL - COURT	651.04	651.04	24074	I. roberts cause # 45d11-2111-cc-007724
02/16/2023	609	F.O.P. #168	PAYROLL - F. O. P. DUES	1416.26	1416.26	24075	union dues 2/2023
02/16/2023	2104	NATIONWIDE RETIREMENT	PAYROLL - DEFERRED	5189.38	5189.38	24076	employee deposits for 2/17 payday
02/21/2023	61	GUARDIAN LIFE INS CO.	SW/HEALTH INS.	19919.03	19919.03	24080	SW EMPLOYEE PREMIUMS - MARCH
02/21/2023	104	AFLAC	PAYROLL - AFLAC	7849.22	7849.22	24081	EMPLOYEE PREMIUMS
02/21/2023	650	TRUSTMARK VOLUNTARY	PAYROLL - TRUSTMARK	869.53	869.53	24082	
02/10/2023	135	INDIANA DEPT OF	MV/UNEMPLOYMENT	780.00	780.00	59944	U/E ANDREW HURST
02/10/2023	602	WASTE MANAGEMENT OF	PNR/CONTRACTUAL	185.00	185.00	59945	TRASH SERVICES
02/10/2023	1227	COMCAST	PNR/TELEPHONE	975.91	975.91	59946	INTERNET
02/10/2023	673	CARD SERVICE CENTER	PNR/CONCESSION	3696.55	3696.55	59947	CONCESSION SUPPLIES
02/15/2023	776	COMCAST	SW/TELEPHONE	264.44	264.44	60035	SW BALANCE FROM OLD/NEW
02/15/2023	1401	NIPSCO	SW/GAS & ELECTRIC	635.00	635.00	60036	SW GAS& ELECTRIC SERVICE 408666
02/15/2023	830	ORALIA SANTOS	GENERAL/CONTRACTUAL	800.00	800.00	60038	CONTRACTUAL PAU
02/15/2023	565	MATTIE M. COLLINS	GENERAL/CONTRACTUAL	961.54	961.54	60039	CONTRACTUAL PAY
02/15/2023	12	GARY CHAMBER OF	GENERAL/SUBSCRIPTION	25.00	25.00	60040	MEMBER LUNCHEON
02/15/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/E.M.A. OTHER	27.05	27.05	60041	SNOW BRUSHES
02/15/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/OFFICE	1954.29	1954.29	60042	SUPPLIES
02/16/2023	1600	PAYROLL FUND	GENERAL/CLERK-TREAS.	402456.33	402456.33	60043	CT-Clerk-treasurer
02/17/2023	417	PHIL & SON, INC.	FD/CONTRACTUAL	863.80	863.80	60044	HOSTING SERVICES AT HQ
02/17/2023	776	COMCAST	FD/TELEPHONE	42.31	42.31	60045	CABLE AT HQ
02/17/2023	1175	AMAZON CAPITAL SERVICES	GENERAL/OTHER	289.90	289.90	60046	LIGHT FOR RANGE
02/21/2023	1600	PAYROLL FUND	GENERAL/TC PRESIDENT	59639.82	59639.82	60047	TC-Tn Council President
02/22/2023	563	STAPLES BUSINESS CREDIT	FD/OTHER SUPPLIES	2772.98	2772.98	60050	ideal 4002 cc-p-4 shred
02/22/2023	776	COMCAST	FD/TELEPHONE	1731.42	1731.42	60051	INTERNET & PHONE AT ALL STATIONS
02/22/2023	1401	NIPSCO	FD/GAS & ELECTRIC	7232.62	7232.62	60052	GAS/ELECTRIC AT ALL STATIONS
02/22/2023	700	INDIANA AMERICAN WATER	GENERAL/WATER	58.26	58.26	60053	PW FIRE
02/22/2023	700	INDIANA AMERICAN WATER	GENERAL/WATER	704.73	704.73	60054	TOWN HALL
02/22/2023	1506	ORKIN EXTERMINATING	GENERAL/CONTRACTUAL	121.00	121.00	60055	PEST CONTROL
02/22/2023	776	COMCAST	GENERAL/TELEPHONE	191.30	191.30	60056	8771400400123974
02/22/2023	334	COMCAST	GENERAL/TELEPHONE	1849.64	1849.64	60057	930910932
02/22/2023	1197	US BANK	GENERAL/COPIER MTCE.	244.76	244.76	60058	PLANNING COPIER
02/22/2023	673	CARD SERVICE CENTER	GENERAL/BLDG. &	1931.24	1931.24	60059	FRAMES FOR COUNCIL CHAMBER
02/22/2023	596	AIM	GENERAL/SUBS. & DUES	50.00	50.00	60060	INDIANA ASSOCIATION OF CITY AND



# ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

NOTES: (1) Use both sides of the form if needed. Signatures of governing board should appear only on the final page of each meeting in which accounts payable vouchers are allowed.  
(2) The Memorandum is for entering action on accounts payable vouchers if disallowed in whole or in part, if continue to a later meeting of governing board, or for other pertinent information.

Page 4 of 4 Pages

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)
02/22/2023	638	JOANN KRAFT	SW/CONTRACTUAL SERV	120.00	120.00	60061	SW OFFICE CLEANING
02/22/2023	106	HINCKLEY SPRINGS	GENERAL/OTHER	3.99	3.99	60062	WATER & COLLER RENTAL
02/22/2023	484	HARRIS LAW FIRM	RP/CONTRACTUAL	10595.79	10595.79	60064	BILLING FOR HOURS OF WORK FROM
02/22/2023	358	CULLIGAN WATER	GENERAL/OFFICE	30.92	30.92	60065	PICKED UP THREE 5 GALLONS
02/22/2023	944	RECDESK LLC	PNR/HOWE-SOFT REC	8700.00	8700.00	60066	SOFTWARE SUBSCRIPTION
02/09/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	101128.04	101128.04	146993	NET SALARIES FOR 2/10/2023 PD CL,
02/09/2023	739	CENTIER BANK	PAYROLL - FEDERAL	16530.12	16530.12	146994	941 AUTO/DEBIT 2/10/23 PAYDAY
02/09/2023	137	BERNARD HEALTH, LLC	GENERAL/HEALTH, LIFE &	405.34	405.34	146998	ALPINE BERNIE BILL - JAN 2023
02/10/2023	986	AMERICAN EXPRESS	GENERAL/REPAIRS TO	1798.08	1798.08	147004	CENTER COUNCIL FOR 2 RAM TRUCKS
02/16/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	281361.47	281361.47	147051	net salaries for 2/17 payday
02/16/2023	739	CENTIER BANK	PAYROLL - FEDERAL	68873.68	68873.68	147053	941 auto/ debit 2/17 payday
02/16/2023	917	INDIANA CHILD SUPPORT	PAYROLL - COURT	2009.82	2009.82	147054	child support for 2/17 payday
02/16/2023	1630	IN Public Retirement System	PAYROLL - SW PERF	20006.55	20006.55	147063	SW PERF FOR 02/17/2023 PAYDAY
02/16/2023	1630	IN Public Retirement System	FIRE PENSION-PERF	9855.44	9855.44	147064	FIRE PERF FOR 2/17/2023 PAYDAY
02/16/2023	1630	IN Public Retirement System	POLICE PENSION - P.E.R.F.	1467.68	1467.68	147065	FIRE PERF ADJUSTMENT FOR J.
02/16/2023	1630	IN Public Retirement System	POLICE PENSION - P.E.R.F.	44397.32	44397.32	147066	POLICE PERF FOR 2/17/2023 PAYDAY
02/16/2023	739	CENTIER BANK	PNR/UNAPPROPRIATED	676.42	676.42	147067	AUTO DEBIT FOR PARKS SALES TAX
02/21/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	49738.47	49738.47	147096	NET SALARIES FOR 2/24/2023 EOM
02/21/2023	739	CENTIER BANK	PAYROLL - FEDERAL	2495.94	2495.94	147097	941 AUTO/DEBIT FOR 2/24/2023 EOM
02/21/2023	739	CENTIER BANK	PAYROLL - FEDERAL	4730.38	4730.38	147098	945 AUTO DEBIT FOR 2/24/2023 EOM
02/22/2023	739	CENTIER BANK	PAYROLL - NET SALARIES	8668.40	8668.40	147132	NET SALARIES FOR 2/24/23 MVH & PD
02/22/2023	658	US BANK	COMM CTR/BC DEBT	1500.00	1500.00	147139	ANNUAL TRUSTEE FEE
Checks: 0- 147139				1967911.83	1354309.13		



**Town of Merrillville**  
**Town Council Meeting Minutes**  
**February 14, 2023**  
**6:30 P.M.**

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

**INVOCATION/MOMENT OF SILENCE:** A brief invocation was given along with a moment of silence by Pastor Robert Szoke of Impact Church.

**PLEDGE OF ALLEGIANCE:** Led by Commissioner Ward.

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

Present were:

Vice-President Hardaway- (Ward 2)

Councilman Minchuk- (Ward 3)

Councilwoman Uzelac- (Ward 4)

Councilman White - (Ward 7)

Councilman Pettit- (Ward 6)

President Bella- (Ward 5)

Seven Present (6)

Six Present (6) One Absent (1) Councilman Spann

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

None

**CONSENT AGENDA**

Accts. Payable Register Voucher Approval for February 14, 2023.

Approval of Town Council Meeting Minutes of January 24, 2023.

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

No further questions or comments from the council.

Motion carries by voice vote 6-0.

**STANDING & SPECIAL COMMITTEES REPORTS**

**BUDGET & FINANCE- HARDAWAY** – Vice-President Hardaway informed the council that he has nothing to report at this time.

**COUNCIL AFFAIRS- PETTIT** – Councilman Pettit informed the council that a Council Affairs Committee meeting was held last week. The committee addressed seven first-reading ordinances for a recommendation.

**PUBLIC WORKS & UTILITIES - MINCHUK** – Councilman Minchuk informed the council that the weather has been good, and the committee is keeping busy with other projects.

Councilman Minchuk also stated that the Parks Department will be looking into getting radio communication between their vehicles and home-based to make sure things run efficiently at Public

Works. Councilman Minchuk stated that the funding is available in the Public Works budget for the equipment.

**ELECTIONS, PUBLIC RELATIONS, & TOWN BEAUTIFICATION-PETTIT-** Councilman Pettit informed the council that the Crossroad Regional Chambers of Commerce is hosting two events. The first event is the Third Annual Business Excellence Awards on March 9<sup>th</sup> at the Dean and Barbara White Community Center from 5:00 pm until 7:00 pm. The Town of Merrillville is sponsoring one of the awards.

The second event is for branding. Councilman Pettit stated we are going through a branding initiative with the Crossroads Regional Chamber of Commerce. The event is free and will be held at the Hard Rock Casino on April 12<sup>th</sup> from 4:30 pm until 7:30 pm. All the council members, department heads, and residents are invited, but everyone must register.

**ENVIRONMENTAL AFFAIRS- WHITE** - Councilman White informed the council about the COVID-19 status in Lake County. The level in Lake County is at medium, and hospitalizations haven't increased by more than one percent.

Councilman White also stated the community should be vigilant because the virus is complex.

Councilwoman Uzelac added that the second booster shot is still being given out at CVS and Walgreens Pharmacies. Individuals must schedule an appointment with either pharmacy.

**PERSONNEL POLICY & EMPLOYEE BENEFITS – HARDAWAY-** Vice-President Hardaway informed the council about changes in Code Enforcement and Animal Control. The Code Enforcement Department was expanded by one employee. The Town is in the process of looking for an animal control candidate. The position will be posted for fourteen days in the Town.

Vice-President Hardaway also stated that the current animal control employee has been permanently assigned to Code Enforcement and started her duties on Monday, February 13, 2023.

**PUBLIC SAFETY- MINCHUK-** Councilman Minchuk stated he informed the council at the last meeting that contract negotiations have come to an end with the Fraternal Order of Police.

Councilman Minchuk also stated that Attorney Svetanoff will review and finish the verbiage on his end to turn over to the Fraternal Order of Police at the next meeting.

President Bella inquired if Attorney Svetanoff can be done by the next meeting.

Attorney Svetanoff stated it depends on what substantive changes if any, the Fraternal Order of Police comes back with by the next meeting.

Councilman Minchuk stated he would tentatively schedule the next meeting.

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

**PARKS & RECREATION- UZELAC** – Councilwoman Uzelac informed the council that an employee from the Parks Department called to schedule a meeting with the Parks and Recreation Committee

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

**DEAN & BARBARA WHITE COMMUNITY CENTER-MINCHUK & PETTIT** – Councilman Pettit informed the council that meetings are scheduled for the fourth Thursday of the month. Due to the Black History Celebration, the February 23, 2023 meeting will be canceled.

Councilman White informed the council that he attended an event at the Dean and Barbara White Community Center, and the electricity went out during the event.

**SPECIAL PROJECTS (F & B TAX, DIVERSITY, 4<sup>TH</sup> of JULY CELEBRATION-HARDAWAY** - Vice-President informed the council that ticket sales for the Black History Celebration have been suspended because we have reached capacity at the Dean & Barbara White Mike Anderson Event Center.

Vice-President Hardaway also stated that anyone interested in tickets will have to get on a waiting list.

Vice-President Hardaway informed the council that Municipal Day is May 9, 2023.

President Bella asked Vice-President Hardaway to explain Municipal Day to the audience.

Vice-President Hardaway stated that Municipal Day is a day when the Town brings in Middle School students to conduct the Town Council Meeting. The students will be coached by the Town's Elected Officials and Department Heads.

Vice-President Hardaway elaborated on several other upcoming events the Town will be having throughout the year.

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

***LAKE COUNTY SOLID WASTE MANAGEMENT-WHITE*** – Councilman White informed the council that Officers were elected to lead Lake County Solid Waste District. The Officers are Rick Long of Lake Station (Chair) and Councilwoman Christine Cld (Vice-Chair).

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

***STORMWATER MANAGEMENT RESOURCES-LAKE*** – Director Lake informed the council that they are finishing up the draft Stormwater ordinance update. Last year we updated the Flood Hazard ordinance. Director Lake elaborated on several other projects in the works.

