

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
SEPTEMBER 14, 2015**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, September 14, 2015, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koultourides, David B. Nellans, John P. Reed, and Joseph A. Simonetto were present. Also present were Clerk-Treasurer David F. Shafer, Accounting Supervisor Patricia L. Abbott, Town Manager Dustin Anderson, Assistant Town Attorney Steven P. Kennedy, Munster's Hammond Sanitary District Representative Mike Hawkins, Sergeant Daymon Johnston, and Sergeant Thomas Kuhlenschmidt. The news media were represented by Jim Masters of *The Times* and Michelle Quinn of the *Post-Tribune*.

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

PROCLAMATION: CHILDHOOD CANCER AWARENESS MONTH

President Koultourides read A PROCLAMATION DECLARING SEPTEMBER 2015 AS CHILDHOOD CANCER AWARENESS MONTH. More than eighteen children in Northwest Indiana have been diagnosed with cancer in the past year with three children losing their life to cancer. Childhood cancer is the leading disease-related killer of children in the United States with one in five children terminal at diagnosis. The lack of childhood cancer research has a tremendous impact to children and significant costs to society now and into the future.

Councilor Nellans moved, with a second by Councilor Simonetto, to adopt the proclamation declaring September 2015 Childhood Cancer Awareness Month. Councilors Edington, Nellans, Reed, Simonetto and Koultourides voted in favor; none voted against. The motion carried and the Proclamation was adopted as presented.

PROCLAMATION: CONSTITUTION WEEK

President Koultourides read A PROCLAMATION DECLARING SEPTEMBER 17-23, 2015, AS CONSTITUTION WEEK IN THE TOWN OF MUNSTER. The week of September 17-23, 2015, marks the 228th 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, Nellans, Reed, Simonetto, and Koultourides voted in favor; none voted against. The motion carried and the Proclamation was adopted as presented.

PUBLIC HEARING: 2015 GENERAL OBLIGATION BONDS ADDITIONAL APPROPRIATIONS

At the August 24, 2015, meeting, the Council adopted Ordinance 1664 authorizing the issuance and sale of the 2015 Municipal Bonds. This evening, the Council will conduct the required public hearing and, under New Business, *infra*, the Council will consider Ordinance 1665, to appropriate the bond proceeds.

This bond issue would be in the amount of \$1,970,000, amortized over four years as identified in Ordinance 1664. The interest rate would be determined through competitive bidding scheduled for September 16, 2015.

Following is a summary of the projects to be funded through the 2015 Municipal Bond Issue.

45 th Street extension	\$ 750,000.00
Crack Sealing	\$ 549,000.00
Main Street storm project	\$ 301,000.00
Street Resurfacing	\$ 120,000.00
Sidewalk Replacement	\$ 100,000.00

Vehicle and equipment replacement	\$ 130,000.00
Issuance Expenses	\$ 20,000.00
Total	\$1,970,000.00

The project list changed slightly since the last meeting with the amount for hydrant replacement being added to Vehicle and Equipment Replacement. The hydrant replacement will be funded by the Water Cash Operating Fund 601.

President Koultourides opened the floor for the purpose of receiving public comment on the proposed 2015 Municipal Bond Issue.

There being no one desiring to speak, President Koultourides closed the floor and adjourned the public hearing.

GRADE SEPARATION REPORT

Robinson Engineering representative Joe Nordman reported that the project schedule has been updated which includes a September 2016 submittal with a January 2017 bid letting. The updated schedule is contingent on the property transfer. Beam Longest and Neff will perform the structural review with submittal to InDOT following. The 800' extension will proceed.

OPEN TO THE PUBLIC

Ms. Diane Gilbert, 1312 Ridge Road, requested an update on the Hammond Sanitary District commercial user fee. Mr. Hawkins provided the history of the meetings with the HSD over the past several weeks. The HSD requested and received flow data on five buildings which are good representatives of the multi-units throughout Town. As a result, a multi-unit residential rate is now under consideration. The HSD administrative fee is poorly named and should be seen as a flat-rate fee. HSD was given data, proposed changes, and a meeting is scheduled for tomorrow with the HSD and Mr. Hawkins but no commitments have been made.

