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, Rob Guetzloff and Thomas Schmitt. Town Council Member absent: Robin Arvanitis. 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 April 12, 2023 Public Meeting, seconded by Mr. Guetzloff. All in favor (4-0)

THEREUPON, Claims

A. APV #108140 - APV #108575 on the General Docket, Totaling $1,601,683.67
B. APV #108154 - APV #108532 on the MVH Docket, Totaling $115,560.06
C. APV #108247 - Apv #108514 on the Payroll Docket, Totaling $1,152,447.14
D. Various Funds, First National Bank of Omaha, Credit Card Charges, $18,878.66
E. Various Funds, Enterprise Rent-A-Car, Vehicle Lease, $3,346.64
F. Various Funds, Austgen Kuiper Jasaitis, April Legal, $12,500.20
G. Park Bond 2018 Fund, DLZ LLC, Pmt. #12 - Pennsy Greenway, Phase IV, Invoice #705489, $1,208.62
H. ARPA Funds, Quality Mechanical, Inc., Pmt. #4 HVAC, $62,619.29
I. Various Funds, Fish Window Cleaning, Various Locations, $1,905.00
J. Various Funds, Omni, Clerk-Treasurer's Office, $6,525.00
K. Park Non-Reverting Fund, Wal-Mart, Supplies, $1,888.29
L. Park Non-Reverting Fund, Strack & Van Til, Supplies, $27.88
M. Park Non-Reverting Fund, Andrew Spencer, Costume Characters, $1,800.00
N. Solid Waste Management Fund, Brown Equipment, Repair Parts, $4,488.97
O. Park Non-Reverting Fund, Eclipse Entertainment, Festival Bands, $5,100.00
P. Park Non-Reverting Fund, The Bounce House Company, Program Services, $5,250.00
Q. Park Non-Reverting Fund, Abigail Bodinet, Program Services, $3,700.00
R. Park Non-Reverting Fund, Bass/Schuler Entertainment, Festival Band, $1,500.00
S. Park Non-Reverting Fund, Blue Peak Tents, Event Tents, $33,000.00
T. Park Non-Reverting Fund, The Muddsharks, Fest Band, $1,600.00
U. Park Non-Reverting Fund, Record-A-Hit Entertainment, Program Services, $8,000.00
V. Park Non-Reverting Fund, Four Seasons Equestrian Center, Pony Rental, $2,100.00
W. Various Funds, Von Tobel, Parts, $89.20
X. Various Funds, Sam's Club, Supplies, $1,192.28
Y. Various Funds, Lowe's, Parts, $548.29
Z. Various Funds, Unifirst, Cleaning Services, $1,093.00
AA. Various Funds, Auto-Wares, Parts, $16,220.88
BB. Various Funds, Menard's, Parts, $3,068.82
CC. Various Funds, Master Meter, Annual Report, $3,750.00
DD. Various Funds, Midwestern Electric, Traffic Signal Maintenance, $1,977.00
EE. Various Funds, T&M Tire, Tracks for Mini-Excavator, $2,800.00

Mr. Guetzloff made a motion to accept the claims as presented, seconded by Mr. Johnson. All in favor (4-0).

THEREUPON, Correspondence NONE

THEREUPON, Reports

Chief Patterson reported that the Fire Department responded to 256 EMS related calls and 62 Fire related calls, for a total of 318, for the month of April 2023.

Chief Sormaz stated he would like to report on the remodel of the Detective Bureau. He stated he would like to extend a thank you to the companies and individuals for assisting the police department last month during our detective bureau renovation;

- Chad Nondorf and his Public Works staff, for helping remove old carpet, cabinets, and then install new flooring and cabinets. And amongst the many other tasks he completed for our department.
- Dan Gin and the IT Department for rewiring and upgrading our technology
- The Schererville officers that cleaned, painted and carried furniture
- Our VIPS (Volunteers in Policing) for organizing the move of the furniture from Hammond to Schererville
- Franciscan Health Hammond for their donation of gently used furniture
- Marusczak Appliance for donating a refrigerator
- Schererville Wal-Mart for donating a 75" TV and wall mount
- Home Depot Schererville for awarding Schererville Police the Community Grant $9,025.00
- Bill's Movers for assisting with the big furniture move
- Town Administration for all their financial assistance
- The Schererville FOP for their financial assistance

Chief Sormaz stated that without this cooperation and team work we could not complete this project. Thank you again to everyone.

