

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
JULY 14, 2014**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, July 14, 2014, at the Munster Town Hall. Town Councilors John W. Edington, Andy Koultourides (arrived at 7:12), David B. Nellans, John P. Reed, and Joseph A. Simonetto were present. Councilor Reed presided. Also present were Clerk-Treasurer David F. Shafer, Town Manager Thomas F. DeGiulio, Town Attorney Eugene M. Feingold, Assistant Town Manager Clay T. Johnson, Street Superintendent Chris A. Spolnik, Interim Fire Chief David E. Pelc, and Police Chief Stephen F. Scheckel. The news media were represented by Jim Masters of *The Times*.

President Reed opened the meeting with a moment of silence remembering the fallen police officers of Gary and Indianapolis, followed by the Pledge of Allegiance.

SWEARING IN OF POLICE OFFICER

Chief Scheckel introduced Police Officer Ryan P. Vassar. Clerk-Treasurer Shafer administered the oath.

GRADE SEPARATION REPORT

Robinson Engineering representative Joe Nordman reported the soil borings have been completed and are waiting for results. There was a meeting last week in Indianapolis with INDOT to present the environmental documents. All appears to be on track. The subterranean geo-tech report is expected to be done mid-August.

Councilor Simonetto asked if a shoo-fly had been constructed for a similar project at Toyota Park, Illinois. Mr. Nordman explained that the project was with the CSX railroad and a shoo-fly was not required.

The Centennial Park Clubhouse proposals were received last Friday and forwarded to the committee. The committee feedback is expected this week.

OPEN TO THE PUBLIC

Mr. Mike Dujmovic, 1833 Tulip Lane, asked about a scam phone call with a Washington, D.C. caller ID and ARM Security concerns. He also asked for details regarding Resolution 1990, *infra*.

Mr. Ronald Zygmunt, 8610 Calumet Avenue, expressed concern about the possible rezoning from R-2 to C-1 along the east side of Calumet Avenue south of the St. Thomas More church parking lot and north of the Weiss Center. Mr. Zygmunt stated the Town should protect itself against the church using their property as a paid parking lot.

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 regular meeting held on June 23, 2014

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #14-6L dated 06/23/14 totaling \$5,414.13
Confirmation of Voucher Register #14-6M dated 06/26/14 totaling \$362,271.61
Confirmation of Voucher Register #14-6N dated 06/27/14 totaling \$448,216.11

Confirmation of Voucher Register #14-6O dated 06/27/14 totaling \$307,611.94
Confirmation of Voucher Register #14-6P dated 06/30/14 totaling \$277,348.06
Confirmation of Voucher Register #14-6Q dated 06/30/14 totaling \$1,794.72
Confirmation of Voucher Register #14-7A dated 07/03/14 totaling \$2,866,396.35
Confirmation of Voucher Register #14-7B dated 07/10/14 totaling \$93,280.08
Confirmation of Voucher Register #14-7C dated 07/10/14 totaling \$95,915.19
Confirmation of Voucher Register #14-7D dated 07/07/14 totaling \$23,323.30
Approval of Voucher Register #14-7E dated 07/14/14 totaling \$351,233.59
Confirmation of Voucher Register #14-7F dated 07/10/14 totaling \$318,142.52

TREASURER'S REPORT

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

ADJUSTMENT TO WATER BILLS

At the April 8, 2013, meeting the Council adopted a policy to allow water bill adjustments due to water leaks. Under the policy, the customer must sign an affidavit stating there was a leak, the leak has been repaired, and request an adjustment from the Water Board. Adjustments are allowed one time per twelve-month period. The adjustment is based on an average of the usage over the previous twelve months.

Staff received two requests for adjustments under this policy which were presented as part of the original agenda. After the original agenda was published, another request for adjustment was received. Without objection, this third adjustment request was added for Council approval. Each customer has completed the required form and the requests meet all the criteria for an adjustment.

Customer	Average Usage	Actual Usage	Length of Time	Original Bill	Requested Adjustment Amount	Adjusted Bill
1	8,000	39,000	2 months	\$ 115.07	\$ 65.99	\$ 49.08
2	10,000	87,000	2 months	\$ 243.76	\$ 182.86	\$ 60.90
3	5,000	29,000	1 month	\$ 150.92	\$ 135.24	\$ 15.68

The amounts listed are for water and sales tax only. All other regular charges will remain unchanged.

SETTLEMENT OF CLAIM

Mr. Feingold advised that a settlement has been reached with Lawrence and Barbara Bishop for damages to their home resulting from a crushed sewer line. He believes the settlement is fair and reasonable, and he recommended that the Town offer a payment of \$4,500.00 to the Bishops.

PROCLAMATION –UNITE & FIGHT CANCER MONTH

Without objection, this item was removed from the Consent Agenda for presentation and consideration under General Orders.

WOOD CHIP DISPOSAL

Excessive wood chips that have been acquired by the Town have been held at the Public Works garage and hauled out by Mulch Plus, LLC of LaPorte, Indiana. The wood chips have been removed and recycled into mulch by Mulch Plus at no cost to the Town. This has been the practice for many years. Mulch Plus has now requested a transport fee of \$100.00/load due to increased transportation costs. Approximately 100 loads of wood waste per year are removed from the garage. Old Route 30, LLC of Crown Point, Indiana, another hauler, provided a quote of \$457.00/load to remove the wood. Old Route 30 would put the wood waste into a landfill.

Staff recommended approving payment of \$100.00/load to Mulch Plus, LLC of LaPorte, Indiana to be paid from the Solid Waste Management Fund 623.

