

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
OCTOBER 7, 2019**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, October 7, 2019, at the Munster Town Hall. Present were Town Councilors Andy Koultourides, Lee Ann Mellon, David B. Nellans, John P. Reed, and Joseph A. Simonetto. Councilor Koultourides presided. Also present were Controller Patricia L. Abbott, Town Manager Dustin Anderson, Munster Police Sergeant Michael Silsby, Town Attorney David W. Westland, and Town of Munster Representative to the Hammond Sanitary District Michael R. Hawkins. The news media were not represented.

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

45th STREET CONSTRUCTION UPDATE

DLZ representative Lee Randell reported that the shoo-fly construction was completed today. The Canadian National railroad will connect the existing tracks to the shoo-fly on October 8, and 10, 2019. Utility relocate work continues and is expected to be finished by the end of the month. Traffic on 45th Street west of Calumet has been shifted onto the eastbound lanes with lane restrictions.

Excavation will commence when the railroad has completed the cut-overs to the shoo-fly. Calumet Avenue will be reduced to one lane in each direction in order to perform work on the center lanes. President Koultourides and Councilor Nellans requested message boards be placed to give advance warning and to allow enough time for traffic to transition to one lane.

OPEN TO THE PUBLIC

Miss Caroline Chael, a minor, asked what has been done to prevent suppression of speech relative to the Grade Separation Project. It was explained that multiple open house events were held in the time leading up to the project to allow discussion and input. Question and answer sessions were summarized and placed on the Town's webpage.

No one else rose to claim the floor, and the floor was closed.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting of September 16, 2019

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #19-9L dated 09/12/19 totaling \$52,158.08
Confirmation of Voucher Register #19-9M dated 09/16/19 totaling \$343.14
Confirmation of Voucher Register #19-9N dated 09/16/19 totaling \$3,400.37
Confirmation of Voucher Register #19-9O dated 09/19/19 totaling \$975,082.25
Confirmation of Voucher Register #19-9P dated 09/19/19 totaling \$36,731.70
Confirmation of Voucher Register #19-9Q dated 09/23/19 totaling \$846,057.00
Confirmation of Voucher Register #19-9R dated 09/23/19 totaling \$251.14
Confirmation of Voucher Register #19-9S dated 09/24/19 totaling \$300,000.00
Confirmation of Voucher Register #19-9T dated 09/26/19 totaling \$517,627.65
Confirmation of Voucher Register #19-9U dated 09/27/19 totaling \$367,234.71
Confirmation of Voucher Register #19-9V dated 09/27/19 totaling \$338,357.50
Confirmation of Voucher Register #19-9W dated 09/26/19 totaling \$588.38
Confirmation of Voucher Register #19-9X dated 09/27/19 totaling \$111.94
Confirmation of Voucher Register #19-9Y dated 09/30/19 totaling \$3,698.84

Confirmation of Voucher Register #19-9Z dated 09/30/19 totaling \$227.61
 Approval of Voucher Register #19-10A dated 10/07/19 totaling \$142,314.69
 Confirmation of Voucher Register #19-10B dated 10/01/19 totaling \$34,295.00
 Confirmation of Voucher Register #19-10C dated 10/03/19 totaling \$391,582.58

WATER LEAK ADJUSTMENT 2019-36 THROUGH 2019-39

Staff received four requests for adjustment under the leak adjustment policy adopted by the Town Council on April 8, 2013. The customers completed the required form and the requests meet all the criteria for adjustment as follows.

<u>Adjustment</u>	<u>Average</u>		<u>Length of</u>		<u>Requested</u>	
<u>Number</u>	<u>Usage</u>	<u>Actual Usage</u>	<u>Time</u>	<u>Original Bill</u>	<u>Adjustment</u>	<u>Adjusted Bill</u>
2019-36	2,000	13,000	1 month	\$ 41.91	\$ 31.97	\$ 9.94
2019-37	1,000	32,000	1 month	\$ 97.86	\$ 87.92	\$ 9.94
2019-38	3,000	45,000	1 month	\$ 133.80	\$ 123.76	\$ 10.04
2019-39	7,000	51,000	2 months	\$ 157.75	\$ 105.49	\$ 52.26

