

September 20, 2016

TOWN COUNCIL MINUTES

Council President Rick Ryfa called the September 20 meeting to order at 7:02 p.m.

The name of murdered Police Officers were read by Council Member James Marker
Sgt. Kenneth Shell of the Detroit Michigan Police Department
Corrections Officer Kenneth Bettis of the Alabama Department of Corrections.

ROLL CALL:

James Marker
Larry Ballah –absent
Rick Ryfa
Tony Hobson
Patricia Schaad

ALSO ATTENDING:

John Volkmann - Clerk Treasurer
Greg Mance – Police Chief
Steve McDermott – Building Commissioner
Robert Schwerd – Attorney for the Town
Rick Konopasek-Director Public Works
Roy Schoon – Fire Chief

APPROVAL OF MINUTES:

1. Council Member Tony Hobson moved to adopt the minutes of the September 06, 2016 meeting as presented, second by Council Member Patricia Schaad. MOTION CARRIED

APPROVAL OF CLAIMS:

1. Claim No. 8519 – 8837 in the amount of \$941,376.94 were presented for payment. Council Member Patricia Schaad moved to accept the claims as presented, second by Council Member Tony Hobson. MOTION CARRIED

ANNOUNCEMENTS:

1. The next council meeting will be Tuesday October 4, 2016 at 7:00 p.m. A study session will be held at 6:30 p.m. before the meeting one will follow if necessary.
2. Fire Hydrant flushing will begin on October 4, 2016. It will begin south of 45th street and notices will be sent to the affected residences. Flushing should be completed by October 14, 2016. Residents are asked to not do laundry on the day of flushing because there may be a slight discoloration in the water due to the process.

COMMUNICATIONS:

1. None

REPORTS:

1. NIRPC – No Report
2. Public Works – No Report
3. Police – No Report
4. Fire – No Report
5. Economic Development – No Report
6. Pending Items
 - a. Hammond Sanitary District/Water Treatment – Council President Ryfa stated that we are still in negotiations with HSD. He also stated that there are reports of CBOD's entering the system. He asked for a motion to instruct our attorney Robert Schwerd to draft an ordinance that calls for the monitoring of what harmful items are going into the sanitary system from various users. The motion was made by Council Member Patricia Schaad and seconded by Council Member James Marker to have Attorney R. Schwerd draft said ordinance. Motion Passed.
 - b. Calumet Township – Council Member James Marker introduced Resolution NO. 2016-38 establishing December 20, 2016 as the date to hold a special election on the removal of Griffith from Calumet Township. Seconded by Council Member Tony Hobson. Resolution Passed.
 - c. Calumet Township – Council President Rick Ryfa noted that the Lake County Board of Election has received a letter from the law firm

representing Calumet Township stating that the petitions and election should not be allowed for a variety of reasons. Mr. Ryfa stated that discussions with Town (Griffith) attorneys that we are on solid ground in all aspects of this matter and will proceed with the special election on December 20, 2016

PUBLIC COMMENTS REGARDING THE AGENDA:

- a. A resident asked about the Salary Ordinance on the agenda and was advised by Council President Rick Ryfa that the only change in the salary ordinance was to the salary for Supervisors – Public Works to give the position a salary range instead of a flat rate.
- b. Leah Dumezich of the Griffith Neighborhood Spotlight presented their upcoming initiative: Discover Your Neighborhood. This will be an interactive scavenger hunt using QR codes by which Griffith residents will be able to learn more about our town and even have a chance to win some raffle prizes. The scavenger hunt will run from October 7, 2016 through October 16, 2016. For more information contact: Tommy Biancardi (219)213-8062 or Leah Dumezich (219)487-7811. A motion was made by Council Member Tony Hobson to approve the scavenger hunt. Seconded by Council Member James Marker. Motion Passed

BUSINESS FROM THE COUNCIL:

1. UNFINISHED BUSINESS

- a. None

2. NEW BUSINESS

- a. Council Member Tony Hobson made a motion to accept the BZA Findings of Fact for The Titan Property Group the owner of property at 110 E. Ridge Road for a special use variance that allows a business that buys and sells blood products located in a B-3 zoning district. Seconded by Council Member Patricia Schaadt. Motion Carried.
- b. Council President Rick Ryfa requested all department heads to submit a list and estimated cost for any and all new vehicles needed (desired) so that budgets can be adjusted as necessary.
- c. A motion was made by Council Member Patricia Schaadt to suspend the Rules and pass the Salary Ordinance 2016-34 on the first reading. Seconded by Council Member Tony Hobson. A roll call vote was taken: Council Member James Marker – in favor; Council President Rick Ryfa – in favor; Council Member Patricia Schaadt – in favor; Council Member Tony Hobson- in favor. Motion Carried. A motion was made by Council Member Patricia Schaadt to accept Salary Ordinance 2016-34 to change the salary range for Supervisor – Public Works to Bi-Weekly From \$2,040.00 to \$2,280.00. Seconded by Council Member Tony Hobson. Motion Carried.
- d. A motion was made by Council Member Tony Hobson to approve Resolution No. 2016-35; an amendment to the declaratory resolution and redevelopment plan for the Griffith Mall Redevelopment Area. Seconded by Council Member James Marker. Motion Carried.
- e. Council Member James Marker did a first reading of Ordinance 2016-36: An ordinance amending Chapter 18 – Business, Article V. – vending Machines and Mobile Vending Trucks and its Section 18-96 to be hereby amended so that it is renamed and its subparts (b) and (c). Council Member James Marker also did a first reading of Ordinance 2016-37: An Ordinance amending Chapter 18 – Business, Article V. – Vending Machines and Mobile Vending Trucks, Section 18-97 to be amended by the addition of a new section.
- f. Council Member Tony Hobson made a motion to accept the Town of Griffith Plan Commission the Favorable Findings of Fact to rezone the properties at 1029 and 1500 Reder Road from II Light Industrial to RI

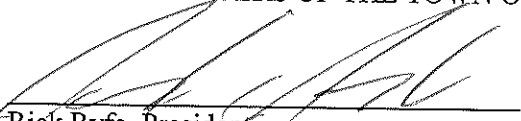
Single Family Residential. Seconded by Council Member James Marker.
Motion Carried.

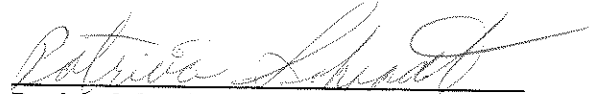
PUBLIC COMMENTS:

- a. Mike Riese, 1912 N. Indiana. Mr. Riese stated how bad traffic gets backed up on Broad St. and Main St. when there are trains. He also complained about the rail crossings at Main St. and Lake St.; about train horns and truck traffic on Ridge Road. Council President Ryfa told him there were phone numbers posted for contacting CN about train issues posted near crossings. Mr. Ryfa also stated that trucks could be following GPS instructions and that is why they were using Ridge Road.
- b. Daryl Grandbois, 1224 Sawgrass. Mr. Grandbois expressed concerns about deer hunters and gun shots being fired in his neighborhood. He stated that he has contacted the County Sherriff, DNR and the Griffith Police. Chief Mance stated that Griffith has investigated these incidents and that many of them occur in unincorporated areas and thus fall under County jurisdiction or that when officers respond there is no one at the site of the incidents. Chief Mance also stated that the Griffith Police Department will continue to monitor the situation and try to rectify it.

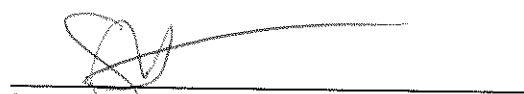
There being no further business to come before this Council, the meeting was adjourned at 7:50 p.m.