Councilman White requested an update on the retention pond name Wanda's in Barkley Village.

Director Lake stated he would look into it.

***SOUTHSHORE VISITORS AND CONVENTION AUTHORITY*** – Town Manager Reardon informed the council there will be a meeting on Friday, February 17, 2023. In the past meeting, a presentation was made by Senator Melton having to do with legislation updates. A lot has been in the newspaper supporting new taxes to drive development in and around the casino area.

Town Manager Reardon also informed the council that this conversation has rekindled the discussion on the location of a Convention Center in the county.

Town Manager Reardon stated he will keep the council updated on the progress.

***FIRE TERRITORY BOARD-MINCHUK*** – Councilman Minchuk informed the council that a meeting occurred on Monday, February 13, 2023, where grants and ordinances were discussed.

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

Chief Nuses informed the council that the Police Department is working with multiple agencies in the surrounding area to help alleviate some of the issues in the Town.

President Bella asked Chief Nuses to explain the changes in Animal Control.

Chief Nuses stated that the former Animal Control Officer was moved, and the Town is in the process of looking for a new Officer.

Director Shine informed the council that she has nothing to report until the BZA action.

Direct King informed the council that the Public Works was called Street Department at one time. He would like to get the name permanently changed back to Street Department because by definition that is what we are and do. We don't handle any utilities in the Town. Our focus is infrastructure.

Director King also informed the council that he is working with Deputy Chief Lilly on the two-way radio communication that Councilman Minchuk mentioned. He has the pricing and will leave it with Councilman Minchuk. Director King also elaborated on other projects his department is working on in the upcoming months.

Councilman White requested an update regarding the digital speed signs and street lights.

Vice-President asked about leaves and garbage pickup.

Director King stated that garbage is being picked up not leaves.

President Bella asked the council members to reach out the Director King regarding any issue with garbage in their Wards.

Town Manager Reardon stated that Director Price was unable to attend tonight's council meeting. Director Price asked Town Manager Reardon to inform the council that the Parks Department received one bid for the reconstruction/rebuild of the shelters at the parks. The others bids are due at the end of the month.



Councilwoman Uzelac asked if Rosenbalm Park was included.

Town Manager Reardon stated he believes Rosenbalm Park is included.

President Bella asked will the project be funded as an ARP project.

Vice-President Hardaway stated that the committee will have to meet on that issue.

## **GENERAL ORDERS**

### **A. Ordinances**

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

##### **Ordinance 23-02 (Discussion and Roll Vote)**

An Ordinance of the Town of Merrillville, Lake County, Authorizing Additional Appropriations in Various Funds for the 2023 Budget.

A motion from Councilman Pettit was made to approve Ordinance 23-02, seconded by Councilwoman Uzelac.

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

Financial Advisor Hudson informed the council that some of the Police Department expenses relate to the FOP negotiations. These values were discussed in various meetings and are now being put in place to finish up the remainder of the year.

Financial Advisor Hudson also informed the council of the additional appropriation for Public Works to purchase various items. She referred to the communication form included in the council's packets. Public Works has a cash balance in the Local Road and Street fund to cover the items to be purchased.

Councilman White inquired about the amount being transferred.

President Bella stated that the amount is stated in Ordinance 23-02.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

##### **Ordinance 23-03 (Discussion and Roll Vote)**

An Ordinance of the Town of Merrillville, Lake County, Amending Ordinance 22-29a, the 2023 Salary Ordinance, and Amendment ordinance 23-01 and Authorizing a Transfer of Appropriations

A motion from Councilman Pettit was made to approve Ordinance 23-03, seconded by Councilwoman Uzelac.

Madam Clerk-Treasurer Kelly White Gibson raised a Point of Order and informed the council about a couple of corrections on Ordinance 23-03. She also stated that the ordinance should be tabled.

President Bella inquired about the corrections.

Madam Clerk-Treasurer Kelly White Gibson stated that item three on Ordinance 23-03 should state \$2,000.00 for two officers, not \$1,000.00. The total is also incorrect and there are misspelled words.

President Bella stated the corrections will be made tonight and adjusted for the second reading.

Madam Clerk-Treasurer stated it can be adjusted.

President Bella inquired of Councilman Pettit and Councilwoman Uzelac regarding the motion and second standing with the following corrections:

- ARP Bonuses will be changed to \$2,000.00.
- Misspelled words at the top of Ordinance 23-03 will be corrected.

Councilman Pettit stated his motion stands with the corrections.

Councilwoman Uzelac stated her seconded stand with the corrections.

President Bella asked Financial Advisor Hudson did she have anything to add.

Financial Advisor stated the two Officers were inadvertently left off of the payroll request in December 2022.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-04 (Discussion and Roll Vote)**

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.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-04.

Attorney Svetanoff informed the council that we are tightening up the definition of "Parking In Yards" to include vehicles, motorized vehicles, off-road vehicles, and machinery. The definition section of the ordinance was also expanded.

Attorney Svetanoff also asked that Ordinance 23-04 be approved on the first reading.

A motion from Councilman Pettit was made to approve Ordinance 23-04, seconded by Councilwoman Uzelac.

Councilman White stated this is a good ordinance and gives us some teeth to get the job done.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-05 (Discussion and Roll Vote)**

An Ordinance Amending Town Code Section: 6-327 Entitled "Standard for Maintenance" and Repealing All Town Code Sections and Ordinances or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-05.

Attorney Svetanoff informed the council that this is a "Standard of Maintenance" which states that all buildings which are abandoned have to be not only secured but boarded up. Ordinance 23-05 provides the method and methodology on how to board up the buildings and make sure everything is in order.

Attorney Svetanoff also asked that Ordinance 23-05 be approved on the first reading.

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

President Bella announced to the audience that the ordinances were posted on the Town's website, and public comments will be allowed on the second reading.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-06 Discussion and Roll Vote)**

An Ordinance Amending Town Code Sections: Sections: 21-172 Entitled "Zoning – Off Street Parking" and Repealing All Town Code Sections and Ordinances or Parts Thereof, in Conflict Herewith.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-06.

Attorney Svetanoff informed the council that Ordinance 23-06 has to do with storage container dumpsters, semi-trailer containers, and cloth ports. This ordinance established a definition section for those items and they're being located on the property. It also established how long the items can be located on the property.

Attorney Svetanoff also stated Ordinance 23-06 has a lot of details and asked that the ordinance be approved on first reading.

A motion from Councilman Pettit was made to approve Ordinance 23-06, seconded by Councilwoman Uzelac.

Madam Clerk-Treasurer Kelly White Gibson asked if the ordinance is retroactive for businesses who already have donation boxes such as Goodwill and Salvation Army or if it is going forward from adoption.

President Bella stated it will apply to businesses going forward from adoption.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-07 Discussion and Roll Vote)**

An Ordinance to Promote the General Welfare of the Citizens and Prohibiting Donations Boxes Within the Town, and Repealing All Town Code Sections and Ordinances, or Parts Thereof, in Conflict Herewith.

Attorney Svetanoff informed the council this is a problem that's been identified in the Town specifically with donation drop boxes. The donation drop boxes are sometimes put on the property without getting the owner's permission. The drop boxes are overflowing and not emptied timely. Ordinance 23-07 will allow us to prohibit the donation drop boxes or put into place a process where approval from the Town is needed to have a drop box on the property.

Attorney Svetanoff also stated we will have information on the drop box owner and can make contact when necessary regarding violation of the ordinance.

Madam Clerk-Treasurer Kelly White Gibson inquired if Ordinance 23-07 is retroactive or going forward after adoption for businesses who already have donation boxes.

Attorney Svetanoff stated we may go retroactive on Ordinance 23-07. We will give the businesses that already have the donation boxes a warning to trigger them to go ahead a register with the Town.

A motion from Vice-President Hardaway was made to approve Ordinance 23-07, seconded by Councilman Minchuk.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-08 Discussion and Roll Vote)**

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.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-08.

Attorney Svetanoff informed the council that Ordinance 23-08 deals with basketball hoops. The basketball hoop can't be pulled out onto the street but must be located on the property.

Attorney Svetanoff asked that Ordinance 23-08 be approved on the first reading.

A motion from Councilwoman Uzelac was made to approve Ordinance 23-08, seconded by Councilman Pettit.

President informed the audience that basketball hoops can't be in the street, but you can have them on your property.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-09 Discussion and Roll Vote)**

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.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-09.

Attorney Svetanoff informed the council that Ordinance 23-09 limits the number of animals residing in a household to three animals. The ordinance also details what counts as an animal.

Attorney Svetanoff asked that Ordinance 23-09 be approved on the first reading.

A motion from Councilman Pettit was made to approve Ordinance 23-09, seconded by Councilwoman Uzelac.

President Bella inquired of Director Shine that the limit has always been three animals.

Director Shine stated that it has always been three animals. The wording was changed in the ordinance to be more specific.

Councilman Pettit informed the council that Ordinance 23-09 only applies to residential-zoned property, not agriculture-zoned property.

Councilman White asked about puppies.

President Bella stated that puppies are addressed in the ordinance.

Madam Clerk-Treasurer asked about aquariums.

President Bella stated that fish are not included in the limit.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

**Ordinance 23-10 Discussion and Roll Vote)**

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.

President Bella asked Attorney Svetanoff to give a brief synopsis of Ordinance 23-10.

Attorney Svetanoff informed the council that the Town has had for year problems with people blocking other people's access to mailboxes. With Ordinance 23-10, this will no longer occur. The details are outlined in the ordinance along with a fine schedule.

Attorney Svetanoff asked that Ordinance 23-10 be approved on the first reading

A motion from Councilman Pettit was made to approve Ordinance 23-10, seconded by Councilwoman Uzelac.

Councilman White asked who will enforce Ordinance 23-10 for the mailboxes.

President Bella stated that Code Enforcement would enforce the ordinance.

Chief Nuses stated that Code Enforcement is now part of the Police Department. He also stated that residents can call Code Enforcement on weekdays or the Police Department on the weekends to report violations.

No further questions or comments from the council.

Motion carries by roll call vote 6-0

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



**Ordinance 23-01 (Discussion, Public Comment, and Roll 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 asked Financial Advisor Hudson to explain Ordinance 23-01.

Financial Advisor Hudson informed the council this ordinance relates to the Police Department and Planning & Building Department. The ordinance adds the Patrol Special First Class and Fire Inspector to the salary ordinance.

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

No further questions or comments from the council.

No comments from the public.

Motion carries by roll call vote 6-0.

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

None

***C. American Rescue Plan***

AP Voucher Register Summary for ARP Purchases for February 14, 2023

Vice-President Hardaway informed the council that the ARP Voucher summary is \$125,108.40.

Vice-President Hardaway made a motion to approve \$125,108.40, seconded by Councilman Pettit.

No further questions or comments from the council.

Motion carries by voice vote 6-0.

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

**Petitioner:** Malcolm Adams  
**Owner:** Malcolm Adams  
**Request:** Special Exception Approval  
**Purpose:** U-Haul Truck Rental  
**Location:** 5901 Waite Street  
**Zoning:** C-2, Community Commercial Zoning District

Director Shine informed the council that the Petitioner is ill and asked that his request be tabled.

A motion from Councilman Pettit was made to table the BZA, seconded by Councilman White.

No further questions or comments from the council.

No comments from the public.

Motion carries by voice vote 6-0.

**Petitioner:** Merrillville Community School Corporation  
**Owner:** Merrillville Community School Corporation  
**Request:** Special Exception Approval  
**Purpose:** Addition to Existing School  
**Location:** 5901 Waite Street  
**Zoning:** R-2, Residential Zoning District

Planning and Building Director Shine elaborated on the BZA Action.

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

No further questions or comments from the council.

Motion carries by roll call vote 6-0.

***NEW BUSINESS***

Vice-President Hardaway informed the council that he attended the Gary Chamber of Commerce meeting on February 13, 2023, and elaborated on the engineering firm McKissack & McKissack.

***OLD BUSINESS***

President Bella informed the council and audience about the Town’s Time Capsule. The capsule will be filled with a variety of items including letters from each council member to be opened on December 30, 2071. There will be a ceremony when the capsule is locked.

***SPECIAL PRESENTATIONS***

None

***ANNOUNCEMENTS:***

- Town Offices Closed Monday, February 20<sup>th</sup> in observance of President’s Day
- Plan Commission Public Meeting February 21<sup>st</sup> at 6:30 P.M.
- Black History Celebration Dinner February 23<sup>rd</sup> from 5:00 P.M.-9:00 P.M.
- Redevelopment Commission Meeting February 28<sup>th</sup> at 6:15 P.M.
- Town Council Meeting February 28, 2023, at 6:30 P.M.

***ADJOURNMENT:***

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

Meeting Adjourned.

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***Rick Bella, President***

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

***Minutes Submitted By Angela Lewis***

## **DEAN AND BARBARA WHITE COMMUNITY CENTER PARTIAL FACILITY USE AGREEMENT**

This Agreement is entered into by and between the Town of Merrillville hereinafter referred to as ("Merrillville") and the Boys & Girls Clubs of Greater Northwest Indiana, Inc. hereinafter referred to as the ("the Club"). The purpose and intent of this Agreement is to memorialize certain understandings and commitments made by and between these parties to implement and facilitate their joint desire to provide a location for Club youth programming activities in Merrillville. In connection therewith, the following understandings have been reached:

- 1) That the Club will have access to, and utilization of a portion of the Dean and Barbara White Community Center located at 6600 Broadway, Merrillville, Indiana to provide programming for approximately 50 to 60 students from Pierce Middle School in Merrillville. It is the intent of the parties to provide the Club with access and utilization of the four community rooms, one basketball court, the rock wall, individual restrooms (not the men's and/or women's locker rooms) and at the option of the Club, in agreeable outdoor greenspace areas (not the fitness center and upstairs track area). That portion of the Community Center dedicated pursuant to this agreement to utilization by the Club is more specifically identified in Exhibit "A".
- 2) That the partial space allocation identified herein is committed to the Club for purposes of providing youth programming activities for the Pierce Middle School students from 2:30 p.m. until 6:30 p.m. on days when the Merrillville Community School Corporation is in session. This agreement is predicated upon the joint understanding of Merrillville and the Club that the Merrillville Community School Corporation will provide transportation (busing) for the participating students from Pierce Middle School to the Dean and Barbara White Community Center.
- 3) That the partial space allocation identified herein is being offered by Merrillville to the Club in an amount of Two Thousand Dollars and 00/100 Dollars (\$2,000.00) per month for the 2022-2023 school year (August 2022 until the last day of school). It is not the intent of the Club to offer programming when the Merrillville Community School Corporation is not in session. When the Club is not utilizing the partial space allocation identified herein, Merrillville shall retain the option and alternative to utilize the premise for its own purposes.
- 4) That during the time that the Club is providing youth program activities pursuant to this agreement, students will be supervised by Club staff wearing identification.

