

The Regular Town Council Meeting of the Town of Schererville, IN was called to order by President Rob Guetzloff at 8:00 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, Thomas Schmitt and Rob Guetzloff. Staff members present: Attorney David Austgen, Fire Chief Robert Patterson, Deputy Fire Chief David Meyer, Police Chief Pete Sormaz, Deputy Police Chief Jeffrey Cook, Park Superintendent John Novacich, Town Engineer Neil Simstad, Director of Public Works Jeff Huet, Director of Operations James Gorman, Town Manager Robert Volkmann, 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 January 20, 2021 Public Meeting, seconded by Mr. Johnson. All in favor (5-0).

THEREUPON, Claims

- A. APV #94662 - APV #95025 on the General Docket, Totaling \$1,663,693.07
- B. APV #94668 - APV #95014 on the MVH Docket, Totaling \$538,307.77
- C. Various Funds, First National Bank of Omaha, January Credit Card Charges, \$8,425.52
- D. Various Funds, Enterprise Fleet, Monthly Lease, \$3,346.64
- E. Various Funds, Austgen Kuiper Jasaitis, January Legal, \$17,897.17
- F. Cum Cap Development Fund, Peoples Bank, Principal & Interest Due - 2020 Ambulance, \$33,386.89
- G. General Fund - Animal Control, Crossroads Animal Hospital, January Vet Bills, \$978.56
- H. Cedit Fund, Robinson Engineering, North Burr Street Corridor - Invoice #21010424, \$6,404.50
- I. Cedit Fund, Robinson Engineering, Burr Street Widening U.S.30-75th -Invoice #21010423, \$6,590.00
- J. General Fund, Town of Cedar Lake, 2020 PSAP True-Up, \$16,914.03
- K. Cum Cap Development Fund, LWG CPAs, Invoice #34096, \$10,000.00
- L. Various Fund, Gatlin Plumbing, Pay Request #7 Burr Street Base Bid, \$57,461.14
- M. Park Non-Reverting Fund, Basheena Austin, Program Refund, \$50.77
- N. Cedit Fund, American Valuation Appraisal Services, Various Invoices, \$2,800.00
- O. Ambulance Fund, Allied 100, CPR Training Supplies, \$138.36
- P. General Fund - Administration, Liberty Mutual, Bond Renewal, \$75.00

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

THEREUPON, Correspondence NONE

THEREUPON, Reports

Police Chief Pete Sormaz stated that last week at the Board of Safety Meeting we recognized patrolman Scott Savich with the award from the Indiana Criminal Justice Institute. Chief Sormaz explained the Criminal Justice Institute.

Chief Sormaz stated that last month our Animal Control Department initiated a volunteer program to help care for the animals. He stated that the first advertisement went out this month in the water bills inviting volunteers to apply for the program. The volunteers that apply will be required to complete a selection process, which includes a background check. Chief Sormaz stated if anyone has any questions they should contact Angela Malinowski at 219-865-6992.

Fire Chief Robert Patterson reported that the Department responded to 363 emergency calls for the month of January, 297 were EMS related, 66 were fire related. Chief Patterson gave an update on the Safe Haven Baby Box. He stated that right now they are waiting for the Safe Haven's signed contract to come back to us,

once they receive that contract he will start moving forward with contacting the contractors for the installation of the Baby Box.

Mr. Guetzloff stated that he has a Certificate of Recognition. He stated the Town Council of the Town of Schererville would like to recognize Mrs. Edith Coleman, a resident of the Town of Schererville who will be celebrating her 104th birthday on February 13, 2021. Mr. Guetzloff stated the Town Council would like to wish her a Happy Birthday, and tomorrow Mr. Volkmann will be presenting her with this Certificate of Recognition.

