The Regular Town Council Meeting of the Town of Schererville, IN was called to order by President Thomas Schmitt at 7:17 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 Dan Gin, NIES Engineering Neil Simstad, Public Works Director 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 8, 2023 Public Meeting, seconded by Mrs. Arvanitis. All in favor (5-0).

THEREUPON, Claims

A. APV #107380 - APV #108137 on the General Docket, Totaling $2,235,485.66
B. APV #107398 - APV #108137 on the MVH Docket, Totaling $122,606.75
C. APV #107419 - APV #108039 on the Payroll Docket, Totaling $1,717,720.61
D. Various Funds, First National Bank of Omaha, Credit Card Charges, $12,913.21
E. Public Safety Fund, Banc of America Leasing, Help Lease - Principal and Interest Due, $166,358.82
F. Various Funds, Rothschild Insurance Agency, Various Invoices, $143,766.09
G. Various Funds, Enterprise Rent-A-Car, Vehicle Lease, $3,346.64
H. Various Funds, Austgen Kuiper Jasaitis, March Legal, $9,093.87
I. Park Bond 2018 Fund, DLZ LLC, Pmt. #11-Pennsy Greenway, Phase IV, Invoice #705377, $3,594.71
J. Park Non-Reverting Fund, Celebrity Charter Services, Event Transportation, $11,256.08
K. Various Funds, Menards, Parts, $3,956.75
L. Various Funds, Co-Alliance, Fuel, $20,610.85
M. Public Safety Fund, Target Solutions Learning, Annual Subscription, $1,238.40
N. Various Funds, Lake County Treasurer, Property Taxes, $13,055.07
O. Various Funds, Timbermasters, Tree Removal, $3,250.00
P. Various Funds, Stumpbusters, Stump Removal, $2,700.00
Q. Ambulance Fund, Accumed Group, Monthly Billing, $6,073.66
R. General Fund - Police, Cintas, Cleaning, $2,214.84
S. Cumulative Capital Improvement Fund, Chester Trust Tech, Annual Subscription, $3,876.00
T. Park & Recreation Fund, St. George Greek Orthodox Church, Annual Parking Agreement Payment, $2,000.00
U. Park & Recreation Fund, Circle R Mechanical, Emergency Repair, $2,490.97

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

THEREUPON, Correspondence NONE

THEREUPON, Reports

Fire Chief Patterson reported that for the month of March, the Schererville Fire Department responded to 194 EMS related calls and 56 Fire related calls, for a total of 250 calls for the month.

Mr. Johnson stated that he and Mrs. Arvanitis are on the Schererville Lions Club and there will be a pancake breakfast this Saturday at the St. John Township Community Center from 7:00 am - 11:00 am. He stated that it will benefit our Fire Department Equipment Fund.

Mr. Schmitt asked Mr. Nondorf to give an update on what is going on with all of the AT&T work that is going on around Town. Mr. Nondorf stated that currently AT&T is doing fiber installation projects in the Saratoga and Plum Creek Subdivisions. He stated that Plum Creek is the first of their kind where they are actually

removing the old pared telephone lines that were a thing in the past from Indiana Bell. He stated that work will be ongoing throughout the summer.

THEREUPON, Public Comments Regarding Agenda Items

Whitney Lenart, 1861 Fishtorn Drive, Schererville stated that she is a member of the Schererville Girls Softball Board and stated that she understands that there was an unfavorable recommendation for our Donation request. She asked why, they are growing as a community in Schererville Girls Softball. She stated that most of the Towns in our surrounding area are focused on travel ball. She stated that these are talented young ladies who spend thirty hours a week practicing and living their life for softball. She stated that since the pandemic they have going from thirty eight girls to approximately one hundred fifty girls. She stated that their catcher's equipment is molded and dry rotted. She stated they need softballs, jerseys and everything else. She stated that if they cannot get the Council's support on some donations, they will have to raise their cost. She asked the Council to reconsider giving them the donation.

