

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
OCTOBER 13, 2014**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, October 13, 2014, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koulourides, John P. Reed, and Joseph A. Simonetto were present. Councilor David B. Nellans was absent. Councilor Reed presided. Also present were Clerk-Treasurer David F. Shafer, Accounting Supervisor Patricia L. Abbott, Town Manager Dustin Anderson, Town Attorney Eugene M. Feingold, Chief of Police Stephen F. Scheckel, Town Engineer James Mandon, Interim Fire Chief Dave Pelc, and Street Department Crew Leader Chris Spolnik. The news media were represented by Jim Masters of *The Times* and Ron Johnson of *Northwest Indiana News Bureau*, an online news service.

President Reed opened the meeting with a moment of silence followed by the Pledge of Allegiance. President Reed introduced and welcomed new Town Manager Dustin Anderson.

PUBLIC HEARING – 2015 BUDGET

This evening, under New Business, *infra*, the Council considered Ordinance 1645, an ordinance for appropriations and tax rates for 2015. The proposed budget was submitted to Lake County as required in statute. The county is charged with reviewing all budgets within its jurisdiction and issuing a non-binding recommendation to the individual units. Local units cannot adopt their budgets until after this recommendation has been issued. Lake County issued its non-binding review on September 25, 2014.

In 2013, Lake County adopted a local option income tax making 2014 the first year without a frozen levy since 2007. During the annual budget workshop with the Department of Local Government Finance (DLGF), Staff was informed that Lake County did not take the CAGIT into account correctly when calculating the property tax rates which caused the DLGF to certify the levy too high. The County is in the process of correcting the error. The DLGF Field Representative estimated a 12% reduction will be made in 2014 property tax collections as a result of the error.

The Town receives the new local option income tax into two separate funds, CAGIT 249 and CEDIT 209. A portion of the CAGIT revenues are to be specifically used for public safety purposes as defined in IC 6-3.5-1.1-25. These uses include both police and fire expenses. One of the defined uses is to make pension payments to the 1977 Police Pension Fund. There was a Staff discussion about whether or not the CAGIT funds should be used for this expense or if it should remain in the General Fund 101. The CAGIT Fund 249 would be completely consumed if it takes on this expense and any shortfall in collections would be covered by the General Fund.

The General Fund is able to continue covering this expense in full. If the General Fund is used for the pension payments, the CAGIT Fund would be available to fund Fire Department expenses, the proposed take-home vehicle policy for police officers, or any other public safety use as defined in statute.

The budget submitted to the Clerk-Treasurer's Office did not include the police pension payments in any fund. A budgeted amount of \$560,000 must be included in either the General or CAGIT Fund. Staff sought Council direction as to which fund should be used.

The implementation of the Public Safety Answering Points (PSAP) will eliminate the need for the current dispatchers. The Police have requested to retain two full-time employees and one part-time employee in the Records Program to provide clerical support to the department. The amounts for these employees have been included in the proposed budget. With Council approval, the positions will also be included in the 2015 Salary Ordinance. The implementation of the PSAPs will also result in a permanent reduction in the property tax levy. The amount to be reduced and transferred to Lake County is \$296,585. The DLGF will handle this reduction and transfer.

Because the final, certified budget can never be higher than what was advertised, the budget estimates advertised for 2015 are purposely overstated. The amounts in the ordinance are within the advertised amounts. It

serves our citizens no useful purpose to underestimate a budget and risk curtailment of essential services. However, it is anticipated that the final, certified budget will be less than what will be adopted, and the Town Council is ultimately responsible for finding that balance between providing adequate service and not exceeding statutory spending limits.

State statute requires that town budgets now be submitted to the DLGF electronically. This is done through their Gateway website and will allow the public to access the information. Ordinance 1645 has been drafted to match the submittal that will be made through Gateway after budget adoption.

President Reed opened the floor for the purpose of receiving public comment on the proposed 2015 budget.

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

GRADE SEPARATION, CENTENNIAL PARK CLUBHOUSE AND CALUMET AVENUE TRAFFIC STUDY REPORTS

Robinson Engineering representative Joe Nordman reported the draft geotechnical report is done and going through revisions. He estimates a January 2015 submittal of Stage II. The environmental study is complete but for the property transfer with the Munster Steel property. Mr. Feingold is to prepare a document for Developer Matt Kimmel's attorney regarding the property transfer.

