

**TOWN OF MUNSTER**  
**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL**  
**OCTOBER 19, 2020**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, October 19, 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. The announced meeting location was Munster Town Hall. Executive Order 20-43 requires adherence to Centers for Disease Control guidelines regarding the number of gathering in one location and maintaining distance of at least six feet from another person. As a result, 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 Mellon presided.

Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Town Attorney David W. Westland, Police Chief Stephen Scheckel, Planning Director Thomas Vander Woude, and SEH Engineer Jill DiTommaso were physically present at Town Hall. 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.

**45<sup>th</sup> STREET CONSTRUCTION UPDATE**

DLZ representative Lee Randell was present in the virtual setting. Mr. Randell reported that the Canadian National Railroad has moved to the mainline tracks and are working on new joins; the work is expected to be done today. Excavation of the shoo fly has begun. Staining is complete on walls 1 and 2; anti-graffiti painting will begin this week. Underground work continues. The temporary bike path and lift station work is on-going. The center median of Calumet Avenue is done, and asphalt will be done this week.

Councilor Tulowitzki asked for an update on acceleration work. Mr. Randell reported that the project is thirty weeks into acceleration with approximately \$200,000.00 of the authorized \$275,000.00 spent. In response to the question from Councilor Tulowitzki, Mr. Randell stated there is a good chance that more funds will be needed and an addendum to the agreement will be presented at a later date.

Councilor Koultourides asked if the project will be done in 2020. Mr. Randell stated that, weather depending, the project will be substantially complete by the second week of December.

Councilor Schoon asked when Calumet Avenue and 45<sup>th</sup> Street will be done. Mr. Randell reported Calumet Avenue will be done by Halloween.

**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](http://munster.org), that questions or comments about an item on the agenda were to be emailed to [danderson@munster.org](mailto:danderson@munster.org).

Mr. Mike Dujmovic, 1833 Tulip Lane Avenue, commented on the recent news article stating that the City of Hammond will be raising water rates by a significant amount. He asked what kind of rate increase Munster Water Utility customers should expect. Mr. Anderson stated he did not know but would provide Council a report.

Mr. Anil Veligandla, 224 Westminster Place, and Mr. Sri Kankarla, 341 Norwich Court, represent neighbors and a community of people from the area who, over the past four years, play cricket regularly. Their group has about 20-25 people and is growing. The gentlemen requested a concrete pitch be installed in West Lakes Park. The Council directed them to the Park Board and asked to have their electronic presentation be emailed to the Town Manager and forwarded to Council.

No one else rose to claim the floor.

Mr. Anderson reported that three emails were received in support of Resolution 2076 which is to be considered later this evening.

The public comment session was closed.

### **CONSENT AGENDA**

### **APPROVAL OF MINUTES**

Approval of the minutes of the regular meeting held on October 5, 2020

### **ACCOUNTS PAYABLE VOUCHER REGISTERS**

Confirmation of Voucher Register #20-9U dated 09/01/20 totaling \$84.84  
Confirmation of Voucher Register #20-10D dated 10/05/20 totaling \$259.55  
Confirmation of Voucher Register #20-10E dated 10/08/20 totaling \$722,404.30  
Confirmation of Voucher Register #20-10F dated 10/09/20 totaling \$532,516.29  
Confirmation of Voucher Register #20-10G dated 10/09/20 totaling \$477,703.83  
Confirmation of Voucher Register #20-10H dated 10/13/20 totaling \$1,758.76  
Confirmation of Voucher Register #20-10I dated 10/13/20 totaling \$215.99  
Confirmation of Voucher Register #20-10J dated 10/14/20 totaling \$1,571.00  
Approval of Voucher Register #20-10K dated 10/19/20 totaling \$223,305.04  
Confirmation of Voucher Register #20-10L dated 10/15/20 totaling \$39,395.64

### **WATER BILL ADJUSTMENTS 2020-34 THROUGH 2020-38**

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
2020-34	4,000	23,000	1 month	\$ 71.57	\$ 58.18	\$ 13.39
2020-35	1,000	64,000	1 month	\$ 185.44	\$ 175.50	\$ 9.94
2020-36	3,000	37,000	2 months	\$ 116.40	\$ 106.36	\$ 10.04
2020-37	7,000	44,000	1 month	\$ 131.08	\$ 108.04	\$ 23.04
2020-38	34,000	680,000	2 months	\$ 196.31	\$ 98.15	\$ 98.16