- 5) That during the pendency of this agreement, Merrillville shall be responsible for maintaining the partial space allocation area in a safe and usable for the intended purpose condition and in so doing will use reasonable efforts to keep the area in a good condition and repair. Merrillville shall be responsible for providing heat, electric, water and other utility services. Merrillville shall further provide limited janitorial services (mopping of the floors in each room. Club will be responsible for their own trash removal.
- 6) That the Club shall (during the pendency of this agreement) procure and maintain a policy of insurance providing coverage to Merrillville, listed as an additional insured, against any and all losses, claims, demands or actions whatsoever for bodily injury, personal injury including abuse and molestation, or death, to any one or more persons or for property damage in any one occurrence for which Merrillville could become legally obligated and arise from the Club conduct of the youth services provided by the Club in and on the premises including the use of its equipment of all common areas and all matter of ingress or egress used by the Club, its members, parents or members, guests, invitees or other visitors of whatever kind. To the fullest extent permitted by applicable State law, a Waiver of Subrogation Clause shall be added to the General Liability, Automobile, Excess or Umbrella and Workers Compensation policies in favor of Merrillville.
- 7) That the Club will indemnify, hold harmless, and defend Merrillville, its elected officials, officers, and employees from any and all claims, suits, actions and liability of any character, arising or alleged to arise, out of injuries or damages sustained by any person; persons or property on account of or in consequence of the Club's act or omission, neglect or misconduct, or in violation of any law, ordinance or regulation, which was caused to occur during the Club's use of the Merrillville's facility.
- 8) That Merrillville shall not be liable to the Club or the Club's staff or guests for any personal injury incurred by them while at the Dean and Barbara White Community Center or for any property belonging to them which may be lost, stolen or damaged while at the Dean and Barbara White Community Center, and any and all claims for such injuries or damages are waived and are to be governed under the provisions of Rhetorical Paragraphs 6 and 7 of this agreement.
- 9) That both Merrillville and the Club reserve the right to terminate this agreement with or without cause upon 30 day written notification of the intent to terminate.
- 10) That neither party to this agreement shall be deemed to have authority hereunder to assume or create any obligation or responsibility, express or implied, on behalf of or in the name of the other party or to bind the other party in any way whatsoever to a third-party commitment.

- 11) That while performing the role and responsibilities of the Club as defined in this agreement, no Club employee shall be deemed an employee of Merrillville for any purpose whatsoever.
- 12) That the Club shall use reasonable care to protect the facilities and property of Merrillville during the pendency of this agreement. Any damage to the property and/or facilities shall be promptly reported to Merrillville and the Club will be solely responsible to repair and/or replace the facilities and property of Merrillville that is damaged by the Club or the Club's staff or guests.
- 13) That this agreement and the attachment hereto set forth the entire agreement between the parties with any prior conversations or writings being deemed to have been merged herein and exhausted.
- 14) That any amendment and/or modification to this agreement must be memorialized in writing and effective only upon the written acceptance of both parties.
- 15) That the Club agrees to supply and use its own internet, install their own safety cameras, and use their own codes for access to the X-Box.
- 16) That Merrillville shall provide certain sporting equipment (basketballs and volleyballs).

The undersigned signing on behalf of the parties represent and warrant the other party that said person has been duly authorized to execute and deliver this agreement and to hereby bind each party in accordance with the terms and provisions hereof.

In witness whereof, the parties have executed this agreement on this the 6<sup>th</sup> day of January, 2023.

**Town of Merrillville**

**Boys and Girls Clubs of Greater  
Northwest Indiana**

By: \_\_\_\_\_

By: Larry Moons

Printed: \_\_\_\_\_

Printed: Larry Moons

Title: \_\_\_\_\_

Title: Interim CEO

Date: \_\_\_\_\_

Date: Jan. 6, 2023

ORDINANCE NO. 23-11

AN ORDINANCE OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA,  
AUTHORIZING ADDITIONAL APPROPRIATIONS  
IN THE 2023 BUDGET

WHEREAS, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the annual budget in the Town Donation Fund of the Town; and

WHEREAS, the Town Council is aware that the Fund currently holds sufficient cash balance and is expected to receive additional miscellaneous revenue to support the requested additional appropriation.

NOW, THEREFORE BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that it is hereby provided and ordered for the expenses of the taxing unit, the following additional sum of money is appropriated out of the fund named, subject to laws governing the same:

	<u>AMOUNT REQUESTED</u>	<u>AMOUNT APPROVED BY FISCAL BODY</u>
<u>Fund 2301: TOWN DONATION FUND</u>		
2301010380 Town Donation/Black History Month	\$ 51,875.00	\$ 51,875.00
Total for TOWN DONATION FUND	\$ 51,875.00	\$ 51,875.00

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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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



ORDINANCE NO. 23-02

AN ORDINANCE OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA,  
AUTHORIZING ADDITIONAL APPROPRIATIONS  
IN VARIOUS FUNDS FOR THE 2023 BUDGET

WHEREAS, it has been determined that it is now necessary to appropriate more money than was originally appropriated in the annual budget in various Funds of the Town; and

WHEREAS, the Council is aware that the Funds currently hold sufficient cash balance and are expected to receive additional miscellaneous revenues throughout the year to support the requested additional appropriations, and

NOW, THEREFORE BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF MERRILLVILLE, LAKE COUNTY, INDIANA, that it is hereby provided and ordered for the expenses of the taxing unit, the following additional sums of money are appropriated out of the funds named, subject to laws governing the same:

	AMOUNT REQUESTED	AMOUNT APPROVED BY FISCAL BODY
<u>Fund 1101: GENERAL FUND</u>		
1101005122 General/PtM. Special 1st Class	\$ 11,065.00	\$ 11,065.00
1101005182 General/Social Security	608.00	608.00
1101005184 General/Pension	52,460.00	52,460.00
1101005185 General/Clothing Allowance	<u>30,500.00</u>	<u>30,500.00</u>
Total for GENERAL FUND Fund:	\$ 94,190.00	\$ 94,190.00
<u>Fund 2202: LOCAL ROADS &amp; STREET</u>		
2202010237 LRS/Street Materials	\$ 10,000.00	\$ 10,000.00
2202010394 LRS/Contractual Services	40,000.00	40,000.00
2202010453 LRS/Other Equipment	<u>300,000.00</u>	<u>300,000.00</u>
Total for LOCAL ROADS & STREET Fund:	\$ 350,000.00	\$ 350,000.00

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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
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

AMENDED 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 year 2022 which included all full-time employees;

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

WHEREAS, it has come to the attention of the Payroll Administrator from the Police Department Chief's Secretary that two (2) officers were inadvertently left off the fourth quarter authorized employee list for payment;

WHEREAS, the monies for these two (2) 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.

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 and no/100 (\$1,000.00).
- 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:

<u>Fund 2403: ARP Fund</u>	<u>Decrease</u>	<u>Increase</u>
2403006399 ARP/Revenue Replacement	\$ 2,029.00	
2403006191 ARP/Bonuses		\$ 2,000.00
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 \_\_\_\_\_, 2023.**

\_\_\_\_\_  
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

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.

**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

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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

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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, lake, 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

# ACCOUNTS PAYABLE VOUCHER REGISTER SUMMARY

## TOWN OF MERRILLVILLE

GOVERNMENTAL UNIT

AGENCY

APV Register Batch - ARP FEBRUARY 28, 2023 TC MEETING

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.

Page 1 of 1 Pages

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)
/ /	519	CHRISTOPHER BURKE	ARP/CONTRACTUAL	544.50			HICKORY RIDGE FLD CNTRL
/ /	637	DENNIS J DOBROLECKI	ARP/BLDG MAINT	675.00			GREETERS PAY 2/6/23-2/18/23
/ /	1107	KENNETH WOODSIDE	ARP/BLDG MAINT	925.00			GREETERS PAY 2/6/23-2/18/23
/ /	1158	LANDMARK SIGN PARTNERS,	ARP/SMALL BUSINESS	200.99			ARP GRANT- EMMANUEL LUTHERN
/ /	345	RAY TRISTAIN	ARP/BLDG MAINT	600.00			GREETERS PAY 2/6/23-2/18/23
02/10/2023	673	CARD SERVICE CENTER	ARP/HWWE-SOFTWARE	4440.40	4440.40	59948	UNIFORMS FOR PUBLIC WORKS
		Checks: 0 - 59948		7385.89	4440.40		

**FROM:** SHEILA SHINE

**RE:** SPECIAL EXCEPTION APPROVAL

**PETITIONER:** , ANDY TYLKA

**OWNER:** LAKE COUNTY TRUST #2100 JANIS QUALIZZA,  
AUTHORIZED BENEFICIARY

**PURPOSE:** SPECIAL EXCEPTION APPROVAL

**LOCATION:** 401 WEST 82<sup>ND</sup> PLACE

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

**DATE OF BOARD OF ZONING APPEALS:** FEBRUARY 22, 2023

**DEADLINE FOR TOWN COUNCIL ACTION:** MAY 23, 2023

**ACTION TAKEN BY THE BOARD:** APPROVED

**VOTE:** (5) APPROVED

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

PETITIONER IS AWARE OF THE MERRILLVILLE CAMERA ORDINANCE.



NOTICE OF BOARD OF ZONING APPEAL'S DECISION ON PETITION  
OF Andy Ty/ka

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 # Z4E3-0223 this 22nd day of February, 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 petition only, at this location only and for this use only.
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_
- 5. \_\_\_\_\_

[Signature]  
Chairman  
Andrew Sylwestrak

Robert P. Lutz  
Secretary  
[Signature]



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

**CASE NO: Z4E3-0223      BZA MEETING DATE: FEBRUARY 22, 2023**

**PREPARED BY:              SHEILA SHINE**

**APPLICANT:                ANDY TYLKA**

**PETITIONER:              ANDY TYLKA**

**OWNERS:                  LAKE COUNTY TRUST #2100  
                                 JANIS QUALIZZA, AUTHORIZED BENEFICIARY**

**REQUEST:                 SPECIAL EXCEPTION APPROVAL**

**LOT SIZE:                 5.42 ACRES**

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

**LOCATION:                 401 WEST 82<sup>ND</sup> PLACE**

**SURROUNDING USES:**

**NORTH -                    OFFICE BUILDING**

**SOUTH -                    VACANT LAND**

**EAST -                      SHOPPING CENTER**

**WEST -                     MEIJER**

**SURROUNDING ZONING:**

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

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

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

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

**COMMENTS: PETITIONER IS SEEKING SPECIAL EXCEPTION APPROVAL FROM SECTION 21-136 TO ALLOW AUTOMOTIVE REPAIR WITH OUTSIDE STORAGE IN A C-3, HIGHWAY COMMERCIAL ZONING DISTRICT ON 5.42 ACRES. CAR ASAS SOLUTIONS CALIBRATIONS CENTER IS AN AUTOMOTIVE LABORATORY SPECIALIZING IN ELECTRONIC DIAGNOSIS AND CALIBRATION OF VEHICLE SAFETY SYSTEMS. THE SERVICES INCLUDE, ELECTRONIC VEHICLE PROGRAMMING, VEHICLE SENSOR ALIGNMENT, SCANNING OF VEHCLE ELECTRONIC SYSTEMS AND RECALIBRATION OF VEHICLE SAFETY SYSTEMS. THIS DOES NOT INCLUDE, GRINDING, WELDING, PAINTING OF VEHICLES, HOISTS, LIFTS, IMPACT WRENCHES, NOISE, FUMES, HAZARDOUS WASTE AND AIR EMISSIONS.**

THE RUBBISH BEHIND (EAST) AND TO THE RIGHT (SOUTH) OF THE PROPERTY WILL BE DISPOSED OF. ONE OF THE TWO EXISTING TENANTS WILL BE MOVING OUT. THEY WILL BE REMOVING SOME OF THE ITEMS IN THE GATED PORTION OF THE PROPERTY. ITEMS FROM THE PREVIOUS TENANT WILL BE DISPOSED OF. THERE WILL BE NEW LED LIGHTING AND INTERIOR PAINT OF GREY AND OFF WHITE. EPOXY OF THE FLOORING WILL BE OFF WHITE AND GREY. THE EXTERIOR OF THE BUILDING WILL BE PAINTED IN 2024. THERE WILL BE 4 BAYS ON THE NORTH SIDE OF THE BUILDING. CALIBRATIONS OF THE VEHICLES TAKE UP A LOT OF SPACE FOR TARGETS WHICH LIMIT THE AMOUNT OF WORKING BAYS THAT CAN BE USED. THE SOUTH SIDE OF THE BUILDING ALREADY HAS TENANTS. THERE WILL NOT BE A WAITING ROOM. THIS IS A BUSINESS-TO-BUSINESS OPERATION. WALK IN CUSTOMERS WILL NOT BE INVOLVED. CALIBRATIONS OF THE VEHICLES SAFETY SYSTEM IS THE LAST STEP AFTER A VEHICLE HAS BEEN REPAIRED BY A BODY SHOP, AS THE VEHICLES ARE TRANSPORTED DIRECTLY FROM THE BODY SHOP WHEN THEY COMPLETE THEIR REPAIRS TO HAVE SAFETY SYSTEM CALIBRATED SUCH AS "ADAPTICE CRUISE CONTRIL" AND "LANE DEPARTURE SENSORS". NO REPAIR OR PAINT WORK DONE ON THE PREMISE. THERE WILL BE 15 VEHICLES ON SITE INCLUDING STAFF, CARS WAITING TO BE WORKED ON, AND VEHICLES WAITING TO BE PICKED UP. PROPERTY WILL RETAIN ONE TENANT WITH 2-4 EMPLOYEES PARKED OUTSIDE. HOWEVER, PARKING IS ADEQUATE. VEHICLES WILL NOT BE ON PREMISE FOR MORE THAT 2 WORKING DAYS. CALIBRATIONS TAKE ABOUT 4-8 HOURS TO COMPLETE. THERE WILL BE 5- 10 CARS PARKED OVER NIGHT. THE HOURS OF OPERATION ARE 7:00 A.M.-6:00 P.M. MONDAY – FRIDAY. THERE WILL BE 5 EMPLOYEES. PETITIONER IS AWARE OF THE CAMERA ORDINIANCE.