Mr. Anthony Romano, Valparaiso, IN stated that when he saw unfavorable all he could think about was two years ago when half of their board up and disappeared. They left them with not enough money to run one season. He stated that they have put out over $7,000.00 this year for just umpire fees. He asked the Council to reconsider the unfavorable decision.

A resident from 526 James Wittchen stated that the following Towns, Dyer, Highland, Griffith and St. John all allow the girls to use the fields for free, however we charge our girls.

THEREUPON, Old Business NONE

THEREUPON, New Business

ITEM A. Ord. #1956A, An Ordinance Amending the Personnel Policy Manual for the Town of Schererville, Lake County, Indiana, for Fire Department Supplemental Policies Regarding the extra Duty Shift Policy, Full-time Employee Overtime Policy, Staffing Policy, and Light Duty-Related Injuries Policy, Repealing all Ordinances And Town Fire Department Policies, Including Town Ordinance No. 1853, in Conflict Herewith, and all Matters Related Thereto

Mr. Gorman stated that this is an amendment to 1956, which was passed in 2020, basically all of these policies were cleaned up and the light-duty policy was updated to where, if a fireman was hurt on duty, we would pay his full salary, and the Town would still collect the VFIS Policy which is our Insurance Policy.

Attorney Austgen stated that he would direct the Councils attention to exhibit D, the Fire Department light-duty policy, specifically sub-paragraph on page 9, pertaining to compensation. Attorney Austgen stated he would recommend a slight revision to that. He stated that paragraph two would read as follows:

"An Employee who cannot work (due to an Injury as determined by the treating physician) and cannot be assigned to a Light Duty Assignment will be paid in accordance with the current Salary Ordinance, as updated from time to time, for the Employee's position/title. The Town will receive benefits paid pursuant to

the Town's current VFIS Insurance Policy and workman's compensation (medical) for said Employee".

Mr. Johnson made a motion to consider on first reading Ordinance #1956A, in consistent with the change recommended by Counsel David Austgen, seconded by Mr. Connelly. All in favor (5-0).

Mr. Guetzloff made a motion to adopt Ordinance #1956A, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM B. PUBLIC HEARING

Mr. Troxell advised that the Proofs of Publication are in order.

Opening Remarks for CDBG Public Hearing - Park Projects

Mr. Schmitt read the opening remarks for the CDBG Public Hearing into the record.

Each spring, the Lake County Community Economic Development Department applies to the U.S. Department of Housing and Urban Development (HUD) for new funding through the Community Development Block Grant program (CDBG).

One of the application requirements is to hold public hearings in the communities were CDBG funding is allocated in order to obtain input from the local citizens on the proposed use(s) of the new funding. For FY2023, the Town of Schererville CDBG allocation is approximately $122,390.00.

The most common use of CDBG funds is for infrastructure, including street reconstruction, sanitary sewers, water line extensions, storm drainage improvements, sidewalks, and projects to remove architectural barriers (handicapped access), such as curb cuts and wheelchair ramps. CDBG funds may also be used to eliminate slums and blight through demolition of unsafe buildings or other clearance activities.

CDBG funded infrastructure projects may only be done in areas where the neighborhood is at least **42%** low/modest income according to HUD guidelines. In most cases, an income survey must be done to qualify the area for funding eligibility. The income information taken by the survey is strictly confidential, and is used solely for the purpose of determining the area's eligibility for CDBG funding.

Handicapped access projects and demolition may be done anywhere in a community, without the need for area income determinations.

The public hearing is just the start of the application process for Lake County. There are a series of legal advertisements and comment periods that take place during the summer, prior to final grant approval from HUD in late August. New CDBG funding is released to the County and its entitlement communities on or around **September 1st and needs to be expended by June 15th** of the following year.

After public comment tonight, three documents need to be read and adopted: the Affirmative Action Program, Section 3 Understanding, and a Resolution authorizing the Town Executive to submit a project proposal for CDBG funding.