OPEN TO THE PUBLIC

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

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on September 22, 2014
Approval of the minutes of the special meeting held on September 25, 2014
Approval of the minutes of the special meeting held on September 30, 2014

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #14-9O dated 09/25/14 totaling \$571,574.99
Confirmation of Voucher Register #14-9P dated 09/25/14 totaling \$3,558.81
Approval of Voucher Register #14-9Q dated 09/30/14 totaling \$49,166.24
Confirmation of Voucher Register #14-9R dated 09/30/14 totaling \$197,821.06
Confirmation of Voucher Register #14-10A dated 10/02/14 totaling \$327,811.42
Confirmation of Voucher Register #14-10B dated 10/03/14 totaling \$366,033.19
Confirmation of Voucher Register #14-10C dated 10/03/14 totaling \$304,395.87
Approval of Voucher Register #14-10D dated 10/13/14 totaling \$188,197.69
Confirmation of Voucher Register #14-10E dated 10/10/14 totaling \$84,429.32
Confirmation of Voucher Register #14-10F dated 10/10/14 totaling \$86,643.38
Confirmation of Voucher Register #14-10G dated 10/09/14 totaling \$551,193.36

CONTRACT EXTENSION: WJOB RADIO PROGRAM

Since 2009, the Town of Munster has paid for two, thirty-minute radio programs each month on WJOB. Each program costs \$200.00 for an annual total of \$4,800.00. This is an increase of \$50.00/show or \$1,200.00/year. The Council wishes to extend the contract.

DISPOSAL OF SURPLUS EQUIPMENT

Information Technology Staff has identified a variety of equipment which is either beyond its useful life or is defective. Staff requests the Council to declare all items on the list surplus so that the equipment can be recycled or otherwise disposed.

TREASURER'S REPORT

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

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

GENERAL ORDERS

ORDINANCE 1643: AMENDMENT #9 TO THE 2014 SALARY ORDINANCE

Introduced ORDINANCE 1643 is AMENDMENT #9 TO ORDINANCE 1611, 2014 PAY PLAN. The ordinance had first reading at the September 22, 2014 meeting. There was an indication of interest in modifying the table of payout compensation found on page 2 of Ordinance 1643. The table was modified per the request; all other items remain unchanged.

Councilor Simonetto moved, with a second by Councilor Edington, to adopt Ordinance 1643 on second reading according to the elaborated table of payout compensation. Councilors Edington, Koultourides, Simonetto, and Reed voted in favor; none voted against. Motion carried and Ordinance 1643 was adopted.

RESOLUTION 1993: RECOGNITION OF A BIKE PATH

Introduced RESOLUTION 1993 is A RESOLUTION ENDORSING A ROUTE FOR BICYCLE AND PEDESTRIAN USE IN THE TOWN OF MUNSTER. This matter was discussed at the September 22, 2014 regular meeting with action deferred to allow Staff to review the route. At issue was the route being on-road along portions of Calumet Avenue and requested signage. Hoosier Rails to Trails Council representative Raymond Porter has revised the route to address this concern.

Councilor Simonetto asked about the signage request from Mr. Porter. Staff indicated that the requested signage is geared towards communities that do not have a bike path system in place as Munster does.

Councilor Simonetto moved, with a second by Councilor Koultourides, to adopt Resolution 1993 as presented. Councilors Edington, Koultourides, Simonetto, and Reed voted in favor; none voted against. Motion carried and Resolution 1993 was adopted with the modified route.

CALUMET AVENUE TRAFFIC STUDY AUTHORIZATION

At the February 17, 2014 work-study, the Council addressed the need to have a traffic study of Calumet Avenue to improve traffic flow. The matter was discussed again at the February 24, 2014 regular meeting. While this meeting took place primarily in the Main Meeting Room, discussion on this matter took place in Conference Room C. The minutes do not reflect any formal action on this matter and there is no audio recording of the proceedings that took place in Conference Room C.

During the work-study session, Staff stated the total cost could not be known until the study and design work are complete. Staff has invoices from Robinson Engineering totaling \$22,698.00 going back to May 2014. At

the end of September Joe Nordman provided Staff an estimate of \$34,000.00 for the project. It is surmised that this estimate is for the work of Robinson Engineering only and work performed by Midwestern Electric is separate.

The materials provided at the work-study session recommended funding the project from the 2012 Municipal Bond or modifying the 2014 Municipal Bond. Previous Staff members suggested using the Motor Vehicle Highway Fund 201 for the project. There are issues with each of the funding sources mentioned. Regardless of the fund chosen, a budget transfer will be needed and authorization granted to make the payments.

Four options based on all the funding sources mentioned were presented to the Council. Option 1 was the favored option which included a budget transfer from the Bridges line item in the 2012 Municipal Bond Proceeds Fund 414.

Councilor Koultourides moved, with a second by Councilor Simonetto, to authorize Robinson Engineering to conduct the Calumet Avenue Traffic Study in an amount not to exceed \$34,000.00 and to fund the project as outlined in Option 1. Motion carried *viva voce*.

