

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
JULY 28, 2014**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, July 28, 2014, at the Munster Town Hall. Town Councilors John W. Edington, David B. Nellans, John P. Reed, and Joseph A. Simonetto were present. Councilor Andy Koulourides was absent. Councilor Reed presided. Also present were Clerk-Treasurer David F. Shafer, Town Manager Thomas F. DeGiulio, Assistant Town Attorney Steven P. Kennedy, Assistant Town Manager Clay T. Johnson, Police Chief Stephen F. Scheckel and Town Engineer James M. Mandon. The news media were represented by Jim Masters of *The Times*.

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

GRADE SEPARATION AND CENTENNIAL PARK REPORTS

Robinson Engineering representative Joe Nordman was unable to attend the meeting and submitted a report via email. Staff summarized his report as follows.

The soil borings are complete and a design team meeting is scheduled for July 30 to discuss the geotechnical and groundwater issues. Discussion will focus on resolution of the groundwater issues. A ground water exhibit is being produced. The design team is proceeding with a construction sequencing report including alternatives for the shoo-fly, partial track closures, and one fourteen-day closure.

The geometrics for constructing 700' of 45th Street east of Calumet Avenue have been developed and will be reviewed by Staff. Once approved, the roadway will be designed and expected to be constructed in the 2015 season.

The technical committee has received comments and will forward them to the contractor for response. This response is expected the first week of August.

OPEN TO THE PUBLIC

Ms. Gretchen Hogan, 8243 Harrison Avenue, said she has complained to the Munster Police Department about noise from Marko's Bar and Grill, 435 Ridge Road, but she has refrained from calling when patrons leave and are loud, some as late as 3:00 a.m. However, recently, the late-night incidents of loud and boisterous behavior, including fights, have increased and she and her neighbors are frustrated that nothing is being done to correct the situation. Chief Scheckel said the Town is trying to find a balance between a business and a nearby residential neighborhood. He added that a ticket was issued recently for a noise violation; at other times there was no loud noise when police arrived and no citation was issued. Ms. Hogan added that she and her neighbors are being forced to tolerate the band at the bar that plays as late as 2:00 a.m. as well as the parking lot disturbances. Mr. Kennedy suggested using graduated fines that can be done administratively in court. The Police Department will continue to monitor the situation and respond as necessary and appropriate.

There being no one else rising to claim the floor, the floor was closed.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on July 14, 2014

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #14-7G dated 07/11/14 totaling \$408,579.17
Confirmation of Voucher Register #14-7H dated 07/11/14 totaling \$306,201.69
Confirmation of Voucher Register #14-7I dated 07/11/14 totaling \$53,348.02
Confirmation of Voucher Register #14-7J dated 07/11/14 totaling \$45,579.50
Confirmation of Voucher Register #14-7K dated 07/11/14 totaling \$23,280.00
Confirmation of Voucher Register #14-7L dated 07/17/14 totaling \$401,787.27
Confirmation of Voucher Register #14-7M dated 07/17/14 totaling \$25,239.80
Confirmation of Voucher Register #14-7N dated 07/18/14 totaling \$238.51
Approval of Voucher Register #14-7O dated 07/28/14 totaling \$252,825.48
Confirmation of Voucher Register #14-7P dated 07/22/14 totaling \$5,750.87
Confirmation of Voucher Register #14-7Q dated 07/24/14 totaling \$377,858.08
Confirmation of Voucher Register #14-7R dated 07/25/14 totaling \$643.46
Confirmation of Voucher Register #14-7S dated 07/25/14 totaling \$419,189.13
Confirmation of Voucher Register #14-7T dated 07/25/14 totaling \$288,682.51
Approval of Voucher Register #14-7U dated 07/25/14 totaling \$4,500.00

REDEVELOPMENT COMMISSION REPORT

Indiana Code 36-7-14-13(e) requires a redevelopment commission to provide an annual report to the fiscal body of the unit that created the commission. The report is to include revenues, expenses, and fund balances for the previous calendar year as well as debt service information and parcel information for the TIF district allocation area. This report must be presented to the Council prior to August 1 and submitted to the Department of Local Government Finance through Gateway by October 1. The data has been submitted through Gateway and the report was presented to the Council 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, Simonetto and Reed voted in favor; none voted against. The motion carried and the Consent Agenda was adopted as presented.

