The Regular Town Council Meeting of the Town of Schererville, IN was called to order by President Thomas Schmitt at 7:18 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, Deputy Fire Chief David Meyer, 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 June 14, 2023 Public Meeting, seconded by Mr. Johnson. All in favor (5-0).

THEREUPON, Claims

A. APV #109161 - APV #109633 on the General Docket, Totaling $12,678,462.69
B. APV #109199 - APV #109619 on the MVH Docket, Totaling $85,733.96
C. APV #109223 - APV #109590 on the Payroll Docket, Totaling $1,269,921.32
D. Various Funds, First National Bank of Omaha, Credit Card Charges, $10,571.08
E. Various Funds, Enterprise Rent-A-Car, Vehicle Lease, $3,346.64
F. Various Funds, Austgen Kuiper Jasaitis, June Legal, $11,934.00
G. Park Bond 2018 Fund, DLZ LLC, Pmt. #14-Pennsy Greenway, Phase IV, Invoice #705733, $10,113.28
H. Various Funds, LWG Group, Invoice #36927, $12,041.42
I. Cedit Fund, Colby & Co., Invoice #CC109, $56,928.50
J. ARPA Funds, Quality Mechanical, Inc., Pmt. #6 HVAC, $22,749.26
K. Subdivision Revenue Professional Fee N/R Fund, Robinson Engineering, Invoice #23060206, $2,119.00
L. Various Funds, Rothschild Insurance Agency, Multiple Invoices, $158,569.00
M. Park Impact Fee Fund, Landscape Structures, Invoice #130141, $66,359.00
N. Park Bond 2018 Fund, Milestone Contractors, Invoice #228702-07, $799,551.76
O. Various Funds, SpendBridge, Yearly Purchasing Contracts/Setup, $9,600.00
P. MVH Fund, Midwestern Electric, Traffic Signal Maintenance, $1,170.00
Q. Various Funds, Lowe's, Parts, $470.09
R. General Fund - Police, Cintas, June Cleanings, $1,881.16
S. Various Funds, Auto-Wares, Parts, $8,580.02
T. Various Funds, Grainger, Parts, $38.36
U. Various Funds, Napa, Parts, $1,031.07
V. Various Funds, Menards, Parts, $2,974.59
W. Various Funds, Sunbelt Rentals, Rentals, $2,855.13
X. Various Funds, Crawford Door, Repairs, $300.00
Y. Ambulance Fund, Accumed Group, Monthly Service, $5,520.09
Z. General Fund - Fire, MacQueen Equipment, Testing & Repairs, $2,431.92

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

THEREUPON, Correspondence NONE

THEREUPON, Reports

Deputy Fire Chief Dave Meyer stated that one thing he wanted to talk about is we want to be moving forward with a partnership with a program called Project Fire Buddies. He stated that program started in 2016 and what it does is it brings joy to kids with serious illnesses, terminal illnesses. The program is mainly based in Illinois but they're starting to move to Indiana. He stated what they do is they do toy drives with the children, they may go visit them at their home, if they can't go trick-or-treating they would bring candy and stuff like that. They do anything to brighten their day and try to make their day a little bit better. He stated that the best part is there's no cost to the Town and no cost of the Fire Department, everything goes through Project Fire Buddies. Deputy Meyer said if there was a sick kid in the program in Schererville, because that's all they deal with the is

Schererville, they would through the application review it to see if it's a proper candidate, if it is they would pass it along to our Charter and then from there we would take it over. They would go visit the kid, let them come to the station if they're capable, kind of like a buddy. He stated currently there's no clients in Schererville but you know that could change at any minute. All off duty and on duty personnel are willing to help. The duty crew, if they're not busy may stop by and check in on the kids see how they're doing, give them a little fire truck tour. He stated that there are a lot of big Sports organizations and a lot of big name stars also participate, the White Sox, the Chicago Blackhawks, they're big into the in the Project Fire Buddies. Deputy Meyer stated currently there is a chapter in Dyer and a chapter in Cedar Lake and Schererville is hoping to become the third chapter in Indiana. He asked the Council if they have any questions and they hope the Council will approve this.

Mr. Guetzloff asked Deputy Meyer, that once this is approved, if people want to make donations, do they make them directly to the Schererville Fire Department.