FOR THIS PETITIONER ONLY, AT THIS LOCATION ONLY AND FOR THIS USE ONLY.

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

**APPLICATION FOR A SPECIAL EXCEPTION**

<b>FEE: \$250.00</b>	<b>DATE PAID:</b> <u>350<sup>00</sup></u>	<b>RECEIPT #</b> <u>95047</u>
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Proposed Use: Vehicle Re-Calibration, Vehicle Computer Diagnostics, General Office, Warehouse, Vehicle Parking.

Address or General Location: 401 W. 82nd Place, Merrillville

(Attach Complete Legal Description)

Current Zoning: C-3 Area of Ground: 5.42 acres

Tax Key #: 45-12-21-402-008.000-030, 45-12-21-402-007.000-030,  
45-12-21-402-006.000-030 Present Use: automotive repair, vehicle storage,  
contractor with outside storage.

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

North office building East shopping center  
 South vacant land West Meijer

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: Andy Tylka	NAME: Lake County Trust #2100, Janis Qualizza, Authorized Beneficiary
ADDRESS: 1225 Birch Drive, Schererville, IN 46375	ADDRESS: 2533 East Lakeshore Drive, Crown Point, IN 46307
PHONE: ( 219.) 776-1600	PHONE: (219 ) 742-9356

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)

OWNER(S)

  
 Andrew Tylka

\_\_\_\_\_  
 \_\_\_\_\_

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 16 day of January, 20 23

Notary Public

My commission expires: 9/22/2029



<b>CONTACT:</b>	<b>PHONE # ( )</b>
-----------------	--------------------

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



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

**APPLICATION FOR A SPECIAL EXCEPTION**

<b>FEE: \$250.00</b>	<b>DATE PAID:</b>	<b>RECEIPT #</b>
----------------------	-------------------	------------------

Proposed Use: Vehicle Re-Calibration, Vehicle Computer Diagnostics, General Office, Warehouse, Vehicle Parking.

Address or General Location:

401 W. 82nd Place, Merrillville

(Attach Complete Legal Description)

Current Zoning: C-3

Area of Ground: 5.42 acres

Tax Key #: 45-12-21-402-008.000-030, 45-12-21-402-007.000-030,

45-12-21-402-006.000-030

Present Use: automotive repair, vehicle storage,  
contractor with outside storage.

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

North office building

East shopping center

South vacant land

West Meijer

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: Andy Tylka	NAME: Lake County Trust #2100, Janis Qualizza, Authorized Beneficiary
ADDRESS:	ADDRESS:
	2533 East Lakeshore Drive, Crown Point, IN 46307
PHONE: (     )	PHONE: (219 ) 742-9356

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)

OWNER(S)

\_\_\_\_\_  
 \_\_\_\_\_

Lake County Trust #2100, Janis Qualizza, *Agent on behalf of beneficiary*

*Janis Qualizza*

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 16<sup>th</sup> day of January, 2023.

*Bonnie Jones*  
 Notary Public

My commission expires: 9/22/29



**CONTACT:**

PHONE # (     )

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

SPECIAL EXCEPTION CASE # 24E3-0223

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, Andy Tylka submits the following findings of fact which address the effects that Petitioner's proposed special exception for the property commonly known as 401 W. 82nd Place, Merrillville will have on such property and to the surround area:

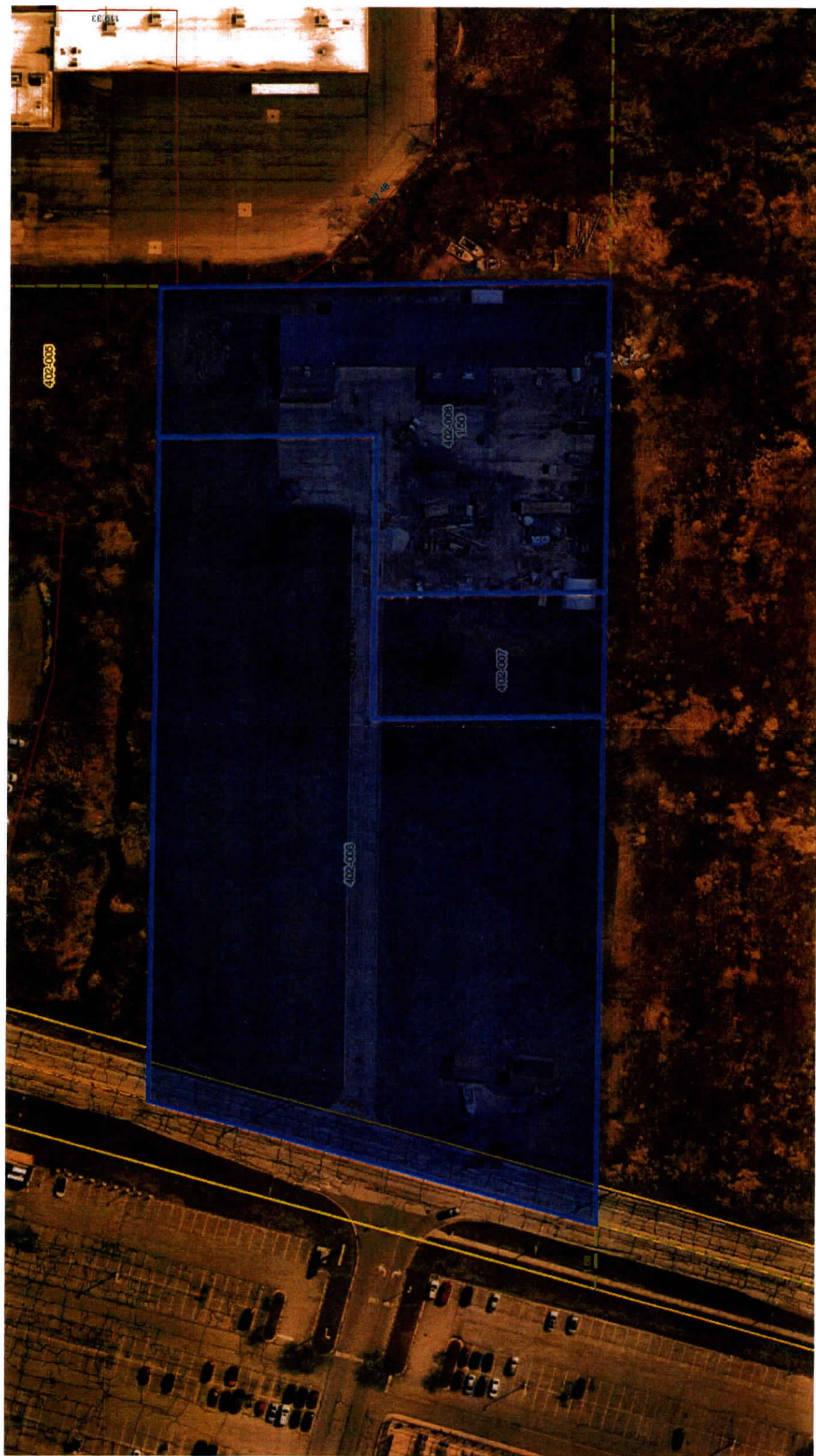
1. Petitioner owns the property commonly known as 401 W. 82nd Place, Merrillville which is classified as C-3 pursuant to the terms of the zoning ordinance.
2. Petitioner has request a special exception for the following purpose:  
Vehicle Re-Calibration, Vehicle Computer Diagnostics,  
General Office, Warehouse, Vehicle Parking
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:  
the operations will be handled inside the building.
  - 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:  
this is a permitted use if approved by special exception.
  - 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:  
this is a permitted use if approved by special exception.
  - d. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided in the following manner:  
all are existing.
  - 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 existing West 82nd Place will be utilized.
  - 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 services to be provided are needed by the public.

\*\*\*\*\*

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.









# Car ADAS Solutions Calibration Centers



- *Business Description*

*Automotive Laboratory specializing in electronic diagnosis and calibration of vehicle safety systems*

- *Includes*

- *Electronic vehicle programming*
- *Vehicle sensor alignment*
- *Scanning of vehicle electronic systems*
- *Recalibration of vehicle safety systems*

- *Does not Include*

- *Grinding, welding, painting of vehicles*
- *Hoists, lifts, impact wrenches*
- *Noise, fumes, hazardous waste, air emissions*



## Examples of an operational Calibration Center





## Examples of an operational Calibration Center





## Examples of an operational Calibration Center





## Examples of an operational Calibration Center



**FROM:** SHEILA SHINE

**RE:** SPECIAL EXCEPTION APPROVAL

**PETITIONER:** DIVINE GODDESS DANCE STUDIO

**OWNER:** TIGER GROUP, LLC

**PURPOSE:** SPECIAL EXCEPTION APPROVAL

**LOCATION:** 7870 BROADWAY SUITE H

**ZONING:** C-2, COMMUNITY COMMERCIAL ZONING DISTRICT

**DATE OF BOARD OF ZONING APPEALS:** FEBRUARY 22, 2023

**DEADLINE FOR TOWN COUNCIL ACTION:** MAY 23, 2023

**ACTION TAKEN BY THE BOARD:** APPROVED

**VOTE:** (5) APPROVED

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

PETITIONER IS AWARE OF THE MERRILLVILLE CAMERA ORDINANCE.



NOTICE OF BOARD OF ZONING APPEAL'S DECISION ON PETITION  
OF Divine Goddess Dance Studio

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 # Z5E4-0223 this 22<sup>nd</sup> day of February, 2023. The Board of Zoning Appeals, pursuant to I.C. 36-7-4-918.2, imposes the following conditions as part of its approval:

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

Chairman

Secretary

Andrew Sylwestrowicz

Robert D. Guy  
Will Ryan

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

**CASE NO: Z5E4-0223      BZA MEETING DATE: FEBRUARY 22, 2023**

**PREPARED BY:              SHEILA SHINE**

**APPLICANT:                DIVINE GODDESS DANCE STUDIO**

**PETITIONER:              DIVINE GODDESS DANCE STUDIO**

**OWNERS:                  TIGER GROUP, LLC**

**REQUEST:                 SPECIAL EXCEPTION APPROVAL**

**LOT SIZE:                 1.147 ACRES**

**EXISTING ZONING:        C-2, COMMUNITY COMMERCIAL ZONING DISTRICT**

**LOCATION:                 7870 BROADWAY SUITE H**

**SURROUNDING USES:**

**NORTH -                    MERRILLVILLE MUNICIPAL COMPLEX**

**SOUTH -                   RESTAURANT**

**EAST -                     OFFICE BUILDING**

**WEST -                    VACANT**

**SURROUNDING ZONING:**

**NORTH -                   C-2, COMMUNITY COMMERCIAL ZONING DISTRICT**

**SOUTH -                   C-2, COMMUNITY COMMERCIAL ZONING DISTRICT**

**EAST -                    C-2, COMMUNITY COMMERCIAL ZONING DISTRICT**

**WEST -                    C-2, COMMUNITY COMMERCIAL ZONING DISTRICT**

**COMMENTS: PETITIONER IS SEEKING SPECIAL EXCEPTION APPROVAL FROM SECTION 21-136 TO ALLOW A DANCE STUDIO TO BE LOCATED AT 7870 BROADWAY, SUITE H IN A C-2 COMMUNITY COMMERCIAL ZONING DISTRICT. THE DANCE STUDIO WILL OPERATE FROM 5:00 P.M. TO 9:00 P.M. MONDAY-FRIDAY AND SATURDAY 10:00 A.M. TO 3:00 P.M. CLOSED ON SUNDAY. THE CLASS SIZES WILL BE 12 OR LESS. DEVINE GODDESS DANCE STUDIO WANTS TO MAKE DANCE ACCESSIBLE TO EVERYONE. SPECIALIZING IN CLASSES FOR CHILDREN AGES 2 THROUGH ADULTS IN MAJORETTE, HIP HOP, BALLET, CONTEMPORARY CONDITIONING AND ETIQUETTE. THERE WILL BE TWO STUDIO SPACES. THERE WILL BE ONE FULL TIME INSTRUCTOR, 4 PART-TIME INSTRUCTORS, ADMINISTRATOR AND ASSISTANT ADMINISTATOR. RECITALS WILL BE HELD AT A OFF SITE VENUE.**

**DANCERS WILL ARRIVE 5- 10 MINUTES BEFORE THE START OF CLASS. A PARENT MUST SIGN THE DANCER IN AT THE PARENT SIGN-IN TABLE. AT THE END OF CLASS, PARENTS WILL SIGN THEIR DANCER OUT. THE INSTRUCTORS WILL REMAIN WITH THE DANCERS UNTILL ALL STUDENTS HAVE BEEN PICKED UP. PARENTS WILL PARK IN THE REAR OF BUILDING. PARKING IS ADEQUATE FOR THIS USE. THE DANCE STUDIO WILL ADMINISTER HAND SANITIZER AS THE DANCER ENTERS THE STUDIO. THERE WILL BE ADDITIONAL HAND SANITIZERS THROUGHOUT THE STUDIO FOR COVID SAFETY.**

**FOR THIS PETITIONER ONLY, AT THIS LOCATION ONLY AND FOR THIS USE ONLY**



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

**APPLICATION FOR A SPECIAL EXCEPTION**

<b>FEE: \$250.00</b>	<b>DATE PAID: 2-6-2023</b>	<b>RECEIPT # 698605</b>
----------------------	----------------------------	-------------------------

Proposed Use: Divine Goddess Dance Studio

Address or General Location:

7870 Broadway Suite H Merrillville, IN 46410

(Attach Complete Legal Description)

Current Zoning: C-2 Area of Ground: 1.147 acres

Tax Key #: 45-12-21-226039.000-030 Present Use: Vacant Unit.

