

**TOWN OF MUNSTER  
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL  
AUGUST 25, 2014**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, August 25, 2014, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koulourides, David B. Nellans, John P. Reed, and Joseph A. Simonetto were present. Councilor Reed presided. Also present were Clerk-Treasurer David F. Shafer, Town Manager Thomas F. DeGiulio, Town Attorney Eugene M. Feingold, Assistant Town Manager Clay T. Johnson, Chief of Police Stephen F. Scheckel, Town Engineer James M. Mandon, Interim Fire Chief Dave Pelc, and Street Department Crew Leader Chris Spolnik. 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 reported that we are ready to transfer property to the developer and the environmental work is on track. He further reported that the Technical Committee for the Centennial Park Clubhouse will make a presentation to the Town Council and the Park Board on September 8, 2014. This will allow action to be taken at the Council meeting of September 22, 2014.

**OPEN TO THE PUBLIC**

Mr. Bob Carnahan, Cedar Lake, Indiana, Town Councilman, expressed appreciation for Mr. DeGiulio.

Ms. Harriet Rankin, 8220 Harrison Avenue, stated the situation with Mark O's Bar & Grill (435 Ridge Road) has improved and he has taken better care of the property than the landlord. Nice improvements have been made to the front of the property. There are still issues with the parking lot, but he is working on those problems.

Mr. John Meserch?, 8152 Harrison Avenue, has more complaints about the motorcycles on Ridge Road than with Mark O's restaurant. He was very complimentary about Mark O's. He also presented a letter from Tracy Martin stating support for Mark O's.

Mr. Mike Dujmovic, 1833 Tulip Lane, expressed concern about the flooding potential with the new underpasses of the grade separation project. Mr. Mandon stated water will be constantly pumped to Clayhole Lake and there will be a backup generator.

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 August 11, 2014. A scrivener's error was noted in the minutes under the discussion of Ordinance 1639.

**ACCOUNTS PAYABLE VOUCHER REGISTERS**

Confirmation of Voucher Register #14-7Y dated 07/01/14 totaling \$208.94  
Confirmation of Voucher Register #14-8D dated 08/07/14 totaling \$468,189.29  
Confirmation of Voucher Register #14-8E dated 08/08/14 totaling \$371,503.55  
Confirmation of Voucher Register #14-8F dated 08/14/14 totaling \$416,467.12  
Confirmation of Voucher Register #14-8G dated 08/14/14 totaling \$27,617.06  
Confirmation of Voucher Register #14-8H dated 08/18/14 totaling \$4,863.08

Confirmation of Voucher Register #14-8I dated 08/19/14 totaling \$23,280.00  
Approval of Voucher Register #14-8J dated 08/25/14 totaling \$160,952.04  
Confirmation of Voucher Register #14-8K dated 08/21/14 totaling \$65,917.75

#### **REQUEST TO ACQUIRE OUT-OF-SERVICE HYDRANT HEADS**

By general consent, this item was removed from the Consent Agenda and placed under General Orders.

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

#### **GENERAL ORDERS**

#### **REQUEST TO ACQUIRE OUT-OF-SERVICE HYDRANT HEADS**

By general consent, this item was removed from the Consent Agenda. The Water Department is in the process of replacing hydrants throughout Town as approved by the Council at the June 9, 2014 meeting. Staff has taken the out-of-service hydrant heads to Metro Recycling, Inc. and received \$24.20 each. Members of the Munster Fire Department have requested to purchase the heads at a cost of \$25.00 each.

Councilor Simonetto moved, with a second by Councilor Nellans, to sell the hydrants for at a price of \$25.00 plus State of Indiana sales tax. Motion carried *viva voce*.

#### **AMENDMENT TO SETTLEMENT PAYOUT FOR TOWN MANAGER**

At the June 9, 2014 meeting, the Council approved an amendment to the employment agreement with Town Manager Thomas F. DeGiulio. As part of the amendment, the Town will contribute the maximum amount allowed, \$23,000.00, to the ICMA-RC 457 deferred compensation plan on behalf of Mr. DeGiulio. A second payment of \$15,333.33 to the deferred compensation plan in 2015 was included in the amended agreement; this payment, along with the remaining severance payment, is scheduled for January 2015. Because Mr. DeGiulio will not be an employee of the Town in 2015, ICMA-RC cannot accept any payment from him or on his behalf. The catch-up provision allowed under IRS guidelines, cannot be taken in the year of retirement. Mr. DeGiulio stated that the 2015 amount can be placed in a traditional IRA. Mr. DeGiulio stated the Council needs to authorize this so that the Clerk-Treasurer can make the payment. There is an annual limit of \$6,500.00 for contributions to an IRA.

