

April 5, 2022

TOWN OF GRIFFITH TOWN COUNCIL MINUTES

Council President Rick Ryfa called the April 5, 2022 meeting to order at 7:04 p.m.

PLEDGE OF ALLEGIANCE

POLICE OFFICERS KILLED IN THE LINE OF DUTY:

Deputy Sheriff Dominique Calata
Sergeant Barbara Majors Fenley
Trooper Martin Francis Mack, III
Trooper Branden T. Sisca
Police Officer Dan Rocha
Police Officer Dominic Francis
Lieutenant William Lebo
Deputy Sheriff Darren Almendarez
Deputy Constable Jennifer Chavis

ROLL CALL:

James Marker
Lawrence Ballah
Rick Ryfa
Tony Hobson
Melissa Robbins

ALSO ATTENDING:

Gina Smith- Clerk Treasurer
Greg Mance – Chief of Police Absent
Steve McDermott – Building Commissioner
Sheri Bradtke McNeil – Attorney for the Town
Roy Schoon – Fire Chief
Andy Raab – Director of Public Works

APPROVAL OF MINUTES:

Council Member Tony Hobson made a motion to approve the minutes of the March 15, 2022 as presented, seconded by Council Member Melissa Robbins, Motion Carried.

APPROVAL OF CLAIMS:

Claims \$1,462,982.19 (Various funds) Council Member Jim Marker made a motion to approve the claims as presented, seconded by Council Member Larry Ballah, Motion Carried.

ANNOUNCEMENTS:

1. The next Town Council meeting will be on Tuesday, April 19, 2022, at 7:00 p.m., there will be a study session before the meeting at 6:30 p.m. and one will follow if necessary.

COMMUNICATIONS:

1. **Town-wide yard sale-Imagine Griffith:** Council Member Melissa Robbins made a motion to approve and waive permit fees May 20,21 and 22, seconded by Council Member Tony Hobson, Motion Carried.
2. **Griffith Youth Baseball – Opening Day Parade:** Council Member Jim Marker made a motion to approve parade on May 7, 2022 seconded by Council Member Larry Ballah, Motion Carried.
3. **Izaak Walton-**Wild Game Dinner Banners, Council Member Tony Hobson made a motion to approve hanging the banners for a 2-week period, seconded by Council Member Melissa Robbins, Motion Carried.

- **Director of Public Works** – Side walk program is in full force, will continue into summer, April 18th, water meter replacements will start thru October, CCMG will start mid-May to end of August.
- **Police** – No Report
- **Fire** – No Report
- **Building Commissioner** – No Report
- **Finance Report** – No Report

PUBLIC COMMENT ON AGENDA ITEMS: NONE

BUSINESS FROM THE COUNCIL:

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

1. **Redevelopment Commission Annual Report:** Parker Criswell from Reedy Financial Group presented the 2021 Annual Report, second reporting requirement by the RDC. The necessary reports are as follows: The Griffith Downtown allocation area started the year with \$109,000.00, surplus year of \$116,000.00 ended the year with \$225,000.00. The Griffith Consolidated allocation began the year with \$154,000.00 surplus of the year \$34,000.00 and yearend balance of \$188,000.00. The only other fund that the RDC has direct oversight over is the Redevelopment non-reverting fund began the year with \$108,000.00, surplus of \$43,000.00 ending the year with \$152,000.00. Another requirement is a debt overview for the Redevelopment Commission confirming any debt obligation that the RDC did have for the year 2021 were successfully paid, no delinquencies. The only other report that will be uploaded to the state's website to gateway will be Griffith's parcel list. Parker stated at this point the assessed value wise for Griffith Redevelopment Commission in 2020, looking 2 years prior the AV was right at about \$13.5 million due to continued growth within Griffith and the business activity, last year we saw that number increase to \$15.5 million. Looking further ahead to 2022 we are suspecting the AV's to jump even more significantly and hopefully landing in the realm of closer to \$20 million. Council President Rick Ryfa asked the Council for any questions, none, report was accepted and entered into our minutes.

