

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
MARCH 23, 2015**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, March 23, 2015, at the Munster Town Hall. Town Councilors John W. Edington, David B. Nellans, and Joseph A. Simonetto were present. Councilors Andy Koultourides and John P. Reed were absent. Vice President Edington presided. Also present were Clerk-Treasurer David F. Shafer, Accounting Supervisor Patricia L. Abbott, Town Manager Dustin Anderson, and Town Attorney Eugene M. Feingold. The news media were represented by Jim Masters of *The Times*.

Vice President Edington opened the meeting with a moment of silence followed by the Pledge of Allegiance. Clerk-Treasurer Shafer announced that because only three councilors are present, every vote should be a roll-call vote and must pass unanimously in order to document that a majority of the councilors voted in favor of the action (IC 36-5-2-9.4).

GRADE SEPARATION REPORT

Robinson Engineering representative Joe Nordman reported that the preliminary review on the environment document has been received and minor modifications will need to be made as a result of the land transfer. There is a tentatively scheduled meeting with Beam, Longest and Neff for the value engineering.

Robinson Engineering and Mr. Feingold are reviewing the draft contract documents for the Clubhouse repairs. The most daunting task is addressing the liability issues.

WOLVERINE PIPELINE PRESENTATION

Representatives of the Wolverine Pipeline including Right-of-Way and Claims Specialist Edwin Peters were in attendance and gave a presentation to educate the community and raise awareness about pipeline safety.

OPEN TO THE PUBLIC

No one rose to claim the floor, and the floor was closed.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on March 9, 2015

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #15-3D dated 03/06/15 totaling \$331,159.64
Confirmation of Voucher Register #15-3E dated 03/06/15 totaling \$285,538.46
Confirmation of Voucher Register #15-3F dated 03/10/15 totaling \$88,763.34
Confirmation of Voucher Register #15-3G dated 03/10/15 totaling \$91,935.59
Confirmation of Voucher Register #15-3H dated 03/09/15 totaling \$150,330.00
Confirmation of Voucher Register #15-3I dated 03/12/15 totaling \$226,503.05
Confirmation of Voucher Register #15-3J dated 03/12/15 totaling \$6,758.37
Confirmation of Voucher Register #15-3K dated 03/13/15 totaling \$24,217.75
Confirmation of Voucher Register #15-3L dated 03/17/15 totaling \$14,477.11
Approval of Voucher Register #15-3M dated 03/17/15 totaling \$69,654.84
Approval of Voucher Register #15-3N dated 03/23/15 totaling \$155,574.82
Confirmation of Voucher Register #15-3O dated 03/19/15 totaling \$337,048.67

WATER BILL ADJUSTMENT 2015-11 AND 2015-12

Staff received a request for an 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
2015-11	2,000	302,000	1 month	\$ 713.42	\$ 704.12	\$ 9.30
2015-12	3,000	11,000	1 month	\$ 31.21	\$ 21.80	\$ 9.41

ANNUAL RED FLAG REPORT

The Federal Trade Commission required utility companies to adopt an identity theft prevention program or red flag policy. In April 2009, the Council came into compliance by adopting Ordinance 1424. The policy requires an annual report on the program.

Most of the practices in the policy were in place prior to the adoption of Ordinance 1424. In 2009, there were fewer than five incidents of customers attempting to start water service without adequate identification. There were no occurrences in 2010, 2011, or 2013. There was one event in both 2012 and 2014. Staff denied starting billing until proper identification was provided.

The policy was reviewed with Clerk-Treasurer staff in March.

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

GENERAL ORDERS

APPOINTMENT TO THE BOARD OF SAFETY

Mr. Marc Goodman resigned as a member of the Board of Safety on February 19, 2015. Mr. Goodman, a Democrat, must be replaced with a Democrat, since there are now three Republicans on the Board of Safety and, by statute, no more than three members may be members of the same political party (IC 36-8-9-3.1).

Councilor Simonetto moved, with a second by Councilor Nellans, to appoint Robert F. Ellis, M.D. to fill the remaining portion of Marc Goodman's term that would otherwise expire December 31, 2015. It was noted that Dr. Ellis meets the requirements set forth to maintain political balance. Councilors Nellans, Simonetto, and Edington voted in favor; none voted against. The motion carried.

ORDINANCE 1654: 2015 BUDGET

Introduced ORDINANCE 1654 is AN ORDINANCE FOR TRANSFERS WITHIN CERTAIN APPROPRIATED FUNDS FOR THE YEAR 2015. The ordinance confirms the 2015 budget as certified by the Department of Local Government Finance. First reading was held at the March 9, 2015 meeting with second reading scheduled for tonight.

Ordinance 1654 authorizes budget transfers between major expenditure groups and confirms the budget amounts certified (controlled funds) or previously adopted (non-controlled).

Councilor Simonetto moved, with a second by Councilor Nellans, to adopt Ordinance 1654 on second reading as presented. Councilors Nellans, Simonetto, and Edington voted in favor; none voted against. The motion carried and Ordinance 1654 was adopted as presented.

NEW BUSINESS

LEASE CLOSURE

Resolution 1933 was adopted by the Council at its March 12, 2012 meeting to authorize the master lease agreement with PublicFinance.com and SunTrust Equipment Finance & Leasing Corporation for the purchase of pump station emergency generators. The lease process put the proceeds of the lease into an escrow account which was used to make vendor payments. The purposes of the lease have been fulfilled and \$70,455.54 remains in the escrow account. There are two options for handling the proceeds.

The account can be closed. If so, the balance and any accrued interest earned will be applied to the outstanding principal of the lease which is \$235,222.99. There will be a 2.00% charge for closing the escrow account totaling \$1,437.87.

Alternatively, the account can remain open and the funds used for a new capital purchase. While there are no fees associated with this option, there is no suitable purchase needed.

Councilor Simonetto moved, with a second by Councilor Nellans, to authorize the Clerk-Treasurer and Town Manager to close the escrow account, apply the balance to the outstanding lease payments, and pay the related fees. Councilors Nellans, Simonetto, and Edington voted in favor; none voted against. The motion carried.

CONTRACT: AQUATIC CONTROL

Aquatic Control has maintained the ponds and fountains since 2000 and has provided a proposal for the 2015 program. The contract includes inspection and treatment as needed, season-long maintenance of lake dye in the rip rap along Fisher Street. Included are five ponds in West Lakes, four ponds in White Oak Estates, one pond in White Oak Woods, one pond in Centennial Park, and Fisher Street Ditch.

The cost for is \$24,636.99 which includes a 3.00% discount if the contract is paid before April 1, 2015. Staff indicated that Aquatic Control is the only firm in the area to do this work. While other firms have been utilized in the past, the quality of work and customer service was unsatisfactory.

Councilor Simonetto moved, with a second by Councilor Nellans, to approve the 2015 Clean Lake Maintenance Program with Aquatic Control for eleven ponds and Fisher Street Ditch at a total cost of \$24,636.99 to be paid from the Sewer Maintenance Fund 280. Councilors Nellans, Simonetto, and Edington voted in favor; none voted against. The motion carried.

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, April 13 and 27, 2015. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Nellans, seconded by Councilor Simonetto, the meeting adjourned at 7:45 p.m.

John W. Edington, Vice President

ATTEST:

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