Mr. DeGiulio stated that he does not yet have an IRA but can arrange to open one so that taxes can be deferred. President Reed commented that the amount of money the Town will pay has been set by the amended agreement; when and how it is paid in order to legally minimize the tax impact is Mr. DeGiulio's business. No action was taken on this matter. It will be addressed at a later date once the details are worked out.

Mr. DeGiulio also requested the roll-top desk he has been using since its purchase in 1995. Mr. DeGiulio cannot offer proof that he purchased it. He stated the purchase price was \$1,249.00. Mr. DeGiulio asked that it be considered a "parting gift" in the tradition of the rocking chairs and lamps that used to be given to long-time employees.

Councilor Koultourides moved, with a second by Councilor Nellans, to give Mr. DeGiulio a farewell gift of the roll-top desk. Councilors Edington, Koultourides, Nellans, Simonetto and Reed voted in favor; none voted against. The motion carried.

#### **ORDINANCE 1640: ADDITIONAL APPROPRIATIONS (3)**

Proposed ORDINANCE 1640 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2014(3). Additional appropriations are being sought in the Local Law Enforcement Continuing Education Fund 233, the Special Asset Forfeiture Non-Reverting Fund 290, and the Self-Funded

Liability Insurance Fund 580. All of these funds are considered "Reporting Only" and do not require approval by the Department of Local Government Finance (DLGF).

The procedure for securing the additional appropriations requires a public hearing, scheduled for September 8, 2014, and the adoption of an ordinance by the Town Council. The DLGF does not approve or deny the additional appropriations for "Reporting Only" funds. Upon passage of the ordinance, the additional appropriations will be in effect for all three funds. The additional appropriations are supported by anticipated revenues and beginning cash balances.

Councilor Simonetto moved, with a second by Councilor Edington, to hear Ordinance 1640 on first reading and schedule second reading and the public hearing for September 8, 2014. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. The motion carried.

#### **ORDINANCE 1641: AMENDMENT #7 TO THE 2014 SALARY ORDINANCE**

Introduced ORDINANCE 1639 is AMENDMENT #7 TO ORDINANCE 1611, 2014 PAY PLAN. On August 11, 2014, the Town Council adopted Ordinance 1639, Amendment #6 to Ordinance 1611, the 2014 Pay Plan. Among other things, Ordinance 1639 granted 3% global pay increases for certain employees effective retroactively to June 22, 2014. This retroactive date did not take into account that the beginning of the pay period for police officers was June 21, 2014. The effective date should be restated to read, "This increase shall be retroactive to the pay date of July 11, 2014."

Additionally, the 3% global increase was stated to be effective "for all eligible full-time and regular part-time employees, paid-on-call firefighters, monthly stipends paid to fire department officers, and employees in other Town departments." The Clerk-Treasurer's Office does not have a clear understanding of the phrase "and employees in other Town departments," and believes the phrase can be omitted since "for all eligible full-time and regular part-time employees" seems to be sufficient.

Additionally, hourly rates for paid-on-call firefighters and monthly stipends for fire department officers were increased upon adoption of Ordinance 1611, the original 2014 Pay Plan which was adopted December 30, 2013. Some of the rates and stipends exceeded 3%, others did not. At least one Councilor suggested adjusting the rates and stipends so that all had at least a 3% increase over rates and stipends in effect prior to 2014. The tables reciting the rates and stipends are made a part of Amendment #7.

Councilor Simonetto moved, with a second by Councilor Edington, to hear Ordinance 1641 on first reading and set second reading for September 8, 2014. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. Motion carried.

#### **ORDINANCE 1642: AMENDMENT #8 TO THE 2014 SALARY ORDINANCE**

Proposed ORDINANCE 1642 is AMENDMENT #8 TO ORDINANCE 1611, 2014 PAY PLAN. The Town currently has one employee classified as a Secretary. The duties of this employee are comparable to the Administrative Secretaries in all other departments. Staff requested classification of this employee as an Administrative Secretary. This will allow the employee to be compensated at the grade as the other employees classified as Administrative Secretaries.

