

**TOWN OF MUNSTER  
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL  
APRIL 13, 2015**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, April 13, 2015, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koultourides, David B. Nellans, John P. Reed (arrived late), and Joseph A. Simonetto were present. President Koultourides presided. Also present were Clerk-Treasurer David F. Shafer, Accounting Supervisor Patricia L. Abbott, Town Manager Dustin Anderson, Town Attorney Eugene M. Feingold, Police Chief Stephen F. Scheckel, Fire Chief Dave Pelc, and Parks and Recreation Director Greg Vitale. The news media were represented by Jim Masters of *The Times*, Devin Shinkle of *Northwest Indiana News Bureau*, an online news service, and Jim Dedelow (part time) of WJOB-AM Radio.

President Koultourides opened the meeting with a moment of silence followed by the Pledge of Allegiance.

**FIRE DEPARTMENT BADGE PRESENTATION**

Fire Chief Dave Pelc and various officers and members of the Munster Fire Department presented new firefighters Anthony M. Jackson, Zachary Strbjak, and Robert J. Groszewski III with their badges. Each firefighter has completed his first six months of training. The Council and Clerk-Treasurer congratulated the newest members of the Fire Department.

**GRADE SEPARATION REPORT**

Robinson Engineering representative Joe Nordman reported that the meeting for the value engineering took place last week. There will be some changes to the design for cost reductions. These changes will be brought to the Council at the appropriate time. Mr. Nordman also announced that a new round of TIGER grants are available with a pre-application due May 1, 2015 and the final application due in June.

Responding to Councilor Nellans' question whether the grade separation underpass pumps will be sufficient to handle a 200-year storm, Mr. Nordman said he could design for a 100-year storm for cost savings with a 500-year sewer, and that backup generators would be part of the design. Also, 16' clearance is not required for the underpasses; 14'-6" is sufficient clearance.

**OPEN TO THE PUBLIC**

Mr. Mike Dujmovic, 1833 Tulip Lane, commented on the grade separation project.

Mr. Michael Sculli, 224 Carnaby Place, asked if lifestyle center tenants are currently being recruited for the Centennial Village and Lake Business Center developments. The Council advised Mr. Sculli to attend the next Plan Commission meeting which is scheduled for tomorrow evening.

Mr. Guy Seydel, 1641 Oakwood Court, asked where the outfall will go in a storm event and the gallons per minute of the pumps relative to the Grade Separation Project. Mr. Nordman explained that it will go to Clayhole Lake and that the pump needs are currently in the design phase.

Ms. Amy Sandler, 9840 Margo Lane, asked how the leaders of the Town of Munster will address the Religious Freedom Restoration Act (RFRA) to ensure the rights of Munster's residents are protected. President Koultourides explained that the Council has not had an opportunity to discuss the matter, that what is good for the State of Indiana is good for Munster, and invited Ms. Sandler to arrange a one-on-one meeting to discuss the matter.

Mr. Jim Riffice, 9800 Crimson Tree Lane, expressed concern about the proposed hotel at the Centennial Village development. The proposed changes by the developer would locate the hotel next to the playground. Mr. Riffice is concerned about its proximity to children at the playground. The Council advised Mr. Riffice to attend the next Plan Commission meeting which is scheduled for tomorrow evening.

No one else rose to claim the floor, and the floor was closed.

### CONSENT AGENDA

#### APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on March 23, 2015

#### ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #15-3P dated 03/20/15 totaling \$2,154.44  
Confirmation of Voucher Register #15-3Q dated 03/20/15 totaling \$355,323.18  
Confirmation of Voucher Register #15-3R dated 03/20/15 totaling \$281,938.88  
Confirmation of Voucher Register #15-3S dated 03/26/15 totaling \$436,582.66  
Confirmation of Voucher Register #15-3T dated 03/31/15 totaling \$249,608.40  
Confirmation of Voucher Register #15-3U dated 03/20/15 totaling \$11,078.51  
Confirmation of Voucher Register #15-4A dated 04/02/15 totaling \$66,219.22  
Confirmation of Voucher Register #15-4B dated 04/03/15 totaling \$359,789.91  
Confirmation of Voucher Register #15-4C dated 04/03/15 totaling \$312,813.59  
Approval of Voucher Register #15-4D dated 04/13/15 totaling \$115,987.00  
Confirmation of Voucher Register #15-4E dated 04/08/15 totaling \$38.50  
Confirmation of Voucher Register #15-4F dated 04/09/15 totaling \$261,117.88  
Confirmation of Voucher Register #15-4G dated 04/10/15 totaling \$83,330.36  
Confirmation of Voucher Register #15-4H dated 04/10/15 totaling \$85,594.85

