

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
AUGUST 17, 2020**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, August 17, 2020. At the time of this meeting, the country was facing a pandemic outbreak of the Coronavirus. In response, Indiana Governor Holcomb issued a series of Executive Orders which, among other things, declared a public health emergency and suspended various statutes. Executive Order 20-04 specifically addressed public meetings and the Open-Door Law. This Executive Order along with the opinion of the Indiana Public Access counselor, allows for meetings to be held in a virtual environment. Subsequent Executive Orders have extended this practice.

The announced meeting location was Munster Town Hall. Due to the restrictions on the number of people allowed to gather in one location and the requirement to maintain a distance of at least six feet from another person, some attended in person at Town Hall while others participated via Zoom meeting technology. Councilors Andy Koulourides, Lee Ann Mellon, Ken Schoon, and Steven Tulowitzki were physically present at Town Hall.

Councilor Chuck Gardiner was present in a virtual setting, aided by Zoom meeting technology. Also present in the virtual setting was Town Attorney David W. Westland. It is believed each person was in a different physical location.

Clerk-Treasurer Wendy Mis, Town Manager Dustin Anderson, Police Chief Stephen Scheckel, and Munster representative to the Hammond Sanitary District Mike Hawkins were physically present at Town Hall. President Mellon presided. The news media were not represented. The public was given the information needed to access the meeting virtually and some took advantage of it.

The Town Council has sought legal counsel and has performed its due diligence to the best of its ability in a situation that is continually changing. The Town Council believes it is acting in accordance with Indiana State law, the Governor's Executive Orders, and the interpretations and directives of other State agencies.

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

45th STREET CONSTRUCTION UPDATE

DLZ representative Lee Randell was present in the virtual setting. He reported that on 45th Street between Calumet Avenue and Southwood Drive, the retaining wall construction is ongoing. The walls and top slab have been formed, reinforced, and complete except the bridge railways. The upper walls have been poured. The pedestrian bridge foundation has been formed and poured. The top slab will be poured during the night of August 19, 2020.

The acceleration has construction occurring six to seven days a week and approximately one-half of the budget has been expended. Traffic is still restricted on Calumet Avenue and 45th Street. Underground stormwater construction continues with final adjustments. The bike path has been graded and stone laid.

Councilor Schoon asked when work is expected to be complete on Calumet Avenue. Mr. Randell projected early November.

Town Manager Anderson stated we are seeking bids to improve Calumet Avenue from the Marathon gas station north to Fran-Lin Parkway. If approved, Calumet Avenue will then be open at the end of November.

Councilor Gardiner asked if this would be added to the current project and how would the additional roadwork be funded. Mr. Anderson stated we have adequate funds in the TIF Allocation Fund and redevelopment budgets, and he would lean toward using TIF funds. Mr. Gardiner also asked about paving the trail and Mr. Anderson is looking into paving estimates with assistance from Mr. Randell.

MUNSTER POLICE RECOGNITION:
OFFICER OF THE YEAR AWARD AND LIFE SAVING AWARD

Police Chief Stephen Scheckel and Lieutenant Dan Broelmann recognized six officers for their life saving efforts and recognized the Officer of the Year. These awards had previously been presented at the Rotary Club of Munster Police Appreciation Luncheon; however, in the current health emergency, the presentation was held during the Town Council meeting.

Officer Mark Ashcraft, Officer Daniel Baran, Sergeant Daniel Croyle, Officer Jonathan Hernandez, Officer Alexander Reillo, and Officer Joseph Wells were recognized for their life saving efforts.

Officer Jonathan Hernandez was presented the Officer of the Year award as determined by his peers. Officer Hernandez was recognized for the positive impact he has had on the Munster Police force. Chief Scheckel shared that he is an outstanding field training officer, always willing to lend a hand and learn new things. Officer Hernandez supports and attends many community events.

PUBLIC COMMENT

Because of the unique nature of this meeting, 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. Mike Dujmovic, 1833 Tulip Lane, observed autos traveling southbound on Calumet Avenue using the right turn lane as a shortcut to go straight causing a potential traffic hazard. Mr. Anderson noted the issue will be discussed Thursday, August 20, 2020 at the project meeting. DLZ representative, Mr. Randell stated he would add signs. Mr. Dujmovic later returned to the lectern regarding bicycle safety, stating bicycles have a responsibility to honor stop signs and obey the rules of the road.

Mr. Dave Nellans, 1535 Ridge Road, shared his legacy of installing generators at each of Munster's lift stations thus protecting the Town. Mr. Nellans would like to see a generator installed at Munster Town Hall that would provide power for all needed services in the buildings and the parking lot. Mr. Nellans envisions Town Hall as a "beacon in the night" in the event of an emergency such as a power outage, flood, or snowstorm. Mr. Nellans stated the current generator at Town Hall is not adequate and we are currently unable to provide this type of service.

Mr. Bob Cashman, 1632 Wilson, wanted to know when the limbs would be picked up. Mr. Anderson shared that Public Works does approximately a zone a day and Munster has ten zones. A storm event will delay this schedule.