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

North <u>Merrillville Municipal Complex</u>	East <u>Office Building</u>
South <u>Restaurant</u>	West <u>Vacant</u>

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

TYPE or PRINT	
PETITIONER	OWNER
NAME: <u>Samantha Davis</u>	NAME:
ADDRESS: <u>7870 Broadway Ste H Merrillville,</u>	ADDRESS:
PHONE: <u>(219) 801-4683</u>	PHONE: ( )

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)

OWNER(S)

Samantha Davis

\_\_\_\_\_

\*\*\*\*\*  
 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 6<sup>th</sup> day of February, 20 23.

Sheila Deangelia Shine  
 Notary Public  
 My commission expires: 10-6-2024

SHEILA DEANGELIA SHINE  
 NOTARY PUBLIC  
 SEAL  
 STATE OF INDIANA - LAKE COUNTY  
 My commission expires October 6, 2024

<b>CONTACT:</b>	<b>PHONE # ( )</b>
-----------------	--------------------

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

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

APPLICATION FOR A SPECIAL EXCEPTION

FEE: \$250.00	DATE PAID:	RECEIPT #
---------------	------------	-----------

Proposed Use: \_\_\_\_\_

Address or General Location: \_\_\_\_\_

(Attach Complete Legal Description)

Current Zoning: \_\_\_\_\_ Area of Ground: \_\_\_\_\_

Tax Key #: \_\_\_\_\_ Present Use: \_\_\_\_\_

USES OF ADJACENT PROPERTY TO REQUESTED SPECIAL EXCEPTION:

North \_\_\_\_\_ East \_\_\_\_\_

South \_\_\_\_\_ West \_\_\_\_\_

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

TYPE or PRINT	
PETITIONER	OWNER
NAME:	NAME: Tigers Group, LLC
ADDRESS:	ADDRESS: 1000 Pratt St. Crown Point, IN 46307
PHONE: ( )	PHONE: (847) 562-6794

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)

\_\_\_\_\_

\_\_\_\_\_

OWNER(S)

Firas George Al-Nimri

Zein Al-Nimri

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 6<sup>th</sup> day of February, 2023.

Sheila Deangelia Shine

Notary Public

My commission expires: 10-6-2024

SHEILA DEANGELIA SHINE

NOTARY PUBLIC

SEAL

STATE OF INDIANA - LAKE COUNTY

My commission expires October 6, 2024

CONTACT:	PHONE # ( )
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\*\*\*FILING FEE WILL NOT BE REFUNDED IF PETITION IS WITHDRAWN OR DENIED



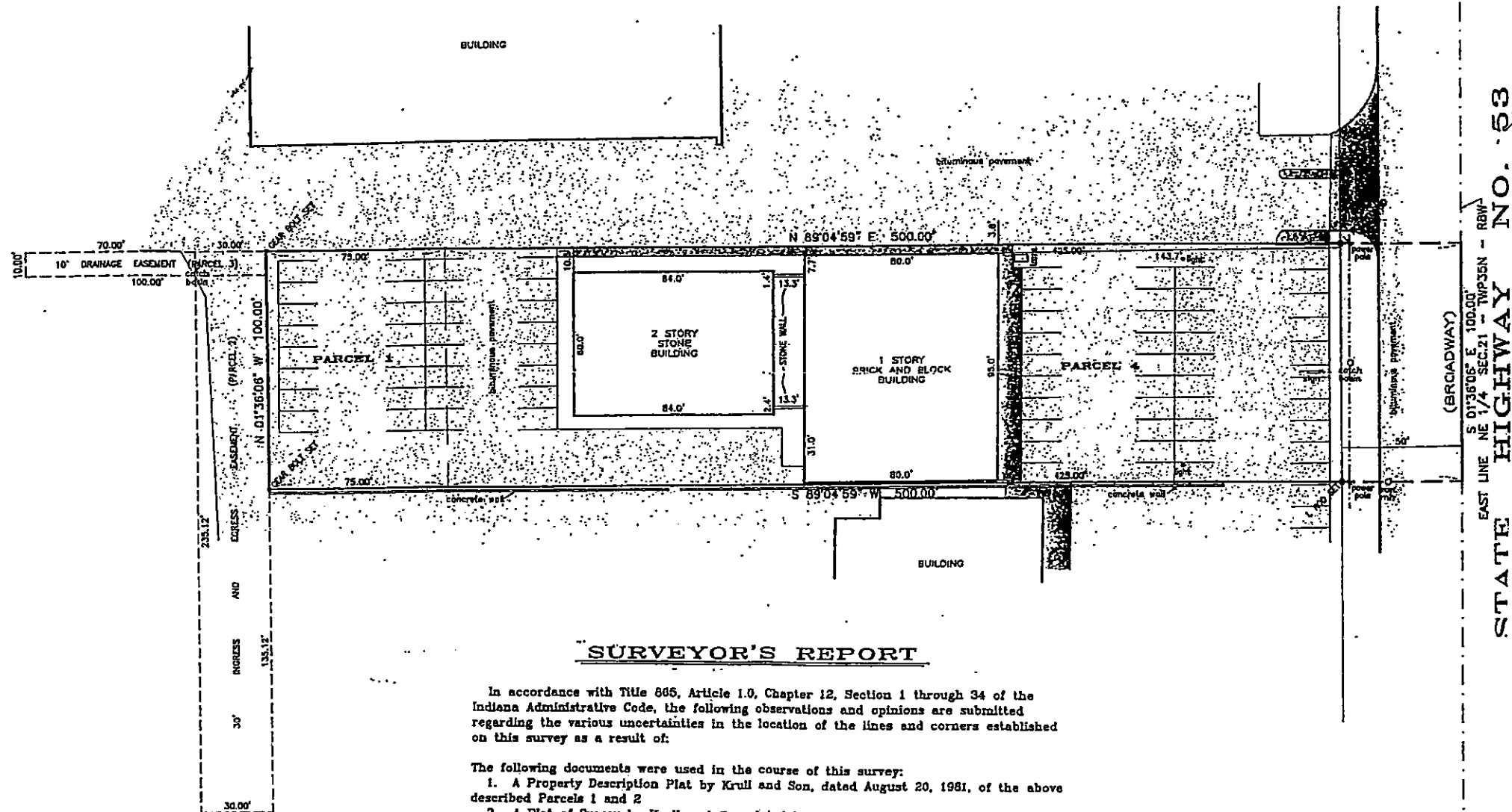
SPECIAL EXCEPTION CASE # Z5E4-1223TOWN OF MERRILLVILLE, INDIANA  
BOARD OF ZONING APPEALS  
DATE: 2-22-23

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, \_\_\_\_\_ submits the following findings of fact which address the effects that Petitioner's proposed special exception for the property commonly known as 7810 Broadway will have on such property and to the surround area:

1. Petitioner owns the property commonly known as \_\_\_\_\_ which is classified as C pursuant to the terms of the zoning ordinance.
2. Petitioner has request a special exception for the following purpose:  
Dance Studio
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:  
Dance studio with hours of operation from 5pm to 9pm
  - 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 class sizes are kept at a small min of 12 or less in a studio space. We have 2 studio classroom spaces.
  - 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:  
Operating hours are from 5pm to 9pm. This will avoid traffic and provide more open parking spaces.
  - d. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided in the following manner:  
Utilities - Wipac by renter.  
All other utilities such as water and drainage is taken care of by landlord.
  - 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:  
Parents will park on the side of the building. They will walk their child in and out of the building.
  - 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:  
Dance educational use for low income and middle class families.

\*\*\*\*\*  
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.

Northeast corner of said Section 21; thence West and parallel with the North line of said Section 21, a distance of 425.0 feet; thence South and parallel with the East line of said Section 21, a distance of 100.0 feet; thence East and parallel with the North line of said Section 21, a distance of 425.0 feet; thence North a distance of 100.0 feet to the point of beginning.



### SURVEYOR'S REPORT

In accordance with Title 865, Article 1.0, Chapter 12, Section 1 through 34 of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the location of the lines and corners established on this survey as a result of:

The following documents were used in the course of this survey:

1. A Property Description Plat by Krull and Son, dated August 20, 1981, of the above described Parcels 1 and 2
2. A Plat of Survey by Krull and Son, dated November 7, 1985, of the above described Parcels 2.

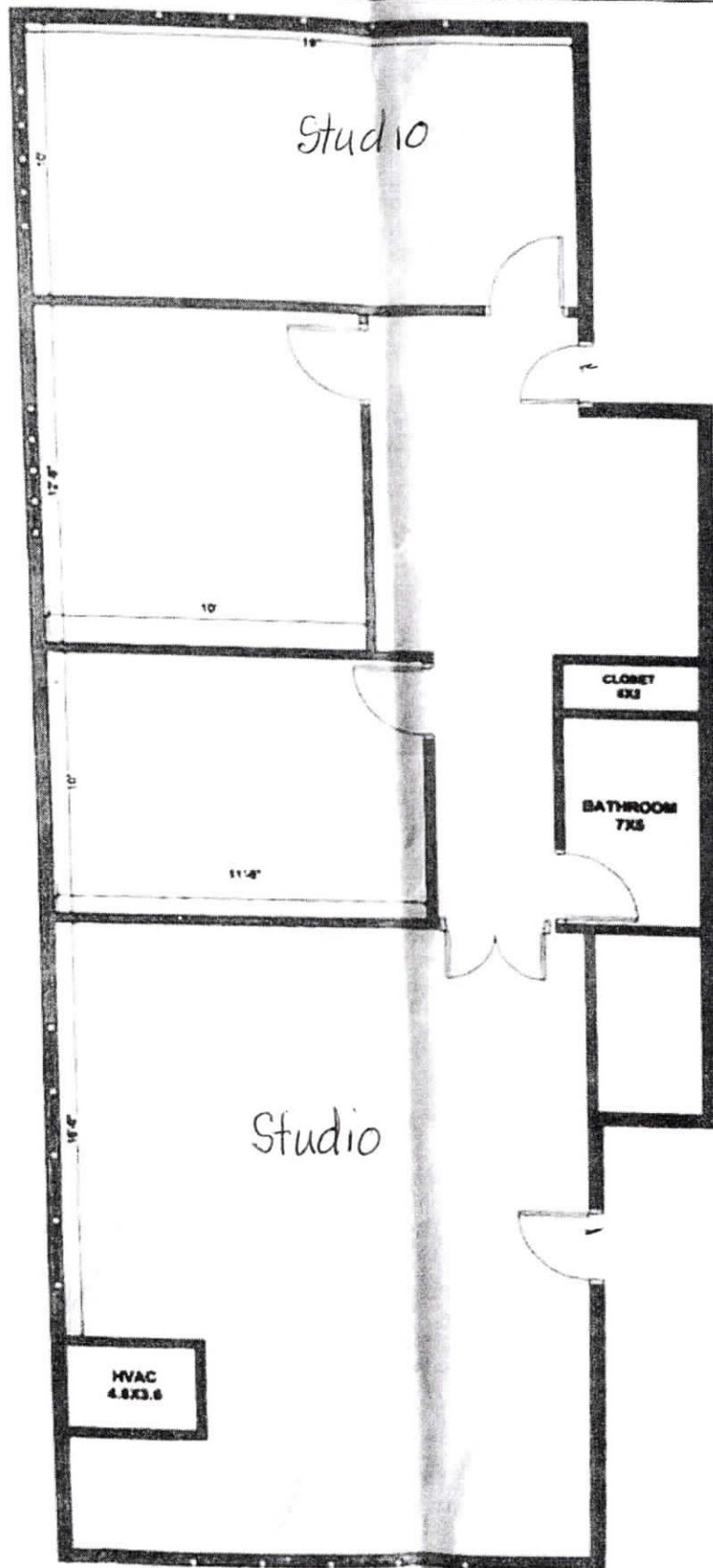
The following monuments were used for this survey:

1. The county monument at the Northeast corner of Section 21.
2. The county monument at the Southeast corner of Section 21.
3. The county monument at the Northwest corner of Section 21.