#### LETTER OF ENGAGEMENT: CONTINUING DISCLOSURE UNDERTAKING AGREEMENT

One of the requirements of issuing certain bonds is to keep bondholders informed about the issuer. The information is shared through continuing disclosure statements. The statements are very detailed and must follow strict guidelines of the SEC. Through a series of continuing disclosure undertaking agreements, the Town of Munster has engaged the professional services of Umbaugh, certified public accountants, to develop and distribute the statements.

Umbaugh is now in the process of updating and consolidating the agreements for the following bond issues.

- Taxable Special Taxing District Bonds of 2007
- Economic Development Revenue Bonds, Series 2010 (Munster Shops Project)
- Economic Development Revenue Bonds, Series 2011 (Lake Business Center Redevelopment Project)
- Economic Development Subordinate Tax Increment Revenue Bonds, Series 2013 (Centennial Village Project)
- Economic Development Revenue Bonds, Series 2013 (Land O' Frost Project)
- Park District Bonds of 2013

The annual fees for developing and distributing the consolidated continuing disclosure statements for these bond issues are \$5,600.00. Prior to consolidation, the annual fees totaled \$8,500.00.

#### WATER BILL ADJUSTMENT 2015-13 THROUGH 2015-15

Staff received a request for an adjustment under the leak adjustment policy adopted by the Town Council on April 8, 2013. The customers have completed the required form and the requests meet all the criteria for adjustments as follows:

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Adjustment Number	Average Usage	Actual Usage	Length of Time	Original Bill	Requested Adjustment Amount	Adjusted Bill
2015-13	5,000	37,000	1 month	\$ 105.08	\$ 98.78	\$ 6.30
2015-14	3,000	51,000	1 month	\$ 140.74	\$ 131.33	\$ 9.41
2015-15	3,000	10,000	1 month	\$ 30.44	\$ 5.97	\$ 24.47

### **TREASURER'S REPORT**

The March 2015 Treasurer's Report was presented for acceptance.

Councilor Simonetto moved, with a second by Councilor Edington, to suspend the rules, waive the readings, and adopt the Consent Agenda as presented. Councilors Edington, Nellans, Reed, Simonetto, and Koultourides voted in favor; none voted against. The motion carried and the Consent Agenda was adopted as presented.

### **NEW BUSINESS**

#### **CONTRACT APPROVAL: PUBLICSTUFF**

Staff presented a contract with PublicStuff to enable residents to submit service requests on-line and through a smart phone app. The program will also allow the Town to manage service requests and utilize the data which is captured to manage on a proactive basis. The program will initially be used in Public Works and Parks and Recreation with Town-wide use to follow. Implementation will tentatively begin internally in June with a public launch in August. The cost is \$7,500.00 annually to be paid from the Technology Fund 247.

Councilor Simonetto moved, with a second by Councilor Edington, to authorize the Town Manager to enter into a service contract with PublicStuff, Inc. in the amount of \$7,500.00 to be paid from the Technology Fund 247. Councilors Edington, Nellans, Reed, Simonetto, and Koultourides voted in favor; none voted against. The motion carried.

#### **RESOLUTION 1999: INTERLOCAL AGREEMENT FOR STORMWATER PROJECT**

Proposed RESOLUTION 1999 is A RESOLUTION AUTHORIZING THE ENTRY INTO AN INTERLOCAL COOPERATION AGREEMENT FOR THE PURCHASE OF CONSTRUCTION AND OTHER SERVICES, SUPPLIES AND EQUIPMENT FOR MUTUAL BENEFIT.

While all four units have committed to the project, the attorneys are still working on the agreement. No formal action was taken.

#### **LPA AGREEMENT: PENNSY GREENWAY**

Staff presented a Local Public Agency ("LPA") agreement between the State of Indiana via the Indiana Department of Transportation and the Town of Munster for the Pennsy Greenway Trail. Under the terms of the agreement, the project will run between July 1, 2015 and June 30, 2016. The project would put the trail from Fisher Street south by southeast to Calumet Avenue by way of an abandoned rail line. The State will fund 80% of the project with \$555,040.00 allocated to it. The Town will pay the remaining 20%.