Mr. Andrew Labahn, 8833 Jackson Court, is a member of the Nominating Committee and shared his opinion on the applicants for the opening on the Board of Safety. Mr. Labahn stated the Committee recommended three well-suited candidates. Mr. Labahn believes Dr. Joe Austin stood out as the best qualified candidate. He shared Dr. Austin is in a professional position for civil engagement and is interested in the betterment of Munster.

Mr. Anderson shared the following email summary provided by Clerk-Treasurer Mis.

Mr. Barry Abbott, 10352 Sutton Place, expressed concern via email about bicycle safety throughout Munster. He would like to see "Share the Road" signs placed in areas where the bike path ends and where bike paths do not exist. Mr. Abbott believes about thirty signs would be sufficient. Current bike lanes are often blocked by parked, large vehicles and cars especially on Fran Lin Parkway. Mr. Abbott would like to see enforcement of laws regarding this. Bike paths in the construction area and North of Centennial Park had been a connecting artery but have been closed. Improved sidewalks or conversion of sidewalks to bike paths especially on Ridge Road east of White Oak would be helpful. There is heavy bicycle and pedestrian traffic at Fisher Street and Calumet Avenue and vehicles are ignoring those crossing with the walk. Mr. Abbott recommends

additional signage or police enforcement. Councilor Tulowitzki and President Mellon have corresponded with Mr. Abbott and Mr. Anderson stated these concerns are being investigated.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on August 3, 2020

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #20-7V dated 07/15/20 totaling \$555.56
Confirmation of Voucher Register #20-7W dated 07/27/20 totaling \$267.30
Confirmation of Voucher Register #20-7X dated 07/28/20 totaling \$648.29
Confirmation of Voucher Register #20-8B dated 08/05/20 totaling \$556.20
Confirmation of Voucher Register #20-8C dated 08/06/20 totaling \$476,201.45
Confirmation of Voucher Register #20-8D dated 08/10/20 totaling \$119,694.00
Confirmation of Voucher Register #20-8E dated 08/10/20 totaling \$80,692.88
Approval of Voucher Register #20-8F dated 08/17/20 totaling \$88,663.97
Confirmation of Voucher Register #20-8G dated 08/13/20 totaling \$137,379.41
Confirmation of Voucher Register #20-8H dated 08/14/20 totaling \$387,793.53
Confirmation of Voucher Register #20-8I dated 08/14/20 totaling \$341,336.03
Confirmation of Voucher Register #20-8J dated 08/13/20 totaling \$297.22

WATER BILL ADJUSTMENTS 2020-29

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
2020-29	5,000	29,000	2 months	\$ 92.81	\$ 59.31	\$ 33.50

TREASURER'S REPORT

The July 2020 Treasurer's Report was presented for acceptance.

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

OLD BUSINESS

ORDINANCE 1805: AUTHORIZATION REFINANCING OF OUTSTANDING 2010 EDC BONDS

Introduced ORDINANCE 1805 is AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MUNSTER, INDIANA, AUTHORIZING THE ISSUANCE OF CERTAIN ECONOMIC DEVELOPMENT

REVENUE REFUNDING BONDS FOR THE PURPOSE OF REFINANCING CERTAIN ECONOMIC DEVELOPMENT FACILITIES AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO. First reading on the ordinance was held at the August 3, 2020 meeting.

At the April 6, 2020 meeting, Council authorized Staff to engage with Baker Tilly, Stifel, and Barnes and Thornburg to begin working on this potential refinancing. Our underwriters and placement agent have not seen any conclusive evidence that the current health emergency will have a significantly adverse impact on the projected refinancing savings.

There is some concern about a public offering of this debt, as it would require a ratings agency to become involved. There has not been a TIF project that has been rated since the onset of the pandemic, and there is some reluctance to be the first through that door. There is interest from a number of banks to transact a private placement of this refinancing. This may result in a lower-than-projected total savings. Initially, the projected floor for the potential savings to the Town was \$250,000. With a private placement, we see the floor move toward \$240,000. The most recent analysis by the placement agent was provided.

Staff recommends continuing to move forward. While the April approval allowed Staff to work with the placement agents and bond counsel, Ordinance 1805 authorizes the Town to refinance the 2010 Economic Development Bonds. If the market moves away on this issue and it makes sense to pause, that is not a problem to do.

Councilor Gardiner moved, with a second by Councilor Koultourides, to adopt 1805 on second reading as presented. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

NEW BUSINESS

CHANGE ORDER #007: GRADE SEPARATION PROJECT

The Grade Separation Project includes installation of drainage structures and paving on Calumet Avenue and West 45th Street. This work requires detailed logistics to complete while maintaining traffic flow. The initial plan for the staging of this work has proven to be impractical. A change order has been prepared to add additional phases as necessary to complete construction on Calumet Avenue. Phases 3A, 3B, 3C, and six interim phases are required to complete the construction. Construction Revision 3 was added to the contract documents to account for the missing phases.

The total cost of Change Order #007 is \$190,574.59. This includes additional mobilization for limited construction areas, additional maintenance of traffic, traffic signal head and timing adjustments, asphalt milling, underground storm sewer, aggregate base, curb and gutter, asphalt paving, and additional crash attenuator units required for traffic maintenance during Phases 3B and 3C.