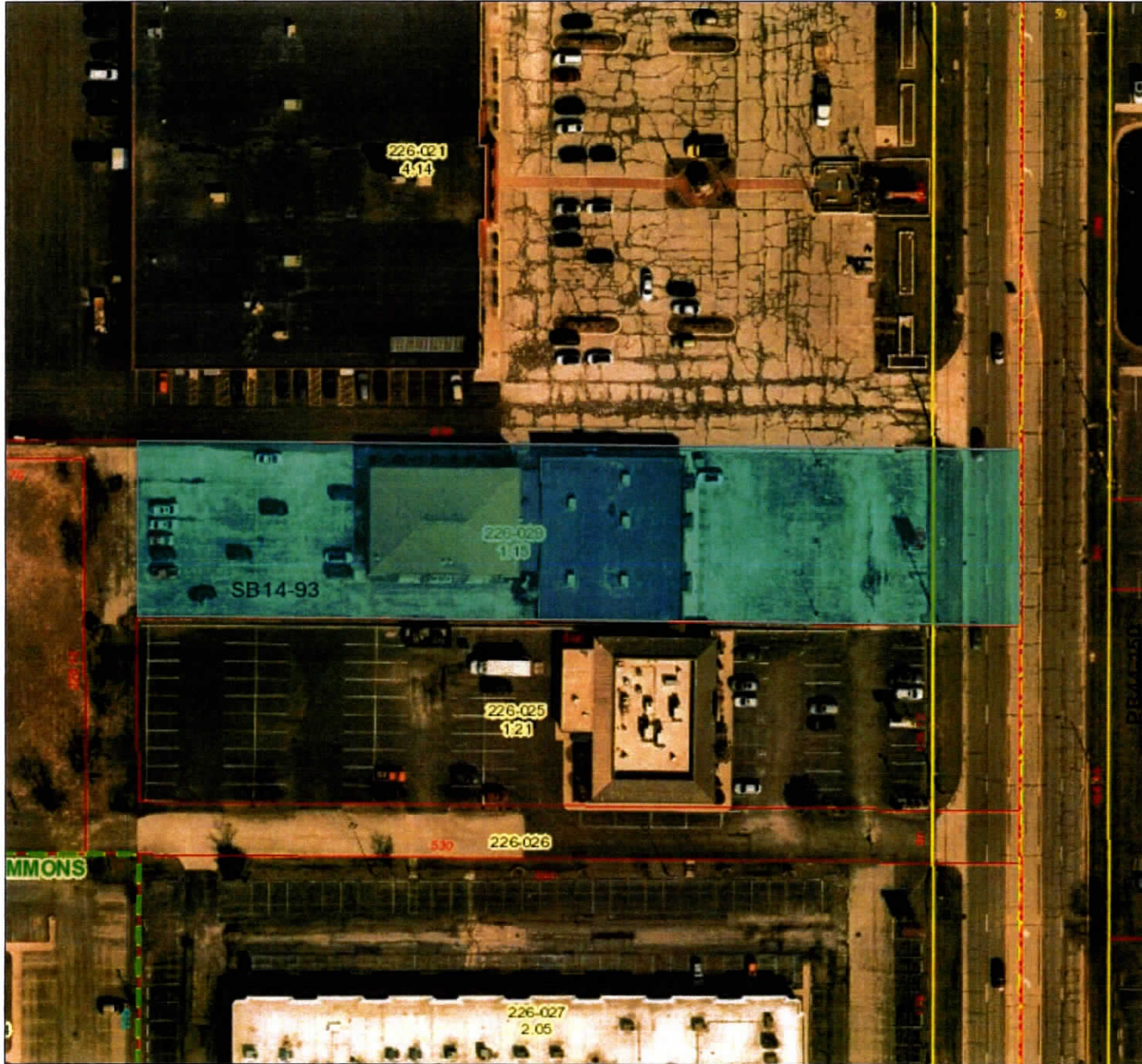
Availability and condition of reference monuments:

The monuments were in good condition and appeared undisturbed and were found at or near grade.

**Suite H    Second Floor    7870 Broadway**



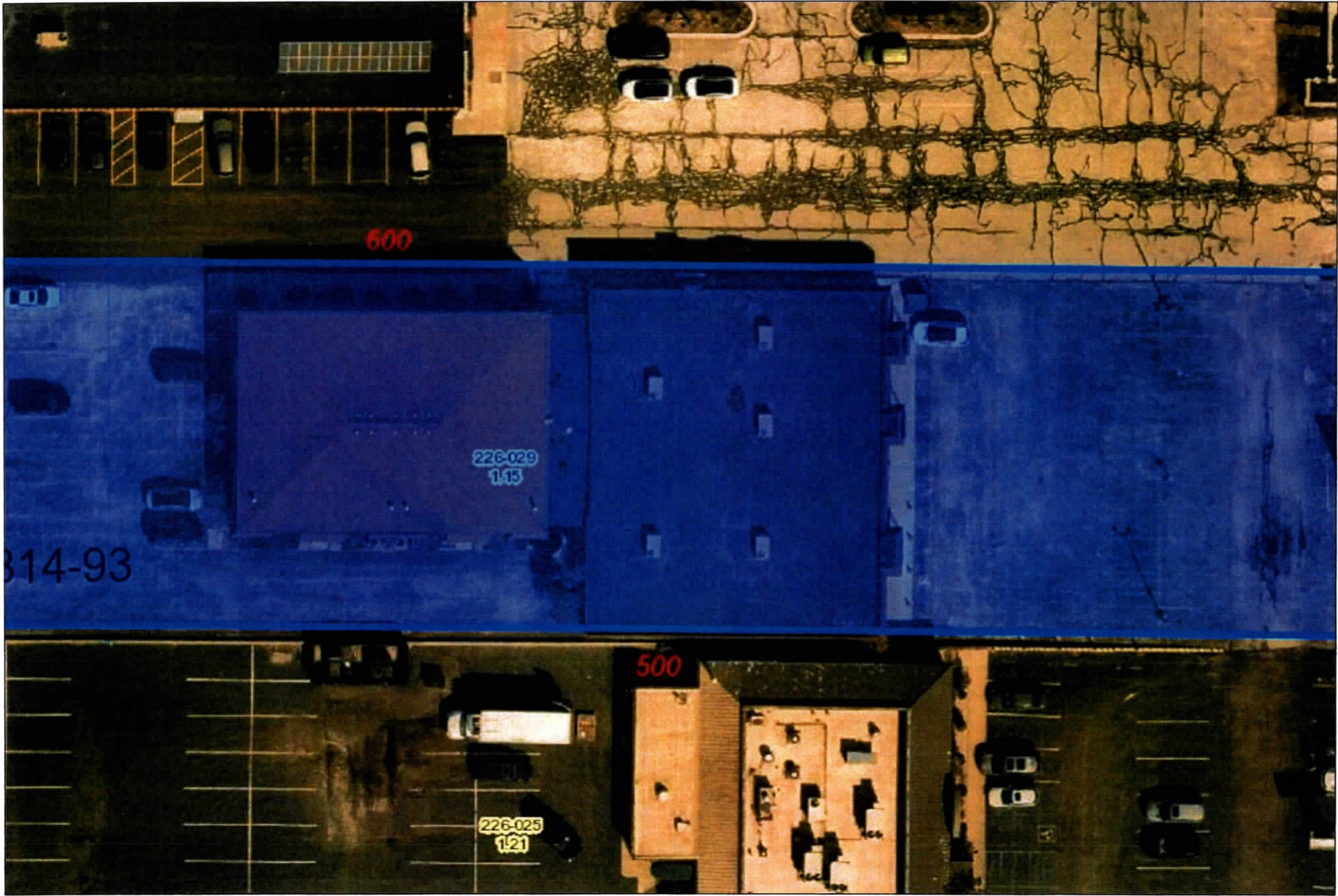




Parcel Number: 45-12-21-226-029.000-030  
Owner1: Tigers Group, LLC  
Mailing Address: 1000 Pratt ST Crown Point IN 46307  
Site Address: 7870 BROADWAY  
MERRILLVILLE IN 46410  
Tax Code: 030  
Tax Description: Merrillville  
Legal Description: E.500ft. of S.100ft. of N.826ft. of NE.1/4 S.21 T.35 R.8 1.147Ac.  
Net Acreage: 1.147  
Sec Twp Rng: 21 35 8  
Property Class: Office bldg. 1 or 2 story  
Zoning Code: 0  
Use Code: 0  
Deductions: Govt Priv Owned  
SPAs: Merrillville Conservancy

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.





Enter Map Title...

Web Print: 02/06/2023

0 47 94 Feet

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.



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# **Divine Goddess Dance Studio BUSINESS PLAN**

Prepared by:

Harold Warren

7870 Broadway Suite H  
Merrillville, Indiana 46410  
2194554047  
219Divinegoddess@gmail.com



I. EXECUTIVE SUMMARY

Divine Goddess Dance Studio was established as a Limited Liability Company at 7870 Broadway Suite H, Merrillville, Indiana 46410 with the expectation of rapid expansion in the dance industry.

Business Description

The Company was formed on 02/01/2023 as Limited Liability Company under Indiana state laws and headed by Harold Warren.

CEO Executive Director "DEANO"

- BET 106 and park "wild out Wednesday" 1st place winner
- Dream Girls "theater" performer
- Kruciial Kreatiionz Captain and choreographer
- Drill Team "commander" Westside Leadership Academy and more.

The Company currently employs 1 full-time employees and 6 part-time employees.

Management Team

The Company has assembled an experienced management team:

Assistant Director - Kimberly Clemons, Ccma certification, Majorette dance experience since 2015, Optician 2010 CPR and medical training.

Business Mission

Our mission is to provide professional dance instruction and instill an appreciation for the art of dance in a safe, high-quality studio environment. We want to provide dancers with comprehensive artistic education that fosters excellence in all forms of dance in a manner that embraces a passion for the art form.

New Service

The Company is prepared to introduce the following service to the market:

Divine Goddess Dance Studio: We want to make dance accessible to everyone and strive to provide scholarships and tuition assistance through contributed income, and sponsorships.

Specializing in class for children ages 2 through adults in majorette, hip hop, ballet, j, contemporary, conditioning, and etiquette

Recitals are held at a local venue based on open availability.

II. BUSINESS SUMMARY

Industry Overview

In the United States, the dance industry presently makes 6,000 dollars in sales.

Research shows that consumers in this industry primarily focus on the following factors when making purchasing decisions:

We welcome all income families to introduces their child into the world of dance.

Business Goals and Objectives

Short Term:

Create a dance studio with a warm, supportive atmosphere, which is based on satisfying customers. Provide a social and entertainment forum for people with diverse interests, backgrounds and ages. Provide dance training for students at all levels of dance, from beginner to advanced.

Long Term:

Provide continual training, benefits and incentives for staff to encourage a long-term commitment of employees. Increase sales to reach \$200K by Year 3 and maintain an annual growth of 15% per year.

Legal Issues

The Company affirms that its promoters have acquired all legally required trademarks and patents.

III. MARKETING SUMMARY

Target Markets

The Company's major target markets are as follows:

Any gender age 2 & up.

The estimated number of potential clients within the Company's geographic scope is 5,200.

Pricing Strategy

The Company has completed a thorough analysis of its competitors' pricing. Keeping in mind our competition's pricing and the costs of customer acquisition, we have decided on the following pricing strategy:

By maintaining low prices by hoping to grow the studio.

Promotional Strategy

The Company will promote sales using the following methods:

Our plan is to target schools and neighbors of different ethic backgrounds.

Services

First-rate service is intended to be the focus of the Company and a cornerstone of the brand's success. All clients will receive conscientious, one-on-one, timely service in all capacities, be they transactions, conflicts or complaints. This is expected to create a loyal brand following and return business.

#### IV. FINANCIAL PLAN

### 12-Month Profit and Loss Projection

Monthly expense for salaries and overhead (projected):	\$2,550.00
Revenue and sales for upcoming year of business (projected):	\$48,500.00
Gross profit for upcoming year of business (projected):	\$10,000.00

**FROM:** SHEILA SHINE

**RE:** SPECIAL EXCEPTION APPROVAL

**PETITIONER:** MERRILLVILLE COMMUNITY SCHOOL CORPORATION

**OWNER:** MERRILLVILLE COMMUNITY SCHOOL CORPORATION

**PURPOSE:** SPECIAL EXCEPTION APPROVAL

**LOCATION:** 276 EAST 68<sup>TH</sup> PLACE

**ZONING:** R-2, RESIDENTIAL ZONING DISTRICT

**DATE OF BOARD OF ZONING APPEALS:** FEBRUARY 22, 2023

**DEADLINE FOR TOWN COUNCIL ACTION:** MAY 23, 2023

**ACTION TAKEN BY THE BOARD:** APPROVED

**VOTE:** (5) APPROVED

**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: Z3E2-0223      BZA MEETING DATE: FEBRUARY 22, 2023**

**PREPARED BY:              SHEILA SHINE**

**APPLICANT:                MERRILLVILLE COMMUNITY SCHOOL  
CORPORATION**

**PETITIONER:              MERRILLVILLE COMMUNITY SCHOOL  
CORPORATION**

**OWNERS:                   MERRILLVILLE COMMUNITY SCHOOL  
CORPORATION**

**REQUEST:                  SPECIAL EXCEPTION APPROVAL**

**LOT SIZE:                  16.48 ACRES**

**EXISTING ZONING:        R-2, RESIDENTIAL ZONING DISTRICT**

**LOCATION:                  276 EAST 68<sup>TH</sup> PLACE**

**SURROUNDING USES:**

**NORTH -                    RESIDENTIAL**

**SOUTH -                   RESIDENTIAL**

**EAST -                     INTERSTATE I-65**

**WEST -                     RESIDENTIAL**

**SURROUNDING ZONING:**

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

**SOUTH -                   R-2, RESIDENTIAL ZONING DISTRICT**

**EAST -                     INTERSTATE I-65**

**WEST -                     R-2, RESIDENTIAL ZONING DISTRICT**

**COMMENTS: PETITIONER IS SEEKING SPECIAL EXCEPTION APPROVAL FROM SECTION 21-136 TO ALLOW A BUILDING ADDITION, INCLUDING NEW LABS AND CLASSROOMS TO THE EXISTING HIGH SCHOOL. THE ADDITION IS ON THE PROPERTY AND NOT NEAR ANY PROPERTY LINE. THE ADDITION IS 218 FEET FROM THE PROPERTY LINE. THE NEW BUILDING ADDITION IS APPROXIMATELY 50,000 SQUARE FEET. THE NEW BUILDING ADDITION OCCURS AT THE PROPERTY NEAR THE LOCATION OF THE CURRENT LABS. THE NEW ADDITION IS LOCATED ON THE EXISTING FACILITY AND WILL NOT ALTER TRAFFIC FLOW.**

**THE MERRILLVILLE DEVELOPMENT TEAM WHICH INCLUDES, MATT LAKE,  
STORMWATER DIRECTOR, ROBINSON ENGINEERING AND STEVE KING,  
ENGINEER SUPERVISOR HAVE APPROVED CIVIL AND DRAINAGE PLANS.**

**FOR THIS PETITIONER ONLY, AT THIS LOCATION ONLY AND FOR THIS USE  
ONLY.**



SPECIAL EXCEPTION CASE# Z3E2-0223

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 # Z3E2-0223 this 22nd day of February, 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 petition only, at this location only, and for this use only.

