

The Regular Town Council Meeting of the Town of Schererville, IN was called to order by President Thomas Schmitt at 7:15 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, Deputy Police Chief Steve McNamara, Park Superintendent John Novacich, IT Dan Gin, 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. Johnson made a motion to approve the minutes of the March 13, 2024 Public Meeting, seconded by Mrs. Arvanitis. All in favor. (5-0).

THEREUPON, Claims

- A. APV #113490 - APV #113942 on the General Docket, Totaling \$2,050,231.13
- B. APV #113501 - APV #113943 on the MVH Docket, Totaling \$125,188.63
- C. APV #113536 - APV #113905 on the Payroll Docket, Totaling \$1,229,990.89
- D. Various Funds, First National Bank of Omaha, Credit Card Charges, \$24,043.61
- E. Various Funds, Austgen Kuiper Jasaitis, March Legal, \$18,033.34
- F. Ambulance Fund, Eservices Technology, Various Invoices, \$15.00
- G. Community Crossings - Grant Money Fund, Indiana Department of Transportation, 2023-1 Invoice #81916, \$14,929.13
- H. Park Bond 2018 Fund, Gariup Construction, Pay App #1, \$29,592.50
- I. Various Funds, Menards, Supplies, \$2,143.12
- J. Various Funds, Auto Wares, Parts, \$7,746.98
- K. Various Funds, Unifirst, Misc. Services, \$1,953.96
- L. Various Funds, Grainger, Supplies, \$2,588.48
- M. Various Funds, Napa, Parts, \$453.77
- N. Various Funds, Von Tobel, Supplies, \$154.94

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

THEREUPON, Presentation

Senator Dan Dernulc and Representative Harold Slager -  
Legislative Summary

Senator Dan Dernulc and Representative Harold Slager gave a summary report regarding the 2024 Legislation. Rep. Slager spoke about the anti-Semitism bill, which was vetoed. Other bills they spoke about were regarding Ambulance Service, which is house enrolled act 1285. He spoke about Employment of Minors, which had to do with working on farms. Rep. Slager also talked about Education, stating there is a real problem with absenteeism, particularly in Lake County in some of the North County Districts. Rep. Slager stated that they approved a food and beverage tax for the City of Hammond. He stated that another topic had to do with property taxes. He stated that last year he received a lot of calls from people seeing a spike in their property taxes. He stated that they tried to pass a bill that put a smoothing effect, which might go into effect this year, if not then next year for sure. Rep. Slager stated the first bill out the door was regarding Wetlands, it was a negotiated deal between Indiana Department of Environmental Management and the builders. There was a bill passed that does not allow municipalities to file suit against Firearms Manufactures. He stated one last thing he will talk about is House Enrolled Act 1412, regarding puppy mills, requiring pet stores to disclose information regarding the dog's health origin, and microchip status.

Senator Dernulc stated Rep. Slager spoke about several bills, but he has a few he would like to mention. He spoke a little bit

more in detail regarding Education, particularly about holding young kids back if they cannot read in third grade and some things they take into consideration. Mr. Dernulc stated they did pass a bill which will replace unsafe lead pipes throughout Indiana, which might include Schererville. He stated that Indiana has an estimated 265,000 unsafe aging lead water lines and this will help set up a procedure to Indiana Hoosiers. Senator Dernulc stated that they did pass the 13<sup>th</sup> check, along with a long term plan for annual cost of living adjustments for State retired employees. He stated that he's been pushing to make sure our Public Safety employees, when they retire to have a good retirement, he thinks we're lacking in that. Senator Dernulc stated that today he was told that Schererville was awarded \$59,000.00 for Community Block Grant.

THEREUPON, Correspondence NONE

THEREUPON, Reports NONE

THEREUPON, Public Comments Regarding Agenda Items

Dan and Kathy DeYoung, 2112 US 41, Schererville, IN. Mr. DeYoung stated that they will keep their comments brief since they were here last month and talked about the Special Request for the Dark Metal Tattoo business. He stated that he just wants to reiterate that they are against this. Mr. DeYoung stated that they believe the petitioner has not provided a good and sufficient cause to request the Variance. Kathy DeYoung stated that she has a little bit of information since they spoke last month. She stated that she met with businesses all up and down US 41 in the surrounding area and she has a petition signed by several businesses. She handed out a copy of the petition to the Council Members.

Mr. Kevin Dean, 1905 Sir Richard Road, Schererville, IN stated he is here regarding the Tattoo parlor. He stated that he was here last month and the BZA gave a no recommendation and sent it to the Council. He stated that the Town Council recommended that the BZA give a recommendation, but here it is with no recommendation. He stated he doesn't know why the Council is discussing this without getting a recommendation.

Mr. Dean stated that another item he has a problem with is to consider a \$1,000.00 donation, which is Item I on the agenda. He stated last month the Council gave \$2,000.00 of public funds away and now you're giving another \$1,000.00 away. He stated that he doesn't like his tax dollars being wasted, he doesn't believe that the Town of Schererville should be in the business of giving money out.