### **TREASURER'S REPORT**

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

Councilor Koultourides moved, with a second by Councilor Tulowitzki, 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 1807: AMENDMENT TO SCHEDULE "A" PLANNING AND ZONING FEES**

Introduced ORDINANCE 1807 is AN ORDINANCE AMENDING SCHEDULE A, A NON-CODIFIED PORTION OF THE MUNICIPAL CODE AMENDING PLANNING, ZONING, AND ENGINEERING FEES. First reading was held at the October 5, 2020 meeting. It is estimated that the current fees have been in place for at least ten years. In response to Council questions, additional information was provided including price comparisons with surrounding communities.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to adopt Ordinance 1807 on second reading.

Councilor Koultourides asked if Councilor Gardiner's questions from first reading had been answered. Councilor Gardiner had more questions. Discussion ensued among Council, Town Attorney, and Staff.

Clerk-Treasurer Mis asked for the effective date of the new fees. Staff responded the fees would go into effect upon passage and after any required publication.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to amend his motion to reduce the Developmental Variance fee from the proposed \$805.00 to \$450.00. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. The amendment was adopted.

Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor of adopting Ordinance 1807 on second reading as amended; none voted against. Motion carried.

### **NEW BUSINESS**

#### **ORDINANCE 1810: ADDITIONAL APPROPRIATIONS (2)**

Proposed ORDINANCE 1810 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2020 (2). In preparation for year-end, all funds are reviewed to determine if there are adequate appropriations. This is a standard practice and two have been identified as in need and able to secure additional appropriations.

The Sewer Depreciation Fund 283 is used to make capital purchase for the Sewer Maintenance Department and is seeking \$100,000.00 in additional appropriations. The Water Depreciation Fund 603 is used to make capital purchases for the Water Department and is seeking \$250,000.00 in additional appropriations. These funds are both considered "reporting only" by the Department of Local Government Finance (DLGF).

The procedure for securing additional appropriations requires a public hearing, scheduled for November 16, 2020, and the adoption of an ordinance by the Town Council. The DLGF does not approve or deny the additional appropriations for "reporting only" funds. 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.

Ordinance 1810 has been drafted to start the process.

Councilor Tulowitzki asked the source of funds to support the additional appropriations. Staff responded from cash reserves currently on hand.

Councilor Gardiner moved, with a second by Councilor Koultourides, to hear proposed Ordinance 1810 for additional appropriations on first reading, and schedule second reading and a public hearing for November 16, 2020. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

#### **RESOLUTION 2076: IN SUPPORT OF NIRPC FUNDING OF GREENHOUSE GAS INVENTORY**

Proposed RESOLUTION 2076 is A RESOLUTION SUPPORTING THE FUNDING BY NIRPC OF INDIANA UNIVERSITY'S REGIONAL GREENHOUSE GAS INVENTORY COHORT. The Indiana University Environmental Resilience Institute has established a Resilience Cohort program. Indiana city, town, and county government are led through a process of measuring, managing, and tracking their greenhouse gas emissions. Communities that participate in the program are supported by the Environmental Resilience Institute, ICLEI USA and can host an intern for ten weeks to assist with the project.

The Northwest Indiana Regional Planning Commission (NIRPC) is coordinating efforts in the region to collect information relating to commuting, government solid waste generation, government building energy use and government fuel usage as well as residential, commercial, and industrial energy use, water use and treatment and transportation within a specified area. NIRPC is seeking a commitment from the communities in Northwest Indiana. Those that participate will pay a portion of the costs. The amount is projected to be \$3,000.00 or less. The final amount is based on the number of communities that commit to the program.

Resolution 2076 has been drafted to voice support of NIRPC to develop the regional greenhouse gas inventory. The next step will be to complete and submit an application.

Councilor Koultourides asked if this is part of the NIRPC 2050 Plan and confirmed that participating in the program is just data gathering. Councilor Tulowitzki stated the Town is also making Staff available in the process.

Councilor Schoon stated this is the topic which he has received the most letters and feedback since he took office and that all the comments are in support of participation.

Councilor Gardiner confirmed that it will be the Town Manager's Office taking ownership and coordinating the project. Councilor Tulowitzki reported that the Town of Highland has adopted a similar resolution and the project is well coordinated.