Two items are not included in this change order. There will be additional asphalt paving as a result of Phases 3B, 3C, and the interim phases. Estimated quantities are not available at this time. The second item is the additional costs for traffic maintenance included under Change Order #002. Town Manager Anderson stated this would be paid from the TIF allocation.

Town Manager Anderson shared the change order was necessary to maintain a minimum of one lane of traffic in each direction which had not been accounted for in the original contract. Councilor Gardiner sought clarification on INDOT approval, normalcy of cost and if an error and omission occurred. Mr. Anderson provided acceptable explanations for each and confirmed funds would come from TIF allocation.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to approve Change Order #007 for INDOT Contract B-36229 for \$190,574.59. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

CHANGE ORDER #011: GRADE SEPARATION PROJECT

Council approved Change Order #005 at their March 23, 2020 meeting. This change order allowed for acceleration costs not to exceed \$275,000.00. Proposed Change Order #11 would replace Change Order #005. The change is administrative in nature and has no dollar value associated with it.

Pay item #256 of Change Order #005 was created under Category 0001. It has been replaced with pay item #261 under Category 0002. The change is necessary in order to access the correct funding source. INDOT's software cannot accomplish this change without completing the formal change order process.

Town Manager Anderson stated this change order is necessary for INDOT billing purposes and is of no additional cost to the Town.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to approve Change Order #011 for INDOT Contract B-36229. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

CHANGE ORDER: WALSH & KELLY 2020 STREET IMPROVEMENTS

Council approved a contract with Walsh & Kelly, Inc. for the 2020 Street Improvements as part of the Community Crossings Matching Grant program in an amount not to exceed \$279,655.25. The contractor is looking for a change order in the amount of \$2,400.00 for joint adhesive to improve the adhesion at the joint between Camellia Drive where the new pavement meets the existing pavement. This will help prevent water from entering which can cause damage. It will also eliminate the need for Public Works Staff to crack seal the area next year.

The change order includes adjustments to final quantities. These adjustments result in an overall reduction in cost of \$68,075.88 from the original contract price. The new contract total is \$211,579.37.

Mr. Anderson specified this change order is a change in scope of the project which had been completed in the spring with Community Crossing Matching Grant funds.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to approve the change order with Walsh & Kelly for the 2020 Street Improvements totaling \$68,075.88. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

APPOINTMENT TO THE BOARD OF SAFETY

Councilor Tulowitzki moved, with a second by Councilor Schoon, to appoint Dr. Joe Austin to the Board of Safety to complete the unexpired term of Dr. Robert Ellis, for a term to expire December 31, 2021. Councilor Tulowitzki shared the many factors that would make Dr. Austin a well-qualified candidate for the board vacancy. Councilors Gardiner, Koultourides, and Mellon shared they had a different preferred candidate. Discussion ensued. Councilors Schoon, and Tulowitzki, voted in favor; Councilors Gardiner, Koultourides, and Mellon voted against. The motion failed.

Councilor Koultourides moved, with a second by Councilor Gardiner, to appoint Dr. Robert Dershewitz to the Board of Safety to complete the unexpired term of Dr. Robert Ellis, a term to expire December 31, 2021. Councilor Tulowitzki stated Dr. Dershewitz would be the second medical doctor on the Board and that this selection would lack diversity of representation. Additional discussion ensued. Councilors Gardiner, Koultourides, and Mellon voted in favor; Councilors Schoon, and Tulowitzki, voted against. Motion carried and Dr. Robert Dershewitz was appointed to the Board of Safety.

REPORTS

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 Schoon announced the hiring of a new Parks Director, Mr. Mark Heintz.

Councilor Gardiner had nothing to report.

Councilor Tulowitzki reported that progress is being made on Castle Estates in Ward 4 as trees are being removed. Infrastructure is expected to be completed by the end of construction season.

Councilors Koultourides had nothing to report.

Clerk-Treasurer Mis reported the Town of Munster has jumped to #4 in the state of Indiana with an 83.4% response rate. It is believed the increase is the result of census takers canvassing Munster in recent weeks.

President Mellon addressed previous complaints about Centennial Park. She shared actions such as closing the park at dusk and increasing patrols have resulted in a decrease in disruptive behavior and littering.

ANNOUNCEMENTS

(Unless stated otherwise, all meetings of the Town Council begin at 7:00 p.m. at the Munster Town Hall.)
The number of residents able to participate in person will be limited based on the Governor's Executive Order(s) in effect at that time.

The Town Council will hold a special meeting on Monday, August 31, 2020. The Redevelopment Commission will hold a special meeting immediately following the Town Council meeting.

The Town Council will hold a regular meeting on Monday, September 21, 2020 and conduct a public hearing on the 2021 budget. The Redevelopment Commission will hold a regular meeting immediately following the Town Council meeting.

ADJOURNMENT

There being no further business to come before the Council, Councilor Gardiner moved with a second by Councilor Koultourides. The meeting adjourned at 8:10 p.m. by voice vote.

ATTEST:

Lee Ann Mellon, President

Wendy Mis, Clerk-Treasurer