

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
JULY 6, 2020

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, July 6, 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.

The announced meeting location was Munster Town Hall. Due to the restrictions on the number of people allowed to gather in one location and the requirement to maintain a distance of at least six feet from another person, Councilors Chuck Gardiner, Lee Ann Mellon, Kenneth J. Schoon, and Steven Tulowitzki, and Town Attorney David W. Westland, were each present in a virtual setting, aided by Zoom meeting technology. It is believed each person was in a different physical location. Councilor Schoon experienced technical difficulties and was unable to be heard for a portion of the meeting. Also present in the virtual setting was Munster Representative to the Hammond Sanitary District Mike Hawkins. President Mellon presided. The public was given the information needed to access the meeting virtually and some took advantage of it. Councilor Koulourides, Clerk-Treasurer Wendy Mis, Controller Patricia L. Abbott, Town Manager Dustin Anderson, and Planning Director Thomas VanderWoude were the only people physically present at Munster Town Hall. The news media were not represented.

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.

45th STREET CONSTRUCTION UPDATE

DLZ representative Lee Randell was present in the virtual setting. He reported that the bottom slab of the underpass has been poured and will be strength-tested later in the week. The retaining walls and pedestrian bridge at Wall 1 are being formed. Acceleration work continues with fourteen weeks completed and approximately \$150,000.00 spent. The traffic pattern on Calumet Avenue was changed as scheduled. Asphalt milling will begin later in the week and underground storm sewer work continues.

Councilor Koulourides asked about the NIPSCO lights at 45th Street and Southwood Drive which do not come on at night. Mr. Randell will look into the matter.

Councilor Tulowitzki commented on the pour of the bottom slab and thanked those performing the work.

PROCLAMATION: NATIONAL NIGHT OUT AGAINST CRIME CELEBRATION

President Mellon read the proclamation recognizing August 4, 2020, as National Night Out Against crime in Munster, Indiana and encouraging all residents to participate in the event which is celebrating its 25th year.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to adopt "A Proclamation Recognizing National Night Out." Councilors Gardiner, Tulowitzki, Koulourides, and Mellon voted in favor; none voted against. The motion carried and the Proclamation was adopted as presented.

PUBLIC COMMENT

Because of the unique nature of this meeting, the Town of Munster accepted public comment submitted electronically. The public was informed, via the agenda posted at munster.org, that questions or comments about an

item on the agenda were to be emailed to danderson@munster.org. The following was received by email and read by Mr. Anderson.

Mr. Mike Konaposek, has family living in Munster and is concerned for their safety as it relates to the Coronavirus. He asked if the Town is considering mandating the wearing of masks in public.

Mrs. Laura Cooke, 8331 Kraay Avenue, is concerned about the excessive amount of fireworks being discharged in the neighborhoods in Town. She has observed that the Town has an ordinance, asked about its enforcement and made suggestions to improve it.

Mr. Michael Jancosek, 10245 Cherrywood Lane, is concerned about the number of out-of-state people coming to Centennial Park. It appears to him that the number has increased dramatically since the COVID-19 restrictions and the park feels overcrowded. Recognizing that it is a public park, Mr. Jancosek asked if the Town has considered issuing parking permits for residents and/or charging non-residents to enter and park.

Mr. Dennis Hauter, 242 Timrick Drive, stated by email that he had received a letter from Saxon Partners. The letter stated that they want to purchase his home as part of a new development taking place on the portion of Lansing Country Club that is located in Munster. Mr. Hauter asked several questions about the development and its potential impact on his home and Munster. Mr. Anderson responded by email and explained in the meeting that Saxon Partners is performing their due diligence. While there have been conversations between the parties, Saxon Partners has not formally presented anything to the Town.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on June 15, 2020

