

The Regular Town Council Meeting of the Town of Schererville, IN was called to order by President Thomas Schmitt at 7:12 p.m. in the Schererville Town Hall, 10 E. Joliet Street Schererville, IN.

Attendance was taken with the following Council Members present: Caleb S. Johnson, Kevin Connelly, Robin Arvanitis, Rob Guetzloff and Thomas Schmitt. Staff members present: Attorney David Austgen, Fire Chief Robert Patterson, Deputy Fire Chief David Meyer, Police Chief Pete Sormaz, Deputy Police Chief Steve McNamara, Park Superintendent John Novacich, IT Robbie Hansen, Town Engineer Neil Simstad, Director of Public Works Chad Nondorf, Director of Operations Andy Hansen, Town Manager Jim Gorman, Clerk-Treasurer Michael Troxell and Recording Secretary Robin Thiel.

THEREUPON, Approval of the minutes.

Mr. Connelly made a motion to approve the minutes of the December 13, 2023 and the December 27, 2023 Public Meetings, seconded by Mr. Guetzloff. All in favor (5-0).

THEREUPON, Claims

- A. APV #111961 - APV #112525 on the General Docket, Totaling \$3,081,785.09
- B. APV #111965 - Apv #112514 on the MVH Docket, Totaling \$120,311.30
- C. APV #111999 - APV #112425 on the Payroll Docket, Totaling \$1,790,787.07
- D. Various Funds, First National Bank of Omaha, Credit Card Charges, \$8,557.21
- E. Various Funds, Austgen Kuiper Jasaitis, December Legal, \$12,947.39
- F. Public Safety Fund, Franciscan Crown Point EMS Academy, Installment #1-Jason Noto, \$1,000.00
- G. Various Funds, Rothschild Insurance Agency, Various 1<sup>st</sup> Quarter Installments, \$179,257.50
- H. Park Impact Fee Fund, Play Design Scapes, Inc., Invoice #758295-24, \$7,460.00
- I. Solid Waste Fund, Gaj Properties, Leaf Disposal, \$14,863.38
- J. Solid Waste Fund, Tim Elzinga, Leaf Disposal, \$5,215.00
- K. Park Bond, 2018 Fund, DLZ LLC, Invoice #706574, \$10,053.31
- L. Cable TV Fund, Business Purchasing Solutions, December Consulting, \$337.50
- M. Various Fund, Rieth-Riley Construction Co., Inc., Invoice #3641609-02, \$14,5.42
- N. ARPA Fund, Quality Mechanical, Pay Application #10, \$8,930.00
- O. Improvement Inspection Fund, Robinson Engineering, Invoice #23100273, \$685.00
- P. Various Funds, Lolita Ransom, Rental Refund, \$193.00
- Q. Various Funds, Johnson Controls, Fire Alarm Service Agreement, \$2,579.20
- R. Various Funds, ATN Technology, Door & Gate Repairs, \$2,377.05
- S. Various Funds, Auto Wares, Parts, \$12,000.24
- T. Various Funds, Securitas Technology, Monitoring, \$134.28
- U. Various Funds, Menards, Parts, \$1,719.48
- V. Various Funds, Napa, Parts, \$369.55
- W. Various Funds, Von Tobel, Parts, \$375.39
- X. Ambulance Fund, Stryker Sales, Cardiac Monitor Batteries, \$2,908.80
- Y. Solid Waste Fund, Republic Services, Dumpsters, \$1,540.00
- Z. LECEF Fund, NWI Law Enforcement Academy, Subscription, \$6,000.00
- AA. General Fund - PSAP, Medical Priority Consultants, System License, \$8,400.00
- BB. Ambulance Fund, The Accumed Group, Billing Service, \$3,903.08

Mr. Troxell stated he has one claim to add to the agenda. It's to Liberty Mutual for \$50.00.

Mr. Guetzloff made a motion to accept the claims as presented, seconded by Mr. Connelly. All in favor (5-0).

THEREUPON, Correspondence NONE

THEREUPON, Reports

Fire Chief Patterson stated that they had 312 EMS calls and 45 Fire Calls for a total of 357 calls for the month of December 2023. He stated the Fire Department responded to 4,034 calls in 2023.

Chief Sormaz stated that this Monday, January 22, 2024 the Police Department is having a swearing in ceremony for two officers

from our emergency hiring list. He stated that will be held at the Town Court at 9:00 a.m.