RESOURCE CONSULTING: UNDERGROUND TANK CONTRACT

At the September 22, 2014 meeting, the Council was asked to approve a contract with Resource Consulting for additional work related to the underground storage tanks at the Public Works Garage. The Council deferred action in order to address the continuing requests from the Indiana Department of Environment Management (IDEM) for additional monitoring. Resource Consulting provided a proposal to meet the most recent request of IDEM at a cost of \$16,955.00.

Mr. Feingold, Mr. Mandon, and representatives from both Resource Consulting and IDEM have since discussed the matter further expressing the concerns of the Council. Suggestions were made to IDEM to bring the matter to a conclusion but it appears unlikely that IDEM will alter their position regarding the monitoring of the site. In addition, IDEM has expressed impatience with the lack of response from the Town and that further punitive action may be taken if a proposal is not made promptly.

The proposed contract with Resource Consulting for \$16,955.00 is less than the contract originally proposed at \$40,000.00. This proposal is acceptable to IDEM. Further, it seems unavoidable that IDEM will require more monitoring before closure of the site is granted. Mr. Feingold suggests that instead of confronting IDEM, the Town would be better served by approving and proceeding with the lower proposal.

President Reed noted that the work performed to date has not resulted in a "no further action" letter. Mr. Feingold stated that IDEM is more powerful than the Town of Munster and he suggested continuing the monitoring. Discussion ensued.

Councilor Simonetto moved, with a second by Councilor Koultourides, to accept the revised proposal from Resource Consulting in the amount of \$16,955.00 and requesting a "no further action" letter from IDEM for the site. Councilors Edington, Koultourides, and Simonetto voted in favor; Councilor Reed voted against. Motion carried.

NEW BUSINESS

ORDINANCE 1645: 2015 BUDGET

Proposed ORDINANCE 1645 is AN ORDINANCE FOR APPROPRIATIONS AND TAX RATE FOR 2015. This was the subject of a public hearing *supra*.

Discussion ensued regarding the funding source for payments to the 1977 Police Pension Fund. By general consent, the Council agreed that contributions to this pension fund be from the General Fund 101.

Councilor Simonetto moved, with a second by Councilor Edington, to hear Ordinance 1645 on first reading, to have payments for the 1977 Police Pension Fund from the General Fund 101, and set second reading and

adoption for October 27, 2014. Councilors Edington, Koultourides, Simonetto, and Reed voted in favor; none voted against. Motion carried.

ORDINANCE 1646: CREDIT CARD USE BY EMPLOYEES

Proposed ORDINANCE 1646 is AN ORDINANCE AUTHORIZING THE ISSUANCE OF CORPORATE CREDIT CARDS FOR USE BY CERTAIN EMPLOYEES OF THE TOWN OF MUNSTER. The appointment of Dustin Anderson as the replacement for Thomas DeGiulio as Town Manager triggered certain transition events including the need to issue an American Express credit card in Mr. Anderson's name. Ordinance 1646 has been drafted to allow this change and to confirm the current use of American Express credit cards by the Clerk-Treasurer and Chief of Police.

Councilor Simonetto moved, with a second by Councilor Edington, to suspend the rules, waive the readings, and adopt Ordinance 1646 on first reading as presented. Councilors Edington, Koultourides, Simonetto, and Reed voted in favor; none voted against. The motion carried and Ordinance 1646 was adopted.

QUOTES FOR BUCKET TRUCK

At the last regular meeting, Staff was directed to obtain quotes from three different vendors for a bucket truck. Quotes were received as follows.

<u>Vendor</u>	<u>Vehicle Description</u>	<u>Working Height</u>	<u>Mileage</u>	<u>Working Hours</u>	<u>Cost</u>
Runnion Equipment Company	2011 Dodge 5500 HD	43'	36,000	3,000	\$ 79,900.00
Utility Sales & Supplies	2011 Ford F550	41'8"	41,123	3,700	\$ 81,500.00
PME Equipment	2011 Ford F550	42'	39,000	3,400	\$ 83,750.00
Runnion Equipment Company	2014 Ford F550	43'	New	New	\$ 96,700.00
Runnion Equipment Company	2014 Ford F550	49'	New	New	\$ 106,840.00
Runnion Equipment Company	2015 TerraStar	49'	New	New	\$ 113,500.00
CSS Crane Sales & Service	2014 Dodge	49'	New	New	\$ 128,325.00

Mr. Spolnik stated that he has received another quote shortly before the meeting and presented the information to the Council. The quote was from Altec for a new F550 truck with a working height of 42.5' at a cost of \$84,880.00. There will be additional costs beyond the quoted price for lights.

Councilor Simonetto moved, with a second by Councilor Koultourides, to purchase a 2014 F550 bucket truck with a working height of 42.5' from Altec at a cost not to exceed \$87,000.00 with \$85,555.62 from the 2012 Municipal Bond and the balance from the 2013 Municipal Bond. Motion carried *viva voce*.