Captain Joe Konicek, who is spearheading this stated that the donation would go directly to Project Fire Buddies. He stated that the only time they would handle money is if they did a boot drive, or had a pancake breakfast. They would then turn that money over the Project Fire Buddies.

All Council Members stated that they think this is a great program and they appreciate the Fire Department getting involved in this.

Mr. Johnson made a motion to approve, seconded by Mrs. Arvanitis. All in favor (5-0).

Mr. Novacich stated that they have 541 kids signed up in the weekly camps and they have 240 signed up in all of the other programs. He stated that is by far record for registrations. Mr. Novacich stated that they had a great fireworks event and thanked the Council for their support as well as the Police Department and Public Works Department.

Mr. Connelly asked Mr. Hansen how the Illiana survey results are coming in. He stated that the survey period extends until August 11th. Mr. Connelly asked Mr. Hansen what the top five go getters would be. Mr. Hansen stated that the top five are an ice rink, a Bandshell, a trail, a botanical garden and a Rec. Center.

THEREUPON, Public Comments Regarding Agenda Items NONE

THEREUPON, Old Business

ITEM A. Request to Access Town Property to Repair Material Containment Wall behind Smith Concrete

Petitioner: Rich Rueth, Target Rentals
Location: 1001 US Hwy 41
(Deferred from the June 14, 2023 Meeting)

Mr. Gorman stated that at the last Council meeting the Town Council directed Town's Administrative staff to work with Attorney Austgen to draft an agreement for Mr. Rueth to enter onto our property to fix a wall. Mr. Gorman stated that that instrument was not yet drafted, they need more information from the petitioner and

they need to work a little closer with him because there are some floodplain issues out there and some engineering Mr. Rueth needs to do before we can move forward with an agreement.

Mr. Guetzloff made a motion to defer, seconded by Mrs. Arvanitis.

Mr. Johnson stated he personally thinks that just giving this business owner access is not the solution to the problem. We still have an encroachment onto Town property from a neighboring business owner and he thinks that has to be addressed either with a lease or with removal of the encroachment. Mr. Johnson feels that's the bigger issue here and until that's formalized in some way, whether it's a lease or a removal, he doesn't know if we should even contemplate this request for access to the Town property to repair this wall. Mr. Johnson stated that he is still of the opinion that this is a bad precedent to set. He feels this should be addressed now with either an ultimatum to remove it from the Town Council Agenda or enter into a short term or long term lease agreement, where the Town is being adequately and reasonably compensated.

Mr. Schmitt asked Mr. Troxell for a roll call vote on the motion to defer. Mr. Johnson - Yes; Mr. Connelly - Yes; Mrs. Arvanitis - Yes; Mr. Guetzloff - Yes; Mr. Schmitt - Yes. Motion carries (5-0)

THEREUPON, New Business

ITEM A. Ord. #1994, An Ordinance Replacing Town Ordinance No. 1926 To Replace and Re-Establish an Equitable Impact Fee for The Purpose of Planning and Financing Park and Recreational Infrastructure Needed to Serve New Development in the Town of Schererville, Lake County, Indiana, Repealing all Ordinance and Town Code Sections, Or Parts Thereof, in Conflict Herewith, and all Matters Related Hereto

Mr. Gorman stated that this is an ordinance reestablishing the park impact fee that is paid to the Town when a developer pays for a new house permit. He stated that the committee met three times earlier this year as is required. He stated that the Arsh Group of Merrillville prepared the study that is included in the Council's packet tonight. Mr. Gorman stated that the impact fee is $2,170.33, it is the same as it was five years ago. Mr. Gorman stated that this went in front of the Plan Commission and they voted on it with a favorable recommendation that the fee stays the same. He stated it also went to the Park Board and they also have a Resolution that they approved that fee as well.

Mrs. Arvanitis stated she wants to reiterate so everybody knows that the fee is paid by the Builder when they apply for a house permit.

Mr. Johnson made a motion to consider on 1st reading, Ordinance #1994, seconded by Mr. Guetzloff. All in favor (5-0).

Mr. Guetzloff made a motion to adopt Ordinance #1994, seconded by Mr. Johnson. All in favor (5-0).