Clerk-Treasurer Mis stated there are questions about the funding source and will work with Mr. Anderson. Councilor Schoon stated his appreciation for having the funding identified prior to Council approval.

Councilor Tulowitzki moved, with a second by Councilor Gardiner, to adopt Resolution 2076 for the Town to voice its support of NIRPC's efforts to develop a regional greenhouse gas inventory. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

#### **SOFTWARE AGREEMENT**

The Town uses water meters which emit a radio signal to capture the water usage. The meters are from the manufacturer Neptune and are purchased from Utility Supply Company. There is a specific software to collect the readings and upload them into the billing software. A new version of the software was announced at the end of 2019.

Currently, Water Maintenance Staff use a laptop computer to collect the readings. The new software requires different hardware to collect the data. The new method will eliminate the need for Maintenance Staff to come to Town Hall before and after meter readings. The new system is cloud-based and will allow meters to be read more quickly. The software has additional capabilities that the Town can grow into when the current meters are eventually replaced.

Neptune had planned to make upgrading mandatory but changed course in light of the pandemic. They now plan to make the change mandatory in 2021-2022.

Staff has confirmed that this software is compatible with the new financial software (BS&A) and both companies have worked together in other municipalities. Additionally, BS&A recommends having the Neptune software in place prior to going live in the utility billing software. With the new financial and utility billing software upgrade implementation, Staff would like to go through this upgrade as soon as possible. If approved, implementation would happen in December 2020 or January 2021.

The cost will be paid from the Water Cash Operating Fund 601.

Councilor Tulowitzki asked about the future capabilities with the software.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to approve the software upgrade and annual licensing with Utility Supply Company covering the Neptune meter reading software, in the total amount of \$16,884.00. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

#### **2020 STREET IMPROVEMENTS: SOUTHWOOD DRIVE AND CAMELLIA DRIVE**

Walsh and Kelly have submitted their final invoice seeking release of retainage in the amount of \$21,157.93. SEH has reviewed the pay application and recommends its approval.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to approve the final payment to Walsh & Kelly in the amount of \$21,157.93. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

#### **COMMUNITY DEVELOPMENT BLOCK GRANT ALLEY REPAVING PROJECT**

Walsh and Kelly have submitted their final invoice in the amount of \$129,762.67 and is seeking release of retainage in the amount of \$25,941.64. SEH has reviewed the pay application and recommends its approval.

Councilor Koultourides moved, with a second by Councilor Schoon, to approve the final payment to Walsh & Kelly in the amount of \$25,941.64. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

#### **ROAD STRIPING**

Portions of Calumet Avenue and White Oak Avenue need restriping of the center lines, travel lanes, and bike lanes. Traffic Management Company was the only firm to submit a quote as follows.

Calumet Avenue	
Tracks to Fisher Street	\$22,228.95
Fisher Street to Ridge Road	\$15,167.10
Ridge Road to River Drive	\$19,281.25
White Oak Avenue	
Fisher Street to Ridge Road	\$11,500.00

Staff recommended completing Calumet Avenue from the railroad tracks to Fisher Street and the bike lanes on White Oak Avenue. These two segments have the highest need and can be accomplished this construction season at a cost of \$33,728.95. All the work can be completed at a cost of \$68,177.30, and funds are available. It is unlikely that all four segments can be completed this year. The project will be paid from the Municipal Surtax Fund 258, specifically 258-30000-64490.

Councilor Tulowitzki moved, with a second by Councilor Gardiner, to authorize the preferred selection of striping, which appears to be from Calumet Avenue from the tracks to Fisher Street and White Oak Avenue from Fisher Street to Ridge Road for a total cost not to exceed \$33,728.95. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried.

### **PEDESTRIAN BRIDGE**

Two proposals were presented to Council for engineering work for a pedestrian bridge over Hart Ditch and Cady Marsh Ditch as follows.

DLZ proposed \$178,800.00 for ten tasks with an additional \$49,940.00 for ten tasks to be performed if required. SEH proposed \$140,500.00 for eight tasks.

It is anticipated that the design and environmental work will take about a year to complete. The Town has funds available through NIRPC for the actual construction of the bridge. Engineering work will be paid from Park Bond Proceeds, specifically, 419-9152218-64250.