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Chairman

Secretary

Andrew Sylvestrovicz

Robert P. Luy



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

APPLICATION FOR A SPECIAL EXCEPTION

FEE: \$250.00	DATE PAID: 2-2-2023	RECEIPT # 94824
---------------	---------------------	-----------------

Proposed Use: High School, Grades 9-12

Address or General Location:  
276 E 68th Pl, Merrillville, IN 46410

45-12-10-376-008.000-030

(Attach Complete Legal Description)

Current Zoning: Single Family R-2

Area of Ground: 16.48 acres

Tax Key #: 030

Present Use: High School, Grade 9-12

USES OF ADJACENT PROPERTY TO REQUESTED SPECIAL EXCEPTION:

North Residential

East Interstate I-65

South Residential

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: Merrillville Community School Corporation	NAME: Merrillville Community School Corporation
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]*

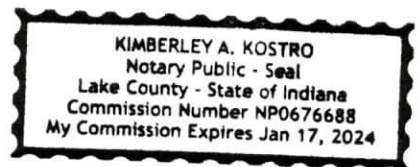
STATE OF INDIANA, COUNTY OF LAKE) SS

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 15<sup>th</sup> day of February, 2023.

*[Signature]*  
Notary Public

My commission expires: 1-17-2024



CONTACT:

PHONE # ( )

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

SPECIAL EXCEPTION CASE # 23E2-0223

TOWN OF MERRILLVILLE, INDIANA  
BOARD OF ZONING APPEALS  
DATE: February 22, 2023

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 276 E 68th Pl, Merrillville, IN 46410 will have on such property and to the surround area: (Merrillville High School)

1. Petitioner owns the property commonly known as 276 E 68th Pl, Merrillville, IN 46410 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:  
Building addition including new labs and classrooms to existing High School.
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:  
The new building addition will occur on the rear of the facility and not impact the adjacent property. The addition is on the building property and not near the property line.
  - 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 new building addition occurs at the property near the location of the current labs. No substantial change to adjacent property owners.
  - 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 new building addition is approximately 218 feet from the property line and would not impede development of surrounding properties.
  - d. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided in the following manner:  
The HVAC and electrical services will be served through the existing facility. A new water service will be provided. Storm water drainage will be connected to existing system.
  - 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 new facility replaces existing labs and will not increase or change traffic. The new facility is located on the existing facility and will not alter traffic flow.
  - 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:  
a new educational building addition to the existing Merrillville High School.

\*\*\*\*\*  
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.



Use	Districts													
	A-1	R-1	R-2	R-3	R-4	R-5	C-1	C-2	C-3	C-4E	C-5	M-1	M-2	PUD
Retail sales stores and shops as follows: Apparel, antiques, art supplies, bakery, bicycle, books, camera and photographic, carpet, china and glassware, coins and philatelic, computers, convenience items, drug and pharmaceutical, electronic equipment, fireworks sales within a permanent building, floral, home appliances, household furniture, garden supply, gifts, hardware, hobby, interior decorating, jewelry, locksmith, millinery, musical instruments, newsdealer, office supply, paint and wallpaper, pawn shops, printing/copier shops, sporting goods, stationery, or uses similar to those listed above as determined by the planning and building administrator.	X	X	X	X	X	X	P	P	P	X	X	X	X	P
Schools, commercial or trade	S	X	X	X	S	S	X	S	S	X	X	S	S	
Schools, public or private with or without boarding	P	S	S	S	S	S	X	S	S	X	X	S	S	P
Stables for quartering or renting of horses, provided all buildings used for housing animals must be at least three hundred (300) feet from all property lines.	S	X	X	X	X	X	X	X	X	X	X	X	X	S
Telecommunications tower fifty (50) to one hundred ninety-nine (199) feet high (see section 21-18)	S	X	X	X	X	X	X	S	S	X	X	P	S	X
Tavern*	X	X	X	X	X	X	S	P	P	P	X	X	X	P
With live entertainment or food service	X	X	X	X	X	X	S	P	P	X	X	X	X	P
Temporary uses, structures and buildings* (see section 21-16)	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Transportation facility, public including terminals, parking areas and service buildings	X	X	X	X	X	X	X	X	S	X	X	P	X	X
Used car lot not with new dealership	X	X	X	X	X	X	X	S	S	X	X	X	X	X
Warehouse*	X	X	X	X	X	X	X	X	X	X	X	P	X	P

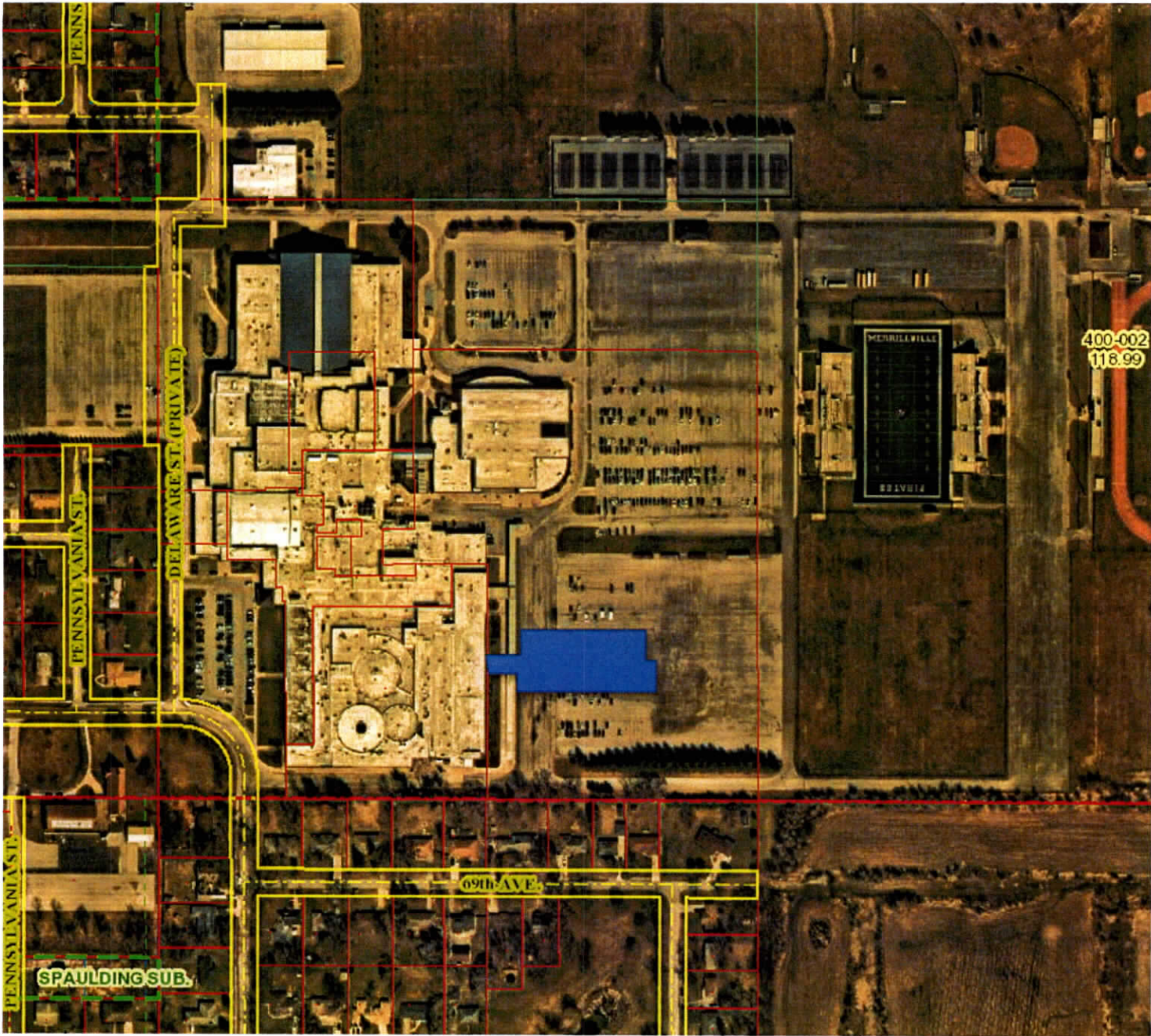
NOTE: PUD permitted uses must be approved as part of a final PUD plan.

(Ord. No. 02-03, § 1, 2-12-02)

Sec. 21-137. Area, bulk, height and placement regulations for all districts.

Except as otherwise provided herein, regulations governing area, bulk, height and placement are as shown in the schedule of permitted uses contained in this section.









Summary:

	<u>NEW</u>
FIRST FLOOR:	40,350 SF
MEZZANINE (Storage)	17,423 SF
TOTAL:	57,773 SF

Parcel Number: 45-12-10-376-008.000-030

Local Parcel Number: 008-08-15-0024-0112

Address:  
276 E. 68<sup>th</sup> Street  
Merrillville IN 46410

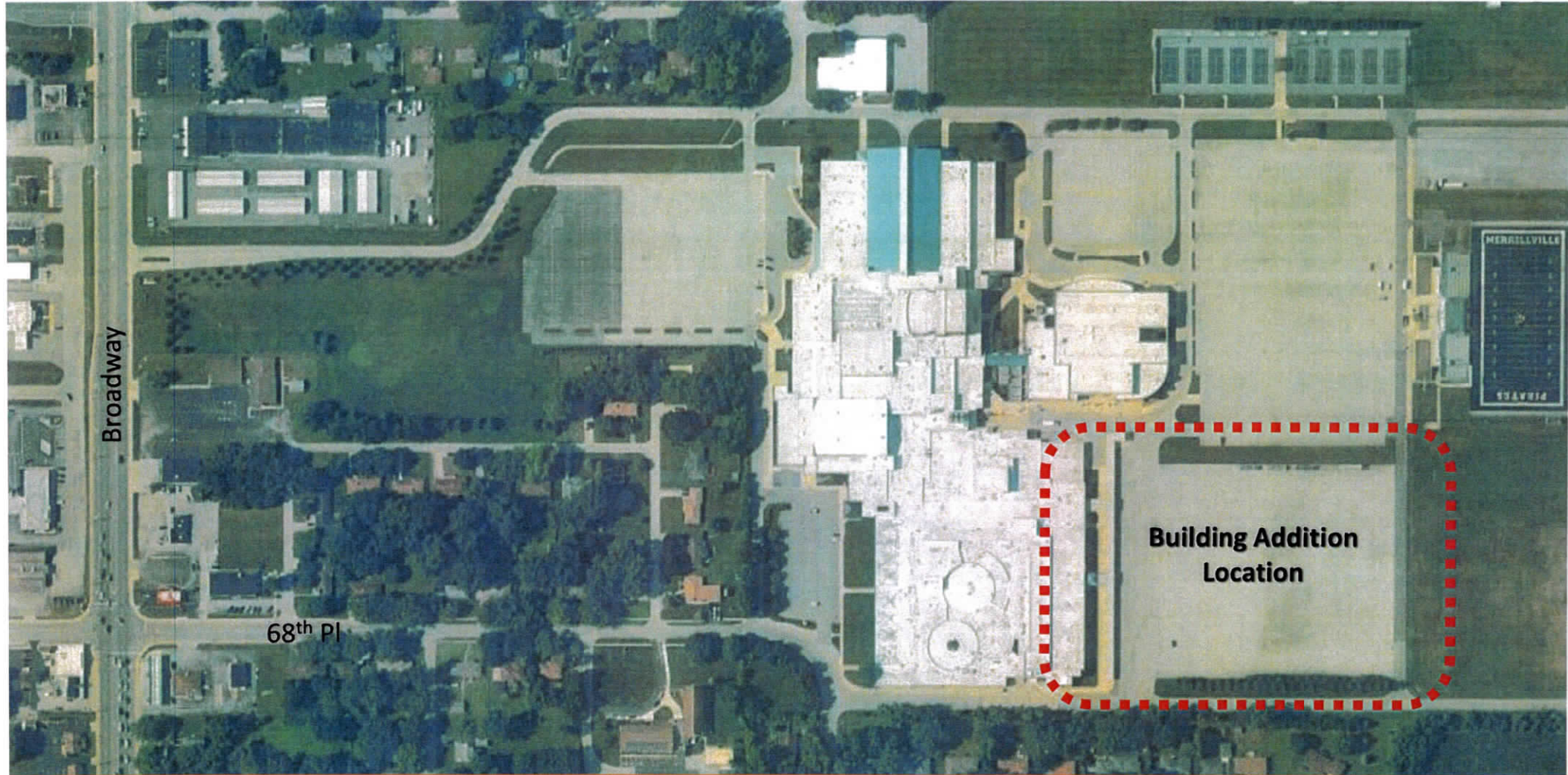
Legal:  
PT S.30c W ½ SW EX SW'LY 6.42 AC S.10 T.35 R.8 16.475 AC

