

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
AUGUST 7, 2023

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, August 7, 2023. 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 Koulourides, Lee Ann Mellon, Ken Schoon, and Steven Tulowitzki were physically present at Town Hall. Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Deputy Town Manager Jill DiTommaso, Police Chief Stephen Scheckel, Fire Chief Mark Hajduk, and Town Attorney Nicole Bennett. Munster Representative to the Hammond Sanitary District Mike Hawkins was present virtually. The news media were not represented.

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

PUBLIC HEARING: ADDITIONAL APPROPRIATIONS (2)

Introduced ORDINANCE 1909 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2023 (2). Ordinance 1909 was introduced at the July 17, 2023, meeting and had first reading. Four “reporting only” funds are seeking additional appropriations.

The procedure for securing the additional appropriations requires a public hearing and the adoption of an ordinance by the Town Council. The DLGF does not approve or deny these. Upon passage of the ordinance, the additional appropriations will be in effect. The information will be forwarded to the DLGF for reporting purposes, but no determination will be made.

President Gardiner opened the floor for comment. There being no one requesting to speak, the floor was closed.

PUBLIC COMMENT

The Town of Munster accepts public comments 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. Bob Thomas, 8445 Manor Avenue, asked about the sound barriers planned for the West Lake Train Extension project. His understanding was they would go between the train tracks and the Renaissance Condominiums where he lives. He has received communication that there has been a change and is no longer true. Mr. Thomas expressed concern about the noise and asked what is happening with the sound barriers.

Mr. Mike Dujmovic, 1833 Tulip Lane, asked if road striping is planned for the bike lanes on White Oak Avenue and Fran Lin Parkway. Ms. DiTommaso reported that it will be done this year.

No one else rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on July 17, 2023

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #23-5K dated 05/31/23 totaling \$134,963.87
Approval of Voucher Register #23-5L dated 05/31/23 totaling \$221,845.50

Confirmation of Voucher Register #23-7H dated 07/20/23 totaling \$75,281.94
Confirmation of Voucher Register #23-7I dated 07/20/23 totaling \$300.00
Confirmation of Voucher Register #23-7J dated 07/27/23 totaling \$1,618,174.34
Confirmation of Voucher Register #23-7K dated 07/28/23 totaling \$519,550.23
Confirmation of Voucher Register #23-8A dated 08/10/23 totaling \$53,323.73
Approval of Voucher Register #23-8B dated 08/07/23 totaling \$210,309.62
Confirmation of Voucher Register #23-8C dated 08/03/23 totaling \$34,353.64
Confirmation of Voucher Register #23-8D dated 08/10/23 totaling \$43,302.66

TREASURER'S REPORTS

Treasurer's Reports for May and June 2023 were presented.

WATER BILL ADJUSTMENTS 2023-42 AND 2023-43

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:

| <u>Adjustment Number</u> | <u>Average Usage</u> | <u>Actual Usage</u> | <u>Length of Time</u> | <u>Original Bill</u> | <u>Adjustment Amount</u> | <u>Adjusted Bill</u> |
|------------------------------|--------------------------|-------------------------|---------------------------|--------------------------|------------------------------|--------------------------|
| 2023-42 | 0 | 21,000 | 1 month | \$ 120.59 | \$ 102.47 | \$ 18.12 |
| 2023-43 | 24,000 | 79,000 | 2 months | \$ 434.80 | \$ 295.21 | \$ 139.59 |

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

OLD BUSINESS

ORDINANCE #1909: ADDITIONAL APPROPRIATIONS (2)

Introduced ORDINANCE 1909 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2023 (2). This matter was the subject of a public hearing earlier in the evening.

Councilor Koultourides moved, with a second by Councilor Mellon, to approve introduced Ordinance 1909 for as presented. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

NEW BUSINESS

CONTRACT APPROVAL: DESIGN SERVICES

At the May 15, 2023, meeting, Council identified Infrastructure Engineering, Inc. (IEI) as the preferred design consultant for the Renew, Reconnect, Reimagine Ridge Road Project and authorized the Town Manager to negotiate a contract. Staff completed negotiations and presented the contract for approval. Under the direction of the Federal Highway Administration, the structure and boilerplate language is that of the standard INDOT contract.

