

**TOWN OF MUNSTER**  
**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL**  
**JUNE 9, 2014**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, June 9, 2014, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koultourides (arrived at 7:11 p.m.), David B. Nellans, and John P. Reed were present. Councilor Joseph A. Simonetto was absent. Councilor Reed presided. Also present were Town Manager Thomas F. DeGiulio, Town Attorney Eugene M. Feingold, Assistant Town Manager Clay T. Johnson, Chief of Police Stephen F. Scheckel, and Town Engineer James M. Mandon. The news media were represented by Jim Masters of *The Times*.

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

**GRADE SEPARATION REPORT**

Robinson Engineering representative Joe Nordman reported on the wetland delineation, soil borings, and groundwater and sand issues. Proposals for the Clubhouse are due to come back June 28 and 29, 2014.

**LANSING FLOOD FIGHTING PRESENTATION**

Mr. Mandon and Executive Director of the Little Calumet River Basin Development Commission Mr. Dan Repay made presentations regarding the flood fighting agreement with Lansing, Illinois originally presented at the May 27, 2014 meeting.

Councilor Nellans moved, with a second by Councilor Koultourides, to authorize an interlocal agreement with Lansing, Illinois to explore the opportunities to prevent flooding on both communities. Motion carried *viva voce*.

**OPEN TO THE PUBLIC**

Ms. Annette Baynor, representative of the Munster Garden Club, requested temporary signage for the Garden Walk. The new enforcement method prevents the Garden Club from placing signs. Mr. Feingold brought up constitutional law that applies to the situation. This is an item on the agenda *infra*.

Mr. David Schultz, along White Oak Lane, commented about three Town garbage cans for bike riders and dog walkers. Mr. Schultz asserted that the cans are not emptied on a regular basis. He stated the last pick up of garbage was April 30, 2014. Mr. Schultz stated the problem occurred last year as well and that he has spoken with Staff at the Public Works Garage, the Public Works office at Town Hall and the Town Manager's Office without a positive result. President Reed stated the issue would be addressed.

Mr. John Schoon, 8644 Calumet Avenue, stated his driveway was replaced as part of the Calumet Avenue traffic signal project. Mr. Schoon stated that he cannot turn into his driveway without going over the yard because of the lack of width. Mr. Mandon will check with the inspector tomorrow. President Reed asked if we have the measurements of all the driveways from before construction started to compare to the current aprons.

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 special meeting held on May 27, 2014

### **ACCOUNTS PAYABLE VOUCHER REGISTERS**

Confirmation of Voucher Register #14-5P dated 05/29/14 totaling \$414,860.45  
Confirmation of Voucher Register #14-5Q dated 05/28/14 totaling \$23,280.00  
Confirmation of Voucher Register #14-5R dated 05/30/14 totaling \$392,958.08  
Confirmation of Voucher Register #14-5S dated 05/30/14 totaling \$288,561.14  
Confirmation of Voucher Register #14-5T dated 05/31/14 totaling \$251,926.78  
Approval of Voucher Register #14-6A dated 06/09/14 totaling \$195,200.75  
Confirmation of Voucher Register #14-6B dated 06/05/14 totaling \$384,028.50

### **TREASURER'S REPORT**

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

### **ANNUAL OPERATIONAL REPORT FOR LOCAL ROADS AND STREETS**

Indiana Code 8-1-4.1 requires an operational report to be prepared by all cities and towns having a population of 20,000 or more with road and street responsibilities. The report shall be prepared on forms prescribed by the State Board of Accounts and must disclose all information considered necessary to reflect the financial condition and operations of the department.

Accordingly, the Clerk-Treasurer's Office, Public Works Department and Town Engineer prepared the report which must be filed with the State Board of Accounts, the governing body of the municipality, the Purdue University Local Technical Assistance Program, and the Indiana Department of Transportation.

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

### **GENERAL ORDERS**

#### **ORDINANCE 1633: AMENDMENT #4 TO 2014 SALARY ORDINANCE – UNIFORM ALLOWANCE FOR FIRE AND PUBLIC WORKS EMPLOYEES**

Introduced ORDINANCE 1633 is AMENDMENT #4 TO ORDINANCE 1611, 2014 PAY PLAN. First reading on the ordinance was held at the April 28, 2014 regular meeting with second reading on May 12, 2014.

Munster paid-on-call Fire Department personnel receive a \$110/year clothing allowance and \$100/year for use of private vehicles ("gas allowance"). Staff proposed raising the annual clothing allowance to \$300.00 and the gas allowance to \$150.00.

Clothing at the initial appointment to Public Works, Park Maintenance, and Community Service Officer will be provided by the Town. After the first year of service, the employee will be eligible for an annual payment of \$800.00 for the purposes of clothing maintenance. The employee will be taxed according to IRS regulations. The quartermaster system is being eliminated.