THEREUPON, Public Comments Regarding Agenda Items NONE

THEREUPON, Old Business

ITEM A. Ord. #1962, An Ordinance Amending Town Zoning Ordinance No. 1797, as Amended, the Same being an Ordinance Classifying, Regulating, and Restricting the Location Height, Area, Bulk and Use of Buildings and Structures and the Use of Land in the Town of Schererville, and for Said purposes Dividing the Town into Districts, and all Matters Related Thereto **(Tabled from January 20, 2021 Meeting)**

Plan Commission Case #20-12-19
Location: 7095 Burr Street
Rezone from Residential (R-1) to Residential
Planned Unit Development (PUD) to include One (1)
and Two (2) Family Dwelling Units
Plan Commission Favorable Recommendation 4-3

Ed Recktenwall: My name is Ed Recktenwall, I am representing Olthof Homes and this petition for rezone. I do have a few handouts and a slide I would like to go through.

Mrs. Arvanitis made a motion to remove from the table, Ordinance #1962, seconded by Mr. Schmitt. All in favor (5-0).

Mr. Recktenwall: We were here a couple of weeks ago in regards of this matter, the rezone of the parcel. I just want to clarify a couple of points on the projects, a couple points that we did address at the Plan Commission, but I just want to make sure these points are very clear with the Council. Up here (pointing to the slide) is the concept plan that was presented to you last month on January 20th. I'm really just showing this plan just to make a point on amenities, open spaces, entrances, things of this nature. I will get to the updated plan in a few minutes. The part of our proposal on this parcel, we are including different amenities. Those amenities will be a trail system, that is represented on the red lines of the concept plan, so right here is 65th Street, we are a catch on 65th Street, this would connect into the trails by Turkey Creek and Erie Laka trail, I believe is on the west side there. This red line presents a paved an amenity trail that would have different exercise stations along the way, it would provide access all the way through the project site, down to just north of Jaskula Lane, which could be brought into the Burr corridor. Additional connection would be made here as we cross the Turkey Creek lateral, that one again would wind through the Community, we have it proposed here running through the cul-de-sac here, but eventually it would make its way down to Foxwood Park here in the Southeast corner. That was one of the bigger amenities we are proposing, we do have others, we are proposing a naturalized detention facilities on this project, so now the current status of the areas are just kind of wet, wet flood plain areas that we would turn these into naturalized detention facilities. In addition, these little red asterisk represent something else we would be adding to the project, in particular, just here at the intersection, on the east side we would be providing a union station or sitting area, represented by the photograph here. We would also have gazebo's or shelter structures located in connection with the trails in certain open spaces and I am willing to site those and work with the Council or staff, in putting those in certain locations that make more sense.

Mr. Recktenwall: In addition, we mentioned we have three entrances onto Burr Street, each one of those entrances would receive an entrance marker, the main entrance marker would most likely be located on Phillips Road and Burr Street, and then we would provide secondary markers at Jaskula and also 65th Street. Those would be somewhat smaller in size but would still set off the Community. Other items that the plan shows is the landscaping, we attend to heavy landscape the site. There are common lots proposed along Burr Street so the residential lots do not backed up all the way to the right-a-way, so there will be a common lot between the lot and the right-a-way line, which would allow us to providing landscaping, a berm to project from the rear of the houses. So that would be the proposal for Burr Street, we have larger lots here at Jaskula, so that lot would be landscaped as well to provide kind of an entrance area, we would do the same

thing here at Phillips and Burr and then up here again at 65th and Burr. We have out lots that can be heavily landscaped and provide necessary screening from the road.

Mr. Recktenwall: This is not a plan that I handed out just a few weeks ago, this has been worked on a little bit and now we are down to all single family detached homes in the proposal. We have a variety of 60, 70, 80 foot lots, with a new lot total of 205 total units. That is down from 209 on the previous plan. We also have provided more space in some of these out lots that are adjacent to Foxwood, providing additional screening, landscaping, open space for that area of the project.