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

GENERAL ORDERS

ORDINANCE 1776: 2020 BUDGET

Introduced Ordinance 1776 is AN ORDINANCE FOR APPROPRIATIONS AND TAX RATES. At the September 16, 2019 meeting, the Council conducted the public hearing and had first reading on the ordinance for the 2020 budget. The actual circuit breaker impact is unknown until next year. The Department of Local Government Finance ("DLGF") is required to provide certain revenue estimates as well as circuit breaker estimates. Their estimate is \$1.397 million and is what is on the documents submitted to the State. Financial advisor Baker Tilly previously provided an estimate of \$1.8 million. Because Baker Tilly has a more conservative number, this is the amount used for internal budgeting purposes.

Because the final, certified budget can never be higher than what was advertised, the budget estimates we advertised for 2020 are purposely overstated. The amounts in the ordinance are within the advertised amounts. It is anticipated that the final, certified budget will be less than what will be adopted, and the Town Council is ultimately responsible for finding that balance between providing adequate service and not exceeding statutory spending limits.

State statute requires that town budgets be submitted to the DLGF electronically. This is done through their Gateway website and will allow the public to access the information. Ordinance 1776 has been drafted to match the submittal that will be made through Gateway after budget adoption.

Councilor Reed moved, with a second by Councilor Simonetto, to adopt Ordinance 1776 on second reading as presented. Councilors Mellon, Nellans, Reed, Simonetto, and Koultourides voted in favor; none voted against. Motion carried and Ordinance 1776 was adopted.

NEW BUSINESS

CHANGE ORDER 003: GRADE SEPARATION PROJECT

The initial construction work for the Grade Separation Project included installation of storm sewers and drains along 45th Street. During this phase, a 16" waterline was discovered. This line was not on any of the locates

conducted and was in direct conflict with the planned catch basins between Southwood Drive and Columbia Avenue.

Grimmer Construction determined that 800 feet of waterline needed relocating at a total cost of \$159,999.96. The change order was reviewed and approved by DLZ Engineering and INDOT.

Under the terms of the agreement with the State, the Town will pay for all change orders without reimbursement. Once approved by Council, INDOT will invoice the Town for the work. The money will flow from the Town to INDOT who will pay Walsh Construction who will in turn, pay Grimmer Construction.

Councilor Simonetto moved with a second by Councilor Reed, to approve Change Order #003 for INDOT Contract B-36229. Motion carried *viva voce*.

CHANGE ORDER: TOWN HALL FRONT STEP REPAIR

At the July 1, 2019 meeting, the Council awarded Gariup Construction the work to repair the steps at Town Hall in the amount of \$54,600.00. During demolition, the tubing for the unused ice-thawing system was uncovered. This was not included in the drawings or specifications for the job. The tubing had to be removed resulting in additional work at a cost of \$2,700.00 for a total cost of \$57,300.00.

Councilor Reed moved with a second by Councilor Simonetto, to approve the Town Hall Front Step Repair Proposal invoice from Gariup Construction for the change order in the amount of \$2,700.00. Motion carried *viva voce*.

ORDINANCE 1777: WAIVER OF WATER UTILITY BILLING

Proposed Ordinance 1777 is AN ORDINANCE OF THE TOWN OF MUNSTER, INDIANA WAIVING INTERNAL WATER BILLING DURING 2020. The Council is aware of the financial stress the Town will be subjected to next year due to certain debt service obligations being included in the calculation of property tax caps. Several measures are planned to be implemented to conserve appropriations and cash. Every opportunity to reduce spending without curtailing essential services is being examined. The Clerk-Treasurer's Office proposes to waive water utility payments by Town operating funds supported by property taxes during 2020 and only during 2020. The savings to the operating funds (summarized below) is not great, but the savings are enough to warrant consideration.