GENERAL ORDERS

ORDINANCE 1637: VACATION OF 34th STREET RIGHT-OF-WAY

Proposed ORDINANCE 1637 is AN ORDINANCE OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA VACATING A PUBLIC WAY WITHIN THE TOWN OF MUNSTER. The Town and St. Thomas More Church have been negotiating a land exchange which requires a vacation of the 34th Street right-of-way. 34th Street is platted south of St. Thomas More's parking lot and has been used to access Lions Club Drive and Community Park. With the new intersection and land exchange, Lions Club Drive, Community Park, the library and the Boy Scouts building can now be accessed without using 34th Street.

Vacating and closing access to 34th Street will provide St. Thomas More exclusive access to the traffic signal just south of their parking lot. The signal will be programmed to remain green unless someone exiting the church triggers it.

Councilor Simonetto moved, with a second by Councilor Nellans, to suspend the rules, waive the readings, and adopt Ordinance 1637 on first reading as presented. Councilors Edington, Nellans, Simonetto, and Reed voted in favor; none voted against. The motion carried and Ordinance 1637 was adopted.

ORDINANCE 1638: REZONING 8500 CALUMET AVENUE TO COMMERCIAL (C-1)

Proposed ORDINANCE 1638 is AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF MUNSTER AND REZONING CERTAIN REAL ESTATE TO C-1 HIGHWAY ORIENTED, GENERAL

BUSINESS. At its July 8, 2014, meeting, the Plan Commission recommended the rezoning of the parcels located at approximately 8500 Calumet Avenue. This is the area between St. Thomas More Church and the Weis Center. The lots are being exchanged as part of the Community Park redevelopment. The Town offered the parcels in exchange for land at the new entrance and space near the rectory.

Rezoning the parcels C-1 allows all parcels owned by St. Thomas More Church to be zoned the same. St. Thomas More Church plans to use the site for parking and a possible expansion of the Weis Center.

Councilor Simonetto moved, with a second by Councilor Nellans, to suspend the rules, waive the readings, and adopt Ordinance 1638 on first reading as presented. Councilors Edington, Nellans, Simonetto, and Reed voted in favor; none voted against. The motion carried and Ordinance 1638 was adopted.

NEW BUSINESS

INTERSECTION IMPROVEMENT: MARGO LANE AND 45th STREET

In May, 2014, KRC Logistics representative Jan Michalski requested modification of the access to the private drive north of the intersection of Margo Lane and 45th Street. The intersection is currently a T-intersection with a private drive and a traffic signal providing safe exit. The request is for an eastbound to northbound dedicated left turn lane and a five-section signal for traffic control.

Town Engineer James Mandon arranged for a traffic count, accident history, and cost estimate for the requested improvements. There were twenty-four accidents in the vicinity in the past three years. None of the accidents would have been prevented by the requested improvement. The requested improvement will not negatively impact traffic flow or increase delays for the other directions. It would provide a marginal benefit to the overall efficiency of the intersection.

Cost estimates for the pavement markings and signal modifications are \$1,600.00 and \$8,400.00, respectively, for a total of \$10,000.00. Previous Town Councils have set the precedent that intersection improvements that benefit private property access only, with no partial or residual benefit, will be privately funded.

Councilor Nellans noted that there are multiple businesses in this complex, so the cost of intersection improvements is not assignable to any particular business. It is likely a publicly funded project.

Councilor Simonetto moved, with a second by Councilor Edington, to direct the Town Engineer to secure hard quotes not exceeding a total of \$12,000.00 and to proceed with this project. Motion carried *viva voce*.

MAIN STREET RESURFACING

Schererville Town Manager Bob Volkman contacted Town of Munster Staff about contributing toward paving Main Street from the Pennsy Path to the east corporate limits. The Town of Highland is also being asked to contribute toward the cost for that portion of Main Street that goes through their town. The Town of Munster programmed resurfacing of portions of Main Street for 2015.

Walsh & Kelly will perform the work and the estimated cost to Munster is \$45,000.00-\$50,000.00. Details of whether Munster will pay Walsh & Kelly directly or reimburse Schererville have yet to be finalized.

Councilor Simonetto moved, with a second by Councilor Edington, to direct the Town Engineer to cooperate with the Towns of Schererville and Highland on resurfacing portions of Main Street and to move funding for this project from 2015 into 2014. Motion carried *viva voce*.

REPORTS

FEMA REIMBURSEMENT

The Indiana Department of Homeland Security informed the Town that the winter storms of January 5-9, 2014, were declared emergencies by Governor Pence on July 1, 2014. The Town will be seeking a 75% reimbursement for labor, materials, and equipment. Proper documentation must be submitted before August 1, 2014.

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, August 11, 25, and September 8, 2014. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings on these dates.

A work-study session of the Town Council will be on August 4, 2014, to discuss the compensation and classification study.

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 7:40 p.m.

John P. Reed, President

ATTEST:

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