

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
NOVEMBER 21, 2022

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, November 21, 2022. Ordinance 1830 is the basis for holding electronic meetings. The announced meeting location was Munster Town Hall. Councilors, Staff, and the public had the option to participate via Zoom meeting technology.

Councilors Chuck Gardiner, Andy Koultourides, Lee Ann Mellon, Ken Schoon, and Steven Tulowitzki were physically present at Town Hall. President Gardiner presided. Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Deputy Town Manager Jill DiTommaso, Town Attorney Dave Westland, Fire Chief Mark Hajduk, Planning Director Thomas Vander Woude, Police Chief Stephen Scheckel, and Munster Representative to the Hammond Sanitary District Mike Hawkins. The news media were not represented.

President Gardiner opened the meeting with a moment of silence followed by the pledge of allegiance.

PROCLAMATION: SMALL BUSINESS SATURDAY

President Gardiner read a proclamation declaring November 26, 2022 as *Small Business Saturday*.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to adopt the proclamation as presented. Motion carried *viva voce*.

PUBLIC HEARING: ADDITIONAL APPROPRIATIONS

Ordinance 1883 was introduced at the November 7, 2022, meeting and had first reading. The procedure for securing additional appropriations requires a public hearing, scheduled for this evening, and the adoption of an ordinance by the Town Council. The following funds are seeking additional appropriations.

Fund Name	Amount
Parking Meter Fund 2207	\$ 40,000
Sewer Maintenance Fund 2580	\$ 100,000
Water Cash Operating Fund 6101	\$ 150,000
Self-Funded Liability Insurance Fund 7704	\$ 100,000

Each of these funds is considered "Reporting Only" and no determination is made for "Reporting Only" funds by the Department of Local Government Finance. Upon passage of the ordinance, the additional appropriations for these funds will be in effect.

President Gardiner opened the floor for the public hearing. No one rose to claim the floor, and President Gardiner closed the public hearing.

PUBLIC COMMENT

The Town of Munster accepted public comment submitted both in-person and electronically. The public was informed, via the agenda posted at munster.org, that questions or comments about an item on the agenda were to be emailed to danderson@munster.org.

Mr. James Kaspar, 8021 Kooy Drive, commented on Ordinance 1886 for the redistricting of wards. Mr. Kaspar stated he prefers Option A as it is more concise with just one precinct split between wards.

No one else rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

The minutes of a regular meeting held on November 7, 2022, had an error which was corrected.

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #22-11D dated 11/10/22 totaling \$50,876.80
Confirmation of Voucher Register #22-11E dated 11/10/22 totaling \$39,399.13
Confirmation of Voucher Register #22-11F dated 11/10/22 totaling \$404,578.09
Confirmation of Voucher Register #22-11G dated 11/17/22 totaling \$219,004.28
Approval of Voucher Register #22-11H dated 11/21/22 totaling \$107,963.08
Confirmation of Voucher Register #22-11I dated 11/18/22 totaling \$465,514.74

MINUTES OF BOND BID OPENING

Approval of the minutes of the bond bid opening held November 9, 2022

WATER LEAK ADJUSTMENT 2022-38 AND 2022-39

Staff received requests for adjustment under the leak adjustment policy adopted by the Town Council on April 8, 2013. The customer has completed the required form and the request meets all the criteria for adjustments as follows:

Adjustment Number	Average Usage	Actual Usage	Length of Time	Original Bill	Requested Adjustment Amount	Adjusted Bill
2022-37	2,000	24,000	1 month	\$ 113.48	\$ 98.45	\$ 15.03
2022-38	2,000	10,000	1 month	\$ 38.52	\$ 26.78	\$ 11.74

Councilor Koultourides moved, with a second by Councilor Schoon, to suspend the rules, waive the readings, and adopt the Consent Agenda as corrected. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none vote against.

OLD BUSINESS

ORDINANCE 1881: REFUSE COLLECTION RATE

Proposed ORDINANCE 1881 is AN ORDINANCE AMENDING SCHEDULE "A," A NON-CODIFIED PORTION OF THE MUNICIPAL CODE, AMENDING FEES FOR REFUSE DISPOSAL. Second reading and adoption was scheduled for the November 7, 2022, meeting. Staff provided an updated rate which includes the ongoing landfill maintenance costs at second reading. The full Council was not in attendance for second reading. Those present moved to table the matter until this evening so that the full Council could discuss the matter. The proposed rate would be \$26.25/month and would go into effect with the utility bill due January 20, 2023.

Councilor Schoon moved, with a second by Councilor Koultourides, to approve Ordinance 1881 as amended. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

ORDINANCE 1883: ADDITIONAL APPROPRIATIONS (2)

Introduced ORDINANCE 1883 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2022 (2). This matter was the subject of a public hearing earlier this evening.