Mrs. Arvanitis stated she would like to thank our First Responders and everyone that was out there working during the cold. She wanted to give thanks to Mr. Nondorf, she stated that she received several emails and text commending everybody at Public Works for their fantastic job with the snow removal and for all the guys that were outside for 8 to 10 hours in the cold with water breaks.

THEREUPON, Public Comments Regarding Agenda Items NONE

THEREUPON, Old Business

ITEM A. Ord. #2001, An Ordinance Establishing Procedures and Authorizing Advance Payment of Specific Expenses for The Town of Schererville, Repealing all Ordinances And Town Code Provisions, or Parts Thereof, in Conflict Herewith, and all Matters Related Thereto  
**(Deferred from December 13, 2023)**

Mr. Gorman stated that he suggest we table this ordinance, which in turn will remove it from the agenda until we have time to review and assess to see if we actually need the Ordinance. He stated that there may be some provisions in State Laws that already allow us to do what we're trying to do with this Ordinance. Mr. Gorman stated that it will be assessed and reviewed by Mr. Troxell, Attorney Austgen and himself. Mr. Gorman stated that if they feel like the Ordinance is needed then they will get it back on the agenda.

Mr. Guetzloff made a motion to table Ordinance #2001, seconded by Mr. Connelly. All in favor (5-0).

THEREUPON, New Business

ITEM A. PUBLIC HEARING

Attorney Austgen advised the Proofs of Publication are in order.

Res. #2024-1, A Resolution of the Schererville Town Council To Approve a Fiscal Plan and Policy for Proposed Annexation Of a Parcel of Real Property to the Town of Schererville, Lake County, Indiana

Petitioner: Brian Lantz  
Location: 12010 W. 85<sup>th</sup> Avenue  
10300 W. 85<sup>th</sup> Avenue  
Part of 10304 W. 85<sup>th</sup> Avenue

Mr. Gorman stated that this resolution is the next step in the annexation process, which last month the Ordinance was in front of the Council, which was approved. He stated that this is to ensure that the Town can provide utilities when this subdivision is build out. Mr. Gorman stated that if this Resolution is approved this evening, the second reading of the Ordinance will be at next month's meeting.

OPEN TO THE FLOOR FOR PUBLIC COMMENT  
NO COMMENTS FROM THE FLOOR  
CLOSED TO THE FLOOR FOR PUBLIC COMMENT

Mr. Gorman stated that this is a 10.4 acre parcel just on the south side of town, right off of 85<sup>th</sup> Avenue. He stated that Mr. Lantz is annexing this so he can build a 21 lot subdivision.

Mr. Johnson made a motion to approve Resolution #2024-1, seconded by Mr. Guetzloff. All in favor (5-0)

ITEM B. Consider Release of Maintenance Bond/Cash Surety in The Amount of \$35,769.80 and Authorize Issuance of The Certificate of Release for Southland Subdivision

Mr. Gorman stated that all utilities have been put in place, they've been inspected and passed. He stated that it is appropriate to release the Maintenance Bond/Cash Surety.

Mr. Connelly made a motion to approve the release of Maintenance Bond/Cash Surety, seconded by Mr. Johnson. All in favor (5-0).

ITEM C. Consider Acceptance of Change Order #1 from Davis Construction Co. for the 2023 Sidewalk Connectivity Project - (\$17,085.00 Increase)

Mr. Gorman stated that this change order was proposed due to additional curbs that went in this sidewalk connectivity project on 77<sup>th</sup> Ave. and Eagle Ridge Drive, as well as a sidewalk improvements at the corner of Willowbrook and Eagle Ridge. He stated that this is for pedestrians to cross Eagle Ridge Drive to have access to the shopping mall on US 41.

Mr. Johnson made a motion to accept Change Order #1 as described by Mr. Gorman, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM D. Consider Approval of Pay Request #1 from Davis Construction Co. for the 2023 Sidewalk Connectivity Project - \$372,860.00

Mr. Gorman stated that this is the one and only pay request. He stated they got the job done pretty quickly. He stated that all the sidewalks have been inspected and signed off on. Mr. Gorman stated it would be appropriate to pay this at this time. Mr. Gorman stated that Landscaping will be finished in the spring by Public Works.

Mr. Johnson made a motion to approve Pay Request #1, for \$372,860.00, seconded by Mr. Connelly. All in favor (5-0).