Amendment #8 would reduce the number of authorized employees in Grade 6, Secretary (P&R) from one to zero and increase the number of authorized employees in Grade 7, Administrative Secretary (P&R) from one to two. The employee must be placed on a step within the matrix. As a result of the proposed amendment would move this employee from Grade 6, Step 12, to Grade 7, Step 8.

Councilor Koultourides moved, with a second by Councilor Simonetto, to suspend the rules, waive the readings, and adopt Ordinance 1642 on first reading as presented. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. Motion carried and Ordinance 1642 was adopted as presented.

## **NEW BUSINESS**

### **CONFIRMATION OF QUOTES FOR PLANTERS**

At the June 23, 2014 meeting, the Council authorized Staff to negotiate directly with vendors for the 2014 Flower Program as a special purchase with Council confirmation at a future meeting. Staff worked with Alsip Home and Nursery, a wholesale provider of materials and plants, and Planting Possibilities, a non-profit organization providing job training for adults with developmental disabilities.

Under the agreement, Alsip would supply chrysanthemums and fertilizer in all areas currently maintained by the Town beginning this fall. Planting Possibilities would remove spring annuals, install mums, apply fertilizer, water and weed the planting areas. On or before November 15, 2014, Planting Possibilities would replace the mums with spring bulbs and water. The contract would require renewal to continue service through 2015.

The cost for the stated scope of work is \$14,251.00. The quote would be awarded to Alsip Nursery who will pay Planting Possibilities for the labor.

Councilor Simonetto moved, with a second by Councilor Nellans, to confirm the quote from Alsip Home and Nursery/Planting Possibilities for materials and labor for the maintenance of the Town's landscaped areas and planters for Fall 2014 through Spring 2015 in the amount of \$14,251.00. Motion carried *viva voce*.

### **CONFIRMATION OF RADIO PURCHASE**

At the June 9, 2014 meeting, the Council approved the purchase of E911 radio equipment from Motorola in an amount of \$828,346.44. Lake County has received the radios and is programming them for use before shipment to the Town. Motorola has invoiced the Town for the radios and Staff is seeking authority to pay the invoice prior to receiving the equipment. There is a one-year warranty on the equipment that does not start until the equipment is operational as opposed to when the County received them.

Councilor Koultourides moved, with a second by Councilor Simonetto, to confirm the payment of \$828,346.44 to Motorola for the purchase of new radio equipment. Councilors Edington, Koultourides, Nellans, and Simonetto voted in favor; none voted against; President Reed abstained. Motion carried.

### **CHANGE ORDER: WATER MAIN RELOCATION-COMMUNITY PARK**

A 12" water main near Babe Ruth B field was discovered fifteen to twenty feet from where it was thought to be. The line is located under left/center field and is tied to the Ridge Road tank. The plans for B Field call for the outfield to be lowered to bring it level with home plate. The entire line cannot be moved without removing trees that would cause an adverse impact on the condominiums located nearby. The lowering of the field will result in insufficient cover for the water main.

Mr. Mandon received a quote from Olthoff, the excavating contractor for the project, to lower 155' of the water main and install valves to isolate it should there be future problems with it. The exact length will be determined during the course of the work and it is hoped that less than 155' will need to be moved. The estimated cost is \$36,153.60 based on the anticipated units of work.

Councilor Simonetto moved, with a second by Councilor Nellans, to approve the change order to allow Olthoff, Inc. to lower the 12" water main in Community Park, and install two needed valves to be paid from the Water Cash Operating Fund 601 at a price not to exceed \$41,000.00. Motion carried *viva voce*.

**REPORTS**

**2015 MEDICAL AND NON-HEALTH INSURANCE RENEWAL**

Staff provided a preliminary report on the medical, dental, and liability insurance renewals for 2015.

**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, September 8, and 22, 2014. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings on these dates.

**ADJOURNMENT**

President Reed acknowledged that this is the last Town Council meeting for Town Manager Tom DeGiulio and thanked him for his thirty years of service.

There being no further business to come before the Council, and upon a motion by Councilor Simonetto, seconded by Councilor Koultourides, the meeting adjourned at 7:51 p.m.

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**John P. Reed, President**

**ATTEST:**

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