Attorney Austgen stated that immediately this Ordinance will be filed and recorded to finish the statutory process. He stated that this Ordinance will become effect six months from this meeting.

ITEM B. Res. #2023-6, A Resolution of the Town Council of the Town of Schererville, Indiana, Authorizing Execution And Delivery of an Equipment Schedule to the Master Equipment Lease/Purchase Agreement, with Bank of America, National Association, for the Acquisition, Financing and Leasing of Vehicles and Equipment under the Terms Specified Herein, as well as Authorizing the Execution And Delivery of other Documents Required in Connection Therewith and Authorizing all other Actions Required for The Transactions Contemplated, and all Matters Related Thereto.

Mr. Troxell stated that back in May of this year the Council authorized him to go out for bids for up to 2.5 million for vehicles and equipment list that was put together by the Staff and Administration. Mr. Troxell stated that the successful bidder was Bank of America, they are the same company that won the bid two years ago when we went out for vehicles and equipment. Mr. Troxell stated that what you are doing here is authorizing to move into that agreement with Bank of America for their paperwork to secure the loan. Mr. Troxell stated that the amount did lower from 2.5 million to 2.2 million dollars for these vehicles and equipment and the rate we received was 3.78, for a four year term.

Mr. Johnson asked Mr. Troxell if we are anticipating that we're going to need another vehicle purchase before the four year term is up. Mr. Gorman advised most likely yes. Mr. Johnson asked if we are stacking these leases. Mr. Troxell stated that the lease we did in 2021 will fall off in 2025. Mr. Gorman stated that they went through the list and cut a lot of things because it was a very extensive list. He stated that some of the items could wait a couple more years.

Mr. Guetzloff made a motion to approve Resolution #2023-6, seconded by Mr. Connelly. All in favor (5-0).

ITEM C. Res. #2023-8, A Resolution to Transfer funds within a Category of Appropriations

Mr. Troxell explained the Transfer of Funds for Park non-reverting fund.

Mr. Johnson made a motion to approve Resolution #2023-8, seconded by Mr. Connelly. All in favor (5-0).

ITEM D. Consider Approval of the Town of Schererville ARPA Non-Profit Repayment Program in the amount of $10,000 to The Schererville Chamber of Commerce for Repayment Of a Loan acquired during COVID-19 upon Receipt of Required Documents

ARPA Committee - Favorable Recommendation 6-0
And authorizing the Clerk-Treasurer to Review and Execute Documents.

Mr. Gorman stated that last year the Town allocated a hundred thousand dollars of our ARPA funding to be made available to non-profit 501c3s who applied for non-forgivable loans through the small business administration with the Federal Government during the COVID-19 pandemic. Mr. Gorman stated that the Schererville Chamber of Commerce applied to the Town and we granted them the limit of ten thousand dollars to go towards their non-forgivable

loan with the SBA and that monies that they will get will go directly to the SBA.

Mr. Gorman stated that if anybody knows any other 501c3s that have loans through that organization, the small business administration, please apply to the Town of Schererville.

Mr. Johnson stated that he is a member of the Chamber and was on the Board when they took this loan, so just for clarity and transparency he is going to recuse himself from voting on this issue.

Mrs. Arvanitis stated she is currently on the Schererville Chamber board and will not be voting on this issue.

Mr. Connelly made a motion to approve, seconded by Mr. Guetzloff. Motion carries 3-0-2 abstain).

ITEM E. Consider Variance of Use to Allow a Used Car Sales Business within the U.S. 30 Commercial Corridor Overlay District

Board of Zoning Appeals Case #23-6-6
Petitioner(s): Pro Sport Auto Finance, LLC, Mohammad Abu Eid and Ahmad M. Kamleh
Location: 7715 W. Lincoln Highway - Lot 1, Holmes Addition
BZA Favorable Recommendations with Conditions (4-0)

1) No auto body parts behind the building
2) 6' privacy fencing and/or landscaping buffering At the south side of the property to be Reviewed and approved by staff and addressed Within 6 months
3) Provide a defined shared access with the Automotive repair business to the rear pole Building at this location
4) No "Buy Here/Sell Here" options at this location
5) Subject to this Petitioner and Location only

Mr. Gorman stated that this case came before the BZA, there is a Used Car Dealership there that was approved last year and it's going under a different name. The Variance of Use from last year was given to that petitioner only, so this new petitioner had to go in front of the Board of Zoning Appeals again. Mr. Gorman stated that the next case, Item F is basically the same thing, they are two different properties and two different addresses but the same business. Mr. Gorman stated that it came with a favorable recommendation from the BZA with the conditions listed above.