Councilor Nellans moved, with a second by Councilor Koultourides, to adopt Ordinance 1633 on second reading as presented. Councilors Edington, Koultourides, Nellans, and Reed voted in favor; none voted against. Motion carried.

### **ORDINANCE 1635: AMENDMENT TO RENTAL INSPECTION ORDINANCE**

Proposed ORDINANCE 1635 is AN ORDINANCE AMENDING MUNSTER TOWN CODE CHAPTER 10, ARTICLE 9, REGULATING RENTAL DWELLING AND DWELLING UNITS. Beginning in 2008, the Town Council adopted a series of ordinances to regulate rental properties. Currently, the Town charges a fee to perform an inspection on any domestic rental property. This inspection must be performed every three years. The most recent session of the Indiana General Assembly made changes to the law regarding this type of regulation. These changes go into effect July 1, 2014.

Under the new law, municipalities must accept the inspections made by private companies. It also forbids charging a permit fee to allow rental of the property. Ordinance 1635 establishes criteria for private inspectors to perform the inspections currently performed by Town of Munster Staff.

Councilor Nellans moved, with a second by Councilor Edington, to hear Ordinance 1635 on first reading and set second reading for June 23, 2014. Councilors Edington, Koultourides, Nellans, and Reed voted in favor; none voted against. Motion carried.

### **HYDRANT TESTING AND REPLACEMENT PROGRAM**

At the March 10, 2014 meeting, the Council approved the engagement of M.E. Simpson for hydrant testing throughout Town. Staff was used to notify residents. The reports provided by M.E. Simpson are being used by the insurance provider and Town Staff will download the information into the GIS system.

As a result of the testing, there is now a comprehensive list of the 1,100 hydrants in the public system, a repair list for the hydrants, and all hydrants were greased. Staff is now recommending moving forward with the recommended repairs and replacement of hydrants that do not meet the infrastructure specifications. The specifications call for Mueller brand hydrants. The only supplier of Mueller hydrants in the area is Utility Supply Company based in Indianapolis. The Town will purchase the hydrants in bulk and provide them to local contractors for installation. This is the same procedure used for water meters. The hydrant pricing is as follows.

<u>Quantity</u>	<u>Size</u>	<u>Unit Price</u>	<u>Total</u>
40	5'6"	\$2,060.40	\$82,416.00
5	4'6"	\$1,982.05	\$ 9,910.25

Staff has obtained three quotes for the installation of the first group of hydrants to be installed with Hasse Construction providing the low quote. According to the memo dated June 9, 2014, Hasse Construction will install thirty-seven hydrants at various locations throughout Town at a cost of \$39,972.00. Once these hydrants are installed, the replacement of non-Mueller hydrants can begin. Staff hopes to complete the majority of the replacements by year-end.

Councilor Koultourides moved, with a second by Councilor Nellans, to approve the purchase of 45 hydrants at a cost of \$92,326.25 and to engage Hasse Construction to install thirty-seven hydrants at a total cost of \$39,972.00, all to be paid from the Water Cash Operating Fund 601. Motion carried *viva voce*.

### **NEW BUSINESS**

### **ORDINANCE 1636: AMENDMENT #5 TO 2014 SALARY ORDINANCE**

Proposed ORDINANCE 1636 is AMENDMENT #5 TO ORDINANCE 1611, 2014 SALARY PLAN. The unexpected death of the Director of Operations earlier this year has left the Public Works Department without a department head. The General Maintenance Superintendent is considered the second in command to the Director of Operations. In 2013, the General Maintenance Superintendent retired and was not replaced.

Since the death of the Director of Operations, the crew leaders for the Water and Street programs have been acting as the Superintendent. Chapter 3.1, Section 8 of the Personnel Rules allows employees to be "...compensated at the minimum of the higher job grade, or 5.00% more than their current hourly compensation, whichever is greater." Since there are two people partially filling in for one higher position, Staff is recommending a change to the salary ordinance to adequately compensate these two employees.

The proposed ordinance will create the temporary positions of Water Superintendent and Streets Superintendent both at Grade 11. Staff believes Grade 11 best represents the level of responsibility and work being performed. These positions will exist until a Public Works Director or Director of Operations is hired. At that time, these employees will return to their current grade and step pending any subsequent merit or other increases. The change will be effective March 1, 2014.

During the time the employees are in the interim positions, they will be exempt from overtime. Any overtime earned from March 1, 2014 to June 10, 2014 will not be adjusted. Once the employees return to their current positions, they will become eligible to earn overtime.

Councilor Nellans moved, with a second by Councilor Edington, to suspend the rules, waive the readings, and adopt Ordinance 1636 on first reading as presented and stipulating these positions are temporary. Councilors Edington, Koultourides, Nellans, and Reed voted in favor; none voted against. Motion carried.