Councilor Simonetto moved, with a second by Councilor Edington, to authorize entering into the LPA Agreement for the extension of the Pennsy Greenway. The motion carried *viva voce*.

### **PROCLAMATION: ARBOR DAY**

The Council proclaimed support of April 24, 2015, as Arbor Day and encouraged citizens to support efforts to protect trees and woodlands. In conjunction with the Munster Public Library, the Town will be giving away 300 seedlings with planting instructions. The program is designed to promote stewardship of the environment and to educate the public about trees, their maintenance and proper selection. Staff announced that the Town of Munster is a Tree City USA twenty-year award recipient. Passage of the proclamation allows certain grant opportunities

Councilor Simonetto moved, with a second by Councilor Nellans, to approve the Arbor Day proclamation. The motion carried *viva vice*.

### **CONTRACT AWARD: CENTENNIAL PARK MAINTENANCE**

Hubinger Landscaping Corporation has provided maintenance services at Centennial Park for several years. Staff and patrons have been very satisfied with the work provided. Parks Director Greg Vitale recommended awarding the contract to Hubinger for the 2015 season for an annual price of \$51,000.00 which is the same as the 2014 price. This contract has been paid from the Cumulative Capital Development Fund 402.

There is one change to the contract from the 2014 contract. Hubinger will maintain Cobblestones Park when the anticipated construction begins at Centennial Village. This change is needed because it is too difficult to give an exact price of work without a set start date for the construction. It is also not known how much maintenance will be needed near the construction zone. Cobblestones Park is of comparable size.

Councilor Simonetto moved, with a second by Councilor Nellans, to approve the 2015 Lawn and Landscape Maintenance contract with Hubinger Landscaping Corporation in the amount of \$51,000.00 (\$6,375.00 per month for 8 months) with the understanding that proposals will be solicited for 2016. Motion carried *viva voce*.

### **PERMANENT CASH DRAWER INCREASE: CENTENNIAL PARK**

Centennial Park has a permanent cash drawer of \$500.00 for day-to-day operations at the View restaurant, the golf course, and general park administration. Some events require additional cash drawers. In the past, the Council has approved temporary increases of \$1,000.00 for a total of \$1,500.00 for the Spring and Summer special events. Originally, the additional amount was authorized for five months and then extended to seven months with the addition of the Ale Fest. Staff anticipates more special events and banquets. As a result, Staff is requesting a permanent increase of \$1,000.00 for a total cash drawer of \$1,500.00.

Councilor Reed moved with a second by Councilor Simonetto, to permanently increase the Centennial Park cash drawer to \$1,500.00. Motion carried *viva voce*.

### **ORDINANCE 1656: ALCOHOLIC BEVERAGES IN VEHICLES**

Proposed ORDINANCE 1656 IS AN ORDINANCE AMENDING MUNSTER TOWN CODE SECTION 54-9 AND PRIOR MUNSTER ORDINANCES OT PROVIDE FOR A FINE FOR THE OPERATION OF A MOTOR VEHICLE WHILE CONSUMING ALCOHOLIC BEVERAGES OR WHILE IN POSSESSION OF AN OPEN ALCOHOLIC CONTAINER. Section 54-9 of the Munster Town Code prohibits having an open container of an alcoholic beverage in a motor vehicle. A person who has received a citation for violation of Section 54-9 of the Code can appear in Court where the penalty would be decided. However, offenders who wish to plead guilty before the Munster ordinance violations bureau but not appear in Court cannot be accommodated because the current edition of the Code does not contain a fixed penalty.

Ordinance 1656 has been drafted to amend Section 54-9 of the Code by prescribing a fine of \$250.00.

Councilor Simonetto moved, with a second by Councilor Nellans, to hear Ordinance 1656 on first reading and set second reading for the next regular meeting. Motion carried *viva voce*.

**ANNOUNCEMENTS**

(Unless stated otherwise, all meetings of the Town Council begin at 7:00 p.m. at the Munster Town Hall.)

The Town Council will hold regular meetings on Monday, April 27, and May 11, 2015. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings.

**ADJOURNMENT**

There being no further business to come before the Council, and upon a motion by Councilor Simonetto, seconded by Councilor Nellans, the meeting adjourned at 8:04 p.m.

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Andy Koultourides, President

ATTEST:

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David F. Shafer, IAMC, MMC, CMO, Clerk-Treasurer

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