	2018 Actual	2019 Budget	2019 YTD (thru 9-17)
General Fund	\$ 20,378.48	\$ 24,000.00	\$ 14,359.88
Park Operating Fund:			
Pool	\$ 10,058.92	\$ 8,500.00	\$ 8,407.54
Com Pk. Concession	\$ 117.45	\$ 7,000.00	\$ 97.68
Park Maintenance	\$ 12,950.64	\$ 14,500.00	\$ 7,088.19
Centennial Pk. Mtce.	\$ 3,320.50	\$ 5,000.00	\$ 3,006.95
Total, Park	\$ 26,447.51	\$ 35,000.00	\$ 18,600.36
Total, General & Park	\$ 46,825.99	\$ 59,000.00	\$ 32,960.24

For the year 2020, waiver savings to the operating funds would total approximately \$50,000.00. Simultaneously, the Water Cash Operating Fund revenue would decrease by approximately \$50,000.00, but this revenue loss is judged to have little effect on the fund that normally receives approximately \$3.4 million in water revenue annually.

Councilor Simonetto moved, with a second by Councilor Mellon, to hear proposed Ordinance 1777 on first read and schedule second read and possible adoption on October 21, 2019. Motion carried *viva voce*.

MEMORANDUM OF UNDERSTANDING: TRECS PROGRAM

The Association of Indiana Counties (AIC) hosts the Tax Refund Exchange and Compliance System (TRECS) Program. Under the program, government agencies can submit debts owed to it for offset against pending Indiana State personal income tax refunds. The program was codified in IC 6-8.1-9.5 and 2018 was the first year local municipalities were allowed to participate.

The Town will prepare a file with debts of at least \$25.00 to transmit to the Clearinghouse (AIC). The file will contain only those items that have met the criteria for collections. The Town's file will be compared to all State of Indiana personal income tax refunds due. If there is a match between the file and a refund, the individual will be notified and given the opportunity to appeal.

Assuming there is no appeal or an unsuccessful appeal, the amount due the Town will be withheld from the tax refund by the Indiana Department of Revenue and forwarded to the Town via the Clearinghouse. TrustIndiana is the entity to receive the funds from the State and transfer them to AIC. The individual is charged a fee for collection but there are not fees to the Town for this service.

Councilor Mellon moved, with a second by Councilor Simonetto, to approve the Memorandum of Understanding and Agreement, Association of Indiana Counties Tax Refund Exchange and Compliance System. Motion carried *viva voce*.

ORDINANCE 1778: REGULATION OF VEHICLES

Proposed Ordinance 1778 is AN ORDINANCE OF THE TOWN OF MUNSTER, INDIANA REGULATING THE OPERATION OF MOTORIZED AND NON-MOTORIZED VEHICLES FOR HIRE. Staff recently attended a seminar addressing liability issues municipalities are likely to face. One of the issues pertained to the increasing presence of electric scooters rented for short periods via credit card and computer app. Several problems result:

- After the rental period expires, the scooters are abandoned wherever they stopped until another person rents the scooter. This means the scooters are left on sidewalks, in front of businesses, in streets, parks, and ditches
- People of various skill levels, including the unskilled, rent the scooters
- Rental companies seek communities that do not regulate the scooters, and then place the scooters overnight so they just "appear" in the morning
- The scooters run on lithium batteries which create environmental and disposal hazards which the Town is then forced to face
- The scooters can travel at 15 mph and may be ridden on sidewalks which disrupt pedestrians or on streets which are not designed for scooter traffic. It is not financially feasible to make the streets scooter friendly.

Rather than allow communities to become festooned with unauthorized, unregulated rental scooters, the presenters at the seminar suggested adopting a general ordinance requiring the granting of permission by the Town before a scooter rental company begins operation in the Town. Details of regulation (such as fees) can be developed after the general ordinance is adopted.

Mr. Westland provided a letter outlining his concerns with the wording of Ordinance 1778. He suggested tabling the matter until further review and discussion can take place. Discussion ensued.

Councilor Simonetto moved, with a second by Councilor Reed, to table Ordinance 1778 for further review. Motion carried *viva voce*.

MUNSTER TOWN HALL PARKING LOT & ACCESS ROAD REPAIR

Public Works staff sought to pave, sealcoat and stripe three parking lots at Town Hall and the private drive behind it. Eight companies were contacted to provide quotes and three responded, summarized as follows.