Councilor Tulowitzki asked about the financial for the parking at Centennial Park. Mr. Anderson stated information had been provided to the Park Department that would be forwarded to the Councilor.

Councilor Mellon moved, with a second by Councilor Schoon, approve proposed Ordinance 1883 for additional appropriations on second reading. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none vote against. Motion carried.

**ORDINANCE 1884: CREATING THE OPIOID SETTLEMENT UNRESTRICTED FUND 2256 and
ORDINANCE 1885: CREATING THE OPIOID SETTLEMENT RESTRICTED FUND 2257**

Introduced ORDINANCE 1884 is AN ORDINANCE CREATING THE OPIOID SETTLEMENT UNRESTRICTED FUND (2256). Introduced ORDINANCE 1885 is AN ORDINANCE CREATING THE OPIOID SETTLEMENT RESTRICTED FUND (2257). Both ordinances were discussed at the November 7, 2022, regular meeting. Adopting the ordinances will create the required funds to account for the opioid settlement funds.

Councilor Koultourides moved, with a second by Councilor Mellon, to adopt introduced Ordinance 1884 on second reading. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to adopt proposed Ordinance 1885 on second reading. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

NEW BUSINESS

ORDINANCE 1886: WARD REDISTRICTING

Proposed ORDINANCE 1886 is AN ORDINANCE AMENDING THE TOWN ORDINANCE NO. 1578, BEING "AN ORDINANCE AMENDING THE TOWN CODE OF THE TOWN OF MUSNTER TO ADOPT DISTRICTS FOR THE AT LARGE ELECTION OF EACH RESPECTIVE MEMBER OF THE TOWN COUNCIL" PERTAINING TO THE GEOGRAPHIC BOUNDERIES OF DISTRICTS (WARDS) IN THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA, AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HERewith. Local municipalities are mandated to re-establish the boundaries of its wards based on the 2020 Census for purposes of electing Town Officials. Council has worked with Staff to be in compliance with this mandate.

Councilor Schoon prefers Option C as it divides the Town more contiguously.

Councilor Tulowitzki prefers Option C as more closely aligns with the statute governing the division of districts within towns.

Councilor Mellon prefers Option A as it has the fewest changes to meet the requirements.

President Gardiner prefers Option A.

Councilor Koultourides prefers Option A as it is the simplest.

Councilor Mellon moved, with a second by Councilor Koultourides, to hear Ordinance 1886 using Option A on first reading and set second reading for December 5, 2022. Councilors Mellon, Koultourides, and Gardiner voted in favor; Councilors Schoon and Tulowitzki voted against.

RESOLUTION 2100: TEMPORARY LOANS

Proposed RESOLUTION 2100 is A RESOLUTION FOR THE TEMPORARY LOAN AND TRANSFER OF FUNDS AMONG VARIOUS FUND ACCOUNTS. Expenditures of the Town must be supported by adequate appropriation and cash. Our end-of-year cash position will not be known until December 31. We are allowed to make temporary loans from one fund to another in order to remedy any funds with insufficient cash.

Two resolutions have been prepared to remedy any situations involving insufficient cash. Resolution 2100 provides the framework for making temporary loans. You will notice that Exhibit A to the resolution states that the loan amounts are “to be determined.” The final amounts of any temporary loans will be reported after the first of the year.

Resolution 2101 authorizes repayment of the loans on or before June 30, 2023. In practice, the loans are repaid on the first Thursday of the new fiscal year. Again, a report that the loans have been satisfied will be presented at the first Town Council meeting in January.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to adopt Resolution 2100 as presented authorizing temporary loans in amounts to be determined. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried and Resolution 2100 was adopted.

RESOLUTION 2101: EXTENSION OF TEMPORARY LOANS

Proposed RESOLUTION 2101 is A RESOLUTION EXTENDING TEMPORARY LOANS AND TRANSFERS AS AUTHORIZED IN RESOLUTION NO. 2100 DATED NOVEMBER 21, 2022. This resolution would authorize repayment of the loans on or before June 30, 2022. In practice, the loans are repaid on the first Thursday of the new fiscal year. Again, a report that the loans have been satisfied will be presented at the first Town Council meeting in January.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to adopt Resolution 2101 as presented extending the temporary loans to June 30, 2023. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried and Resolution 2101 was adopted.

ORDINANCE 1887: AMENDING THE ZONING MAP

Proposed ORDINANCE 1887 is AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF MUNSTER REZONING CERTAIN REAL ESTATE TO CD-4.B GENERAL URBAN B DISTRICT WITH THE SPECIAL REQUIREMENT: GROUND FLOOR RESIDENTIAL/DWELLING USE RESTRICTION. The property owner of 500 45th Street has presented plans to use the property as a medical office. This is not a permitted use in the SD-M Manufacturing District. The applicant has gone through the process to request a zoning map amendment changing the property to CD-4.B General Urban – B District with the Special Requirement: Ground Floor Residential/Dwelling Use Restriction.