Mr. Recktenwall: One thing I would like to mention, just want to make sure everybody understands that we are proposing a Home Owner's Association across this entire project, so all common lots, trails, all those amenities features will be administered by a Community Home Owner's Association. The Home Owner's Association would be responsible for maintaining those items. In addition, the blue areas on this drawing would be a separate or sub-association to that Community. The reason being is that these would have maintenance free offering to them. So, snow removal would be taken care of, lawn care, fertilization and things of that nature that helps maintain value in that section. Other things included in our Home Owner's Association, they are established from day one, from the minute we have the first sale, the association is put in place, that allows residents to pay into the association, become familiar with it, we in turn subsidize it through its life until we are ready to turn it over. We hire a management company, Olthof Homes doesn't handle any of the financial aspects of the management company, although we do help them with contracting maintenance companies of that nature. Generally, we provide certain inclusions into our covenants and restrictions, things like no RV or boat storage or parking on any lots, in the roads, things of that nature. We do have a violation process that is in line with the State of Indiana Home Owner's Association requirements. We also provide architectural standards throughout the community that must be reviewed if any changes are contemplated by a homeowner. In addition, we do restrict some types of fencing, we do not allow sheds, so the fencing standards would be put in this community as well, we only allow PDC style fences, we also try to keep uniform color, so we allow tan and white. We also have other options like open picket along common areas which keeps those open spaces kind of open, and if the homeowner's see fit the can install black aluminum. All of this protects the value of the community, brings up the value of the community, so this is included in the proposal.

Mr. Recktenwall: At this time I just wanted to make sure those points were addressed and I would be happy to answer any questions or take any more comments from the Council.

Mr. Johnson: You said that the common lots behind the single family homes to create a buffer, I think you were talking along Burr Street, is that going to go all along Burr Street or is that only the green lots.

Mr. Recktenwall: There is a common lot proposal on the entire north/south frontage of Burr Street.

Mr. Johnson: What width is that lot?

Mr. Recktenwall: I believe it is shown as 25'.

Mr. Johnson: And that is going to be landscaped in order to create a natural border between the road and the back yards.

Mr. Recktenwall: Correct

Mr. Johnson: I also had a question about the covenants, is there something in there that only requires only owner occupied as opposed to rental.

Mr. Recktenwall: We can't fully restrict rentals, but we do provide standards in there which only allow 85%, but we do try our best to limit within the community.

Mr. Johnson: You have also in your design plan that you had previously distributed, antimonite I think is what it is called.

Mr. Recktenwall: Yes

Mr. Johnson: I guess I'm just curious, that applies to neighboring homes. I have been through subdivisions particularly in recent years that seems like all of the homes look the same to me, all the same color schemes, I know that is dictated by the buyers to some extent. Is there a chance that we can create a little bit more of a buffer, maybe two homes or something like that, that would allow a little bit more room to seek variety?

Mr. Recktenwall: We can work with staff on seeing what we can do to manage that clause. Now our current one has one of either side, one that goes across the street, then diagonal. We do put restrictions on our facades, though they can be a similar model. We are willing to work with staff or the Plan Commission on that.

Mr. Johnson: Why so many Villa lots, if we are in an R-1 Residential Zoning area, that's what you current zoned, why so many villa lots, is there an intention to stuff more homes into this area, what's the reasoning.

Mr. Recktenwall: It's not density, we just feel through the whole entire process we try to match zoning, we try to use transitional zoning when putting together a layout. The Villa homes tend to front very well with what would be in Prairie Estates, it's a detached home, it's a smaller ranch style home, and it's a slab product home. That's really more the reasoning for the Villa Style Home, it's not necessarily about density.

Mr. Johnson: The yellow lots are the 70' lots, are they going to have basements.

Mr. Recktenwall: Those right now are not predicted to have basements, no.

Mr. Johnson: So all the yellow lots and all the purple lots are going to have slab homes.

Mr. Recktenwall: Correct

Mr. Johnson: And the difference between the sizes of the lots is 60' vs 70'.

Mr. Recktenwall: The smaller width for the Villa Homes is part of the maintenance package management for the HOA, it's a little bit simpler for a management company to manage a 60' wide lot, rather than a 70' lot.