Mr. Dean stated his last item is to consider the appointment to the Police Commission/Board of Safety, which is Item K on the agenda. He stated he has been coming to these meetings for a couple months now and nothing has been happening. He stated it is his understanding that the board members are paid \$2,000 a year. They meet once a month for ten minutes to one hour, which is a very good income. He asked why the Town Council doesn't try to change your bylaws or whatever it is and make it that you only have three people on the board and you take the \$6,000.00 a year that you'll save and assign a member of the Police and Fire Department to take those two positions.

THEREUPON, Old Business NONE

THEREUPON, New Business

ITEM A. PUBLIC HEARING

Attorney Austgen advised that all Proofs of Publication are in order.

Ord. #2003, An Ordinance Amending Town Ordinance No. 1955,

Which Amended Previous Town Ordinances; Including Town Ordinance No. 1805, which were Entitled, Collectively, "An Ordinance Regulating the Disposition to be made of Garbage, Rubbish, and other Waste Substances, and Declaring an Emergency; Establishing the Rate for Refuse, Yard Waste and Recyclable Collection and Disposal Pursuant to I.C. 36-9-30, Et. Seq., and Repealing all Ordinances in Conflict Therewith", Repealing all Ordinances, or Parts Thereof, in Conflict Herewith and all Matters Related Thereto

OPEN TO THE FLOOR FOR PUBLIC COMMENTS

NO COMMENTS FROM THE FLOOR

CLOSED TO THE FLOOR FOR PUBLIC COMMENTS

Mr. Gorman stated that this Ordinance establishes the rate for garbage and recycling pickup for our residents. He stated that these rates will stay the same for the next four years. He stated we do have a contract with them ending April 2028.

Mr. Connelly made a motion to consider on 1<sup>st</sup> reading, Ordinance #2003, seconded by Mrs. Arvanitis. All in favor (5-0).

Mr. Connelly made a motion to adopt Ordinance #2003, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM B. Ord. #2004, An Ordinance Replacing Town Zoning Ordinance No. 1797, as Amended, Repealing all Town Code Sections And Ordinances, or Parts Thereof, in Conflict Therewith, And all Matters Related Hereto (Favorable Recommendation By the Plan Commission 7-0)

Mr. Gorman stated that this is the new Zoning Ordinance, there were not a lot of changes from the one in 2012, but some of the changes include, increased sizes of garages and spaces in residential zones, wider driveway approaches, and increased square footage of solar panels. Mr. Gorman stated that short term rentals will be regulated in this new ordinance and street parking has changed, and the landscaping section has changed.

Mr. Schmitt stated that Mr. Tom Anderson, President of the Plan Commission is here this evening and stated he would like to thank Mr. Anderson and all the staff members for working many hours on getting this new Ordinance together.

Mr. Johnson made a motion to consider on 1<sup>st</sup> reading, Ordinance #2004, seconded by Mr. Connelly. All in favor (5-0).

Mr. Johnson made a motion to adopt Ordinance #2004, seconded by Mr. Connelly. All in favor (5-0).

ITEM C. Ord. #2005, An Ordinance Establishing Replacement Town Truck Route Regulations on 77<sup>th</sup> Avenue in the Town of Schererville, Lake County, Indiana, Repealing the Provisions of Town Ordinance Nos. 1714 and 1377, and all Other Ordinances and Town Code Sections, or Parts Thereof, in Conflict Herewith, and all Matters Related Hereto.

Mr. Gorman stated that this Ordinance will restrict any through truck traffic on 77<sup>th</sup> Avenue from St. John Road to Cline Avenue. He stated that they have been having issues with trucks heading north bound down US 41 rather than going all the way to US 30. He stated that they have been cutting through 77<sup>th</sup> Avenue from US 41, taking it all the way east to the roundabout. Mr. Gorman stated that local deliveries will be allowed but no other truck traffic.

Mrs. Arvanitis made a motion to consider on 1<sup>st</sup> reading, Ordinance #2005, seconded by Mr. Johnson. All in favor (5-0).

Mr. Guetzloff made a motion to adopt Ordinance #2005, seconded by Mr. Johnson. All in favor (5-0).

ITEM D. Ord. #2006, An Ordinance Establishing Application Fees And Creating a Non-Reverting Fund Applicable to the Municipal Riverfront Economic Development Project Area In the Town of Schererville, Lake County, Indiana, and All Matters Related Thereto

Mr. Gorman stated that this is an Ordinance that will establish application fees and creating a non-reverting fund, and those fees will go into a special Riverfront District area. He stated that holders of Riverfront District liquor licenses will pay an annual fee of \$5,000.00. These funds will be used for purposes consistent with that promotion fund.

Mr. Connelly made a motion to consider on 1<sup>st</sup> reading, Ordinance #2006, seconded by Mr. Johnson. All in favor (5-0).

Mr. Connelly made a motion to adopt Ordinance #2006, seconded by Mr. Johnson. All in favor (5-0).

ITEM E. Res. #2024-3, A Resolution to Transfer Funds within a Category of Appropriations

Mr. Troxell explained the Transfer of Funds.