Council asked about the differences in the proposals between the two engineering firms. Staff opined that SEH has more on-the-ground experience in that location. There are many utilities underground which may have contributed to the different proposed bridge locations.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to award the work to SEH Indiana and authorize the Town Manager to negotiate and execute a final contract not to exceed \$140,500.00. Councilors Schoon, Gardiner, Tulowitzki, Koultourides and Mellon voted in favor; none voted against. Motion carried.

### **RESOLUTION 2075: ACCEPTING INFRASTRUCTURE IMPROVEMENTS**

Proposed RESOLUTION 2075 is A RESOLUTION ACCEPTING NORTH CENTENNIAL DRIVE INFRASTRUCTURE IMPROVEMENTS. At the June 1, 2020 meeting, Council approved an agreement with Centennial Village, LLC concerning operations and maintenance of North Centennial Drive. The road was constructed to Town standards and inspected but not formally accepted by the Town. In addition, there were repairs and improvements that needed to be made.

The necessary work has been completed and Resolution 2075 has been drafted to formally accept the improvements. Once accepted, the Town will reimburse Centennial Village, LLC and begin maintenance as outlined in the agreement.

Councilor Gardiner moved, with a second by Councilor Koultourides, to approve resolution 2075 accepting North Centennial Drive improvements. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

### **CONTRACT AWARD: HVAC**

Bids were opened on October 9, 2020 for the Town Hall HVAC Upgrade Project. Three bids were received as follows.

Item	Engineer's Estimate	Mechanical Concepts, Gary, Indiana	Stevens Engineers & Constructors, Inc., Hobart, Indiana	Quality Control Systems, Inc., Crete, Illinois
Furnish and install HVAC Upgrade Complete	\$422,710.00	\$512,000.00	\$525,000.00	\$545,000.00
Alt 1: Replace Boilers	\$120,000.00	\$121,000.00	\$150,000.00	\$173,000.00
Alt 2: Furnish and install terminal unit mounted ionizing air purifiers	\$20,000.00	\$21,500.00	\$45,000.00	\$11,400.00

The bids were reviewed and tabulated by SEH and all appear to be complete. The Engineer's estimate for the project is \$422,710.00. The recommendation is to award the base bid and Alternate #2 to the low bidder,

Mechanical Concepts for \$533,500.00. While the boilers are nearing the end of their useful life, they are still functioning well, and replacement parts are available as needed. The purchase will be made primarily from General Obligation Bond proceeds.

Councilor Gardiner asked if the Town Attorney has reviewed the information. SEH makes their recommendation based on attorney review. Staff stated that it had not been provided to the Town Attorney.

Councilor Tulowitzki confirmed with Staff that the Town has worked successfully with Mechanical Concepts in the past.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to accept the recommendation to award the base bid and alternate #2 to the lowest bidder Mechanical Concepts for a total of \$533,500.00. Councilors Schoon, Gardiner, Koultourides, Tulowitzki, and Mellon voted in favor; none voted against.

### **POLICE SQUAD CAR BIDDING PROCESS**

The Police Department is preparing to purchase six Ford Interceptor vehicles as replacements. This is the start of the annual process to secure new vehicles. The bid process will run from October 20 through November 6, 2020. The Notice to Bidders was presented, and authority to start the process requested.

Councilor Tulowitzki asked about the type of vehicles being purchased

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

### **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 Tulowitzki reported that the School Board has started a district-wide diversity program. In addition, the number of students choosing to attend in-person learning has increased for the coming term.

Councilors Schoon, Gardiner, and President Mellon had nothing to report.

Clerk-Treasurer Mis reported on her attendance at the AIM (Accelerate Indiana Municipalities) Ideas Summit and encouraged the Council and Town Manager to attend in future years. She informed Council of the requirement that the Redevelopment Commission hold its annual meeting with impacted taxing units. Clerk-Treasurer Mis will inform those units of the meeting scheduled for November 16, 2020.

### **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 regular meeting scheduled for Monday, November 2, 2020 was canceled because of the need for election officials to be in the room to prepare for Election Day. The Town Council will hold a special meeting on Wednesday, November 4, 2020 at noon for the purpose of paying bills.

The Town Council will hold a regular meeting on Monday, November 16, 2020. 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, to adjourn. The meeting adjourned at 8:10 p.m. by voice vote.

**ATTEST:**

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**Lee Ann Mellon, President**

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**Wendy Mis, Clerk-Treasurer**