2. **Consent Decree between Town of Griffith and United States EPA/United States Department of Justice:** Erika Powers from Barnes & Thornburg presented, Council President Rick Ryfa stated this is a consent decree between the Town of Griffith and the United States EPA as well as the United States department of Justice. This has been going on for a couple of decades, we have finally culminated in a decree that is acceptable both to the federal and State agencies. Erika stated a number of years of negotiation over alleged clean water act violations relating to historic sanitary sewer overflows or SSO's from the Cline Avenue basin to the little Calumet River. The consent decree includes civil penalty for past violations going back to 2013, about \$33,000.00 half of which is paid to the state and half of which is paid to the U.S. and requires action on the part of the town and three areas, the first is to put fixed potential sources of inflow and infiltration into the collection system within Griffith, the second is to increase pumping capacity by adding a wet weather pump station at the corner of River Dr and Cline Avenue and also building a new force main from that wet weather pump station to HSD's Kennedy ejector lift station. The 3 items were deemed necessary during our negotiations with the agencies to make sure that those SSO's do not continue into the future and Griffith has until October 1, 2026 to complete the work. The consent decree also includes measures addressing SSO

reporting and requires public website where the consent decree and all supporting documents will be posted as well as SSO notifications and will also require the Town to develop a capacity management operation and maintenance or CMOM program to make sure that the sewer collection system is operated and maintained effectively.

Council President Rick Ryfa stated as the cost of this initially when we began negotiations probably almost a decade ago the EPA and the DOJ was asking us to build a basin so it would be essentially a 10 – 15-million-gallon basin up by the golf course the cost for that would probably far exceed 25 – 35 million dollars today. He asked if we have an estimated cost from the engineers for the alternative method that we are going to use? Erika stated the INI reduction efforts that we need to do for our collection system the estimate was \$211,000.00 and then the wet weather pump station and the additional force main to send 1.5 and a half MGD to HSD for treatment instead of 5 and a half MGD is between 13.7 and 14.4 Million. By negotiating for 10 years we will save the town half the price. Council Member Larry Ballah made a motion that we accept the Consent Decree and allow President Ryfa to sign, Council President Rick Ryfa stated this will be posted on our website within 24 hours of tonight if anyone would like to take a look at it, seconded by Council Member Jim Marker, Motion Carried.

3. General Services Agreement-Erie Lackawanna Trailhead Improvements -PT

Inspection Services: Council Member Melissa Robbins made a motion to accept the agreement and services not to exceed \$46,000.00 and authorize Council President Rick Ryfa to sign the General Services agreement, seconded by Council Member Tony Hobson, Council President Rick Ryfa stated this is for the project that will be in the 100 Block of South Broad Street that will work with the trailhead to expand the parking, bring the trail to the back of the businesses satisfy a lawsuit that was 15 years old in the makings, some issues with one of the property owners. This will be a nice improvement for the area. Motion Carried

4. Amendment to License for Jogging, Hiking and Bicycle Trail Nipso Agreement-38539-A This is an amendment to license for jogging, hiking and bicycle trail, this is our Nipso agreement 38539-A. This is modifying our original agreement. Minor but we are required to formally address the amendments. Council Member Larry Ballah made a motion that we accept this amendment and allow President Ryfa to sign the amendment, seconded by Council Member Jim Marker, Motion Carried.

5. Ordinance No. 2022-12 Amending Ch. 78 Utilities, Article II, Water Division

(Second Reading): Council Member Jim Marker stated this is amending the Towns Code Chapter 78 utilities article II water service division 1 generally, section 78-37, shall be replaced in its entirety to read as follows: The properly authorized representatives of the town water utility shall have the right to enter upon the property of the customer at all reasonable times for the purpose of inspecting, cross connections, protective devices, atmospheric tank installations, booster pump vacuum breaker valves, and general plumbing, as well as for the purpose of reading,, inspecting, repairing, or replacing the meter. If a customer refuses access to the customer 's property for purposes of this section, the utility may discontinue service to the property until such access is made available. All utility representatives shall have proper credentials on their persons at all times. The town water utility may adopt rules to implement this process. This refers back to Mr. Raab discussing how the water meters will be installed beginning of April 18th. Essentially this is putting penalties on not giving us access to put in said meters, as stated a second reading, Council Member Marker made a motion approving Ordinance 2022-12, seconded by Council Member Larry Ballah, Motion Carried.

