

**TOWN OF MUNSTER**  
**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL**  
**MARCH 4, 2024**

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, March 4, 2024. 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 George Shinkan, Joseph G. Hofferth, Chuck Gardiner, Jonathan Petersen, and David B. Nellans were physically present at Town Hall. Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller/Interim Town Manager Patricia Abbott, Police Chief Steve Scheckel, Police Lieutenant Dan Broelmann, Fire Chief Mark Hajduk, Town Attorney Nicole Bennett, and Interim Director of Operations Chris Spolnik. The media were not represented.

President Nellans presided and opened the meeting with a moment of silence followed by the Pledge of Allegiance.

**MS4 PERFORMANCE UPDATE**

MS4 is a designation that stands for the entity that oversees the “municipal separate storm sewer system.” It is the drainage system owned by the Town intended to carry only surface runoff (rainwater) to a receiving stream. For Munster, the ultimate receiving stream is the Little Calumet River. The Town is scheduled for an MS4 audit by the Indiana Department of Environmental Management March 14, 2024. The annual Report is due on April 1, 2024. The Town has engaged Butler, Fairman & Seufert as represented by Reggie Korthals to provide consulting and assistance with MS4 compliance. Ms. Korthals was present and provided the update. Ms. Korthals recognized Town of Munster employees David White, Russ Kozyra Nicholas Laviolette, and Laura Pramuk as outstanding for stepping up during a period of transition.

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

Mr. Jim Kaspar, 8021 Kooy Drive, had questions about Ordinance 1934 and the change in hours at Centennial Park. He noted the hours are only changing at Centennial Park and wanted to know how having a set closing time makes the rules easier to enforce.

Mr. Mike Dujmovic, 1833 Tulip Lane, stated he is a frequent user of Centennial Park, and believes a standard closing time will help park goers know when it is time to leave.

Mr. Ron Smaron, 7868 Garfield Avenue, shared that the NICTD sound barrier is only by the condos and apartments and chain link vinyl fence with a 200’ ornamental upgrade near fountain/Ridge Road. He would like to have the sound wall continue by the homes on Garfield. Mr. Smaron requested that, if NICTD will not extend the barrier, that the Town use some of the \$19/20 million in TIF revenues to put up a barrier or the nicer ornamental fence instead of the vinyl fence?

Mr. Matt MacDonald, 1036 Azalea Drive, found a quote from Chief Scheckel to the press about attracting new officers stating Munster is rated one of the ten safest towns. This comment is a shift from the dialog during the fall of 2023. Chief Scheckel clarified the quote was from two years ago.

Mr. Scott Mason, 8639 Hohman Avenue, asked if we would investigate upgrading our website.

Ms. Kathy Tobin, 1123 Elliott Drive, stated that at crime watch meetings it was stated crime in Munster is not going up.

No one else rose to claim the floor.

## **CONSENT AGENDA**

### **APPROVAL OF MINUTES**

Minutes of a regular meeting held on February 19, 2024

### **ACCOUNTS PAYABLE VOUCHER REGISTERS**

Confirmation of Voucher Register #23-1K dated 01/31/24 totaling \$284,795.54  
Approval of Voucher Register #23-1L dated 01/31/24 totaling \$182,681.79  
Confirmation of Voucher Register #23-2H dated 02/23/24 totaling \$443,640.76  
Confirmation of Voucher Register #24-2I dated 02/22/24 totaling \$471,723.06  
Confirmation of Voucher Register #24-2J dated 02/29/24 totaling \$1,191,250.16  
Confirmation of Voucher Register #24-2K dated 02/23/24 totaling \$4,568.96  
Confirmation of Voucher Register #24-3A dated 03/04/24 totaling \$198,729.72

### **WATER BILL ADJUSTMENTS 2024-10**

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

Adjustment Number	Average Usage	Actual Usage	Length of Time	Original Bill	Requested Adjustment Amount	Adjusted Bill
2024-11	6,000	46,000	2 months	\$ 262.79	\$ 190.27	\$ 72.52
2024-12	9,000	34,000	2 months	\$ 204.31	\$ 113.54	\$ 90.77
2024-13	22,000	127,000	2 months	\$ 728.43	\$ 456.31	\$ 272.12

### **TREASURER'S REPORTS**

January 2024 Treasurer's Report was presented.