Mr. Schmitt asked the petitioner if he is confident they will meet all of the conditions. The petitioner stated yes he will comply with all of the conditions.

Mrs. Arvanitis stated she is not familiar with the "Buy Here/Sell Here" that is one of the conditions. The petitioner stated that the dealership is doing the finance to the customer, it's not through a bank or finance company, and we don't do that.

Mr. Johnson asked the petitioner what type of car, what type of quantity of cars they are planning to have, what is the average sales price that they anticipate.

The petitioner stated that as far as inventory they may be stocking thirty to fifty vehicles at the most. He stated the average vehicles value will be around fifteen to twenty thousand, up to fifty thousand. He stated that the years of the vehicles will be 2017 to 2023.

Mr. Guetzloff made a motion to approve BZA Case #23-6-6, with the Findings of Fact and Conditions, seconded by Mrs. Arvanitis. All in favor. (5-0).

ITEM F. Consider Variance of Use to Allow Car Sales Business Within the U.S. 30 Commercial Corridor Overlay District

Board of Zonings Appeals Case #23-6-7

Petitioner(s): Pro Sport Auto Finance, LLC, Mohammad Abu Eid and Ahmad M. Kamleh
Location: 7725 W. Lincoln Highway - Lincoln Parkway Acres, Lot 7
BZA Favorable Recommendation with Conditions (4-0)

1) All Federal, State, and Local Approvals
2) No auto body parts behind the building
3) 6' privacy fencing and/or landscaping Buffering at the south side of the property To be reviewed and approved by staff and Addressed within 6 months
4) No "Buy Here/Sell Here" options at this location
5) Subject to this Petitioner and Location only

Mr. Johnson made a motion to approve BZA Case #23-6-7 for Pro Sport Finance, including the BZA's Finding of Facts and conditions listed above, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM G. Consider Variance of Use to Allow a Portable 10 x 6' Trailer to be Located on-Site from May 1st through October 31, 2023 within the U.S. 41 Commercial Corridor Overlay District

Board of Zoning Appeals Case #23-6-8
Petitioner(s): Bellydawgs, LLC, Jesse Russell and Aaron Earving
Location: 1300 U.S. 41 - Menards Subdivision, Lot 1
BZA Favorable Recommendation (4-0)

Mr. Gorman stated that the petitioner came to the Town and asked if they could have a hot dog trailer that sells hot dogs, in front of Menards building, right at the exit on the south side. Mr. Gorman stated that that is not an allowed use per our Ordinance so we suggested that they went in front of the BZA. Mr. Gorman stated that they received a favorable recommendation from the BZA and they also have a contract with Menards, for the dates May 1st through October 31, 2023.

Mr. Guetzloff asked the petitioner, Mr. Russell if there will be set times that they will be selling the hotdogs. Mr. Russell stated that the contract states that they are only allowed to operate during Menards operating business house. He stated they won't be there before 8:00 am and not after 5:00 pm. Mr. Russell

stated that they are kind of spreading their time between Menards and Cleveland Cliffs, they just got a contract to go inside the mill.

Mr. Johnson asked Mr. Gorman what kind of things do we need to be concerned about regarding Health and Fire. He asked if we are going to be inspecting this trailer if he is going to be transporting this trailer back and forth to Cleveland Cliffs.

Mr. Russell stated that they permitted through Lake County, through their Health Department. Mr. Guetzloff stated that the Health Department will go out there to inspect the trailer. Deputy Fire Chief Meyer stated that they will be inspecting the trailer.

Mr. Gorman stated that this is only for this year. If he wants to do it next year he will have to come back.

