

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
SEPTEMBER 8, 2014**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, September 8, 2014, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koultourides, David B. Nellans, John P. Reed, and Joseph A. Simonetto were present. Councilor Reed presided. Also present were Clerk-Treasurer David F. Shafer, Town Attorney Eugene M. Feingold, Assistant Town Manager Clay T. Johnson, Chief of Police Stephen F. Scheckel, 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.

PUBLIC HEARING: ADDITIONAL APPROPRIATIONS

Introduced ORDINANCE 1640 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2014 (3). First reading was held at the regular meeting of the Town Council on August 25, 2014. 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 are considered "Reporting Only" funds and do not require approval by the DLGF. Upon passage of the ordinance, the additional appropriations will be in effect for all three funds. The DLGF does not approve or deny the additional appropriations for "Reporting Only" funds.

President Reed opened the floor to receive public comment.

There being no one requesting to speak, the floor was closed and the public hearing was adjourned.

GRADE SEPARATION AND CENTENNIAL PARK REPORTS

Robinson Engineering representative Joe Nordman reported the environmental documents are on track and the soil report will be complete September 10, 2014. The sequencing analysis and noise study will be completed by the end of the month and the utilities will be relocated next summer.

There is a property issue and legal descriptions were furnished earlier in the day. Councilor Simonetto reported that Town Engineer Jim Mandon met with residents along 45th Street to discuss the design of the drainage and its impact on surrounding houses.

Mr. Nordman stated he has been in contact with Hayward Baker about the revised proposal due later this week for the Clubhouse. The Council will conduct a work-study session with the Park Board and Redevelopment Commission next week and bring the matter to the Council at their September 22, 2014 meeting and the Park Board at their September 23, 2014 meeting. The Council is looking for a warranty from Hayward Baker.

Mr. Nordman stated numerous elements of the Calumet Avenue traffic study have been addressed. The vehicle counts should be complete in the next two weeks. There may be a need to upgrade equipment to improve traffic flows. Councilor Nellans expressed disappointment that the study has not progressed faster.

OPEN TO THE PUBLIC

Mr. Robert Cashman, 1632 Wilson Street, asked the total cost of the golden parachute for the former Town Manager. President Reed clarified that the amount paid was outlined in the original employment agreement and no other negotiations were made for a different amount. President Reed and Clerk-Treasurer Shafer provided the information requested.

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 25, 2014

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #14-8L dated 08/22/14 totaling \$432,246.77
Confirmation of Voucher Register #14-8M dated 08/22/14 totaling \$313,040.38
Confirmation of Voucher Register #14-8N dated 08/28/14 totaling \$565,482.63
Confirmation of Voucher Register #14-8O dated 08/31/14 totaling \$394,530.24
Approval of Voucher Register #14-9A dated 09/08/14 totaling \$218,763.20
Confirmation of Voucher Register #14-9B dated 09/04/14 totaling \$993,710.84

TREASURER'S REPORT

The August 2014 Treasurer's Report was presented for acceptance.

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

GENERAL ORDERS

PROCLAMATION-CONSTITUTION WEEK

President Reed read A PROCLAMATION COMMEMORATING SEPTEMBER 17-23, 2014, AS CONSTITUTION WEEK. The week of September 17-23, 2014, marks the 227th anniversary of the signing of the Constitution of the United States of America by the 1787 Constitutional Convention. The Proclamation urges all citizens to reflect on the privilege of being an American with all the rights and responsibilities which that privilege brings.

Councilor Simonetto moved, with a second by Councilor Nellans, to adopt the proclamation recognizing Constitution Week. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. The motion carried and the Proclamation was adopted as presented.

ORDINANCE 1640: ADDITIONAL APPROPRIATIONS (3)

Introduced ORDINANCE 1640 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2014(3). This item was the subject of a public hearing *supra*.

Councilor Nellans moved, with a second by Councilor Edington, to adopt Ordinance 1640 as presented on second reading. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. Motion carried and Ordinance 1640 was adopted as presented.

ORDINANCE 1641: AMENDMENT #7 TO THE 2014 SALARY ORDINANCE

Proposed ORDINANCE 1641 is AMENDMENT #7 TO ORDINANCE 1611, 2014 PAY PLAN. This matter was considered on first reading on August 25, 2014. The purpose of Amendment #7 is to correct and clarify information that was the subject of Amendment #6, which was adopted on August 11, 2014. There have been refinements to Amendment #7 since it was introduced.

Upon adoption of Amendment #7, the adoption date for 3% global increases will be corrected to read, "This increase shall be retroactive to the pay date of July 11, 2014." Also, the annual stipends for Fire Department officers (paid in monthly increments) have been included, the firefighter hourly rates have been corrected, and the daytime firefighter monthly stipends have been clarified.