6. **Ordinance No. 2022-14 Amending Ch. 78 Utilities, Article 1, Backflow (Second Reading):** An Ordinance amending Town code chapter 78 utilities article 1 in general, section 78-38 entitled shut off mechanism backflow protection devise required, repealing all ordinances and Town code sections, or parts thereof, in conflict herewith, and all matters related hereto. What this really does is for your sprinkler, instead of being forced to test it every six months we are going to fall in accordance with what most other communities are doing and require that once a year. Council Member Hobson made a motion to adopt Ordinance 2022-14 as this is the second reading, seconded by Council Member Robbins, Motion Carried.
7. **Ordinance No. 2022-15 Additional Appropriations:** Whereas, it has been determined that it is now necessary to appropriate more money that was appropriated in the annual budget: now, therefore: Section I, be it resolved by the Town of Griffith, Lake County, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of funds named for the purposes specified, subject to the laws governing the same: American Rescue Plan (2406) amount requested \$6,862.32. Council Member Robbins made a motion to suspend the rules entering this tonight seconded by Council Member Tony Hobson, Roll Call all in favor, rules suspended. Council Member Melissa Robbins made a motion that we approve Ordinance 2022-15 additional appropriations, seconded by Council Member Tony Hobson, Council President Ryfa stated all this is needed to create appropriation in order to be able to spend it. Motion Carried.
8. **Resolution No. 2022-17 Adopting a plan for distribution of proceeds of the Towns Grant from the American Rescue Plan Act of 2021:** A Resolution of the Town Council adopting a plan for distribution of the proceeds of the Town's Grant from the American Rescue Plan Act of 2021. The Town of Griffith has been awarded a grant from the American Rescue Plan in the amount of \$3,632,769.24, half of this was received in 2021, the remainder will be received in 2022. What we are doing is putting a plan together to show the government where we spent this money. There are certain things we can and cannot do. The funds will be used for the replacement of the water main on the south of town and the meter replacement that has been talked about so much. Council Member Larry Ballah made a motion to adopt Resolution 2022-17, seconded by Council Member Jim Marker, Council President Ryfa stated Andy correct me on the numbers if I am way too off but I think the water meters are in between 2.4 – 2.6 million to replace all the water meters in town for every residence and business, and the water main is about 1 Million dollars. Motion Carried.
9. **Resolution 2022-18 Transfer Appropriations:** A Resolution to transfer appropriations, essentially, we are transferring \$565.52 from the Levy Excess to the General fund. Council Member Marker made a motion to adopt Resolution 2022-18, the transfer of appropriations, seconded by Council Member Ballah, Motion Carried.
10. **Resolution 2022-19 Town of Griffith establishing a fund for proceeds to be received from the sale of real estate to the Town of Griffith Building Corporation and making an Appropriation from such fund:** Council Member Hobson stated we are going to be proposing to build a new Town Hall, Police Department and if possible upgrade to the Fire Department depending on funds. To do so it saves the Town a lot of money to create a Building Corporation, and have the Building Corporation to go out for bonding, which we already have done. The Town will then lease the Town Hall from the Building Corporation and in some

mathematical way we save a lot of money. The next 3 items will make a little more sense. The first one is Resolution 2022-19: Resolution of the Town Council of the Town of Griffith, Indiana establishing a fund for proceeds to be received from the sale of Real estate to the Town of Griffith Building Corporation and making an appropriation from such fund. In general, any proceeds we receive can go into this fund and we can also put some seed money, the sum of \$700,000.00. Council Member Tony Hobson made a motion to approve Resolution 2022-19, seconded by Council Member Melissa Robbins, Motion Carried.