#### **PURCHASE OF E911 EQUIPMENT**

The Council adopted Resolution 1979 at the December 16, 2013 meeting. The time has come to purchase the necessary mobile radios and accessories. Lake County awarded the bid for these purchases to Motorola; there is no need for the Town to go through the bidding process. The Town Manager, Public Works, Police, and Fire Departments have worked with Motorola to create a complete list of necessary equipment. Staff is recommending 57 units for the Police Department, 65 units for the Fire Department, 8 units for Public Works and Administration. These amounts include spare and back-up units. The total cost is estimated at \$828,346.44. The cost for the Police and Fire Departments is \$784,838.04 and the Public Works and Administration cost is \$43,508.40. Funding will be made as follows.

2014 Municipal Bonds Fund 414	\$750,000.00
CAGIT – Public Safety Fund 249	\$ 34,838.04
Water Cash Operating Fund 601	\$ 21,754.20
Sewer Maintenance Fund 280	<u>\$ 21,754.20</u>
Total	\$828,346.44

Councilor Nellans moved, with a second by Councilor Edington, to approve the purchase of 130 mobile radios and accessories in the amount of \$828,346.44 from Motorola Corporation to be funded by the 2014 Municipal Bonds Fund 414, CAGIT- Public Safety Fund 249, Water Cash Operating Fund 601, and Sewer Maintenance Fund 280. Councilors Edington, Koultourides, and Nellans, voted in favor; none voted against; President Reed abstained as he represents Motorola. Motion carried.

#### **METHANE PLANT INSURANCE COVERAGE**

The methane generator plant is covered under a specialty insurance policy. The premium for the 2013-2014 year was \$48,906.00. The premium for the 2014-2015 year is \$51,640.00; the increase is due to inflation adjustments. The premium will be paid from the Self-Funded Liability Insurance Fund 580 which receives cash transfers from the Electric Fund 270 for this purpose. A fence is going to be installed to increase security at the site. The insurance carrier suggested other potential coverage which Staff will discuss.

Councilor Koultourides moved, with a second by Councilor Nellans, to approve the insurance renewal for the general liability and property coverage for the methane operation at Centennial Park at a cost of \$51,640.00 to be paid from the Self-Funded Liability Insurance Fund 580.00. Motion carried *viva voce*.

### **TEMPORARY SIGN REQUEST**

The Council has been in the process of reviewing the sign ordinance. During this process, the Council has instructed Staff to strictly interpret the temporary sign ordinance which creates limits for all signs in Town including those for community, charitable, and educational activities. This strict enforcement is proving detrimental to these organizations including the Park Department. Sponsors have made donations with the promise of acknowledgement on a banner. Strict interpretation forbids the display of banners at all of the sponsored events.

As a result, Staff is asking for a delay in the strict enforcement while the overall policy is being reviewed. Temporary signage under the following conditions is being requested.

1. Temporary sign permits must be approved
2. No sign may exceed forty square feet in any zone
3. Temporary signs may not be placed in approved locations more than twenty-one days before an event and must be removed five days after the event
4. Signs must be placed on the property where the event takes place. The Town Manager is authorized to approve temporary signs in no more than four locations along the public right-of-way for events without specific or multiple locations.

Staff will work the Plan Commission and BZA within the next sixty days to prepare new language for temporary signs to control temporary signage throughout Town.

Councilor Nellans moved, with a second by Councilor Koultourides, to approve the allowance of temporary signage under the provided conditions while Staff consults with the Plan Commission and BZA and Council on possible revisions to the sign ordinance language with the changes and amendments from Mr. Feingold. Motion carried *viva voce*.

### **AMENDMENT TO TOWN MANAGER'S EMPLOYMENT AGREEMENT**

At the March 25, 2013 meeting, the Council approved an employment agreement for the position of Town Manager. The proposed amendment makes a number of changes to the agreement including changing the termination date of the agreement to September 1, 2014.

Councilor Nellans moved, with a second by Councilor Koultourides, to approve the proposed amendment to the agreement with the Town Manager. Councilors Edington, Koultourides, Nellans, and Reed voted in favor; none voted against. Motion carried.

### **EXECUTIVE RECRUITMENT**

Councilor Nellans moved, with a second by Councilor Edington, to engage the services of Gov HR USA, formerly Voorhees, to conduct a nationwide search for a new Town Manager. Motion carried *viva voce*.

### **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, June 23 and July 14, 2014. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings on these dates.

No meetings of the Town Council are scheduled June 16, 30, or July 7, 2014 at this time.

**ADJOURNMENT**

There being no further business to come before the Council, and upon a motion by Councilor Nellans, seconded by Councilor Edington, the meeting adjourned at 8:21 p.m.

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**John P. Reed, President**

**ATTEST:**

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