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #20-6L dated 06/18/2020 totaling \$68,288.77
Confirmation of Voucher Register #20-6M dated 06/19/2020 totaling \$427,310.26
Confirmation of Voucher Register #20-6N dated 06/19/2020 totaling \$397,778.04
Confirmation of Voucher Register #20-6O dated 06/17/2020 totaling \$26,580.16
Confirmation of Voucher Register #20-6P dated 06/29/2020 totaling \$2,308,366.74
Confirmation of Voucher Register #20-6Q dated 06/25/2020 totaling \$384,175.71
Confirmation of Voucher Register #20-6R dated 06/25/2020 totaling \$2,391.91
Confirmation of Voucher Register #20-6S dated 06/30/2020 totaling \$501.55
Confirmation of Voucher Register #20-6T dated 06/30/2020 totaling \$4,354.48
Approval of Voucher Register #20-7A dated 07/06/2020 totaling \$131,393.19
Confirmation of Voucher Register #20-7B dated 07/03/2020 totaling \$459,980.08
Confirmation of Voucher Register #20-7C dated 07/03/2020 totaling \$415,609.77
Confirmation of Voucher Register #20-7D dated 07/02/2020 totaling \$389,864.60

WATER BILL ADJUSTMENTS 2020-24 AND 2020-25

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
2020-24	4,000	37,000	1 month	\$ 112.06	\$ 85.94	\$ 26.12
2020-25	13,000	65,000	2 months	\$ 197.22	\$ 113.40	\$ 83.82

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to suspend the rules, waive the readings, and adopt the Consent Agenda on first reading as presented. Councilors Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried and the Consent Agenda was adopted.

OLD BUSINESS

ORDINANCE 1798: SURPLUS BOND PROCEEDS

Introduced ORDINANCE 1798 is AN ORDINANCE OF THE MUNSTER TOWN COUNCIL DECLARING CERTAIN BOND PROCEEDS AS SURPLUS AND ALLOWING THE TRANSFER OF SURPLUS BOND PROCEEDS TO THE TOWN OF MUNSTER MUNICIPAL BOND AND INTEREST FUND 306. The ordinance had first reading at the regular meeting held on June 15, 2020. The ordinance has been drafted to declare surplus a portion of the bond proceeds from the 2015 Municipal Bonds. These surplus proceeds will be transferred to the Municipal Bond and Interest Fund 306. These bonds are fully amortized and total \$214,272.62.

This action is being taken to cover the insufficient appropriations and tax levy that resulted from an incorrect amortization schedule for the 2019 General Obligation Bonds. Under advice of bond counsel, these surplus bond proceeds can be transferred in this way under I.C. 5-1-13-2 et seq.

The Park Board is scheduled to consider Park Resolution 2020-02 determining \$12,000.00 in surplus bond proceeds be transferred to the Park Bond and Interest Fund 312. The Council will be asked to adopt a separate ordinance approving that transfer at a future meeting.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to adopt Ordinance 1798 on second reading as presented. Councilors Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried.

NEW BUSINESS

APPOINTMENT TO NOMINATING COMMITTEE

Councilor Tulowitzki moved, with a second by Councilor Gardiner, to appoint Megan Compton, Paul Rotatori, and Andrew Labahn to fill the vacancies on the Nominating Committee for terms to expire on December 31, 2023.

At this point, the technical difficulties of Councilor Schoon were resolved and was able to fully participate for the remainder of the meeting.

Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried.

LETTER OF ENGAGEMENT: CONTINUING DISCLOSURE SERVICES

As part of the various economic development bond issues, the Town has to make certain disclosures to the market. These disclosures are handled by Baker Tilly. Because of the pandemic, it has been advised by both Baker Tilly and bond counsel Barnes & Thornburg that a specific disclosure be made regarding the impact of the pandemic on the Town of Munster. This work is outside the scope of a bond issue and counsel has presented a separate engagement letter to review the proposed disclosures.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to approve the letter of engagement with Barnes & Thornburg. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried.

PAPERLESS BILLS AND EPAY

For a number of years, customers have been asking for the option to receive their monthly utility bills electronically and to pay their bills by automatic charge to their credit cards. While the Office of the Clerk-Treasurer has accepted credit card payments through the Town's website for utility bill payments since 2015, these two options have not been available.