In summary, upon adoption of Amendment #7, the 2014 Pay Plan will reflect the 3% global increase for all eligible full-time employees, regular part-time employees, and certain other employees, as the Council intended.

In answer to a question from Councilor Nellans, Clerk-Treasurer Shafer explained the four elements of Mr. Pelc's compensation.

Councilor Simonetto moved, with a second by Councilor Nellans, to adopt Ordinance 1641 on second reading. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. Motion carried.

RESOLUTION 1992: INTERIM TOWN MANAGER

Proposed Resolution 1992 is A RESOLUTION AUTHORIZING AN INTERIM TOWN MANAGER. The position of Town Manager is currently vacant with no one authorized to fulfill the duties and responsibilities of the position. Resolution 1992 has been drafted to name Assistant Town Manager Clay T. Johnson as the Interim Town Manager.

As Interim Town Manager, Mr. Johnson would be responsible for most of the day-to-day duties normally fulfilled by the Town Manager. Matters of personnel management will be subject to review and approval of Town Council President Reed or his assign. The authorization will terminate upon the commencement of employment of the new Town Manager, or December 31, 2014, whichever date occurs first. Mr. Johnson would fulfill these duties at an annual salary of \$70,000.00 effective September 1, 2014 which is the date the position became vacant.

Councilor Simonetto moved, with a second by Councilor Koultourides, to approve Resolution 1992 establishing Clay Johnson as Interim Town Manager until a new Town Manager is hired or December 31, 2014, whichever is first. The employee will be compensated at a rate of \$70,000.00 annually retroactive to September 1, 2014 and this salary will revert to the lower rate when the new Town Manager begins. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. Motion carried and Resolution 1995 was adopted as presented.

NEW BUSINESS

ANNUAL FIXED ASSET ASSESSMENT

Since 2007, the Town has enlisted the services of Government Fixed Asset Services, Inc. to complete the required fixed asset reporting. An engagement letter has been presented to continue this service at a cost of \$3,450.00. This work is paid from the various operating funds.

Councilor Nellans moved, with a second by Councilor Edington, to approve the \$3,450.00 fee to Government Fixed Asset Services, Inc. for their annual services. Motion carried *viva voce*.

CONCRETE PRICES

In 2006, J & J Newell Concrete Contractors, Inc. was awarded the bid for the Sidewalk Replacement Program which includes other concrete work. The contract has been extended each year since 2006. In a letter dated September 2, 2014, Newell notified the Town that industry wide price increases take effect September 1, 2014 and January 1, 2015. The increase is due to sand and cement shortages and impacts the entire industry. This unexpected increase is being passed on to the Town and Newell is requesting a 10% increase for any remaining concrete work in 2014.

The 2014 Sidewalk Program was scheduled to begin this month. The 10% increase forces the Town to bid out the work and could reduce the amount of sidewalks to be replaced this year. The bidding process will delay the start of the program to October. Staff has begun the bidding process with the opening scheduled for September 22, 2014.

Mr. Feingold thinks the Town should talk with J & J Newell and find out who is responsible for the 10% increase in costs. He also agreed in rebidding the contract.

This matter was for informational purposes only. No action was taken.

UPDATING INTERSECTION SIGNALS

The intersection traffic signals have backup batteries with a five-year life. Midwestern Electric, Inc. has taken an inventory of the signals and found twenty-nine in need of replacement. Midwestern Electric has quote a replacement cost is \$921.00 per signal for labor, equipment, and material. A quote has also been provided to install electrical outlets on each of the signals to allow for the use of generators in emergency situations when the backup batteries fail. The quote for the outlets is \$221.00 per signal for labor, equipment, and material. If batteries are replaced and outlets installed on all twenty-nine signals, the cost would be \$33,118.00. Staff recommends accepting the quote and funding the project from the 2012 Municipal Bond.

Councilor Nellans moved, with a second by Councilor Edington, to confirm the quote from Midwestern Electric, Inc. at a total cost of \$33,118.00 to replace backup traffic signal batteries and installation of generator plugs for emergency power supply as directed by Public Works and to be funded by the 2012 Municipal Bond proceeds. 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 meet in executive session on Friday, September 12, 2014 at 7:30 a.m. to discuss pending litigation.

The Town Council will conduct work-study sessions on Friday, September 12, 2014 at 9:00 a.m. and, if needed, Saturday, September 13, 2014 at 9:00 a.m.

The Town Council will conduct a work-study session on Tuesday, September 16, 2014 with the Park Board and the Redevelopment Commission.

The Town Council will hold a regular meeting on Monday, September 22, 2014. The Redevelopment Commission will hold a regular meeting immediately following the Town Council meeting.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Nellans, seconded by Councilor Simonetto, the meeting adjourned at 7:56 p.m.

ATTEST:

John P. Reed, President

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