COUNCIL MEMBERS OF THE TOWN OF GRIFFITH, LAKE COUNTY, INDIANA


Rick Ryfa, President



Patricia Schaad



James Marker


Tony Hobson

ABSENT

Attest:


Larry Ballah


John C. Volkmann
Clerk-Treasurer

ORDINANCE NO. 2016-34

AN ORDINANCE AMENDING THE SALARY AND WAGES OF THE OF TOWN OF GRIFFITH FOR THE YEAR 2016

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GRIFFITH, LAKE COUNTY, INDIANA, THAT THE SALARIES AND WAGES, OF THE VARIOUS OFFICIALS AND EMPLOYEES OF THE TOWN OF GRIFFITH FOR THE YEAR 2015 SHALL BE AS FOLLOWS:

SALARY & WAGES

Council Members (5)	General/Water/Sewer	Monthly	\$1,037.50
Clerk Treasurer	General/Water/Sewer	Bi-weekly	\$2,464.63
CLERK TREASURER'S OFFICE			
Deputy Clerk Treasurer	General/Water/Sewer	Bi-weekly	\$2,014.63
Clerk Treasurer Clerical Staff	General/Water/Sewer		
Starting ¹		Bi-weekly	\$741.93
After 1 Year		Bi-weekly	\$908.18
After 2 Years		Bi-weekly	\$1,074.40
After 3 Years		Bi-weekly	\$1,240.68
After 4 Years		Bi-weekly	\$1,406.94
After 5 Years		Bi-weekly	\$1,573.18
Part-Time		Bi-weekly	\$7.50 - \$12.25/hr
OTHER SALARY & WAGES			
Director of Public Works	General, MVH, Water, Storm, Sewer	Bi-weekly	From \$2,349.27 to \$2,635.88
Supervisors – Public Works		Bi-weekly	From \$2040.00 To \$2280.00
Admin Assist – Public Works		Bi-weekly	\$1,661.44
Secretary – Public Works	General, MVH, Water, Storm, Sewer	Bi-weekly	
Starting			\$712.89
After 1 Year			\$873.95
After 2 Years			\$1,033.92
After 3 Years			\$1,193.90
After 4 Years			\$1,353.89
After 5 Years			\$1,513.83
Part-Time			\$7.50 - \$12.25/hr
Director Econ Development / Building Commissioner	CEDIT, General	Bi-weekly	From \$2,307.69 to \$3,138.46
Building Commissioner	General	Bi-weekly	From \$2,000.00 to \$2,333.94
Part-Time Building Inspector	General	Bi-weekly	\$15.66 - \$25.00/hr
Building Department Administrator	General	Bi-weekly	From \$1384.62 to \$1883.07

¹ Starting Salaries may be increased with Council Approval based on education and/or prior work experience

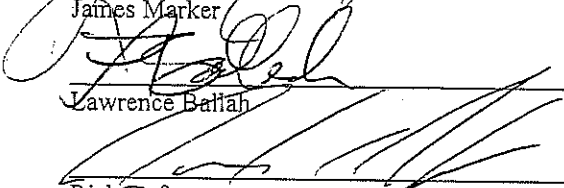
ORDINANCE NO. 2016-34

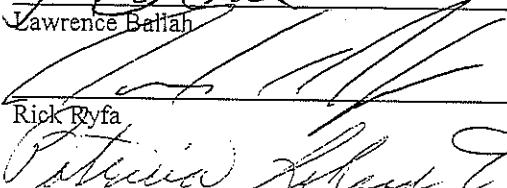
BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect from and after its passage.

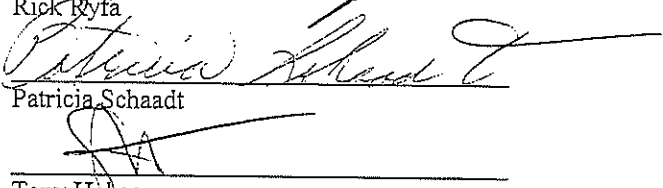
PASSED AND ADOPTED by the Town Council of the Town of Griffith, Lake County, Indiana this 20th day of September, 2016.