Staff has contacted eGov Strategies, the current host of the Town's website that also handles the current portal allowing customers to pay their water bills by credit card. eGov Strategies now has the ability to provide the following services to our customers.

- Online payment by credit card
- One-time and recurring payments with emailed receipts
- Optional paperless utility bill
- Billing and payment history

There are no additional hardware needs for the Town. eGov Strategies will continue to provide merchant services and accepts all major credit and debit cards. The company is PCCI Level 1 compliant, and no credit card information is stored on any Town device.

Customers with automatic payment will receive three emails/month to inform them that their payment is due; their card has been charged/declined, and their payment has been processed. The final email each month includes a link to an electronic receipt. Customers enrolling in paperless billing will receive one email/month informing them their bill is ready to view. Each year there will be a review of the numbers of emails sent and the pricing will be adjusted accordingly for the ensuing year. Customers choosing to receive their bills electronically will access the monthly News You Can Use through the Town's website.

Year 1 costs will total \$8,500.00 and will be paid from the Water Cash Operating Fund 601. The pricing includes \$7,000.00 in one-time setup costs and an annual fee of \$1,500.00. The annual fee works out to about \$0.34/email. The annual fee is based on the assumption that 10% of our customers will use the automatic payment option and 20% will enroll in paperless billing. Staff estimates the cost to send a paper bill is \$0.68 broken down as follows.

Councilor Koultourides asked about the merchant services costs. As currently structured, these costs will be absorbed by the Town. The fees can be reviewed annually, and Council can choose to pass the fees along to the customer. Councilor Gardiner asked about options with this program to help with collections related to tenant accounts. Councilor Tulowitzki stated it is good to absorb the fees because it will incentivize people to participate.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to approve the amendment to the agreement with eGov Strategies for online payment of water utility bills and paperless billing. Councilors Schoon, Gardiner, Tulowitzki Koultourides, and Mellon voted in favor; none voted against. Motion carried.

ORDINANCE 1800: ZONING AMENDMENTS FOR MONUMENT SIGNS

Proposed Ordinance 1800 is AN ORDINANCE AMENDING CHAPTER 26 ARTICLE 6 OF THE TOWN OF MUNSTER MUNICIPAL CODE PERMITTING CHANGEABLE COPY ON GAS STATION MONUMENT SIGNS. Ordinance 1788 replaced the zoning code with a character-based code. The previous code allowed changeable copy signs but not electronic message boards or electronic changeable copy signs. Gasoline stations still installed electronic price boards on their monument signs. Currently, there are ten gas stations in Town with electronic price boards. Two stations still have non-electronic price boards. One of those stations has asked to install an electronic board.

The Plan Commission held a public hearing on the matter at their meeting of June 9, 2020. No one came forward to speak on the matter. The Plan Commission then voted unanimously to give a favorable recommendation to the Council to amend the Zoning Code to allow electronic price boards.

Councilor Gardiner confirmed that there are height restrictions and all other standards for monument signs remain in place.

President Mellon stated that she is opposed to LED signs and that she will go along with this change because it only applies to gas stations, still prohibits LED screens, and restricts the size and lettering permitted.

Councilor Gardiner moved, with a second by Councilor Koulourides, to suspend the rules, waive the readings, and adopt on first reading Ordinance 1800 amending to Section 26-6.701.B.5.s of the Munster Zoning Ordinance to permit physically changeable or static electronic or digital letters and numbers on gas station monument signs. Councilors Schoon, Gardiner, Tulowitzki, Koulourides, and Mellon voted in favor; none voted against.

ORDINANCE 1801: ZONING AMENDMENTS FOR SIDE YARD FENCES

Proposed Ordinance 1801 is AN ORDINANCE AMENDING CHAPTER 26 ARTICLE 6 OF THE TOWN OF MUNSTER MUNICIPAL CODE SETTING A 6' MAXIMUM HEIGHT FOR FENCES IN SIDE YARDS IN CERTAIN RESIDENTIAL DISTRICTS. Ordinance 1788 replaced the zoning code with a character-based code. The previous code permitted rear yard fences with a maximum height of 6' and front yard fences with a maximum height of 42" and an aggregate length of 16'.

