

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
NOVEMBER 10, 2014**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, November 10, 2014, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koultourides, David B. Nellans, and Joseph A. Simonetto were present. Council President John P. Reed was absent. Vice President Edington presided. Also present were Clerk-Treasurer David F. Shafer, Town Manager Dustin Anderson, Town Attorney Eugene M. Feingold, Chief of Police Stephen F. Scheckel, Interim Fire Chief Dave Pelc, and Street Department Crew Leader Chris Spolnik. The news media were represented by Jim Masters of *The Times*.

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

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

Robinson Engineering representative Joe Nordman reported that much work is going on from a design standpoint. The environmental document is ready to be submitted, but the property transfer must be completed before submittal. Mr. Feingold intends to resolve the issue by Friday.

The Calumet Avenue Traffic Study shows that flow could be improved. The evening cycle length has increased from 97 seconds to 110 seconds. Councilor Nellans asked about the cost from Midwestern Electric. A new controller is estimated at \$3,000.00 to \$4,000.00 plus connections. Approval from the City of Hammond will be needed for the traffic signal by the river. Traffic counts were not performed on Ridge Road.

By general consent, the Council requested a proposal from Midwestern Electric for the next meeting.

OPEN TO THE PUBLIC

Mr. Steve Pestikas, 8534 Schreiber Drive, proposed to change the paid holidays for employees to recognize Veterans Day as a replacement for another holiday so that the number of paid holidays remains the same. Councilors Simonetto and Nellans agreed. The matter will be studied.

Ms. Arlene Dworak, 8304 Jefferson Avenue, registered a complaint about snowplow drivers. She stated that after her property is cleared, the plows slop up her sidewalk, parkway, and driveway. Mrs. Dworak stated she had complained to Town Engineer James Mandon without results. She requested the snowplow drivers be instructed to slow down. Mrs. Dworak also asked that Howard's Meat Market be legally notified to stop plowing snow from their parking lot onto her property.

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

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on October 27, 2014

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #14-10Q dated 10/30/14 totaling \$594,577.97
Confirmation of Voucher Register #14-10R dated 10/31/14 totaling \$376,856.14
Confirmation of Voucher Register #14-10S dated 10/31/14 totaling \$283,030.24

Confirmation of Voucher Register #14-10T dated 10/31/14 totaling \$485,740.34
Confirmation of Voucher Register #14-11A dated 11/06/14 totaling \$392,284.22
Approval of Voucher Register #14-11B dated 11/10/14 totaling \$160,652.82

TREASURER'S REPORT

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

WATER BILL ADJUSTMENT 2014-21

At the request of Councilor Nellans, this matter was removed from the Consent Agenda and placed in General Orders *infra*.

WATER BILL ADJUSTMENT 2014-22

At the request of Councilor Nellans, this matter was removed from the Consent Agenda and placed in General Orders *infra*.

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

GENERAL ORDERS

WATER BILL ADJUSTMENT 2014-21

At the request of Councilor Nellans, this matter was removed from the Consent Agenda, *supra*, and placed in General Orders.

Staff received a request for an adjustment under the leak adjustment policy adopted by the Council on April 8, 2013. The customer completed the required form and the request meets all the criteria for an adjustment. The average usage for this customer is zero gallons/month and the period in question (one month) had 79,000 gallons. The original bill amount was \$211.36 and the requested adjustment amount is \$202.06 which represents water usage and sales tax. With the adjustment, the amount due for water and tax will be \$9.30.

WATER BILL ADJUSTMENT 2014-22

At the request of Councilor Nellans, this matter was removed from the Consent Agenda, *supra*, and placed in General Orders.

Staff received a request for an adjustment under the leak adjustment policy adopted by the Council on April 8, 2013. The customer completed the required form and the request meets all the criteria for an adjustment. The average usage for this customer is 2,000 gallons/month and the period in question (one month) had 74,000 gallons. The original bill amount was \$199.31 and the requested adjustment amount is \$190.01 which represents water usage and sales tax. With the adjustment, the amount due for water and tax will be \$9.30.

Councilor Nellans sought clarification on the adjustments presented for approval.

Councilor Nellans moved, with a second from Councilor Simonetto, to approve both Water Bill Adjustments 2014-21 and 2014-22 as presented. Motion carried *viva voce*.