The Plan Commission considered the matter under PC Docket 22-019 and a public hearing was held on October 11, 2022. Staff made a favorable recommendation, there were no remonstrances and the Plan Commission voted five in favor, none opposed and one abstention to forward a favorable recommendation to Council.

Councilor Koultourides asked if rezoned, will it revert once ownership changes. Town Attorney Westland stated it will not revert but could be changed by passing another ordinance.

Councilor Mellon moved, with a second by Councilor Tulowitzki, to adopt Ordinance 1887 on first reading. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

GRANT AGREEMENT

The Munster Fire Department has been awarded a training grant from the Indiana Department of Homeland Security. This grant is to purchase a roof prop and a cut tree prop. The Town would purchase the two training props at a cost of \$8,093.84 and be reimbursed the full amount from the grant.

The room prop is used to safely teach roof cutting technique to ventilate structures during a structure fire. The cut tree prop allows firefighters to become proficient in cutting chains, locks, panic bars, etc. which are all used to enter structures during an emergency.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to authorize the Town Manager to sign the agreement between the Indiana Department of Homeland Security and the Town of Munster for the Regional Public Safety Training Grant. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

ADA TRANSITION PLAN UPDATE

Council approved the current ADA Transition Plan at their December 28, 2012, meeting. The plan outlines the steps the Town would take to ensure Town facilities, services, programs, and events will be accessible to persons with disabilities. The Town is required to maintain the plan and update it periodically to receive federal funding.

The update presented this evening includes a five-year plan to update sidewalks and curb ramps within the Town-owned public rights-of-way. Staff intend to update the plan annually and document the progress made each year.

Councilor Schoon moved, with a second by Councilor Tulowitzki, to approve the 2023 ADA Transition Plan as presented. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

TITLE VI IMPLEMENTATION PLAN

Recipients of federal funds are required to meet the requirements under Title VI of the Civil Rights Act of 1964 along with the related anti-discrimination statutes and regulations. INDOT, as the administrator of federal funds also requires the Town maintain a Title VI Implementation Plan. The structure and contents of the plan were mandated by INDOT. This is a requirement of both the federal and state governments.

The update presented this evening identifies a new Title VI Coordinator and includes the most recent version of the Language Identification Guide from the Department of Homeland Security.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to approve the 2023 Title VI Implementation Plan as presented. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

2023 DENTAL RATES

Council approved the 2023 medical and vision rates. Dental rates were inadvertently excluded. They are presented this evening for approval. The Town has been self-insured for dental coverage through Delta Dental. This year, Staff requested a quote on dental insurance through the AIM Medical Trust. The Trust provides coverage through Delta Dental as well. The plans are nearly identical, and the network is the same. The cost to both the Town and the employee is significantly lower than the self-insured rates. The bi-weekly rates are as follows.

Tier	Employer	Employee
Employee Only	\$ 12.15	\$ -
Employee/Spouse	\$ 12.15	\$ 12.15
Employee/Child(ren)	\$ 12.15	\$ 20.67
Employee/Family	\$ 12.15	\$ 37.18

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to authorize the Town Manager to adopt the 2023 dental rates for the Town of Munster as presented. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

ORDINANCE 1888: CONTRACTOR REGISTRATION REVISION

Proposed ORDINANCE 1888 is AN ORDINANCE AMENDING CHAPTER 10 ARTICLE IV OF THE MUNSTER MUNICIPAL CODE. Staff recommend reorganizing the section of Code pertaining to contractors to provide greater clarity and to update certain policies. The significant changes are as follows.

1. Subcontractors will be reclassified as “specialty contractors.”
2. Background checks will be eliminated. Currently these checks are done on only one employee of the company and is a practice unique to Munster. This was implemented shortly after the flood of 2008 when the area saw a large influx of disreputable contractors.
3. The electrical contractor proficiency test will be eliminated. This open-book test is completed by one member of the company and provides minimal benefit relative to the cost.

President Gardiner ask what other things are in place to guarantee quality of contractors.

Councilor Tulowitzki moved, with a second by Councilor Mellon, to hear Ordinance 1888 on first reading and schedule second reading for the next regular scheduled Town Council meeting. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against. Motion carried.

PORTFOLIO REPORTS

This portion of the meeting has been added to give elected officials an opportunity to share news about the various boards and commission on which they serve as liaison.

Councilor Tulowitzki announced the Second Annual Light the Night event on December 2, 2022, at 5:30 p.m. at Town Hall.

No other reports were given.

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 a regular meeting on Monday, December 5, 2022. The Redevelopment Commission will hold a regular meeting immediately following.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Schoon and seconded by Councilor Tulowitzki, the meeting adjourned at 7:48 p.m. by voice vote.

ATTEST:

Chuck Gardiner, President

Wendy Mis, Clerk-Treasurer