

**TOWN OF MUNSTER
MINUTES OF A SPECIAL MEETING OF THE TOWN COUNCIL
AUGUST 6, 2015**

A special meeting of the Munster Town Council convened at 5:30 p.m. on Thursday, August 6, 2015, at the Munster Town Hall. Town Councilors John W. Edington, David B. Nellans, and Joseph A. Simonetto were present. Councilors Andy Koultourides and John P. Reed were absent. Vice President Edington presided. Also present were Clerk-Treasurer David F. Shafer, Town Manager Dustin Anderson, and Town Attorney Eugene M. Feingold. The news media were represented by Jim Masters of *The Times*.

Vice President Edington announced that the special meeting had been called for the sole purpose of considering letters of engagement with law firms.

LETTERS OF ENGAGEMENT

Construction of the Clubhouse at Centennial Park was completed in 2008. Shortly thereafter, movement of the building resulted in damage to the building in the form of cracked walls and floors, doors that bind or do not close, a misaligned elevator shaft, and other defects. Movement of the building is being monitored. Public safety is not in jeopardy. A technical review committee formulated plans for repairs. Before initiating repairs, the Town Council asked whether a party or parties responsible for the movement of the building can be identified, and if so, whether that party or those parties can be held responsible for the cost of repairs. A preliminary examination by the law firm of Jefferson & Brewer of Indianapolis reported that sufficient evidence exists to warrant exploring choices to recover the cost of repairs. The special meeting has been called for the purpose of considering letters of engagement with Jefferson & Brewer and with the law firm of Barnes & Thornburg for those firms, jointly, to represent the Town of Munster in the matter of litigation regarding Centennial Park building issues.

Councilor Simonetto asked for and received clarification that Jefferson & Brewer would be the lead firm, and the engagement letter so states.

Councilor Simonetto asked for and received an explanation of the "Waiver of Certain Potential Conflicts of Interest" recited in the letter from Barnes & Thornburg, and recommended that the conflict of interest paragraph require a report to the Council.

Councilor Simonetto moved, with a second by Councilor Nellans, to approve the two letters of engagement with the stipulation that both documents be corrected so as to be addressed to Andy Koultourides as Town Council President, and to authorize execution of the corrected letters as set forth above. Councilors Nellans, Simonetto, and Edington voted in favor; none voted against. The motion carried.

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 5:40 p.m.

John W. Edington, Vice President

ATTEST:

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