### **2024 ANNUAL FINANCIAL REPORT (AFR)**

Per IC 5-11-1-4 every municipality and local government is required to provide electronically and, in a manner prescribed by the State Examiner, financial reports for the fiscal year no later than sixty days after the close of the fiscal year. Completion and submission of the Gateway Annual Financial Report (AFR) fulfills this requirement.

The AFR was submitted to Gateway on February 27, 2024.

## **ACCEPTANCE OF PUBLIC OFFICIALS' BONDS: BOARD OF SAFETY**

There are statutory needs for certain officers and employees of a town to file individual surety bonds for the faithful performance of their duties. The Town of Munster Board of Safety is a town board of metropolitan police commissioners. IC 36-8-9-3.1(f) stipulates that aboard member shall give a bond in the amount of \$5,000.00. The members of the Munster Board of Safety are Matthew Maloney, Lorin M. Brown, Jerome Baffa, Linda S. Dunn, and Robert Dershewitz.

Public official bonds have been executed by the five members of the board of public safety and are now ready for acceptance by the Town Council.

Councilor Gardiner moved, with a second by Councilor Shinkan, to suspend the rules, waive the readings, and adopt the Consent Agenda with corrected minutes. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

## **OLD BUSINESS**

### **ORDINANCE 1934: UPDATING CENTENNIAL PARK HOURS**

Introduced ORDINANCE 1934 is AN ORDINANCE AMENDING CHAPTER 34-PARKS AND RECREATION, ARTICLE III-CONDUCT WITHIN PARKS AND RECREATIONAL AREAS, DIVISION 4-RULES AND REGULATIONS, SECTION 34-81-PARK HOURS, OF THE MUNSTER CODE OF ORDINANCES. The Park Board approved changing the hours at Centennial Park to 6:00 a.m. -10:00 p.m. at their November 2023 meeting. This would provide a set closing time instead of dusk. A set time also allows for better enforcement. At the February 19, 2024, meeting, the Council had first reading on the ordinance.

Councilor Gardiner moved, with a second by Councilor Shinkan, to hear Ordinance 1934 on first reading and set second reading for the March 4, 2024, meeting. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

### **APPOINTMENTS TO UNSAFE BUILDING BOARD**

Town Code Article XI: Unsafe Building Regulations establishes an Unsafe Building Board as the hearing authority to conduct public hearings on orders issued by the Munster Chief Building Inspector under the unsafe building law. In addition, IC 36-7-9-2 states the legislative body of a town designates the person or persons that comprise the Unsafe Building Board (UBB). Additionally, the UBB consists of two members of the Board of Zoning Appeals and one non-council member of the Plan Commission.

Plan Commission member Bill Baker and BZA members Ed Pilawski and Roland Raffin have been consulted and are willing to serve on the UBB.

Councilor Shinkan moved, with a second by Councilor Petersen, to appoint Plan Commission member Bill Baker and BZA members Ed Pilawski and Roland Raffin to the Unsafe Building Board. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

## **NEW BUSINESS**

### **RESOLUTION 2127: AMENDMENT TO RESOLUTION 2126**

Proposed RESOLUTION 2127 is A RESOLUTION AMENDING RESOLUTION 2126 AUTHORIZING AN INTERIM TOWN MANAGER. Council approved Resolution 2126: A Resolution Authorizing an Interim Town Manager at the February 19, 2024, meeting. The resolution was approved with an amendment changing “Council President” to “Council” for specific personnel matters. Council has reconsidered the matter and wants the language to revert to the original “Council President.”