The scope of work includes three public engagement events, the creation, and maintenance of a project website, and eighty individual or small-group interviews with key community stakeholders. Ten separate tasks were identified with the project expected to be completed within 440 days of the notice to proceed. If approved this evening, that would mean completion in October 2024. This time frame includes preparation of bid documents, review of proposals, contract award and mobilization for the eventual contractor to begin work Spring 2025.

Total compensation will not exceed \$1,962,635.00 with \$1,719,835.00 a lump sum. Per the contract, the hourly rates are set at the base rates of July 1, 2023, and will increase annually based on the contract terms. There may be additional hourly services not to exceed \$80,700.00 and reimbursable expenses not to exceed \$161,635.00. The project will be paid for by the TIF Allocation Fund. This contract is an 80/20 matching grant meaning the Town will be reimbursed for 80% of the costs.

Councilor Mellon asked about the traffic study and how it will account for school traffic generated by parents dropping off their children. In response to her question about public engagement, IEI representative Dustin Quincy explained the process.

Councilor Tulowitzki asked about the timeline for the project. Mr. Quincy stated utility relocations will begin as soon as possible and that actual construction will probably take place over two construction seasons.

Councilor Mellon observed that the train will be operational at the time this construction is happening.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to authorize the contract between IEI and the Town of Munster, Indiana for design services for the Renew, Reconnect, Reimagine Ridge Road Project for a cost not to exceed \$1,962,635.00. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

REVISED RAISE GRANT AGREEMENT

At the May 15, 2023, meeting, Council authorized the Town Manager to execute the agreement between the Federal Highway Administration of the U.S. Department of Transportation and the Town of Munster for an award of \$17,143,320 to improve 1.3 miles of Ridge Road. Since that time, the Office of the Secretary of the Department of Transportation asked for modifications to the agreement before they would sign. The revisions are entirely clerical in contact with no additional rights or responsibilities conferred nor has the financial commitment of either party increased or decreased.

The revisions include updated contact information, accounting and appropriations data and the period of performance changed from a window that closes in 2031 to one that ends in 2027. In addition, the balance between projected design, right of way, and construction costs were rebalanced while staying within the total grant award.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to authorize the Town Manager to execute the agreement between the Office of the Secretary of the U.S. Department of Transportation and the Town of Munster for an award of \$17,143,320.00 to improve 1.3 miles of Ridge Road. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

EAST 45th STREET PAVING

Staff opened bids on August 1, 2023, for the repaving of 45th Street from Southwood Avenue to the Highland town line. The Engineer's Estimate for the project is \$612,225.00. Both bids were responsive and responsible. Two bids were received as follows.

Milestone Contractors North, Inc. \$555,005.00
Rieth-Riley Construction Co., Inc. \$561,568.00

Councilor Koultourides confirmed the work will be completed this year. Staff stated it will be finished before Fall.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to award Milestone Contractors North, Inc. the contract for the 2023 East 45th Street Repaving project at their bid price of \$555,005.00. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

AGREEMENT FOR GRAND PRAIRIE WETLANDS MITIGATION

Staff discovered discrepancies in the documents and the vendor was unable to update them prior to the meeting. As a result, Staff requested the item be removed from the agenda and considered at the next meeting.

Councilor Mellon moved, with a second by Councilor Schoon, to table the matter to the next meeting. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

NICTD INVOICE #4043: WESTLAKE CORRIDOR PROJECT

On May 16, 2022, the Munster Town Council executed two written commitments and agreements with the Northern Indiana Commuter Transportation District (NICTD). The First Written Commitment and Agreement directed NICTD to authorize its Design-Build Contractor to proceed with a change order for the design and construction of the alternate architecture and aesthetic finishes of the station buildings and passenger platforms at the new Ridge Road and Main Street passenger train stations. The additional design and construction costs are estimated at \$6,007,657.87. The Second Written Commitment and Agreement, for \$397,175.59, directed NICTD to authorize its Design-Build Contractor to proceed with the design and construction of the alternate location of the water main between Fisher Street and the Canadian National/Grand Trunk Western Railroad.