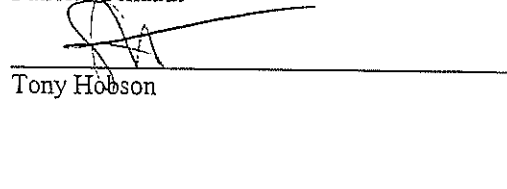
TOWN COUNCIL
TOWN OF GRIFFITH


James Marker

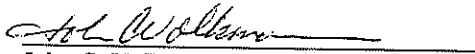

Lawrence Ballah


Rick Ryfa


Patricia Schaadt


Tony Hobson

Attest:


John C. Volkmann
Clerk Treasurer

Rev. September 20, 2016

RESOLUTION NO. 2016-35

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GRIFFITH,
INDIANA, APPROVING AN AMENDMENT TO THE DECLARATORY RESOLUTION
AND REDEVELOPMENT PLAN FOR THE GRIFFITH MALL REDEVELOPMENT
AREA**

WHEREAS, the Town of Griffith Redevelopment Commission (the "Redevelopment Commission") previously adopted and amended a Declaratory Resolution (the "Declaratory Resolution") establishing the Griffith Mall Redevelopment Area (the "Redevelopment Area") and a related allocation area (the "Allocation Area") in the Town of Griffith, and approving a Redevelopment Plan for the Redevelopment Area (the "Plan"); and

WHEREAS, Menard, Inc. (or an affiliate thereof) (the "Company") proposes to construct a building for use by Dollar Tree (the "Project") on one or more parcels (the "Parcels") located in the Allocation Area; and

WHEREAS, on September 7, 2016, the Redevelopment Commission approved and adopted a Resolution (the "2016 Resolution") amending the Declaratory Resolution and the Plan to add a project consisting of authorizing the use of tax increment revenues generated by the Project (as reduced by any necessary demolition of existing improvements on the Parcels) to pay principal and interest on economic development bonds that the Town may issue to provide an incentive to the Company; and

WHEREAS, the Redevelopment Commission submitted the 2016 Resolution to the Town of Griffith Plan Commission (the "Plan Commission") for its approval pursuant to IC 36-7-14-16; and

WHEREAS, the Plan Commission, on September 20, 2016, issued its order approving the 2016 Resolution;

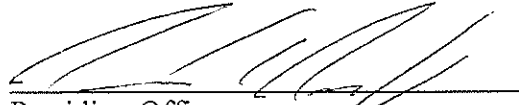
NOW THEREFORE, BE IT RESOLVED by the Town Council of the Town of Griffith, Indiana, as follows:

1. The Town Council hereby approves the amendment to the Declaratory Resolution and the Plan as provided in the 2016 Resolution, and hereby approves the order of the Plan Commission approving the 2016 Resolution.

2. This Resolution shall be in full force and effect from and after its passage.

Passed and adopted by the Town Council of the Town of Griffith on the 20th day of September, 2016.

TOWN COUNCIL OF THE TOWN
OF GRIFFITH, INDIANA



Presiding Officer

ATTEST:



Clerk-Treasurer

TOWN OF GRIFFITH
BOARD OF ZONING APPEALS

REQUEST BY TITAN PROPERTY GROUP, LLC, FOR A SPECIAL USE VARIANCE TO
ALLOW A BUSINESS THAT BUYS AND SELLS BLOOD PRODUCTS AT 110 E. RIDGE
ROAD, LOCATED IN A B-3 ZONING DISTRICT.