Mrs. Arvanitis made a motion to approve Resolution #2024-3, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM F. Consider Variance of Use to Allow the Operation of a Tattoo Studio to be Located within the U.S. 41 Commercial Corridor Overlay District

Board of Zoning Appeals Case #24-2-1  
Petitioner(s): Dark Metal Tattoos - Victor & Melissa Perez  
Location: 2120 U.S. 41, Suite A - South Sherwood  
Lake Commercial Center Addition, Parcel A

Mr. Connelly made a motion to deny the Variance of Use, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM G. Consider Approval to Purchase Property Located at 346 Kennedy Avenue, Schererville, IN from Peter Jonas, LLC In the amount of \$199,315.00 and to Authorize the Town Manager, Director of Operations, Clerk-Treasurer and Town Attorney to Finalize Execution of Documents  
**(Kennedy Avenue Extension)**

Mr. Hansen stated that this property is needed for utility improvements.

Mr. Johnson made a motion to approve the purchase of property located at 346 Kennedy Avenue, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM H. Consider Approval to Purchase Property Located at 368 Kennedy Avenue, Schererville, IN from Mitsto Industries In the amount of \$62,900.00 and to Authorize the Town Manager, Director of Operations, Clerk-Treasurer and Town Attorney to Finalize Execution of Documents  
**(Kennedy Avenue Extension)**

Mr. Johnson made a motion to approve the purchase of property located at 368 Kennedy Avenue, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM I. Approval Awarded Bid by the Redevelopment Commission for Sale of Real Estate located at 22 W. Joliet Street by the Town of Schererville, Lake County, Indiana with Conditions and to Authorize the Town Manager, Director Of Operations, Clerk-Treasurer and town Attorney to Finalize Execution of Documents

**(From the Redevelopment Commission Agenda)**

Mr. Johnson made a motion to award bid by the Redevelopment Commission for Sale of Real Estate located at 22 W. Joliet Street, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM J. Approve SCADA Services Proposal from Austgen Electric, Inc. in the Amount of \$995,175.00 for the Water Department (Will be Expending Some ARPA Funds)  
**(From the Waterworks Board)**

Mr. Guetzloff made a motion to approve SCADA Services, seconded by Mr. Connelly. All in favor (5-0).

ITEM K. Consider Appointment to the Police Commission (Board of Safety)

Mrs. Arvanitis made a motion to appoint Giovanni Veitkus to the Board of Safety, seconded by Mr. Guetzloff. This gentleman was appointed in December but had to be temporarily removed due to a new law about having to vote in two consecutive primary elections. She stated that they were notified today by the Lake County Election office that Mr. Veitkus voted yesterday in Early Voting, which now lets him meet the requirements.

Mr. Schmitt asked for a roll call vote: Mr. Johnson- No; Mr. Connelly - No; Mrs. Arvanitis - Yes, Mr. Guetzloff - Yes; Mr. Schmitt - Yes. Motion carries (3-2).

ITEM L. Consider Donation to NICK's Foundation for the Alex's Lemonade Stand (\$1,000.00).

Mrs. Arvanitis made a motion to donate \$1,000.00 to the NICK's Foundation, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM M. Consider Proclaiming the Week of April 7, 2024 through April 13, 2024 as "*National Telecommunicators Week*" in The Town of Schererville

Mr. Schmitt read the proclamation in its entirety.

Mr. Guetzloff made a motion proclaiming the week of April 7, 2024 through April 13, 2024 as "*National Telecommunicators Week*" in the Town of Schererville, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM N. Consider Acceptance of Donations - \$8,748.53

Mr. Troxell read the donations for the month of March 2024 into the record.

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

THEREUPON, Business from the floor

Mr. Anthony Ferraro, 1429 St. Andrews Drive, Schererville, IN stated he'd like to bring one thing up before he really gets into his comments this evening. He stated that every vote this evening has been 5-0 with one exception, the one for the last four months. Mr. Ferraro stated that this Democratic majority has decided to play politics over Public Safety. He stated with that appointment they have run rough shot over the law, they have run rough shot over procedure, they have run rough shot over what is user and customer in this community without anything to offer why it is so important that this person, who was not a Republican and according to the law he's afraid to say he is still not a republican. An early vote is not a certified vote. He stated that he will be filing a FOIA request for his State voting record which will come back empty. Early votes are not certified votes, they cannot be counted until Election Day or they would be unconstitutional. Mr. Ferraro stated that before you get your cupcakes together or

whatever it is you got planned. He stated he just doesn't understand for the life me how this Council and this majority who can get together on every other item here and go 5-0, what is it about this minority appointment that is so important. He stated you are willing to create this level of discord and display to this, that you value Public Safety so little.

Mr. Kevin Dean, 1905 Sir Richard Road, Schererville, IN spoke about what he said earlier regarding the Board of Safety and the number of members.

Meeting adjourned.

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THOMAS SCHMITT  
TOWN COUNCIL PRESIDENT

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

A TRUE COPY