11. Resolution 2022-20 Approving Execution of Lease and Related Matters: This is a resolution of the Town Council of the Town of Griffith, Indiana. Approving Execution of Lease and Related Matters. In summary this will allow the Town of Griffith to sign a lease with the Town of Griffith Building Corporation. Council Member Tony Hobson made a motion approving Resolution 2022-20, seconded by Council Member Melissa Robbins, Motion Carried.

12. Lease-Griffith Building Corporation and Town of Griffith: This is an actual lease from the Town of Griffith Building Corporation and the Town of Griffith, Indiana. Council Member Tony Hobson made a motion authorizing the Town Council President, Rick Ryfa to sign the lease with the Town of Griffith Building Corporation. Council Member Tony Hobson amended his motion authorizing the Town Council to sign the lease with the Griffith Building Corporation, seconded by Council Member Melissa Robbins, Motion Carried. Council Member Tony Hobson made another motion on the lease agreement between the Town of Griffith and the Griffith Building Corporation authorizing the Town Council President Rick Ryfa to sign said lease, seconded by Council Member Melissa Robbins, Motion Carried.

13. Advertisement to Bidders – 2022 Road Construction Materials Contract: This is our yearly bid for the roads and the sidewalks concrete and asphalt that they will be accepted until May 17, 2022, we will open them at the Council Meeting on that evening. Bid documents may be obtained electronically from the offices of Butler, Fairman & Seufert. Council Member Melissa Robbins made a motion to authorize Town Council President to sign the advertisement for bids, seconded by Council Member Tony Hobson, Motion Carried.

14. Interlocal Cooperation Agreement for the Purchase of Engineering and Other Services, Supplies, and equipment for Mutual Benefit: This is an agreement between the Town of Griffith and the Little Calumet River Basin Development Commission in regards to the repair replacement of the Cady Marsh Ditch diversion sewer intake screen raker project. The LCRBDC has approved the sum of maximum \$140,00.00 to put up for the engineering, this is not the actual construction of the replacement, just the engineering. Council Member Larry Ballah made a motion that we accept this agreement allow Mr. Ryfa, president of the Council to sign, seconded by Council Member Jim Marker

PENDING ITEMS:

1. **Sidewalk replacement Program:** Full Force, the trees have been taken down for the year, we are aware that there are probably more trees that do need to be taken down as the project proceeds. We are going to put a plan together to address that whenever we are allowed to start taking trees possibly October 15th is the date. There are stipulations that do not allow us as a Town to take those down between April 1st and October 15th. If

someone has a certain circumstance please contact Town Hall or Public Works Department and we can get you on a list and we will have it looked at.

2. **Airport Advisory Committee:** Still Meeting
3. **Hammond Water Works:** We have settled and our rates are finalized with Hammond and there was a substantial increase but we are finalized.
4. **PD/Town Hall Construction:** Was addressed in this evenings meeting

PUBLIC COMMENT:

Jackie Braun: Sidewalk replaced, holding back water, chopping trees on top in parks, city of trees designation

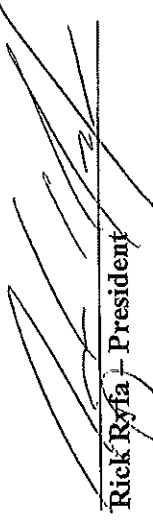
Rose Johnson: Sidewalk replacement timeline. 39th Lane Park, plans, new equipment, Tim Diamond stated equipment ordered and will be installed in May

Marilyn: Tracks on Colfax very bad, trash on S Arbogast, people are dumping trash, Andy will discuss with County.

Ron Alvin 37th and Broad, possible guard rail, reflective signage, cars going driving off on to the yard

There being no further business to come before this Council, the meeting was adjourned at 7:47 p.m.

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

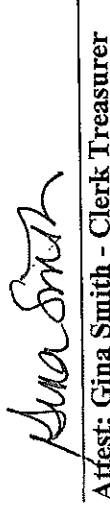

Rick Ryfa – President


Lawrence Ballah – Vice President


James Marker


Tony Hobson


Melissa Robbins


Attest: Gina Smith - Clerk Treasurer