The Regular Town Council Meeting of the Town of Schererville, IN was called to order by President Thomas Schmitt at 7:10 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. Council Member absent: Robin Arvanitis. Staff members present: Attorney David Austgen, 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 September 13, 2023 Public Meeting, seconded by Mr. Johnson. All in favor (4-0).

THEREUPON, Claims

A. APV #110618 - APV #111138 on the General Docket, Totaling $1,846,904.58
B. APV #110620 - APV #111117 on the MVH Docket, Totaling $100,885.45
C. APV #110699 - APV #111101 on the Payroll Docket, Totaling $1,132,753.00
D. Various Funds, First National Bank of Omaha, Credit Card Charges, $7,972.74
E. Various Funds, Fish Window Cleaning, Various Invoices, $1,450.00
F. Various Funds, Enterprise Rent-A-Car, Vehicle Lease, $3,646.64
G. Various Funds, Austgen Kuiper Jasaitis, September Legal, $16,074.75
H. Various Funds, Thomas Brady, Utility Refund, $2,440.96
I. Park Bond 2018 Fund, Milestone Contractors, Invoice #228702-08, $28,961.87
J. Park Impact Fee Fund, Landscape Structures, Invoice #134354, $53,928.00
K. ARPA Fund, Quality Mechanical, Inc., Pay Request #8, $120,769.47
L. Ambulance Fund, E-Services Technology, Various Invoices, $30.00
M. Various Funds, Colby & Co., Various Invoices, $39,388.00
N. Public Safety Fund, Town of St. John, 2023-2024 School Resource Officer Agreement, $20,000.00
O. Park Bond 2018 Fund, DLZ LLC, Pmt.#17-Pennsy Greenway, Phase IV, Invoice #706165, $579.53
P. Sub. Rev. Prof. Fee N/R Fund, Robinson Engineering, Invoice #23090168, $1,884.50
Q. Various Funds, Rothschild Insurance Agency, Various Invoices, $160,148.00
R. General Fund - Police, Governmental Interinsurance Exchange, Invoice #2023090011, $2,080.75
S. Park Non-Reverting Fund, Sunbelt Rentals, Various Invoices, $7,552.35
T. Various Funds, Auto-Wares, Repair Parts, $26,367.41
U. Various Funds, Menards, Supplies/Parts, $1,711.85
V. Various Funds, Interstate Batteries, Batteries, $963.65
W. Various Funds, T&M Tire, Tires, $3,454.50
X. 2016 Taxable G.O.Bond Debt Svc Fund, Huntington Bank, Annual Administration Fee, $500.00

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 Sormaz stated that he wanted to remind everybody that at the end of the month we have Halloween upon us. He stated that Trick or Treat will be on October 31, 2023, 5:00 p.m. - 7:00 p.m. Chief Sormaz stated that the police department will be out in the neighborhoods and will increase patrols to ensure everybody's safety.

Mr. Connelly stated he would like to thank Public Works Director Chad Nondorf for the great job coordinating all of the needed improvements in Town with the new curbs, sidewalks and paving.

THEREUPON, Public Comments Regarding Agenda Items NONE

THEREUPON, Presentation

David Uran, South Shore Convention and Visitor Authority

Mr. Uran stated he is honored to be here tonight to present what's happening in the South Shore. Mr. Uran introduced his staff members that are here this evening. He stated that this year they are celebrating forty years of opportunities for residents, travelers and youth sports in the regions. Mr. Uran gave a presentation on what the South Shore basically is and what they do for the communities. He stated that hosting sporting events is a huge book of their business and spoke about the sports tournaments that are held in our area. Mr. Uran stated that they have almost five million visitors alone that just comes to see our national park at the Dunes and that translates to a lot of disposable income that will go into the economic development of the region itself. Mr. Uran spoke about the Lake County Tourism highlights and future opportunities to invest in quality of place. He stated they invest in our kids for a better tomorrow than we have today and as long as that's our guiding light, we're going to continue to work with our municipalities to bring these types of events that are impactful to Schererville. After Mr. Uran's presentation he stated that they are having their Christmas Party for the South Shore on December 16th and invited the Council Members.

THEREUPON, Old Business

ITEM A. Ord. #1995, An Ordinance Establishing a Current Travel Policy for the Town of Schererville, Lake County, Indiana, Replacing all Existing Ordinances, Resolutions And Policies or Parts Thereof, Including Ordinance No. 1515, in Conflict Herewith, and all Matters Related Thereto **(Deferred from September 13, 2023 meeting)**

Mr. Gorman stated this Travel Ordinance was just recently updated from when we had it on the agenda last month. He stated that they cleared up the reimbursement language a little bit to make it more presentable. He stated that they added some definitions to this one compared to the old Ordinance on meals and gratuity and then also raised the allowances for meals while traveling.