Mr. Paul Rotatori, 8118 Kraay Avenue, spoke on behalf of eight to ten people present in the audience. He requested the Council pass a human rights ordinance to eliminate discrimination of people based on their sexual orientation or gender identity. Other municipalities in the State have passed the type of ordinance being requested.

Ms. Kate Robinson, 8811 White Oak Avenue, echoed the previous statements. Ms. Robinson noted that the cities of Hammond and Michigan City have passed similar ordinances.

Mr. Patrick Owens, 9242 Greenwood Avenue, provided photographs of the view from his property which includes 1335 Oriole Drive and 9234 Greenwood Avenue. Mr. Owens stated that the Oriole Drive property is in foreclosure. Both properties have overgrown vegetation and one has a pool in disrepair for three years. Mr. Owens requested the Council adopt an ordinance requiring property owners, including banks, get property on the market within a set time after foreclosure proceedings. He praised the efforts of Munster Community Service Officer Russ Shelton. Mr. Owens provided information about other communities with similar ordinances.

President Koultourides read the following prepared statement.

"I am the current President of the Town Council, but I do not speak for the entire Council.

"We had a work-study meeting with the advocates for a Civil Rights Ordinance several months ago and received input from them.

"I believe there is a sense on the Town Council that creating a Civil Rights Commission with power to subpoena parties, hold administrative hearings, and assess fines and penalties may be an overreaction at this time. There is a potential for unforeseen consequences and conflicts that may not make such a commission a worthwhile alternative at present.

"We believe Munster is, generally speaking, a diverse community which does not engage in discrimination on any of the bases suggested by the parties urging creation of a commission. We have not been made aware of instances of discrimination in the general community.

"The only specific instances of alleged discrimination which were referred to concerned the schools, and the information we have received suggests that the schools have a detailed policy designed to prevent instances of bullying, harassment, or discrimination for any reason, and that the schools take their policy very seriously. We don't think it is the Town government's place to intrude on or duplicate policies for the schools that already exist.

"Nondiscrimination has always been the Town's policy, and we will continue to reassert and reinforce that.

"The Town of Munster does not discriminate and adheres to all Federal and State laws regarding this matter."

The floor was closed.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on August 24, 2015

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #15-8O dated 08/21/15 totaling \$330,933.51
Confirmation of Voucher Register #15-8P dated 08/21/15 totaling \$271,340.07
Confirmation of Voucher Register #15-8Q dated 08/24/15 totaling \$479.52
Confirmation of Voucher Register #15-8R dated 08/27/15 totaling \$296,862.37
Confirmation of Voucher Register #15-8S dated 08/27/15 totaling \$2,544.47
Confirmation of Voucher Register #15-8T dated 08/31/15 totaling \$377,762.74
Confirmation of Voucher Register #15-8U dated 08/03/15 totaling \$1,208.55
Confirmation of Voucher Register #15-9A dated 09/01/15 totaling \$138.81
Confirmation of Voucher Register #15-9B dated 09/03/15 totaling \$206,682.38
Confirmation of Voucher Register #15-9C dated 09/04/15 totaling \$342,067.05
Confirmation of Voucher Register #15-9D dated 09/04/15 totaling \$269,967.05
Confirmation of Voucher Register #15-9E dated 09/04/15 totaling \$163.71
Approval of Voucher Register #15-9F dated 09/14/15 totaling \$196,500.79
Confirmation of Voucher Register #15-9G dated 09/10/15 totaling \$233,062.16
Confirmation of Voucher Register #15-9H dated 09/10/15 totaling \$98.89
Confirmation of Voucher Register #15-9I dated 09/10/15 totaling \$80,041.30
Confirmation of Voucher Register #15-9J dated 09/10/15 totaling \$82,858.86

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, Reed, Simonetto, and Koultourides voted in favor; none voted against. The motion carried and the Consent Agenda was adopted as presented.