RELEASE OF ESCROW: TARTAN REALTY

Tartan Realty represents Meatheads and Noodles & Co. restaurants. Tartan Realty requested "soft openings" of the two restaurants with local community groups prior to the landscaping installation. In lieu of a performance bond, the Town allowed them to submit a check in the amount of the planned landscaping work and placed the money in the Escrow Fund 783. The Town will withhold a full certificate of occupancy until all the landscaping is complete.

All plants were put in by Friday, June 11, 2014 and the ornamental fencing is scheduled for installation on July 15, 2014. The contractor has asked for release of the escrowed funds pending inspection by the Building Department.

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

GENERAL ORDERS

PROCLAMATION – UNITE & FIGHT CANCER MONTH

Without objection, this item was moved from the Consent Agenda to General Orders.

Director of the Cancer Resource Centre Tony Andello described the work of the organization. President Reed read the proclamation supporting October 2014 as Unite and Fight Cancer month in the Town of Munster and encouraging citizens to support the Cancer Treatment Centre's programs and services.

Councilor Simonetto moved, with a second by Councilor Edington, to adopt the proclamation as presented. Councilors Edington, Koultourides, Nellans, Simonetto, and Reed voted in favor; none voted against. Motion carried.

ORDINANCE 1635: RENTAL DWELLING REGULATION

Introduced ORDINANCE 1635 is AN ORDINANCE AMENDING MUNSTER TOWN CODE CHAPTER 10, ARTICLE 9, REGULATING RENTAL DWELLING AND DWELLING UNITS. The Council heard the ordinance on first reading at the June 9, 2014 meeting. The ordinance was drafted to meet the new requirement of Indiana Public Law 193 which added to and modified Indiana Code 36-1-20.

Councilor Simonetto moved, with a second by Councilor Nellans, to adopt Ordinance 1635 on second reading as presented. Councilors Edington, Koultourides, Nellans, Simonetto and Reed voted in favor; none voted against. The motion carried and Ordinance 1635 was adopted.

ASH TREE PROJECT

At the May 28, 2013 meeting, the Council accepted a quote from Erwin Tree Care, Inc. for the removal of 130 ash trees at a total cost of \$32,655.00. The quote was extended at the August 12, 2013 meeting for an additional 196 trees. Approximately \$200,000.00 has been spent so far on tree removal and reforestation of infested ash trees on public property. By the time the project is complete, it is likely the Town will spend \$1 million. Forester Gina Darnell has submitted a list of 319 more trees to be removed by December 31, 2014. Erwin Tree Care has agreed to hold their prices and remove these trees for a cost of \$70,485.00.

Councilor Nellans moved, with a second by Councilor Simonetto, to extend the contract with Erwin Tree Care, Inc. to remove 319 ash trees infected with emerald ash borer for a cost of \$70,485.00 to be paid from the 2013 Municipal Bond Proceeds Fund 419. Motion carried *viva voce*.

Councilor Nellans moved, with a second by Councilor Koultourides, to earmark \$200,000.00 in the 2015 budget and \$100,000.00 in the 2015 Municipal Bond Proceeds to continue this program. Councilors Edington, Koultourides, Nellans, Simonetto and Reed voted in favor; none voted against. The motion carried.

NEW BUSINESS

RESOLUTION 1990: ADJUSTMENTS TO 2015 LEVY FOR CONSOLIDATED 911 DISPATCH

Proposed RESOLUTION 1990 is A RESOLUTION DETERMINING AND CERTIFYING TO THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE THE ADJUSTMENT TO THE 2015 LEVY FOR THE TOWN OF MUNSTER IN LAKE COUNTY, INDIANA. Pursuant to IC 36-1-8-17, the fiscal body of each political subdivision in the county must certify to the Department of Local Government Finance (DLGF) the amount of adjustment to be made to its 2015 levy for contribution to the budget of the consolidated Public Safety Answering Points (PSAPs) in Lake County, Indiana.

In the fall of 2013, the fiscal office of every political subdivision in Lake County approved and signed off on an analysis completed by Center & Company. The decrease in the 2015 levy for the Town of Munster in the amount of \$253,988.00 (as recited in the Center report) is the sum that is required to be certified to the DLGF.

Resolution 1990 has been prepared for the required certification to the DLGF. This resolution is based on a sample resolution furnished by the Lake County Auditor's Office, and which must be passed by each political subdivision and submitted to the DLGF by September 1, 2014.

Councilor Simonetto moved, with a second by Councilor Nellans, to adopt Resolution 1990 as presented. Councilors Edington, Koultourides, Nellans, Simonetto and Reed voted in favor; none voted against. The motion carried and Resolution 1990 was adopted.

GIS DATA COLLECTION

Staff reported that over the course of 2013, Robinson Engineering worked with the Town's Data Processing Specialist to input GIS data. Staff reported that \$57,200.00 had been authorized for this work. It is estimated that the work is now half-done and Robinson Engineering is requesting an additional \$50,000.00 to finish the work.

Councilor Simonetto moved, with a second by Councilor Edington, to authorize the additional expenditure of up to and not to exceed \$50,000.00 with Robinson Engineering to complete data collection and input for geographical information systems to be shared equally from the Sewer Maintenance 280 and Water Cash Operating 601 Funds. 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, July 28 and August 11, 2014. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings on these dates.

A work-study session of the Town Council will be held immediately following the Redevelopment Commission meeting on July 28, 2014 to discuss the compensation and classification study.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Simonetto, seconded by Councilor Edington, the meeting adjourned at 7:51 p.m.

John P. Reed, President

ATTEST:

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