Mr. Connelly made a motion to consider on 1st reading, Ordinance #1995, seconded by Mr. Johnson. All in favor (4-0).

Mr. Johnson made a motion to adopt Ordinance #1995, seconded by Mr. Guetzloff. All in favor (4-0).

ITEM B. Ord. #1996, Adoption of 2024 Civil Town Budget **(Second Reading)**

Mr. Troxell stated that this is the 2nd Public meeting held on the Town Municipal Proposed 2024 Budget.

Mr. Troxell stated that during last month's Public Hearing of the Notice to Taxpayers, there were no oral remonstrations nor were any written remonstrations received on the 2024 Schererville Civil Budget. Good to move forward. He stated that the 2024 Budget is figured with an increase of 4.5%. The DLGF has stated that the Maximum Growth Levy factor will be about 4%. We expect some downward adjustments to this adopted budget. Total Budget for all funds is $53,765,639.

Mr. Troxell stated that Property Tax rate proposed is .666%. After DLGF adjustments the Property Tax rate is expected to be lowered to .5192%. In comparison to last year we proposed a tax rate of .6959% and it was reduced to .5199%. He stated that this is a good budget and is sustainable.

Mr. Johnson made a motion to consider on 1st reading, Ordinance #1996, the 2024 Schererville Civil Town Budget and authorize the Clerk-Treasurer to submit all documents through the Gateway portal for Review, Certification and Approval by the Department of Local Government Finance, seconded by Mr. Connelly. All in favor (4-0).

Mr. Johnson made a motion to adopt Ordinance #1996, seconded by Mr. Connelly. All in favor (4-0).

THEREUPON, New Business

ITEM A. Ordinance #1977, An Ordinance Providing for Reduction in Appropriations in ARPA Covid-19 Fund, Water Operating & Maintenance (O&M), Wastewater Operation & Maintenance (O&M), and Police Pension Funds of the Town of Schererville for Year 2023, and all Matters Related Thereto.

Mr. Troxell stated that the reduction of Appropriations on the 2023 Budget are being done to properly assist with funding of the 2024 budget. He stated that the DLGF recommends making reductions of appropriated funds that will not be used in the budget year.

Mr. Johnson made a motion to consider on 1st reading, Ordinance #1997, seconded by Mr. Connelly. All in favor (4-0).

Mr. Johnson made a motion to adopt Ordinance #1997, seconded by Mr. Connelly. All in favor (4-0).

ITEM B. Res. #2023-13, A Resolution to Transfer Funds within A Category of Appropriations

Mr. Troxell explained the Transfer of Funds. Mr. Johnson made a motion to approve Resolution #2023-13, seconded by Mr. Connelly. All in favor (4-0).

ITEM C. Consider Approval of Change Order #1 in the Amount of $3,218.00 and Pay Request #1 in the Amount of $449,163.00 for G.E. Marshall, Inc. (Eagle Ridge Culvert Replacement Project)
**(From Redevelopment Commission Agenda)**

Mr. Connelly made a motion to consider approval of Change Order #1 and Pay Request #1, seconded by Mr. Guetzloff. All in favor (4-0).

ITEM D. Consider Variance of Use to Allow a Home Business to Consist of Police/Security Canine Training

Board of Zoning Case #23-8-11
Location: 510 77th Avenue
Petitioner(s): Elad Bachar and Julie M. Bachar
BZA Favorable Recommendation with Conditions

1-There will be no outdoor kennels and no Overnight boarding of canines
2-Petitioners will provide proof of liability Insurance
3-Petitioners will have planted 30 additional Trees on the east side of their property per The proposal provided by Victory Gardens and Submitted as evidence during the hearing
4-Petitioners will comply with all applicable Local, state and Federal regulations
5-Petitioners will not train, nor have on the Premises, more than 4 non-police canines per Day

Mr. Gorman stated that this case before the Council came with a 3-0 favorable recommendation from BZA with conditions as were just read.

Attorney Wieser, an Attorney in Schererville Law offices at 429 West Lincoln Highway, stated he represents the petitioners.