NEW BUSINESS

ORDINANCE 1665: 2015 MUNICIPAL BONDS ADDITIONAL APPROPRIATIONS

Proposed ORDINANCE 1665 is AN ORDINANCE OF THE TOWN OF MUNSTER, INDIANA, APPROPRIATING THE PROCEEDS OF THE TOWN OF MUNSTER, INDIANA, MUNICIPAL BONDS OF 2015, TOGETHER WITH ALL INVESTMENT EARNINGS THEREON, FOR THE PURPOSE OF PROVIDING FUNDS TO BE APPLIED TO THE COSTS OF DESIGN, CONSTRUCTION, RENOVATION, IMPROVEMENT AND/OR EQUIPPING OF CERTAIN CAPITAL PROJECTS WITHIN THE TOWN OF MUNSTER, INDIANA, PURCHASING CERTAIN EQUIPMENT AND PAYING MISCELLANEOUS COSTS IN CONNECTION WITH FOREGOING AND THE ISSUANCE OF SAID BONDS AND SALE THEREOF. This was the subject of a public hearing *supra*.

Councilor Simonetto moved, with a second by Councilor Nellans, to suspend the rules, waive the readings, and adopt Ordinance 1665 on first reading as presented. Councilors Edington, Nellans, Reed, Simonetto and Koultourides voted in favor; none voted against. Motion carried and Ordinance 1665 was adopted on first reading as presented.

QUOTES: PAINTING OF TOWN HALL COMPLEX

The Town Hall Complex needs to be painted. Public Works Staff has met with and received quotes from three contractors, summarized as follows.

Certified Painters, Schererville, Indiana	\$26,250.00
Endecca Painting & Flooring, Hobart, Indiana	\$26,040.00
Prism Painting, Highland, Indiana	\$45,175.00

The quotes are for painting the exterior of the Police Station, Town Hall and Fire Station as well as the interior doors, jams and baseboards in the hallways of Town Hall. Staff recommended Endecca Painting and Flooring because they painted the Town Hall previously and Staff was pleased with their work.

Certified was not a licensed contractor in the Town at the time the quotes were received. Endecca was asked to lower their price and they did.

Staff has arranged with Century Roofing to do repair work on the fascia of Town Hall and the Police Station as well as replacement of the external doors at the Police Station and the north door of Town Hall by the Park Department. These doors have damage which cannot be repaired. This work will be completed prior to the painting. No costs were given for this portion of the work. The quotes are for the painting only. Both the painting and the repair work will be paid from the Building Maintenance operating budget.

Councilor Reed moved, with a second by Councilor Nellans, to accept the quote from Endecca Painting & Flooring from Hobart, Indiana to paint the Town Hall Complex at a cost of \$26,040.00 to be paid from the Building Maintenance operating budget. Councilors Edington, Nellans, Reed, Simonetto and Koultourides voted in favor; none voted against. Motion carried.

AGREEMENT: SUNGARD SOFTWARE UPGRADE

The Town has used SunGard Public Sector as its software provider for the financial accounting, payroll, accounts payable, cash register receipts, utility billing, permitting, contractor licensing, business registration, and miscellaneous billing since 2000. Staff has gone through major upgrades of the software twice with the most recent occurring in 2011. Since that time, SunGard has offered a major change to the functionality of the software. Staff has seen a demonstration of the new features and believes upgrading will be beneficial.

Currently, Staff maintains the software on locally housed servers and performs all backups and system maintenance. With the upgrade, we will move to a web-based system where these burdens will be shifted to SunGard. One-time charges for implementation and training total \$42,670.00 and will be paid from the various operating funds based on the given application.

Under the current structure, an annual maintenance fee is paid to the vendor which has seen a 5.00% annual increase over the past few years. Staff negotiated a 1.50% annual increase with a five-year agreement broken down as follows.