Final Project Applications, and supporting documentation, need to be submitted no later than **May 19, 2023** for review by Lake County.

Open to the floor for Public Comments
No Comments from the floor
Closed to the floor for Public Comments

Citizen Participation Plan

The following if a detailed citizen participation plan which:

1. Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used, and provides participation of residents in low and moderate income neighborhoods as defined by the local jurisdiction;

2. Provides citizens with reasonable and timely access to local meetings, information, and records relating to the grantee's proposed use of funds, as required by the regulations of the Secretary, and relation to the actual use of funds under the Act;

3. Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance to be determined by the grantee;

4. Provides for public hearings to obtain citizen views and to respond to proposals and questions at all stages of the community development program, including at least the development of needs, the review of proposed activities, and review of program performances, which hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for the handicapped;

5. Provides for a timely written answer to written complaints and grievances, within fifteen (15) working days where practicable; and

6. Identifies how the needs of non-English speaking residents will be in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

Mr. Johnson made a motion to approve the Citizen Participation Plan and asked that the secretary incorporate that plan into this motion, seconded by Mr. Connelly. All in favor (5-0).

Affirmative Action Program Implementing Section 3 of the Housing and Urban Development Act of 1968

SPECIFIC AFFIRMATIVE ACTION STEPS

TOWN OF SCHERERVILLE agrees to implement the following specific affirmative action steps directed at increasing the utilization of lower income residents and project area businesses.

A. To ascertain from HUD Area Office Director the exact boundaries of the Section 3 covered project area and where advantageous, seek the assistance of local officials of the department in preparing and implementing the Affirmative Action Plan.

B. To attempt to recruit from the appropriate areas the necessary number of lower income residents through: local advertising media, signs placed at the proposed site for the project, and community organizations and public or private institutions operating within or serving the project area such as Service Employment and Redevelopment (SER), Opportunities Industrialization Center (OIC), Urban League, Concentrated Employment Program, Hometown Plan or the U.S. Employment Service.

C. To maintain a list of all lower income area residents who have applied either on their own or on referral from any source and to employ such persons, if otherwise eligible and if a vacancy exists.

D. To insert this affirmative action plan in all bid documents, and to require all bidders to submit a Section 3 affirmative action plan including utilization goals and the specific steps planned to accomplish the goals.

E. To insure that contract which are typically let on a negotiated rather than a bid basis in areas other than Section 3 covered project area, are also let on a negotiated basis, where ever feasible when let in a Section 3 covered project area.

F. To formally contact unions, subcontractors and trade associations, to secure their cooperation for this program.

G. To insure that all appropriate project area business concerns are notified of pending contractual opportunities.

H. To maintain records including copies of correspondence, memoranda, etc., which document that all of the above affirmative action steps have been taken.

I. To appoint or recruit an executive official of the company or agency as Equal Opportunity Officer to coordinate the implementation of this Section 3 Affirmative Action Plan.

Mr. Johnson made a motion to approve the Affirmative Action Program Implementing Section 3 of the Housing and Urban Development Act of 1968, and ask that the secretary incorporate the content there of into this motion, seconded by Mrs. Arvanitis. All in favor (5-0).

Lake County, Indiana, Section 3 Understanding

LAKE COUNTY, INDIANA
Section 3 Understanding

The U.S. Department of Housing and Urban Development (HUD) issued regulations that provide the directive to creative job opportunities for low-income persons when HUD funds are expended on a construction project. These regulations are known as Section 3 policy. The purpose of the Section 3 policy is to ensure that the employment and other economic opportunities generated by Federal financial assistance for housing and community development programs shall, to the greatest extent feasible, be directed toward low and very low-income persons.

Section 3 covered projects are construction, reconstruction, conversion, or rehabilitation of housing, including reduction and abatement of lead based paint hazards, or other public construction which includes building and improvement assisted with HUD housing and community development assistance. Section 3 covered contracts do not include contracts for purchase of supplies and materials. However, whenever a contract for materials includes the installation of the materials, the contract constitutes a Section 3 covered contract.