Resolution 2127 has been drafted for this purpose.

Councilor Gardiner moved, with a second by Councilor Shinkan, to adopt Resolution 2127 as presented. Councilors Shinkan, Hofferth, Gardiner, and Nellans voted in favor; Petersen voted against. Motion carried.

### **BID AWARD: 2024 CDBG ALLEY PAVING**

On Friday, February 23, 2024, bids were received and read aloud for the 2024 Alley Repaving project. This will include pavement removal, installation of HMA pavement, sidewalk and curb reconstruction, driveway restoration, and all surface restoration. The project was publicly bid pursuant to state and local bidding regulations. The Engineer’s Estimate was \$122,051.50. Four bids were received as follows.

Site Services, Inc.	\$ 96,321.00
Rieth-Riley Construction Co., Inc.	\$109,018.00
Milestone Contractors North	\$149,055.00
Gariup Construction Co., Inc.	\$149,900.00

Staff recommend awarding the bid to the lowest responsive and responsible bidder, which is Site Services. The project will be paid for through Community Development Block Grant funding.

Councilor Gardiner moved, with a second by Councilor Shinkan, to award the 2024 Alley Paving bid to Site Services for a total cost of \$96,321.00. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

### **BID AWARD: 2024 SIDEWALK REPLACEMENT PROGRAM**

The annual Sidewalk Replacement Program concentrates on residential and commercial sidewalks deemed to be tripping hazards with priority given to residential walks around schools and high-use commercial areas. Construction costs are split between property owners and the Town. Residents can request sidewalk replacement through the program.

On February 21, 2024, bids were received and read aloud for the 2024 Sidewalk Replacement Program. The total bid amounts are based on estimated quantities. There is \$75,000.00 available for sidewalk replacement in the 2023 General Obligation bond. Bids were received as follows.

Bidder	5" Regular Walk	Subtotal	7" Drive Walk	Subtotal	Total
H3 Concrete	\$15.70/sq ft	\$ 235,500	\$17.40/sq ft	\$ 17,400	\$252,900
Rieth-Riley	\$21.00/sq ft	\$ 315,000	\$27.60/sq ft	\$ 27,600	\$342,600
Gariup Construction	\$18.00/sq ft	\$ 270,000	\$32.00/sq ft	\$ 32,000	\$302,000
J & J Newell	\$13.00/sq ft	\$ 195,000	\$14.00/sq ft	\$ 14,000	\$209,000

An addendum to the bid was issued on February 20, 2024, addressing the watering of the seed and straw bedding, contractor stockpiling removals handled in the Public Works yard, and curb ramps not anticipated in the project. Three bidders acknowledged Addendum 1 in their bid proposals. J & J Newell did not acknowledge the addendum in their bid proposal. Mr. Westland advised that the bidder could submit a letter acknowledging review of Addendum 1 and holding their original bid price would allow the bid to be accepted. J & BJ Newell has supplied this letter.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the 2024 Sidewalk Replacement Program to J & J Newell for the unit costs listed in their bid of \$13.00/sq ft of 5" regular walkway and \$14.00/sq ft of 7" driveway walkways. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

### **CONTRACT AWARD FOR SAFE HAVEN BABY BOX**

The Munster Fire Department has been awarded a Newborn Safety Device Grant from the Indiana Department of Homeland Security to secure, install and maintain a baby safety device. The Town will enter into an agreement with Safe Haven Baby Boxes Inc. for the equipment at a cost of \$15,500.00 to be paid from the Cumulative Capital Development (CCD) Fund. The grant will reimburse that fund once all the grant requirements are met. In order to accomplish this project, Council will be asked to approve an additional appropriation at a future meeting.

Councilor Hofferth moved, with a second by Councilor Shinkan, to authorize the Fire Chief to sign the agreement between Safe Have Baby Boxes Inc and the Town of Munster for the baby safety device in the amount of \$15,500.00. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

### **PURCHASE AWARD: NEW FORKLIFT**

Public Works was scheduled in their capital plan to purchase a new forklift last year. Two forklifts, Unit #353 purchased in 1994 and Unit #363 purchased in 2003 will be traded in. Staff solicited quotes from three vendors as follows.

