


To: President and Members of the Munster Town Council

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

Copy to: Patricia L. Abbott, IAMC, MMC, Accounting Supervisor
Dustin Anderson, Town Manager

Date: August 15, 2016

Re: Request for Refund of Refuse Collection Fees

Ms. Marion Maniotes of 1624 Cherry Blossom Drive is the owner of commercial property located at 8925 White Oak Avenue. She is now in the process of trying to sell the property and she noticed that she has been paying a residential rate for refuse collection but rarely uses the service. She is requesting a refund of the refuse collection fees for the last ten years.

8925 White Oak Avenue is the location of the former Academy of Word Processing, a business owned and operated by Ms. Maniotes. The last year that Academy of Word Processing paid for business registration was 2003. We do not know with certainty when this business stopped functioning.

It is known, however, that the residential refuse collection rate was applied to the property, and paid by the owner, from January 13, 2010, through July 14, 2016, when Ms. Maniotes requested termination of service. Ms. Maniotes claimed that she requested refuse toters from Waste Management but was refused because the property is zoned commercial, and Ms. Maniotes never arranged for a private scavenger. Ms. Maniotes admitted that sometimes she set out bags of garbage at the property and an unknown party picked up the garbage. At other times, she took bags of garbage home and disposed of them with her garbage at her residence.

If a refund is to be made, the most the Town would refund would be for one year. At \$19.43/month, the maximum refund would be \$233.16. However, the unusual circumstances (application of a residential rate, occasional pickup of refuse, taking garbage home for pickup, and absence of private scavenger service) do not convince the Clerk-Treasurer's staff that a refund is warranted.

RECOMMENDED ACTION:

There are several alternatives. The Council could, by motion and voice-vote, award a refund of \$233.16. The Council could, by general consent, agree to not award a refund. The Council could, by motion and either voice-vote or roll-call vote, agree to not award a refund. A motion could be made to award a refund and the motion could fail. There are likely additional choices.