Fund recipients and contractors must show compliance with the numerical goals set forth by the regulations. The numerical goals for new hires apply only to the number of new hires generated because of the financial assistance of the HUD programs. The numerical goals are not absolute numerical requirements. They are goals that each recipient and contractor should try to reach. The goals, if not met, do not trigger sanctions against the recipient or contractor. However, if challenged on the issue of compliance with Section 3, the recipient or contractor should be ready to demonstrate that they tried to reach these goals. The goals are as follows:

- 30% of all covered new hires for the years FY 2023

In addition, recipients and contractors are required to show compliance with the goal that at least 10% of any building trade activity, which is subcontracted, and 3% of non-building trade activity (construction management, etc.), is awarded to eligible Section 3 business concerns.

Further information regarding these requirements may be found in the Federal Regulations at 24 CFR 135 and the Lake County Section 3 Plan.

Mr. Connelly made a motion to approve the Lake County, Indiana, Section 3 Understanding and ask that the secretary incorporate the content there of into this motion, seconded by Mrs. Arvanitis. All in favor (5-0).

Res. #2023-2, A Resolution Authorizing and Directing The Town Council President of the Town of Schererville To Submit a Project Proposal for Community Development Block Grant Funds for Federal Fiscal Years 2023-2024

WHEREAS, under the provisions of Title 1 of the Housing and Community Development Act of 1974, as amended to date, Lake County, Indiana, is authorized to provide financial assistance to units of general local government for undertaking and carrying out Community Development activities; and

WHEREAS, it is provided in such Act that the unit of general local government shall provide a satisfactory assurance prior to submission of its Application, that it has held one public hearing to obtain the view of citizens of Community Development needs; and

WHEREAS, the Town of Schererville is proposing a project for assistance under the Housing and Community Development Act of 1974, as amended to date, and

proposes to undertake and make available a total project cost of One Hundred Twenty-Two Thousand Three Hundred Ninety Dollars ($122,390.00); and

WHEREAS, the Town of Schererville has held one formal public hearing on the proposed program and has made available to the general public, through the mass media and other sources, information concerning the program; and

WHEREAS, the Town of Schererville has general knowledge of the proposed uses of such funds and is cognizant of the conditions that are imposed in the undertaking and carrying out of Community Development activities and undertaking with Federal financial assistance under Title 1, including those prohibiting discrimination because of race, color, creed, sex or national origin;

NOW, THEREFORE, BE IT RESOLVED, by the Town of Schererville, Indiana:

Section 1: That the Town Manager of the Town of Schererville, Indiana is hereby authorized to file a Project proposal for funds under Title 1 of the Housing and Community Development Act of 1974, as amended to date, with Lake County, Indiana and provide all information and assurances as may be necessary under the Act.

Mr. Guetzloff made a motion to adopt Resolution 2023-2 and ask that the secretary incorporate the content there of into this motion, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM C. Res. #2023-3, A Resolution Authorizing the Entry into an Interlocal Cooperation Agreement with Lake County, Indiana, Board of Commissioners for the Inverness Lane Culvert Replacement Project, and all Matters Related Thereto

Mr. Gorman stated that this is an Interlocal Agreement with the Lake County Commissioners and the Lake County Council, with the Town of Schererville to share cost on the Culvert Replacement Project. He stated that Lake County has committed $250,000.00 towards that estimated $1,000,000.00 project.

Mr. Johnson made a motion to adopt Resolution #2023-3, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM D. Consider Variance of Use to Allow a Baseball and Softball Training Facility within the U.S. 41 Commercial Corridor Overlay District (D-Bat Training Facility)

Board of Zoning Appeals Case #23-3-4
Petitioner(s): S.E. Hamilton Enterprises, LLC
Location: 1516 U.S. 41
BZA Favorable Recommendation 4-0

Mr. Gorman stated that this is a Training Facility, they went before the BZA and they will be going into the old Ashley Furniture, taking up a little over 13,000 square feet of that 57,000 square foot store front.