Mr. Johnson: So maintenance free is an option, it's not required as part of the purchase.

Mr. Recktenwall: It is not an option, not in the Villa style homes, no.

Mr. Johnson: So all of the Villa Style Homes are maintenance free.

Mr. Recktenwall: Correct

Mr. Johnson: I thought that was an option.

Mr. Recktenwall: Nothing is optional as far as the association goes with this community.

Mr. Schmitt: I have a question for Mr. Volkmann. Mr. Volkmann, all of this description Ed is giving us here tonight will still have to be filtered through the Plan Commission correct.

Mr. Volkmann: They will review it. The zoning is the first step, the conventional plan, certainly there is none of the engineering is complete for this, so all of this will go before the Plan Commission again.

Mr. Schmitt: Then potentially it would come back to the Council.

Mr. Volkmann: If there is a significant change to the PUD that would require Public Meetings and approval. If they are minor changes, the Plan Commission can make that determination.

Mrs. Arvanitis: Mr. President, I would like to make a motion. I would like to make a motion to allow the rezoning from Residential (R-1) to Residential PUD, to allow only single family detached dwellings.

Attorney Austgen: Mr. President, would you also consider based upon the presentation materials made and submitted supplementally tonight by Mr. Recktenwall.

Mr. Guetzloff: As part of the motion tonight?

Attorney Austgen: That's correct.

Mr. Schmitt: For clarification, you said single family detached dwellings.

Mrs. Arvanitis: Yes

Mr. Schmitt: I will second.

Mr. Connelly: Just for clarification, so what we are say is PUD, but R-1.

Mr. Johnson: No, that is not what she is saying, she is saying this land here, all single family homes, that he's proposing the Villa's, the 70' wide lots and the 80' wide lots.

Attorney Austgen: But this a PUD. That is the application that was made, those are the conditions on this PUD that have been presented to you that you are considering tonight. So all of the details that were just mentioned are part of this parcel and the zoning district classification the petitioner filed and sought to have approved. These are the parameters the Plan Commission will be working with.

Mrs. Arvanitis: Yes

Mr. Schmitt: Mr. Austgen so the petition in front of us though is the rezone from R-1 to include one and two family dwelling units, and the motion on the floor eliminated the two family dwelling units.

Attorney Austgen: Correct, that's exactly right. Before tonight you didn't have the drawing and the supplemental revisions that were presented, those items are inclusive also.

Mr. Schmitt: And like I asked Mr. Volkmann, the developer will bring this development back to the Plan Commission to work on the proposed development.

Attorney Austgen: They have to work on the subdivision plat and site plan. That is still at the Plan Commission completely. That would be a subject of another public hearing.

Mr. Guetzloff: Correct me if I'm wrong, the motion that she made included the para cottages.

Mrs. Arvanitis: No

Mr. Johnson: No para cottages.

Mrs. Arvanitis: Single family detached.

Mr. Guetzloff: So everything is single family detached, ok I just want to make sure we got the right motion. So we do have a motion.

Mr. Schmitt: and my second.

Mr. Guetzloff: And a second, we will call for the vote.

Mr. Troxell: Mr. Johnson - No; Mr. Connelly - No; Mr. Schmitt - Yes; Mrs. Arvanitis - Yes; Mr. Guetzloff - Yes. Motion carries (3-2).

Mr. Recktenwall: Thank you Council Members

THEREUPON, New Business

ITEM A. Res. #2021-2, A Resolution Authorizing Lease-Purchase for Purchase of Vehicles for the Town of Schererville, Lake County, Indiana, and all Matters Related Thereto

Mr. Volkmann stated that this is a Resolution for the 2021 Lease Purchase agreement. This will include squad cars and the equipment to equip those, the new fire engine that we are following up on the contract from 2019, and also there is some equipment for the Public Works Department and Park Department.

Mr. Connelly made a motion to adopt Resolution #2021-2, seconded by Mr. Schmitt. All in favor (5-0).