Mrs. Arvanitis made a motion to approve BZA Case #23-6-8 including the Findings of Fact of the BZA, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM H. Consider Acceptance of Agreement between Business Purchasing Solution, LLC (dba SpendBridge) and the Town of Schererville

Mr. Troxell stated that we have been looking for a digital solution for the Town-wide purchasing, our current request to purchase method is a paper-based which you already know since you do sign the RTP's when they get over a certain dollar amounts. Mr. Troxell stated that our Software provider, Boyce Keystone did not have a digital purchasing solution to offer municipalities until recently. SpendBridge has partnered with Boyce Keystone to integrate the purchasing process digitally with their financial software. Mr. Troxell stated that SpendBridge has been working for months with our team, gathering data to build our spend management program. The integration has started and the customization digital platform is being developed. The agreement will modernize our purchasing process and has the potential for savings through sourcing and contract Management in the future. He stated that SpendBridge is currently handling many of the State of Indiana school districts procurement processing. This agreement also gives a total shareable access to the State of Indiana quality quantity purchase agreement catalogs for free. Mr. Troxell stated that he had Attorney Austgen review this agreement, it's a two year agreement, the onetime subscription fee is $3,600.00 and the annual access fee is $6,000.00. Mr. Troxell stated it is a recommendation from the Clerk-Treasurer's office to move forward with this.

Mr. Johnson stated he applauds Mr. Troxell for trying to automate the system and try and move things forward into the 21st century. He stated he loves the paperless idea. Mr. Johnson said the purchasing power of joint purchasing is also a good thing. Mr. Johnson stated his concern is that we are the guinea pig, we're the first users of this software project and he is a little leery of it, but with the amount we are talking about of investing, let's do it. Mr. Johnson thanked Mr. Troxell for bringing this to them.

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

ITEM I. Award Bid for the Inverness Lane Storm Sewer Project

Mr. Simstad stated that they have the bid report recommendation for the Inverness Lane Storm Sewer project. He stated that the bids were open at 9:15 a.m. on Friday of last week.

He stated that they had two bidders for this project, one bid was received after the bid deadline at the Clerk Treasurer's office and per specification that bid was returned unopened to that bidder.

Mr. Simstad stated that the recommendation for award of this project would be to Hasse Construction Company in the amount of $1,355,775.00. Mr. Simstad stated that this is in Briar Ridge, it's on a Town of Schererville maintained drainage way. He stated it's a 72 inch storm sewer corrugated metal pipe that has deteriorated over the years significantly. He stated that the Town Public Works Department has repaired this line numerous times over the years and it's passed it functional life by several decades. Mr. Simstad stated that there is $250,000.00 by the Lake County Council in support of this project to the Town.

Mr. Johnson asked Mr. Gorman if this is one of the ARPA projects. Mr. Gorman advised yes it is, so after the $250,000.00 from Lake County, it will be paid from the ARPA funds, and may have to dip a little into other funds.

Mr. Johnson made a motion to award the bid for the Inverness Lane Storm Sewer Project to Hasse Construction, seconded by Mr. Guetzloff. All in favor (5-0).

ITEM J. Award the Bid for the 2023 Sidewalk Connectivity Project

Mr. Simstad stated that this is for the sidewalk connectivity between Tara, Amberleigh and Ridgemore subdivisions on the southwest side of Town and additionally on the north central northwest side on Eagle Ridge Drive, south of the new bike trail connection. Mr. Simstad stated they had six bids for this project, the estimated cost of construction was $328,767.50 and the lowest bid of the most responsive and responsible bidder is a recommendation to be made to Davis Concrete Construction Company in the amount of $355,775.00.

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

ITEM K. Consider Acceptance of Donations - $1,200.00

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

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

THEREUPON, Business from the floor

Mr. Joe Konicek, 7661 Morton Street, Merrillville, IN thanked the Council for the favorable decision this evening for Project Fire Buddies. He stated it's a program that we hope we don't have to utilize for the residents of the Town of Schererville, but it is something that we've been trying to get off the ground so we can provide if needed.

Meeting adjourned.

Thomas J. Schmitt

THOMAS SCHMITT
TOWN COUNCIL PRESIDENT

Michael A. Troxell

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

A TRUE COPY

TOWN OF SCHERERVILLE SEAL LAKE COUNTY, INDIANA