	Site Services	Walsh & Kelly	Rieth-Riley
Option A:			
Access Drive	\$ 40,234.00	\$ 63,253.50	\$ 39,500.00
Option B:			
Police Lot	27,691.00	21,960.92	23,600.00
Option C:			
Town Hall Lot	16,735.00	14,174.18	13,770.00
Option D:			
Fire Lot	17,893.00	20,940.53	17,100.00
Mobilization discount to perform all work	(10,600.00)	(15,000.00)	(2,700.00)
Total	\$ 91,953.00	\$ 105,329.13	\$ 91,270.00

The low quote from Rieth-Riley appears responsive and responsible. The work will be paid from the MVH Restricted Fund 203.

Councilor Simonetto moved, with a second by Councilor Reed, to approve the quote for a paving, sealcoat, striping project at all three employee parking lots (Police, Town Hall, Fire) as specified in the RFQ from the company Rieth-Riley in the amount of \$91,270.00. Motion carried *viva voce*.

SCADA REVISED SERVICE AGREEMENT

Pump upgrades at the West Lake Subdivision/Carnaby Place Lift Station and the new 45th Street Underpass Project Lift Station create additional SCADA needs. Each location will be added to the existing Wireless Monitoring Services Agreement at a monthly fee of \$45.00/location at a total additional cost of \$1,080.00/year.

President Koultourides voiced his strong support for monitoring pumps so that problems can be detected early.

Councilor Reed moved, with a second by Councilor Nellans, to approve the revised "Wireless Monitoring Services Agreement" from Metropolitan Industries for the two additional lift stations for an additional \$1,080.00 annually. Motion carried *viva voce*.

CONTRACT EXTENSION: P & C TRUCKING – LEAF HAULING

P & C Trucking has provided leaf hauling and disposal services for the Town since 2014. At the November 6, 2017 meeting, the Council accepted the proposal from P & C Trucking to extend their price of \$210.00/load through June 1, 2018. At the November 5, 2018 meeting, Council approved leaf hauling by P & C Trucking through June 1, 2019 at a cost of \$385.00/load. This price includes hauling leaves from the Munster Public Works Garage to the Duneland 28 in Valparaiso, Indiana.

At this time, P & C is offering to extend their price of \$385.00/load through June 1, 2020.

Councilor Nellans stated it is more efficient to have an outside hauler handle this than to have Town crews perform the work.

Councilor Simonetto moved, with a second by Councilor Nellans, to approve the proposal from P & C Trucking for cartage and disposal fee until June 1, 2020 for leaves to the Lake County District Leaf Compost Facility in Gary at a cost of \$210.00/load, and leaves and woodchips as needed to Duneland 28 in Valparaiso, Indiana at \$385.00/load. Motion carried *viva voce*.

GREENWOOD AVENUE SANITARY SEWER REPAIR

In September 2019, a survey crew from SEH was mapping outfalls into Schoon Ditch as part of the MS4 requirements. An illicit discharge was discovered at the south side of the culvert at Greenwood Avenue. Public Works was called to investigate further and observed a weir structure designed to divert flow to a 4" diameter pipe leading to a sanitary manhole to the west. This was originally a combined sewer which was later separated. There are four similar structures in Town which work as intended with no evidence of illicit discharges being observed.

The structure at Greenwood Avenue is problematic because it has two separate 90-degree bends and a 4" discharge pipe. The current structure at this location allows overflows into Schoon Ditch at times of high flow. Staff recommended bricking the manhole, removing a section of the outfall pipe and replacing the 4" pipe with 8" pipe. This will be easier to maintain and be less likely to clog. Money is available in the Sewer Depreciation Fund 283. Quotes to perform the work were received as follows.

Grimmer Construction	\$ 44,150.00
Gatlin Plumbing	\$ 86,000.00
Hasse Construction	\$100,845.00

Councilor Simonetto moved, with a second by Councilor Nellans, to award Grimmer Construction a contract to replace the 4" sanitary line and brick off the existing storm sewer at a cost not to exceed \$44,150.00. Motion carried *viva voce*.

ANNOUNCEMENTS

(Unless state 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, October 21, November 4, and 18, 2019. 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 Nellans, seconded by Councilor Reed, the meeting adjourned at 7:41 p.m.

Andy Koultourides, President

ATTEST:

David F. Shafer, Clerk-Treasurer