A number of residents have come forward requesting 6' side yard fences. Staff surveyed neighborhoods throughout Town and found multiple examples of 6' side yard fences currently in place. In addition, there are no safety, fire, or building codes that would require a shorter fence. Staff concluded that allowing the higher fences would not adversely impact the character of any residential neighborhood.

The Plan Commission held a public hearing on the matter at their meeting of June 9, 2020. No one came forward to speak on the matter. The Plan Commission then voted unanimously to give a favorable recommendation to the Council to amend the Zoning Code to allow 6' side yard fences.

Councilor Schoon confirmed that this is for side yards and not back yards.

Councilor Gardiner stated Staff did a good job showing the current practice and stated this is cleaning up the Town Code as opposed to making a change to it.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to suspend the rules, waive the readings, and adopt on first reading Ordinance 1801 amending to TABLE 26-6.405.A-2, TABLE 26-6.405.A-3, TABLE 26-6.405.A-4, and TABLE 26-6.405.A-5 of the Munster Zoning Ordinance setting a 6' maximum height for fences in side yards in the CD-3.R-1, CD-3.R-2, CD-3.R-3, and CD-4.R-4 districts. Councilors Schoon, Gardiner, Tulowitzki, Koulourides, and Mellon voted in favor; none voted against.

CONTRACT RENEWAL: MIDWESTERN ELECTRIC

Midwestern Electric has provided maintenance for the Town's traffic lights and pre-warning flashers for many years. The costs are revised annually.

Midwestern has issued new pricing for July 1, 2020 through June 30, 2021 for signal maintenance. Pricing remains the same as the period just ended.

Councilor Tulowitzki moved, with a second by Councilor Koulourides, to approve the Signal Monitoring and Maintenance pricing proposal from Midwestern Electric for Signal Monitoring and Maintenance for the period

of July 1, 2020 through June 30, 2021. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

PURCHASE APPROVAL: SEWER CAMERA UNIT

Public Works has requested a replacement sewer camera unit. The current EnviroSight camera was purchased in 2012 and is near the end of its useful life in terms of obsolescence and reliability. Newer cameras have longer cords and better picture clarity.

Purchasing a new camera removes the need for the anticipated update of the existing unit at a cost of \$19,800.00. The new unit was included in the 2020 Water and Sewer Capital Plan at a cost of \$75,000.00. The new unit will have digital storage and meets the National Pipeline Assessment Certification Program standards. Three quotes were received, and Public Works has done business with all three vendors. The quotes were as follows.

Vendor	Unit	Cost
Best Equipment, Indianapolis, Indiana	EnviroSight Rover X System	\$ 92,400.00
Standard Equipment, Chicago, Illinois	EnviroSight RoverX System	\$ 75,787.60
Brown Equipment, Evansville, Indiana	Cues Flexitrax C550C System	\$ 75,875.00

All quotes include \$10,000.00 for trade-in of the current EnviroSight camera. The dealer will also retrofit the current container for the unit. The EnviroSight Rover X System is technologically superior to the Cues Flexitrax C550C System.

Councilor Gardiner asked how much longer the tether is than the current unit and how the unit will be paid for. Mr. Anderson stated the unit will be paid from the Sewer Depreciation Fund 283.

President Mellon asked about the Cues Flexitrax System observing that the price difference is \$100.00 and the vendor is an Indiana company.

Councilor Tulowitzki clarified the dollar amount of the motion.

Councilor Gardiner moved, with a second by Councilor Koultourides, to approve the purchase of EnviroSight Rover X System from Standard Equipment for \$75,787.60. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

CONTRACT EXTENSION: P & C TRUCKING – LEAF HAULING

P & C Trucking has provided leaf hauling and disposal services for the Town since 2014. At the November 6, 2017 meeting, the Council accepted the proposal from P & C Trucking to extend their price of \$210.00/load through June 1, 2018. At the November 5, 2018 meeting, Council approved leaf hauling by P & C Trucking through June 1, 2019 at a cost of \$385.00/load. At the October 7, 2019 meeting an extension at the same price was approved through June 1, 2020. This price includes hauling leaves and wood chips from the Munster Public Works Garage to the Duneland 28 in Valparaiso, Indiana.