ITEM E. Consider Approval to Purchase Property Located at 6919 W. Lincoln Highway, Crown Point, IN, from CSK Property LLC in the Amount of Seventy-Five Thousand And 00/100 (\$75,000.00) and to Authorize the Town Manager, Director of Operations, Clerk-Treasurer And Town Attorney to Finalize Execution of Documents **(Illiana Speedway Redevelopment)**

Mr. Gorman stated that this is a 3 acre parcel, just east of the Illiana property that we purchase to expand the boundary of the Illiana for Park amenities in the future.

Mr. Johnson made a motion to approve the purchase of property located at 6919 W. Lincoln Highway, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM F. Consider Repealing the Enacted Zoning Regulations which The Plan Commission Recommended via Plan Commission Resolution No. 2023-2 (Plan Commission Case #23-9-15) To the Town Council, and which the Town Council was Unable to Act upon within the Mandatory Time Limit

Mr. Gorman stated that the Plan Commission made a favorable recommendation to the Town Council to approve the new zoning regulations. Mr. Gorman stated that unfortunately the Town Council was not able to act upon regulations due to a mandatory time limit, so the regulation were not effective if they weren't acted upon. Mr. Gorman stated that they have a couple of amendments to we have to do to this. He stated that they would like to repeal this Ordinance, the old zoning Ordinance and then once we make our

amendments, send it back to the Plan Commission for their approval again, and then it will come back to the Council for approval.

Mr. Gorman stated that we do have a study session scheduled for the 31<sup>st</sup> at 5:30 p.m.

Mr. Connelly made a motion to send this back to the Plan Commission, seconded by Mrs. Arvanitis.

Attorney Austgen stated that if this motion is approved, it is a remand and repeal of the current ordinance which was certified by the Plan Commission to the Council and a remand back to the Plan Commission for further review and assessment while at the same time restoring and retaining in place the current zoning ordinance.

Mr. Connelly made a motion is to remand back to the Plan Commission the current Ordinance and then to repeal, ultimately restore the previous ordinance, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM G. Consider Acceptance of Engagement Letter for  
Dissemination Agent Services for Annual Continuing  
Disclosure Filings from LWG CPAs (\$3,500 annually)

Mr. Connelly made a motion to accept the Engagement Letter from LWG CPA's, seconded by Mr. Johnson. All in favor (5-0).

ITEM H. Consider Acceptance of Property and Acceptance of Deed  
For the Property Listed Below (Pennsy Trail)

Bryan M. Buff      8735 Calhoun Place      \$3,564.00

Mr. Gorman stated that this is the last property acquisition along the Penny Greenway Trail for phase four. He stated that this will complete those eight properties needed, the seven that we previously purchased and this last one.

Mr. Johnson made a motion to accept the property and the Deed for the property at 8735 Calhoun Place, seconded by Mr. Connelly. All in favor (5-0).

ITEM I. Consider Acceptance of contract between the Town of  
Schererville and Austgen Kuiper Jasaitis, P.C. Law  
Firm

Mr. Johnson made a motion to accept the contract between the Town of Schererville and Austgen Kuiper Jasaitis, P.C. Law Firm, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM J. Consider Acceptance of Contract between the Town of  
Schererville and NIES Engineering, Inc.

Mr. Johnson made a motion to accept the contract between the Town of Schererville and NIES Engineering, Inc., seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM K. Consider Acceptance of Contract between the Town of  
Schererville and Burke Constanza & Carberry Law Firm

Mr. Gorman stated that Burke Constanza & Carberry Law Firm represent us for the Plan Commission, BZA, Park Board and the Board of Safety.

Mr. Connelly made a motion to accept the Law Firm, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM L. Consider Acceptance of Donations \$640.00

Mr. Troxell read into the record the list of donations for the month of December 2023.

Mr. Guetzloff made a motion to accept the donations as read, seconded by Mr. Connelly. All in favor (5-0).

THEREUPON, Business from the floor NONE

Mr. Joe Jackson stated he is the store manager for the Lowe's in Schererville. He stated he just wanted to introduce himself to the Town Council. He stated that they are here to serve and support the community and definitely thank the Fire Department and Police Department for their continued support.

Meeting adjourned.

---

THOMAS SCHMITT  
TOWN COUNCIL PRESIDENT

---

Michael A. Troxell, IAMC, CMC, CPFIM, CMO  
TOWN CLERK-TREASURER

A TRUE COPY