Mr. Johnson made a motion to approve the variance with the Finding of Facts from the BZA incorporated into the approval, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM E. Consider Approval to Purchase Permanent Easement (Parcel 1) from the Department of Natural Resources in The amount of $5,100.00 and to Authorize the Town Manager, Director of Operations, Clerk-Treasurer and Town Attorney to Finalize Execution of Documents **(Kennedy Avenue Improvements)**

Mr. Gorman stated that this is a small piece of DNR property, (it was displayed on the screen). He stated that this is for the right-of-way for the Kennedy Avenue, Phase II Improvement. Mr. Gorman stated that the reason it is a permanent easement is because

the DNR does not sell property, so we have to pay for that easement.

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

ITEM F. Consider Approval to Purchase Billboard Lease for Sign Relocation (Parcel 2 SA) from Lamar Advertising in the Amount of $40,000.00 and to Authorize the Town Manager, Director of Operations, Clerk-Treasurer and Town Attorney to Finalize Execution of Documents
(Kennedy Avenue Improvements)

Mr. Gorman stated that this is a billboard lease that we are buying out because that billboard is actually in way right now. He stated we are paying for them to remove it and relocate it.

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

ITEM G. Consider Approval to Purchase Property Located at 445 Kennedy Avenue, Schererville, IN (Parcel10) from Laura A. Filosa in the amount of $287,500.00 and to Authorize The Town Manager, Director of Operations, Clerk-Treasurer And Town Attorney to Finalize Execution of Documents
Correction of Scribers' Error from March 8, 2023 Agenda
(Kennedy Avenue Improvements)

Mr. Gorman stated that this property was approved at the March meeting for purchase, he said it had a scribers' error on the price. He stated that in March it was approved for $285,000.00, but there was another appraisal so they want to split the difference.

Mr. Johnson asked Attorney Austgen if we approve this price, or approve fixing what we voted on last month.

Mr. Johnson made a motion to approve purchase of the property located at 445 Kennedy Avenue, parcel 10, in the amount of $287,500.00, correcting the Scribers' Error from the March 8, 2023 agenda, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM H. Consider Acceptance of LPA Consulting Contract between the Town of Schererville and DLZ Indiana, LLC for Right-of-Way Acquisition Services for Kennedy Avenue ($454,115.00)

Mr. Gorman that this is the contract for right-of-way services from DLZ Engineers for Phase III of the Kennedy Avenue Project. He stated it covers right-of-way services for assessments, management, appraisals and any relocation. He stated we pay upfront cost and then we will be reimbursed by NIRPC. He stated that it is an 80/20 split and we plan on requesting more funding from NIPRC.

Mr. Guetzloff made a motion to accept the contract between DLZ Indiana, LLC and the Town of Schererville, seconded by Mr. Connelly. All in favor (5-0).

ITEM I. Award Bid for Eagle Ridge Drive Culvert Replacement Project

Mr. Simstad stated that the bid before you have is the Eagle Ridge Culvert Replacement. He stated that bids were opened on April 6th, they had the tabulation summary, and proofs of publication are also included. He stated that the estimate cost of

the project was $636,000.00 and our bids range from $445,945.00 to $849,500.00. Mr. Simstad stated that the most responsive and responsible bidder is from G.E. Marshall, Inc., in the amount of $445,945.00. He stated that we do have an application for participation with the Little Calumet River Basin Development Commission. He stated that he and Mr. Gorman will be meeting with them at their Commission meeting next week on the 19th, as 50/50 partnership as part of our application.

Mr. Johnson made a motion to Award the Bid for the Eagle Ridge Drive Culvert Replacement to G.E. Marshall, Inc., as recommended by our Engineer, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM J. Consider Annual Donation to the Tri-Town Safety Village ($34,900.00) (Favorable Recommendation by the Donation Committee 3-0).