2/5

MINIMUM AGE FOR MUNSTER FIREFIGHTERS

Staff requested changing the minimum age for volunteer firefighters from twenty-one to eighteen. This was a matter of discussion at the October 27, 2014 meeting. At that time the Council had a number of questions regarding Board of Safety action on the matter and insurance implications.

Staff reported that there are no legal barriers to the change and the Town's liability insurance will not be adversely impacted. The Board of Safety would need to amend its policy for this change to take place.

Councilor Simonetto moved, with a second by Councilor Nellans, to change the minimum age for volunteer firefighters from twenty-one to eighteen years of age and to request the Board of Safety to take the matter up at its next meeting. Motion carried *viva voce*.

ORDINANCE 1649: HSD USER RATES AND CHARGES

Proposed ORDINANCE 1649 is AN ORDINANCE ENACTING PROPOSED AMENDMENTS TO THE SYSTEM OF USER RATES AND CHARGES FOR THE SUPPORT OF THE OPERATION AND MAINTENANCE OF THE HAMMOND SANITARY DISTRICT. The Hammond Sanitary District (HSD) conducted a rate study and completed the required actions to modify the existing rates by establishing separate fees and charges for a commercial class of users. The Council was asked to approve the newly adopted rates and charges of the Hammond Sanitary District as they apply to the Town of Munster.

The changes create a separate user charge for all commercial users who are defined as "Any user not classified as residential." Included in this definition are businesses, offices apartments, and mobile home parks. Industrial users that do not pay a high-strength surcharge are included as are faith-based institutions and not-for-profit organizations.

The fee is \$3.28/1,000 gallons of water purchased as determined by the Munster Water Utility. The new rate goes into effect November 15, 2014 to coincide with the water bill due January 20, 2015.

Councilor Simonetto moved, with a second by Councilor Nellans, to suspend the rules, waive the readings and adopt Ordinance 1649 on first reading, as presented. Councilors Koultourides, Nellans, Simonetto, and Edington voted in favor; none voted against. Motion carried.

NEW BUSINESS

ORDINANCE 1648: ADDITIONAL APPROPRIATIONS (4)

Proposed ORDINANCE 1648 is AN FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2014 (4). At the January 13, 2014 meeting, the Council approved making payments of approximately \$100,000.00/month to Robinson Engineering for design work at the grade separation. The total contract amount is \$3,056,443.11 with a portion being reimbursed to the Town. It was estimated that the net out-of-pocket expense to the Town for 2014 would be \$240,000.00. The County Economic Development Income Tax Fund (CEDIT) 209 and Major Moves Fund 450 have been used to make these payments.

Staff is currently holding invoices to Robinson Engineering from September and October 2014 as there are insufficient appropriations to make the payments. In order to continue making the payment from the CEDIT and Major Moves Funds, an additional appropriation would be necessary. Alternatively, the payments could be made from the TIF Allocation Fund 471.

Ordinance 1648 has been drafted to begin the additional appropriation process if that is the will of the Council. Both are controlled funds and require approval by the Department of Local Government Finance (DLGF).

The procedure for securing the additional appropriations requires a public hearing, scheduled for November 24, 2014, and the adoption of an ordinance by the Town Council. Upon passage of the ordinance, the additional

appropriations will be forwarded to the DLGF for approval. The DLGF is required to issue a determination within fifteen days of receiving the request for funds subject to their approval.

The additional appropriations are supported by revenues and reimbursements from the State of Indiana.

Councilor Simonetto moved, with a second by Councilor Nellans, to hear Ordinance 1648 on first reading as presented and set second reading and public hearing for November 24, 2014. Motion carried *viva voce*.

FINAL ACTION ON MATTER DISCUSSED IN EXECUTIVE SESSION

The Council met in executive session on Monday, October 27, 2014 to discuss a job performance evaluation of an individual employee. The Open Door Law requires final action on this matter to be taken during a meeting that is open to the public.

Councilor Simonetto moved, with a second by Councilor Koultourides, to defer action to the November 24, 2014 meeting. Motion carried *viva voce*.

BID AWARD: PUBLIC WORKS EQUIPMENT

Staff opened bids on October 30, 2014 for a skid steer, a backhoe/loader and a one-ton dump truck for the Sewer and Water Departments. The skid steer and backhoe will result in replacement of identical equipment that has reached the end of its useful life. The dump truck will be an addition to the fleet.