At this time, P & C is offering to extend their price of \$385.00/load through June 1, 2021.

Councilor Koultourides moved, with a second by Councilor Gardiner, to approve the proposal from P & C Trucking for cartage and disposal fee until June 1, 2021 for leaves and woodchips as needed to Duneland 28 in Valparaiso, Indiana at \$385.00/load. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried.

BID AWARD: NORTHEAST ALLEY IMPROVEMENTS

Staff received bids on July 1, 2020 for the Northeast Alley Improvements Project. The project includes regrading and stoning several alleys between Oakwood Avenue, Northcote Avenue, Baring Avenue, and Parkview

Avenue north of Ridge Road and south of Crestwood Avenue in order to improve back yard drainage. The bids were received as follows

Site Services, Inc.	\$159,619.00
Walsh & Kelly, Inc.	\$181,290.00
Rieth-Riley Construction	\$238,830.75
Gariup Construction	\$262,700.00

The engineer's estimate for the project is \$191,755.00. SEH has reviewed the bids and recommends awarding it to the lowest responsive bidder, Site Services, Inc.

Councilor Gardiner asked when the work would begin. Mr. Anderson stated the notice to proceed will be issued tomorrow and mobilization could begin the first week of August.

Councilor Tulowitzki stated he has received a number of phone calls and emails from residents in that area and they are watching the project. Mr. Anderson stated the work will mitigate a lot but will not eliminate all yard flooding. In response to Councilor Tulowitzki's questions, Mr. Anderson stated that one resident has been reimbursed under the Rear Yard Flooding Assistance Program, that three to four more applications are under review which leaves budget for about five to six more projects this year. Councilor Tulowitzki stated that Staff should reach out to those impacted by this with a link to the Rear Yard Flooding Assistance Program.

Councilor Schoon moved, with a second by Councilor Tulowitzki, to authorize the Town Manager to engage Site Services at a cost not to exceed \$159,619.00 for the Northeast Alley Improvements Project. Councilors Schoon, Gardiner, Tulowitzki, Koulourides, and Mellon voted in favor; none voted against. Motion carried.

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 Schoon stated the search committee for a new Park Director has narrowed the field and is making progress.

Councilors Gardiner and Koulourides had nothing to report.

Councilor Tulowitzki reported the School Town of Munster has sent out information about the plans to reopen schools in the Fall and the next meeting of the School Board is next week.

Clerk-Treasurer Mis reported that the Shared Ethics Advisory Committee has cancelled the annual summit and training. Plans are being made to offer this in 2021. She encouraged residents to apply for positions on the various Boards and Commissions as there are some vacancies. Applications are kept on file for at least three years. Clerk-Treasurer Mis shared that Independence Park held its 80th annual 4th of July parade. She then informed those present that work on the 2021 budget has begun.

Clerk-Treasurer Mis then provided an update on the Census. Munster remains 7th in the State of Indiana with a participation rate of 81.4%. Census takers will be going door-to-door.

President Mellon reported on the recent groundbreaking for Building G of Centennial Village which includes condominiums. She encouraged donations to the National Night Out Against Crime. President Mellon then encouraged residents to do their part and wear masks when in public.

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 20, August 10, and 17, 2020. The Redevelopment Commission will hold regular meetings immediately following Town Council meetings. The meetings of July 20, 2020 will again be a “hybrid” with residents being able to participate in person or online. 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.

ADJOURNMENT

There being no further business to come before the Council, Councilor Schoon moved with a second by Councilor Koulourides. The meeting adjourned at 8:16 p.m. by voice vote.

ATTEST:

Lee Ann Mellon, President

Wendy Mis, Clerk-Treasurer