Mr. Jarvis from the Tri-Town Safety Village stated that the dollar amount should be $36,400.00. He stated that it must be a typo from someone in the office. Mr. Jarvis stated that this is a continued support of the Tri-Town Safety Village, not a donation. He stated that basically it cost the residents of Schererville $1.23 per resident per year.

Mr. Connelly stated that the Safety Village has grown significantly under Mr. Jarvis's leadership and he thanked him. Mr. Connelly asked Mr. Jarvis approximately how many students come through there each year. Mr. Jarvis stated 1,951 students in 2022.

Attorney Austgen suggested that the Council consider approval of the lowest amount on the table here tonight and true up next month.

Mr. Guetzloff made a motion to have the Town Manager and Clerk Treasurer to work out the correct number with Mr. Jarvis, but not to exceed over $2,000.00 from the amount stated above, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM K. Consider a Donation to the Schererville Girls Softball League (Request of $4,790.00) (Unfavorable Recommendation By the Donation Committee 3-0).

Mrs. Arvanitis made a motion to donate the requested $4,790.00 to the Schererville Girls Softball League, seconded by Mr. Guetzloff.

Mr. Johnson stated he wanted to make the Schererville Girls Softball Board members who are here aware that the Council is not on the Committee, the Committee is an administrative review. He stated that he believes when they received the original application from Schererville Girls Softball, the application was for payment of rental fees for the fields. Mr. Johnson stated that when the Park Board charges the Girls Softball League to use the fields, then Schererville Girls Softball come to the Town Council to be reimbursed for though fees, he stated it looks weird, like we are paying ourselves. He thinks that was the thought process when the Committee reviewed the application, but now, we have received a new application from the Board. Mr. Johnson advised the Softball Board that if they have concerns about the cost of rentals of the fields, that doesn't come to us, that goes to the Park Board. He stated if you feel that is an unjust way of handling it, they have to talk to the Park Board about that.

Robin Porter stated she completely understands how the initial application looked. She said that they spend about $30,000.00 a year to run the league. She stated thanked the Council for helping them out.

All in favor (5-0).

ITEM L. Consider Acceptance of Donations - $500.93

Mr. Troxell read into the record the Donations for the month of March 2023.

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

Joe Konicek, 7661 Morton St. Merrillville, IN, President of the Schererville Firefighters Local 4279. He stated that he wanted to thank the Council for passing the amendments for the Worker's Compensation. Mr. Konicek stated that we have made some pretty good progress this year with filing for the Safer Grant. Mr. Konicek stated that we need to continue working on increasing our minimum staffing, we're on a good roll this year. He stated that maybe in the next couple months we can sit down and start changing our minimum staffing Ordinance.

THEREUPON, Business from the floor

Dan Gin, Town of Schererville IT Director stated that People often think that 911 are just 3 numbers that you dial when there's an emergency. Seldom do people think about the folks on the other end of that phone call. They are call takers, public safety dispatchers, and sometimes, they are the voice giving lifesaving directions to the person on the other side of the phone call.

This week is National Public Safety Telecommunicators Week. It is held annually during the second week of April to honor those who are the voice of public safety when someone calls 911.

I'd like to take a moment to recognize the team at our very own SOUTHCOM 911 Dispatch Center for their commitment, service, and sacrifice. Over the past several years, I have had the opportunity to work alongside over a dozen of the finest 911 dispatchers out there. From firsthand experience, I can tell you that our community is safer for having such a dedicated team of professionals.

Meeting adjourned.

Thomas J Schmitt

THOMAS SCHMITT
TOWN COUNCIL PRESIDENT

Michelle Troxell

MICHAEL A TROXELL, IAMC, CPFIM, CMO
TOWN CLERK-TREASURER

A TRUE COPY

TOWN OF SCHERERVILLE SEAL LAKE COUNTY, INDIANA