QUOTES TO HAUL LEAVES

At the October 14, 2013 meeting, the Council awarded the leaf hauling contract to P & C Trucking Enterprises, Inc., from Gary, Indiana at a rate of \$160.00/load. The leaves were hauled by the vendor from the Public Works Garage to the Lake County District Leaf Compost facility in Gary, Indiana. There was no cost to dispose the leaves at this facility. There were 59 loads hauled for the Fall and Spring leaf collection seasons at a transportation cost of \$9,440.00.

The compost facility has indicated that they may not have adequate capacity to take all the leaves this season. Currently there are leaves at the Public Works Garage which the facility is willing to take. Staff awaits notice from them regarding how many loads they will be able to dispose there. Three quotes have been received to haul the leaves to the compost facility as follows.

<u>Vendor</u>	<u>Cost per load</u>
P & C Trucking Enterprises, Inc.,	\$210.00/load
H2 Transport	\$225.00/load
KRD Trucking	\$300.00/load

Alternative disposal sites need to be considered in the event Lake County cannot accept all the leaves. Staff provided four options.

1. P & C Trucking will haul the leaves to their facility in Valparaiso, Indiana at a cost of \$385.00/load.
2. Homewood Disposal will accept and haul the leaves to their facility in Peotone, Illinois for a tipping fee of \$432.00/load plus an additional hauling fee to transport them.
3. Smit Farms in Chicago Heights, Illinois will accept all the leaves and land apply them. Public Works Staff would drive the leaf vacuums to the site, dump the leaves, and return to the collection routes at a cost of \$3.75/cubic yard or \$93.75/25-yard leaf vacuum truck. This option would be time-consuming especially during the heavy collection times.
4. Mulch Masters in Lansing, Illinois will accept 2,000 cubic yards of leaves at \$4.00/cubic yard. Like the Smit Farms option, Public Works Staff would deliver the leaves to the disposal site. Once 2,000 cubic yards have been delivered, Mulch Masters will determine if additional leaves can be accepted.

Councilor Simonetto moved, with a second by Councilor Edington, to award the leaf hauling contract to P & C Trucking Enterprises, Inc., Gary, Indiana, at a rate of \$210.00/load delivered to the Lake County Leaf Compost Facility in Gary, Indiana until the facility reaches its capacity, then P & C Trucking Enterprises is authorized to haul and dispose the remaining leaves at their facility in Valparaiso, Indiana at a rate of \$385.00/load. Motion carried *viva voce*.

AUTHORIZATION TO LOAN DONATED ANTIQUE MEDICAL INSTRUMENTS TO THE MUNSTER HISTORICAL SOCIETY

Munster resident Dr. Lorin Brown is in possession of medical instruments dating back to the Civil War era. Dr. Brown wishes to donate the instruments to the Munster Historical Society and receive the appropriate income tax deduction. The legal structure of the Munster Historical Society does not permit donations to receive a tax deduction but donations to a municipality do allow this. Dr. Brown has agreed to donate the instruments to the Civil Town of Munster with the understanding that they will be loaned to the Munster Historical Society. The appropriate gift and loan documents have been prepared and require Council approval.

Councilor Simonetto moved, with a second by Councilor Koultourides, to accept the gift and approve the loan document to between the Town of Munster and the Munster Historical Society. Motion carried *viva voce*. The Council expressed its thanks to Dr. Brown who was present at the meeting.

COMMUNITY PARK CHANGE ORDERS

This item was removed from the agenda as the Park Board is the appropriate body to take action on this matter.

QUOTE TO REMODEL EVIDENCE ROOM

Chief Scheckel explained that during the regular CALEA accreditation process, the inspectors noted that the evidence room in the Police Department is too small and has inadequate ventilation. Linden Group has provided a proposal to remodel the evidence room by expanding it into adjacent office space. The proposal includes work for construction, bid, and permit documents. The architectural work will be billed hourly at a cost not to exceed \$2,500.00. The mechanical engineering work will also be billed hourly at a cost not to exceed \$2,500.00. Costs for electrical and plumbing engineering as well as construction phase services are not included in the proposal.

Councilor Simonetto moved, with a second by Councilor Edington, to accept the proposal from Linden Group for architectural services for remodeling the evidence room at a total cost not to exceed \$5,000.00. Motion carried *viva voce*.

President Reed stated that at the October 27, 2014 meeting there will be a proposal for new commercial rates from the Hammond Sanitary District.

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, October 27, November 10 and 24, 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 Simonetto, seconded by Councilor Edington, the meeting adjourned at 7:50 p.m.

ATTEST:

John P. Reed, President

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