Mr. Johnson stated that he has some concerns that came up during the BZA hearing and he was concerned, like the residents that came to speak on the topic about the safety of this business and the K-9's. Mr. Johnson stated that he likes the business, he likes the business model, he even likes the location, he just wants to make sure it's safe for the neighbors and he wants to make sure that we have done all we can as a Town to protect the neighbors from anything bad happening. Mr. Johnson stated that he thought it was going to be police K-9's only and that wasn't really what was presented. He stated that he thinks that it is great, we need that training here, and obviously we have plenty of dog bites that happen from untrained dogs. Mr. Johnson stated that though we want to make sure these problem dogs that need training are coming into a safe and secure location. Mr. Johnson asked Attorney Wieser if his client can fence in a drop off zone so that when people are coming in with their dogs off the street that they have a safe place. He stated that maybe they can secure a grassy area and the parking lot area with a fence that is controlled with a gate that automatically closes behind the cars. Mr. Johnson stated maybe there is a way to secure the area for people coming in and out of there to drop off these dogs, he doesn't want one of these neighbors on either side get bitten by a dog that runs off.

Attorney Wieser stated he will let his client speak in a second because he thinks his client would like to address. Attorney Wieser stated that this was fully vetted at the BZA, that conducts the public hearing and they are certainly in no position this evening to say that they would agree to a gate, a gate that has a lock or mechanism. He stated this would be a substantial expense that was never ever raised at the BZA level. He stated not that they wouldn't consider enhancing safety if we can, but some of the conditions that are stated here, addresses the issue of enhancing the safety factors and the safety concerns. Attorney Wieser stated that one of the proposals Mr. Johnson suggested would be rather costly.

Elad Bachar, 510 East 77th Avenue, said it is hard to see on the map, but on the west side it's all fenced in, there is a wooden fence from the west side to the north where you see that pond all the way to the other building. He stated it's fairly secure and most of their training will be indoors, it's very secure and there is only one door and the door will be closed when they are training. Mr. Bachar stated that he has been doing this for

twenty-five years and he pretty much sees everything from all kinds of issues with dogs. He stated he can assure that.

Mr. Johnson stated for the record to be clear, he has no problem with the business or the location, he just wants it secure. He stated that there is a fence on the east side of the property, there is a fence on the north side of the property, but there's no fence on the west side of the property. He stated that there is a fence on the neighboring property on the west side and there's no fence on the south side of your property, so there is only half of their property that is fenced. Mr. Johnson stated that his concern is that he doesn't want a business to go into a residential area, which is what is being proposed. Mr. Johnson asked Mr. Bachar if they are willing to do something to try and secure a drop off area so that vehicles can pull into a drop off area, a gate that can be closed so dogs can be taken out of the vehicles and go right into the building so they are now in a secure area, inside the building. Mr. Johnson stated he is just asking for some sort of fenced in parking area so that dogs can be unloaded and loaded back inside of a fenced area. Mr. Bachar stated that they can probably work something out, they would have to build it and design it so it's going to be efficient.

Mr. Johnson stated his second concern is the amount of traffic going through there. He stated he thought he heard at the BZA meeting that four to eight cars coming in and asked Mr. Bachar if he has any concern about that many cars driving right next to that house (neighbor). Mr. Johnson stated that's all the questions he has as long as the business owners are in agreement with some sort of drop off zone, gated drop off zone.

Mr. Connelly made a motion to approve BZA Case 28-8-11, seconded by Mr. Johnson with the additional condition. The condition of a fence drop off zone with a gate to protect the dogs or keep the dogs in. Attorney Wieser said hold on, he doesn't know if the petitioner agreed to that, he agreed that they would look into it and to find out if it could be properly designed and what the cost would be. He stated there's simply no way tonight that the imposition of that kind of condition that may be reasonable, but may be very expensive and very costly. Attorney Wieser stated they would possibly agree that they will take the opportunity to look into that. He stated if it's made as a condition, he doesn't know where that leaves them, because they can't agree to that condition until they know what it is going to cost and how it can be designed. Mr. Connelly asked Mr. Bachar what is his timeline to open the business, that maybe they can defer this until next month so he has time to investigate the gated or the fenced in area and the cost. Mr. Connelly stated that the petitioner can come back and tell us if he's agreeable to that.

Mr. Connelly stated that since we have a few months to work with here, he will resend his initial motion and make a motion to defer to give the petitioner a chance to look into the potential gate and then come back to staff and let us know, seconded by Mr. Guetzloff.

Mr. Schmitt asked Mr. Troxell for a roll call vote: Mr. Johnson - Yes; Mr. Connelly - Yes; Mr. Guetzloff - Yes; Mr. Schmitt - No. Motion carries (4-1).

ITEM E. Consider Acceptance of Donations - $2,230.77

Mr. Troxell read the donations for the month of September into the record. 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 NONE

Meeting adjourned.

THOMAS SCHMITT
TOWN COUNCIL PRESIDENT

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

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LAKE COUNTY, INDIANA