Bidder	Model	Subtotal	Attachment	Trade-in	Total
Vos Equipment, Harvey, Illinois	GP6ON	\$ 47,000.00	\$ 2,556.40	\$3,000.00	\$46,556.40
Alta material handling, Calumet City, Illinois	H6OA	\$ 50,925.67	NA	\$3,550.00	\$47,375.67
Altorfer	Declined to quote				

The purchase will be made from the 2022 General Obligation Bond.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the purchase of a new Yale GP6ON forklift from Voss Equipment plus 42" attachment for \$49,556.40 less the trade-in of Unit #353 and Unit #363 for \$3,000.00 for a final price of \$46,556.40. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

## **PURCHASE OF REPLACEMENT METHANE GENERATOR**

The Town has an obligation to maintain the landfill at Centennial Park in perpetuity. In 2012, a generator was installed which converts the naturally occurring methane gas that is released by the landfill into electricity. This electricity is then sold to NIPSCO. These revenues are used to offset the costs to light the various parks in town as well as streetlights. At the time of installation, it was known that at 60,000 hours of use, the generator would need either a major refurbishment or replacement. Staff have been working with the various vendors and consultants that work with the Town to maintain the landfill to consider the options for this known event.

Last year the generator passed the 60,000-hour mark. The existing generator is larger than is needed which makes it less efficient and the electricity and subsequent revenues unpredictable. Clark Energy has submitted a proposal for a new, smaller and appropriately sized, Jenbacher generator which is compatible with the other operational equipment already on site, transportation of the generator, site works, and engineering/project management to install the new unit for a total estimated cost of \$1,144,413.00.

This is a large investment for the Town. The replacement generator is considered a best practice for the landfill and the Town's continued desire to use the available methane to generate energy and revenue. This is a specialized piece of equipment and compatibility with the existing connections and accessories is an integral consideration. Because of this, the purchase is covered under the Special Purchasing Methods described in IC 5-22-10-8, and the bid process is not necessary.

There is a required down payment at the time of ordering the equipment. This is allowed under IC 5-11-10-1.6 and Munster Ordinance 1913. The equipment will take approximately sixty (60) weeks to be delivered with the balance due upon installation. The 2021 General Obligation Bond has \$300,000.00 for this purchase. There are other funds available in the 2021 General Obligation Bond that will cover the balance of the deposit. The 2024 General Obligation Bond will include the balance needed for this project as well as additional funding for other improvements needed at the landfill site.

Councilor Hofferth moved, with a second by Councilor Shinkan, to approve the Clarke Energy proposal dated February 29, 2024, as presented including a deposit of \$400,545.00 to be paid from bond proceeds and to authorize the Council President to execute the documents. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

## **LETTER OF ENGAGEMENT: ATTORNEY REPRESENTATION**

The Town has been working with the developer of the former Lansing Country Club site to redevelop the property. There is a need for legal representation in this matter. Attorney John Reed with the firm of Abrahamson, Reed, and Bilse has presented a representation agreement to perform this work. The attorney rate is \$225.00/hour which is in keeping with the rates currently paid for other legal services. The paralegal rate is \$100.00/hour.

Councilor Shinkan moved, with a second by Councilor Gardiner, to approve the representation agreement with Abrahamson, Reed, and Bilse. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

## **PORTFOLIO REPORTS**

Councilor Gardiner acknowledged the Lions Club Pancake Breakfast which was held the previous day and thanked the organization for the support of the community.

## **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, March 18, 2024. 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 Shinkan and seconded by Councilor Gardiner, the meeting adjourned at 7:36 p.m. by voice vote.

**ATTEST:**

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**David B. Nellans, President**

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**Wendy Mis, Clerk-Treasurer**