Deputy Chief McNamara stated that the Police Department is having their annual Cop on the Roof Top on May 19, 2023 5:00 a.m. to 12:00 p.m. at Dunkin Donuts which is located at 1695 US 41. He stated that during this fundraiser, Schererville Officers will stake out the Dunkin' Donuts rooftop to heighten awareness and raise money for the Indiana Special Olympics.

Deputy Chief McNamara also reported that after the Cop on the Roof Top, Schererville Police Department will have its annual Peace Officers observance in front of the Police Station starting at 1:00 p.m. He stated they will have a full inspection and then a ceremony to pay tribute to the police officers who gave their lives in the line of duty.

Mr. Novacich stated that due to the weather forecast for this weekend, our first Party in the Park has been reschedule for Friday, May 19, 2023.

Mr. Johnson stated he wanted to give a shout out on behalf of the residents that reached out to him, regarding our Police Department. He stated that late one night one of our officers was driving through a subdivision and saw a garage door that was open, called the resident, didn't get an answer, went to the home, checked on the home, made sure everything was secure and shut the garage door. Mr. Johnson stated job well done.

Mr. Connelly reported that on May 24, 2023 at 6:00 p.m. there is going to be a joint study session with the Town Council and the Park Board in regard to ideas for the Illiana Speedway Property.

Mr. Schmitt reported that our yearly Festival will be before our next Town Council Meeting. He stated that the Festival is June 7th to June 11th, with parade happening Saturday night at 5:00 p.m.

THEREUPON, Public Comments Regarding Agenda Items NONE

THEREUPON, Old Business NONE

THEREUPON, New Business

ITEM A. Ord. #1993, An Ordinance Amending Miscellaneous Town Police Department Fee Schedules for Release of Towed Vehicles and Unclaimed Vehicles, Repealing Town Ordinance No. 1564 and Town Ordinance No. 1688, and All Town Code Sections, or Parts Thereof, in Conflict Herewith, and all Matters Related Hereto

Mr. Gorman stated that in this Ordinance they basically just changed the fees from $35.00 to $40.00.

Mr. Guetzloff made a motion to consider on 1st reading, Ordinance #1993, seconded by Mr. Johnson. All in favor (4-0).

Mr. Guetzloff made a motion to adopt Ordinance #1993, seconded by Mr. Johnson. All in favor (4-0).

ITEM B. Res. #2023-4, A Resolution Authorizing Purchase Financing for Purchase of Vehicles for the Town Of Schererville, Lake County, Indiana, and all Matters Related Thereto

Mr. Troxell stated that this Resolution allows himself, the Clerk-Treasurer, to authorize, review and solicit bid proposals for the vehicles and equipment that we are looking at purchasing. Mr. Troxell stated that many of the places we look for financing requires a document like this to make sure he is authorized to go out there and do this. He stated that it will not exceed 2.5 million dollars and it is for a four year term.

Mr. Johnson made a motion to adopt Resolution #2023-4, seconded by Mr. Guetzloff. All in favor (4-0).

ITEM C. Res. #2023-5, A Resolution to Transfer Funds within a Category of Appropriations

Mr. Troxell explained the Transfer of Funds.

Mr. Connelly made a motion to adopt Resolution #2023-5, seconded by Mr. Johnson. All in favor (4-0)

ITEM D. Consider Acceptance of LWG Proposal to Assist with the Intervention of Indiana American Water Company Rate Increase through the IURC **(From Waterworks Board Meeting)**

Mr. Guetzloff made a motion to approve the LWG Proposal that as was discussed at the Waterworks Board Meeting, seconded by Mr. Connelly.

Mr. Johnson asked Attorney Austgen if we get into this, we start fighting this rate battle and we decide the cost doesn't justify the end results, is there a way to pull out so we don't have to proceed forward with incurring this additional cost to fight this battle.

Attorney stated that this is an administrative proceeding, so what will occur is a significant amount of discovery related to number crunching, cost category, expert analysis, etc. Attorney Austgen stated that when this is completed, the discovery, there will be pre-filed evidence. He stated that we really won't know if everybody will take a position, Indiana American position will easily be understated, it will be their petition filed at the beginning. He stated we won't know a thing until a ruling comes down from the administrative law judge and the Commission itself.

Mr. Johnson stated that what he is asking is, when we have our experts come together, look at this petition by Indiana American Water and they come back to us and say it looks like most of it is justified, they are probably going to get a thirty, forty or fifty percent increase out of this. He asked Attorney Austgen if there is a way for us to back out and not incur the cost of fighting this battle, potentially wash our hands of it.