FINDINGS OF FACT

1. Greg Bower, attorney for Titan Property Group, LLC, the owner of property at 110 E. Ridge Road (the "Petitioner"), appeared before the Board of Zoning Appeals ("Board") and explained their desire to open a blood plasma donation clinic business at the property located in a B-3 Zoning District. A Special Use Variance would be required to operate said business pursuant Town Code of the Town of Griffith §86-352 – Businesses that buy or sell blood or blood products, that draw blood or perform medical examinations or medical tests, tattooing, body piercing, counseling services or that provide medical services of any kind or nature.
2. The Petitioner attended a public hearing on August 24, 2016. After Attorney Brent Torrenga advised the Board that all notices, publications, and postings were in order, the Chairman then opened the public comment portion of the hearing for the Special Use Variance.
3. Upon completion of the public comment portion of the hearing, the Chairman then closed the hearing to public comment.
4. To obtain a Special Use Variance, petitioners are required to show the following as set out in the Town Code of the Town of Griffith § 86-283 and Indiana Code § 36-7-4-918.4:
 - a. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
 - b. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
 - c. The need for the variance arises from some condition peculiar to the property involved;
 - d. The strict application of the terms of this chapter will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
 - e. The approval does not interfere substantially with the Master Plan.
5. As set out in the Town Code of the Town of Griffith § 86-283, the Board must make a recommendation to the Town Council by issuing a favorable, unfavorable, or no recommendation to grant the requested Use Variance. Board Member Thomas Wichlinski moved for a **FAVORABLE** recommendation to the Town Council. The Motion was seconded by Board Member Carl Kus.

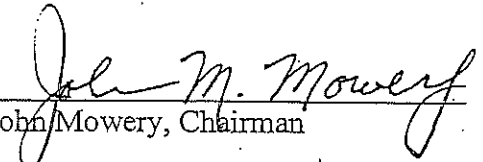
6. A vote was taken and the Motion to grant a favorable recommendation **PASSED** this 24th day of August, 2016.

7. Thomas Wichlinski made a Motion that the following findings of fact be adopted as shown by the Chairman's signature. The Motion was seconded by Carl Kus. A vote was taken and the Motion carried.

- a. The Petitioner **has shown** that approval of a Special Use Variance allowing for the operation of a blood plasma donation clinic on the property located at 110 E. Ridge Road, Griffith, Indiana in a B-3 Zoning District by Grifols, an international company with over 147 sites in the United States, **will not be injurious** to the public health, safety, morals, and general welfare of the Griffith community since plasma donation is unique in that it has a limited number of donors who are repeat donors from the local area; no transient, one-time donors, are not accepted. Further, no cash is exchanged on site, and donors are paid by use of a debit card.
- b. The Petitioner **has shown** that the use and value of the area adjacent to the property that is the subject of this Special Use Variance would not be affected in a substantially adverse manner. Specifically, approval of the Special Use Variance would provide a viable lease of the remaining space in the shopping center that will increase the value of this property and the adjacent property. The surrounding businesses will benefit, since the users of Grifols are repeat customers, who will also contribute to the surrounding businesses. Grifols' employees will be shopping at local businesses and patronizing local restaurants.
- c. The Petitioner **has shown** that the need for a Use Variance arises from some condition that is peculiar to the property, since the Petitioner's property is zoned B-3, which is the proper zoning for this medical/plasma donation facility, and the Griffith Zoning Ordinance requires a special use variance for this particular business in B-3.
- d. The Petitioner **has shown** that a strict application of the Town Code of the Town of Griffith § 86-352 which governs B-3 Zoning Districts, will constitute an unnecessary hardship if applied to the property for which the Special Use Variance is sought, because the proposed business is an important, critical contributor to the medical treatment of individuals throughout the world and is located locally to draw from plasma donors within a small radius. It needs to be located in various municipalities based on its restrictions on donors. In the absence of a special use variance, a plasma donation center cannot locate in the Town of Griffith.
- e. The Petitioner **has shown** that approval of the Special Use Variance would not substantially interfere with the Master Plan, since the proposed use is consistent and compatible with the existing uses in the shopping center. Finally, the zoning ordinance does contemplate this use within this zoning district, but only after careful consideration by the BZA.

These Findings of Fact are approved and adopted this 24 day of August 2016.

TOWN OF GRIFFITH
BOARD OF ZONING APPEALS



John Mowery, Chairman