Year one	\$58,032.00 paid in monthly installments of \$4,836.00
Year two	\$58,902.48 paid in monthly installments of \$4,908.54
Year three	\$59,786.02 paid in monthly installments of \$4,982.17
Year four	\$60,682.81 paid in monthly installments of \$5,056.90
Year five	\$61,593.05 paid in monthly installments of \$5,132.75

The annual maintenance cost for the 2014/2015 year was \$48,926.80. If the upgrade were not taken, the 2015/2016 annual cost is estimated to increase 5.00% to approximately \$51,373.14.

Mr. Feingold has reviewed the proposed agreement and his recommendations have been incorporated into the document presented for Council approval.

Councilor Simonetto noted that the language in the agreement did not match the figures in the appendix to the agreement. Staff will have the language corrected to match the appendix.

Councilor Nellans moved, with a second by Councilor Edington, to accept the agreement with the changes as noted. Motion carried *viva voce*.

AGREEMENT: REMODEL OF POLICE EVIDENCE ROOM

The Commission on Accreditation for Law Enforcement Accreditation (CALEA) noted deficiencies in the current method of evidence storage. The department has until the next review in 2017 to mitigate these issues. If the issues are not addressed, the accreditation status is at risk.

At the October 13, 2014 meeting, the Council approved an agreement with The Linden Group to design an evidence room to meet the requirements of CALEA. They were tasked with preparing construction, bid, and permit documents. They identified two responsive bidders and Hasse Construction provided the lowest responsive and responsible quote. The work includes demolition, renovation, and improved ventilation.

Additional costs include shelving which is estimated at an additional \$26,000.00. In addition, the current contents of the room will need to be stored in a secure, climate-controlled location during the renovation; this cost is currently unknown. The project will be paid from the Municipal Bond Proceeds Fund 414.

Councilor Reed moved, with a second by Councilor Nellans, to authorize the Town Manager or his designee to enter into an agreement with Hasse Construction for the renovations associated with the Police Department evidence room for \$38,312.00 to be paid from the Municipal Bond Proceeds Fund 414. Motion carried *viva voce*.

BID AWARD: 2015-2016 WINTER ROAD SALT

The State of Indiana sent notification about the bulk road salt bid for the 2015-2016 season. The low bidder was Cargill at a cost of \$79.91/ton. The Town has committed to 3,200 tons. The program obligates the Town to purchase at least 80% of this allocation and allows purchasing up to 120% of the requested amount. This puts the cost to purchase road salt between \$204,569.60 and \$306,854.40. The low bidder for the 2014-2015 season was also Cargill at the same price.

Councilor Reed suggested buying the maximum we can to avoid running out and having to pay exorbitant prices. Councilors Simonetto and Nellans agreed.

This is a quantity purchase agreement bid conducted by the State.

Councilor Nellans moved, with a second by Councilor Simonetto, to accept the State bid for road salt. Motion carried *viva voce*.

AGREEMENT: REMOVAL AND REPLACEMENT OF GAS MONITERING WELL

As a requirement of the Indiana Department of Environmental Management (IDEM), there are a number of gas monitoring wells in and around Centennial Park. The wells are designed to monitor methane gas to ensure it is not migrating into the groundwater. Monitoring Well 7 (MW-7) sits in the direct path of the planned realignment of 45th Street. The well must be removed and replaced to move forward with the project and remain compliant with IDEM. Staff provided extensive detail about the new well and the process to remove and replace the old well.

This is specialized work with limited contractors available to provide the service. Andrews Engineering solicited quotes and selected Environmental Drilling and Contracting from Holland, Michigan at a total cost not to exceed \$26,029.00. The project will be paid from the Solid Waste Management Fund 623. Andrews Engineering will manage the contractor and the Town will manage Andrews Engineering. The new well will be to the east of the playground which will remain.

Councilor Simonetto moved, with a second by Councilor Edington, to authorize the Town Manger to enter into an agreement with Andrews Engineering for the removal and replacement of monitoring wells at Centennial Park in an amount not to exceed \$26,029.00 to be paid from the Solid Waste Management Fund 623. 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 hold regular meetings on Monday, September 28, October 12, and 26, 2015. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings.

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 7:50 p.m.

ATTEST:

Andy Koultourides, President

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