The Town has received an invoice for this work from NICTD. Invoice No. 4043 includes engineering and design work for the improvements listed for the period of May 1, through May 31, 2023. This invoice releases 50% of the retainage. In accordance with the contract between NICTD and the joint venture, once the total project completion reaches 50%, the retainage amount reduces from 10% to 5%. The retainage held to-date for the betterments totals \$213,085.08. Invoice No. 4043 represents half of that amount or \$106,542.54.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to authorize payment of Invoice No. 4043 to NICTD in the amount of \$106,542.54 from the TIF Allocation Fund. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

PURCHASE OF FOUR POLICE VEHICLES

Police staff are requesting authorization to purchase two Ford Interceptor AWD vehicles for the patrol division and administration and two Ford F150 pick-up trucks for the administration of the Munster Police Department. Staff will use the statewide QPA program through Bloomington Ford.

Once quotes and trade-in amounts for the four vehicles being replaced are secured, Council will be informed, and the lease process will begin.

Councilor Schoon moved, with a second by Councilor Tulowitzki, authorize the Police Department to open the purchasing process for new police vehicles. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

DISPOSAL OF SURPLUS EQUIPMENT

The Town Manager's Office has a retired server with Serial Number 1760MSN195400 which is no longer in use and has no value.

Councilor Koultourides, with a second by Councilor Mellon, to declare surplus and approve the disposal of the listed equipment. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

CHANGE ORDER #1: CCMG 2022-1

The Community Crossings Matching Grant 2022-1 includes paving on White Oak Avenue, Crestwood Avenue, Cypress Avenue, and Hawthorne Drive. The work on Hawthorne Drive included water main replacement. The paving contract was awarded to Rieth-Riley at the July 18, 2022, Council meeting.

Construction began in the spring and Dyer Construction Company, Inc. was the underground subcontractor. Work was substantially complete in June 2023 and a balancing change order is needed to reconcile final quantities installed versus estimated quantities in the bid. The balancing change order results in a net decrease to the contract of \$16,016.10. The significant overages in curb installation were balanced with the less than anticipated quantities of patching and stone base. This was a result of better-than-expected subgrade conditions. The original contract amount was \$1,179,535.93 with the change order, the new total contract amount will be \$1,163,519.83.

Councilor Tulowitzki, with a second by Councilor Koultourides, to approve Change Order No. 1 for a net decrease of \$16,016.10 to the contract for the 2022-1 CCMG Roadway and Water Main Improvements – Hawthorne, Cypress, Crestwood, White Oak. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

CHANGE ORDER #1: STUDIO AXIS

At the meeting on July 18, 2022, the Council approved a quote from Axis for design work for the municipal complex at a cost not to exceed \$113,000.00. The Town Complex Renovation Committee requested a special meeting on November 10, 2022, that was not part of the original contract resulting in mileage charges of \$179.20. The Committee also asked for ten sets of color 11x17 prints for the meeting of March 30, 2023, resulting in a \$200.00 charge.

The additional charges total \$379.20. If approved, the net total contract amount will be \$113,379.20.

Councilor Tulowitzki, with a second by Councilor Koultourides, to authorize an additional payment to Studio Axis of \$379.20 for the above services. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

REPORTS

NIRPC

Clerk-Treasurer Mis provided information about the NIRPC 2050+ Report.

PORTFOLIO REPORTS

Councilor Mellon is the representative to the Northwest Indiana Regional Development Authority Transit Development District Steering Committee for the West Lake Train Project. She reported that at the last meeting, the consultant provided strategic plans and Munster needs to work through the document before their next meeting in August. Councilor Mellon requested a work-study session for Council to review.

ANNOUNCEMENTS

(Unless stated otherwise, all meetings of the Town Council begin at 7:00 p.m. at Munster Town Hall.)

The Town Council will hold a regular meeting on Monday, August 21, 2023. 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 7:39 p.m. by voice vote.

ATTEST:

Chuck Gardiner, President

Wendy Mis, Clerk-Treasurer

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