The new skid steer will replace Unit #444, a 1996 skid steer. The new backhoe/loader will replace Unit #440, a 2003 backhoe/loader. Two Water Department vehicles, Unit # 404, a 2004 Chevy Cavalier and Unit #416, a 2006 Chevy Express van, will be used as trade-ins for the new dump truck and will not be replaced. These vehicles were used by meter readers and for customer service calls. There are sufficient resources available to cover these functions.

The purchase will be paid equally between the Sewer Maintenance Fund 280 and the Water Cash Operating Fund 601. The bids were received as follows.

Company	Skid Steer Bid	Trade-in	Final Cost
Atlas Bobcat, Schiller Park, Illinois	\$ 42,364.00	\$ 8,500.00	\$ 33,864.00
McCann Industries, Schererville, Indiana	\$ 54,990.00	\$ 10,000.00	\$ 44,990.00
West Side Tractor, South Holland, Illinois	\$ 52,800.00	\$ 9,500.00	\$ 43,300.00

Company	Loader Bid	Trade-in	Final Cost
McCann Industries, Schererville, Indiana	\$ 94,050.00	\$ 23,500.00	\$ 70,550.00
West Side Tractor, South Holland, Illinois	\$ 114,000.00	\$ 30,000.00	\$ 84,000.00

Company	Dump Truck Bid	Trade-in	Final Cost
Lake Shore Ford, Burns Harbor, Indiana	\$ 64,534.00	\$ 5,000.00	\$ 59,534.00
Roesch Ford, Bensenville, Illinois	\$ 66,666.00	\$ 6,666.00	\$ 60,000.00

While Atlas Bobcat had the lowest bid for the skid steer, their representative pulled the bid because of incorrect numbers leaving West Side Tractor with the lowest bid. McCann Industries was the low bidder for the backhoe/loader. After review, it was determined that McCann did not meet the bid specifications leaving West Side Tractor with the lowest bid meeting specifications.

Councilor Simonetto moved, with a second by Councilor Koultourides, to approve the bid from Roesch Ford of Bensenville, Illinois for one one-ton dump truck in the amount of \$66,666.00 less trade-in of \$6,666.00 for a total cost of \$60,000.00 to be funded equally from the Sewer Maintenance Fund 280 and the Water Cash Operating Fund 601. Motion carried *viva voce*.

Councilor Simonetto moved, with a second by Councilor Koultourides, to approve the bid from West Side Tractor of South Holland, Illinois for the skid steer for \$52,800.00 less trade-in of \$9,500.00 for a total cost of \$43,300.00, and to approve the bid from West Side Tractor for the backhoe/loader for \$114,000.00 less trade-in of \$30,000.00 for a total cost of \$84,000.00 to be funded equally from the Sewer Maintenance Fund 280 and the Water Cash Operating Fund 601. Motion carried *viva voce*.

APPROVAL OF CONTRACT: SEH ENGINEERING

With the recent changes in Staff, the Council wants to engage the services of an engineering consultant on an on-call basis. SEH Engineering, a Munster-based engineering firm, presented a contract to provide this service. Project scopes and schedules will be created as needed with individual lump-sum cost proposals for larger assignments. Smaller assignments and attendance at Town Council, Plan Commission and other public meetings will be completed on an hourly basis unless directed otherwise. Hourly charges will be based on hours worked at the SEH Hourly Billable Rate Range for 2014. These rates are based on the individual performing the work.

Councilor Simonetto stated he was not aware that this matter was to be on the agenda. He thought other engineering firms were to be invited to make presentations.

Councilor Simonetto moved, with a second by Councilor Nellans, to defer action to a date to be determined later. Motion carried *viva voce* with opposition from Councilor Koultourides.

REPORTS

NOMINATING COMMITTEE

Clerk-Treasurer Shafer presented a memorandum of a meeting of the Nominating Committee.

UNDERGROUND STORAGE TANK UPDATE

Staff presented a status update on the underground storage tank at the Public Works Garage.

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, November 24, December 8, and 22, 2014. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings.

The Town Council will hold an Executive Session on Monday, November 24, 2014 immediately following the Redevelopment Commission meeting in order to perform an employee evaluation and review.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Nellans, seconded by Councilor Simonetto, the meeting adjourned at 7:55 p.m.

ATTEST:

John W. Edington, Vice President

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

5/5