ITEM B. Res. #2021-3, A Resolution Approving a Memorandum of Understanding between the Village of Sauk Village, Illinois, the City of Chicago Heights, Illinois, The Village of Ford Heights, Illinois, the Village of Lynwood, Illinois, the Town of Dyer, Indiana and the Town of Schererville, Indiana for the 2020 Invest in Cook Program, and all Matters Related Thereto

Mr. Volkmann stated that this is in relationship to the Plank Trail connection. Mr. John Novacich stated that this section is between the Pennsy Greenway, going west to Dyer and continuing on Route 30 through Lynwood. Mr. Novacich stated that a concept of connecting eventually to the Town of Dyer if they went ahead and developed their part of the trail. He stated that in a broader scale, we are looking at making a connection to the system in Illinois. Mr. Novacich stated that the Memorandum of Understanding is a feasible study that will not be paying into it. Paying anything into it would be funded through NIRPC.

NIRPC Representative, Mitch Barloga stated that are partnering with Communities in Illinois, south Cook County. They received a \$300,000.00 grant from Cook County to do a feasibility study. He stated that there is nothing they are asking for financially, but they would like Schererville's approval, along with Dyer's approval to work with them on this study.

Mr. Johnson made a motion to adopt Resolution #2021-3, seconded by Mr. Schmitt. All in favor (5-0).

ITEM C. Consider Approval of Payment in the Amount of \$10,531.96 To Kelly Maki of Maki Insurance Group, located at 27 W. Joliet Street, for Completion of the Façade Program **(From the Redevelopment Commission Agenda)**

Mr. Connelly made a motion to approve a payment in the amount of \$10,531.96 to Kelly Maki of Maki Insurance for completion of the Façade Program, seconded by Mr. Schmitt. All in favor (5-0).

ITEM D. Consider Acceptance of LPA Consulting Agreement between The Town of Schererville and DLZ Indiana, LLC for Design of Kennedy Avenue from Junction to Oak Street

Mr. Volkmann stated that this is the start of the first phase for us, the second phase of the project to move it from the environment study to the design phase, which is a great milestone for us as a community and for this project. He stated that the representative from DLZ is here this evening if the Council has any questions concerning the project. He stated that this would be the logical next step, to move into the design phase and property acquisition for construction, which is contemplated for 2024.

Mr. Schmitt made a motion to accept the LPA Consulting Agreement between the Town of Schererville and DLZ Indiana, LLC, seconded by Mrs. Arvanitis. Motion carries (4-1) Mr. Johnson voting no.

ITEM E. Consider Acceptance of Attorney Contract between Burke Constanza and Carberry LLP and the Town of Schererville

Mr. Schmitt made a motion to accept the Attorney Contract between Burke Constanza and Carberry LLP and the Town of Schererville, seconded by Mrs. Arvanitis. All in favor (5-0).

ITEM F. Consider Acceptance of Engineering Contract between NIES Engineering, Inc., and the Town of Schererville

Mr. Schmitt made a motion to accept the Engineering Contract between NIES Engineering, Inc., and the Town of Schererville, seconded by Mr. Connelly. All in favor (5-0).

ITEM G. Consider Acceptance of Fire Service Contract between St. John Township and the Town of Schererville for the year 2021.

Mr. Volkmann stated that this is the annual service contract for fire services in some of the unincorporated areas of St. John Township. He stated that Cathy Lareau, the Township Trustee is here if the Council has any questions.

Mr. Schmitt asked if the price is the same as last year. Ms. Lareau stated it increased by \$500.00.

Mrs. Arvanitis made a motion to accept the Fire Service Contract between St. John Township and the Town of Schererville for year 2021, seconded by Mr. Schmitt. All in favor (5-0).

ITEM H. Consider Acceptance of Donations - \$50.00

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

THEREUPON, Business from the floor NONE

Meeting adjourned.

ROB GUETZLOFF
TOWN COUNCIL PRESIDENT

MICHAEL A TROXELL, CMO
TOWN CLERK-TREASURER

A TRUE COPY