Attorney Austgen stated that you can quit at any time. The Town Council and Water Board can make that call. He stated that the analysis to make it is probably the most difficult gray area of this discussion.

Mr. Johnson stated that he wants to save the residents a lot of money by going through this battle. He stated that he is going to vote in favor of this proceeding moving forward, but he is wondering how the process works. He asked if there was an opportunity in the middle or somewhere in the beginning where our experts do have an opportunity to look at this stuff, will they report to us.

Attorney Austgen stated that Schererville has never done that before, but that doesn't mean you can't. He stated that our experts are guided by and directed by our Utility Attorney and they pull together the response that maximizes the position of Schererville water rate customers.

Mr. Johnson stated that we just need to ask for that analysis sometime in the front end of the process. Attorney Austgen stated that Mr. Gorman and he will keep the Council copied and updated on everything.

Attorney Austgen stated that he and the staff pay very close attention to this.

All in favor (4-0).

ITEM E. Consider Acceptance of Bose McKinney & Evans LLP Proposal to Assist with the Intervention of Indiana American Water Company Rate Increase through the IURC **(From Waterworks Board Meeting)**

Mr. Guetzloff made a motion to approve, seconded by Mr. Johnson. All in favor (4-0).

ITEM F. Award Bid for Sunset Boulevard Flood Control Weir Project

Mr. Simstad, Town Engineer stated that this is the summary of the bid report, which is funded 80/20 percent by the Little Calumet River Basin Development Commission. He stated that the bids were opened last Friday, the bid tab summary and the proofs of publication are attached to the bid report. He stated that the Engineer's opinion of cost was $425,000.00 and the bid that they received was for $331,200.00. He stated that there are no errors with the bid and bidder submitted the required bid security. Mr. Simstad stated that the most responsive and responsible bidder would be to FH Paschen, S.N. Nielson & Associates LLC in the amount of $331,200.00.

Mr. Johnson stated that he has never heard of this company and asked if we have ever worked with them. Mr. Simstad stated that we have, they are heavy highway constructor and contractor.

Mr. Simstad stated that he checked out all of their references and no issues came back in a negative manner.

Mr. Johnson made a motion to award the bid for the Sunset Boulevard Flood Control as recommended by our Town Engineer, seconded by Mr. Connelly. All in favor (4-0).

ITEM G. Consider Acceptance of Donations - $15,407.96

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

Mr. Guetzloff made a motion to accept the donations as read, seconded by Mr. Connelly. All in favor (4-0).

THEREUPON, Business from the floor

David Parks, 7529 W. 77th Avenue, Crown Point, IN stated that he has been there since 2014. He stated that he has a small house on two acres of land. He stated that approximately 6 years ago they thought about getting some chickens. He stated that he looked on line for any Ordinance regarding chickens and couldn't find any for Schererville, but found one for Crown Point, so he went with that Ordinance. He stated that he bought his chickens in Schererville, bought a coup, put a lot of work into it, he has five chickens. Mr. Parks stated the chickens provide food for his family, he buys all of the food for his chickens in Schererville. He stated he received a notice a few weeks ago stating he had to remove the chickens from their property. He stated that he doesn't know why the ordinance in Schererville is absolutely no chickens, even if you have the property to handle a certain amount. Mr. Parks stated he is here this evening to see if he can make a proposal to make a change in the ordinance, or possibly do a zoning change.

Mr. Schmitt stated that we do have a Town wide ordinance, no chickens, it was looked at by several groups in Town and several of our staff members. He stated that it could be a possible nuisance to your neighbors. He stated an ordinance was passed no chickens in Town boundaries.

Mr. Connelly advised Mr. Parks that he could apply for a Variance of Use for an exception to that ordinance. He stated that there is a process, you apply at Town Hall, you go before the Board of Zoning Appeals, and a notice is sent to your neighbors within 300' of your property.

Mr. Gorman advised Mr. Parks he can apply for a Variance, it would be after the fact though. He advised Mr. Parks that he needs to come to the Planning and Building Department, fill out an application and there is a process, they will explain that to him at the counter. Mr. Gorman stated that it is not a guarantee, there are five members on the BZA who will ask questions, you'll need to bring in exhibits or pictures. Mr. Gorman stated that there is application fees, a mailing to neighbors within 300', he said it's a process.

Meeting adjourned

Thomas J. Schmitt
THOMAS SCHMITT
TOWN COUNCIL PRESIDENT

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

A TRUE COPY

TOWN OF SCHERERVILLE SEAL LAKE COUNTY, INDIANA