Merrillville High School : CTE Addition

2/2/2023





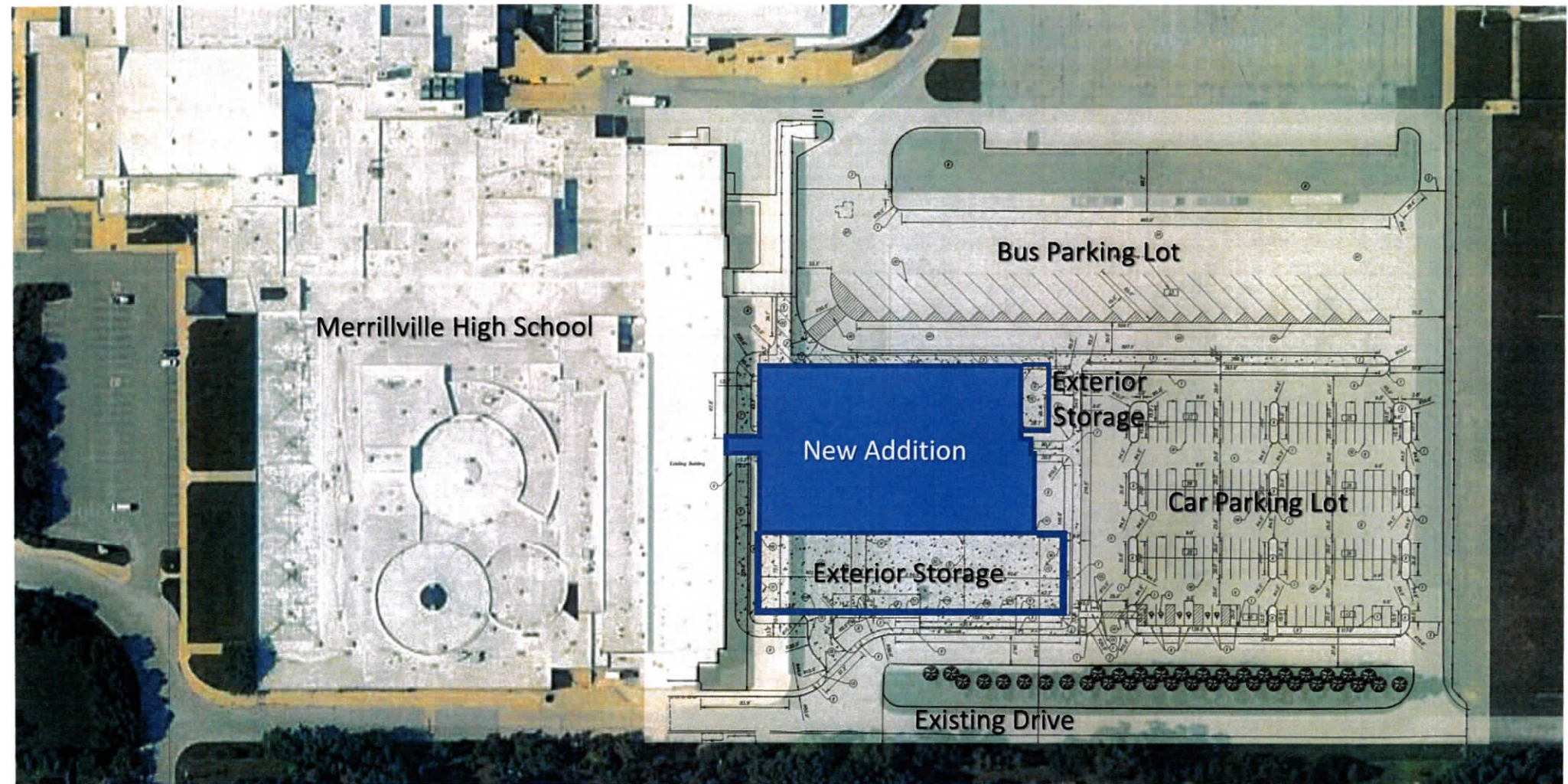


## Merrillville High School : CTE Addition

2/2/2023



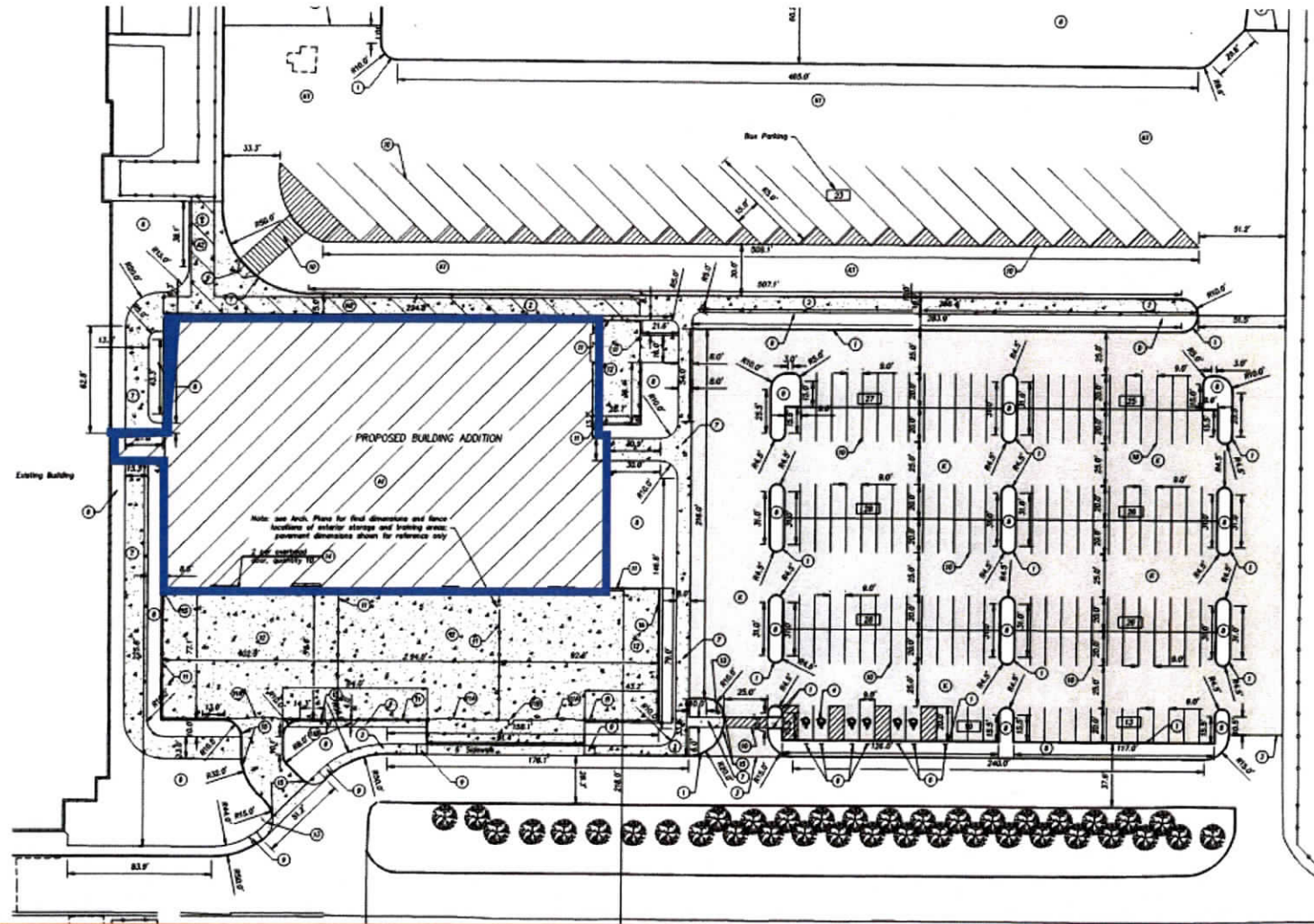




## Merrillville High School : CTE Addition

2/2/2023



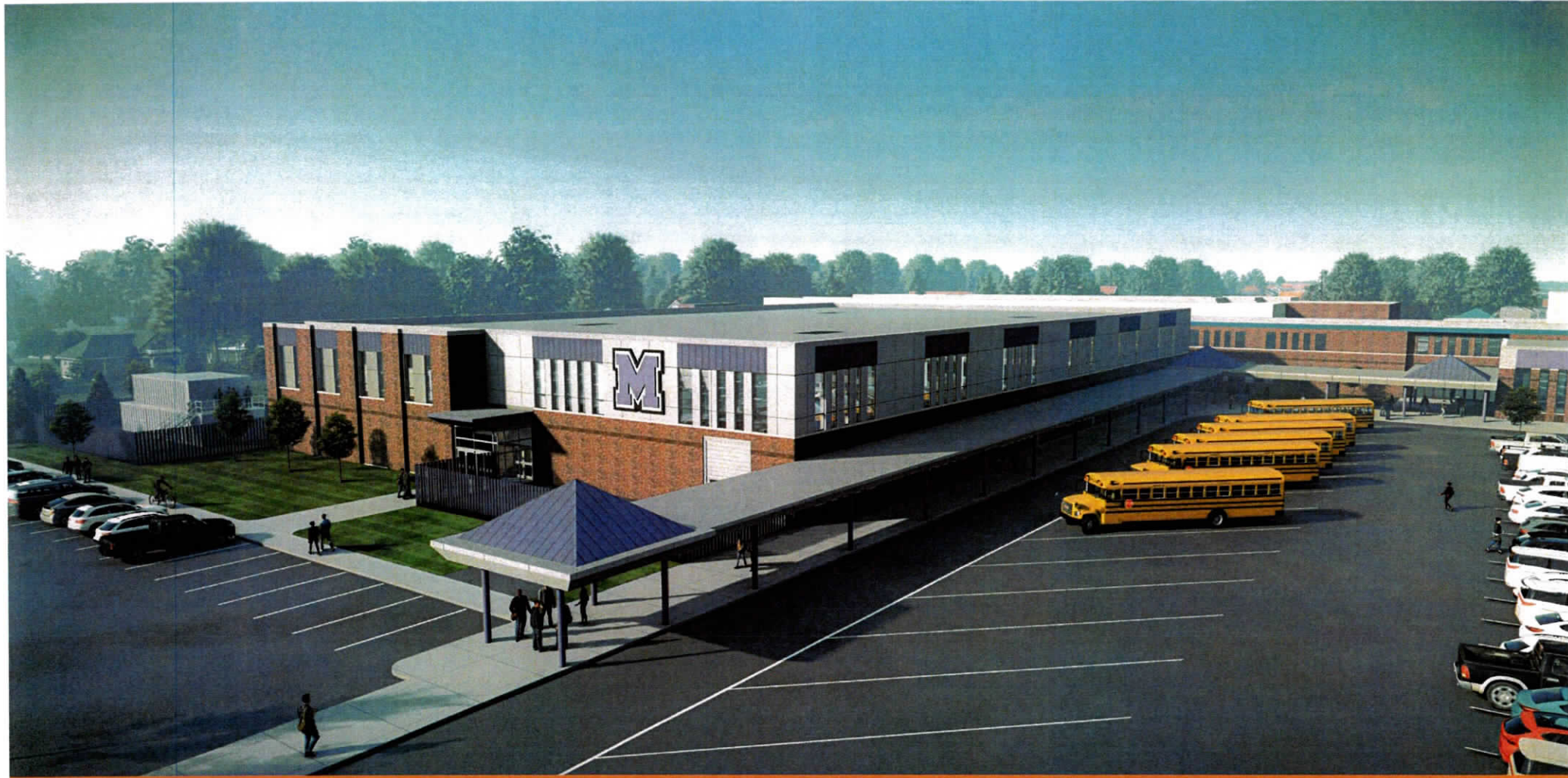


# Merrillville High School : CTE Addition

2/2/2023







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2/2/2023





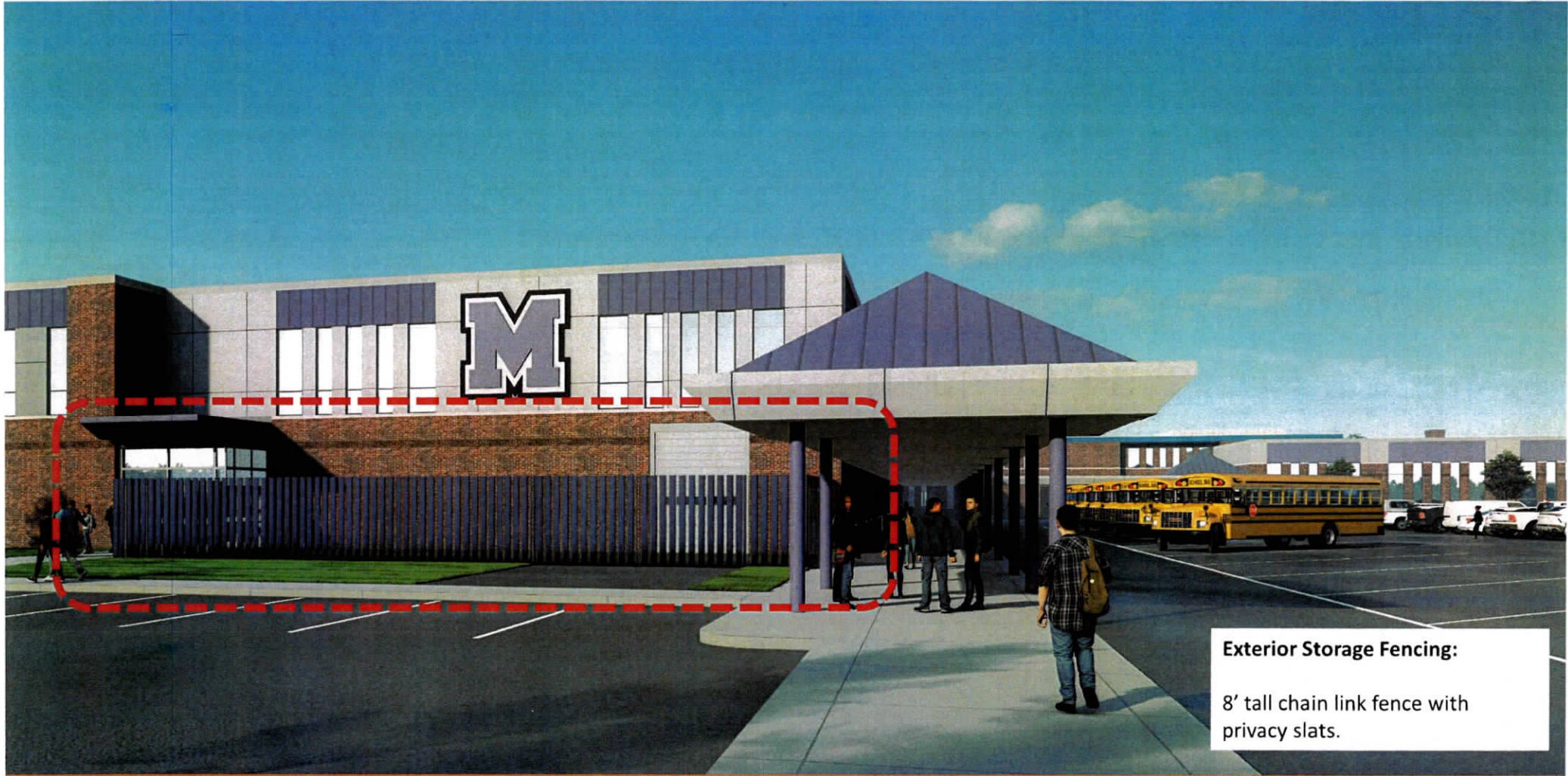


## Merrillville High School : CTE Addition

2/2/2023







**Exterior Storage Fencing:**

8' tall chain link fence with  
privacy slats.

## Merrillville High School : CTE Addition

2/2/2023

