

**TOWN OF MUNSTER**  
**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL**  
**AUGUST 3, 2020**

A regular meeting of the Munster Town Council convened at 7:02 p.m. on Monday, August 3, 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. Subsequent Executive Orders have extended this practice.

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, some attended in person at Town Hall while others participated via Zoom meeting technology. Councilors Chuck Gardiner, Andy Koultourides, Lee Ann Mellon, and Ken Schoon were physically present at Town Hall.

Councilor Steven Tulowitzki was present in a virtual setting, aided by Zoom meeting technology. Also present in the virtual setting was Town Attorney David W. Westland. It is believed each person was in a different physical location.

Clerk-Treasurer Wendy Mis, Town Manager Dustin Anderson, and Munster representative to the Hammond Sanitary District Mike Hawkins were physically present at Town Hall. President Mellon presided. The news media were not represented. The public was given the information needed to access the meeting virtually and some took advantage of it.

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.

**45<sup>th</sup> STREET CONSTRUCTION UPDATE**

DLZ representative Lee Randell was present in the virtual setting. He reported that the bottom slab has cured and framing for the top slab and retaining walls continues. Pedestrian bridges are in progress. Acceleration work continues and we are 19 weeks into the project. The underground storm sewer work along Calumet Avenue is on-going and completed south of 45<sup>th</sup> and North of CN. Subgrade treatment is ongoing. Sodding and seeding have been completed along east side of Calumet and south side of Calumet west of 45.

Councilor Schoon shared he is pleased the project is going as well as it is.

President Mellon is enthusiastic the project scheduled to be completed on time.

**PUBLIC COMMENT**

Mr. Mike Dujmovic, 1833 Tulip Lane, questioned the school crossing guard contract and the impact of virtual learning. President Mellon and Mr. Anderson shared the contract is based on hours worked.

Mr. Dave Johnson, 1555 Park West Circle, owner of Dave's Tree Service, shared concern that he was the low bidder on the Town tree service bid and the recommendation in the agenda packet awards the contract to another company.

Ms. Cheryl Zeck, 8801 Crestwood Avenue, is concerned about the sewer drainage issues she has experienced at her home. Mr. Anderson offered to share his contact information with Ms. Zeck after the meeting. Mr. Anderson will look for opportunities to partner with Ms. Zeck to help resolve the issue.

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](http://munster.org), that questions or comments about an item on the agenda were to be emailed to [danderson@munster.org](mailto:danderson@munster.org). Mr. Anderson ensured that no submissions were received.

### **CONSENT AGENDA**

#### **APPROVAL OF MINUTES**

Approval of the minutes of the regular meeting held on July 20, 2020

#### **ACCOUNTS PAYABLE VOUCHER REGISTERS**

Confirmation of Voucher Register #20-7O dated 07/22/20 totaling \$687.18  
Confirmation of Voucher Register #20-7P dated 07/23/20 totaling \$160,900.91  
Confirmation of Voucher Register #20-7Q dated 07/29/20 totaling \$2,437.24  
Confirmation of Voucher Register #20-7R dated 07/30/20 totaling \$483,235.98  
Confirmation of Voucher Register #20-7S dated 07/31/20 totaling \$389,650.55  
Confirmation of Voucher Register #20-7T dated 07/31/20 totaling \$341,404.80  
Confirmation of Voucher Register #20-7U dated 07/31/20 totaling \$31,752.30  
Approval of Voucher Register #20-8A dated 08/03/20 totaling \$134,938.45

#### **WATER BILL ADJUSTMENTS 2020-28**

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
2020-26	0	87,000	2 months	\$ 259.45	\$ 239.57	\$ 19.88

Councilor Gardiner 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 Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried and the Consent Agenda was adopted.

### **NEW BUSINESS**

#### **ORDINANCE 1804: AMENDING ORDINANCE 1786, THE 2020 PAY PLAN**

Proposed ORDINANCE 1804 is AN ORDINANCE AMENDING ORDINANCE 1786, THE 2020 PAY PLAN FOR THE TOWN OF MUNSTER, INDIANA (AMENDMENT NUMBER 4 TO THE 2020 SALARY ORDINANCE). The Munster Town Council adopted Ordinance 1786, the 2020 Salary Ordinance, on December 23, 2019, authorizing, among other things, five Maintainer IV positions, all of which are in Public Works. It is

necessary from time to time to add, subtract, modify, or otherwise amend the terms of an adopted ordinance. Duties and responsibilities have shifted and evolved within the Parks and Recreation Department. The Town Council was asked to amend the 2020 Salary Ordinance to authorize a total of six Maintainer IV positions, five of which remain in Public Works Department and one additional in Parks and Recreation effective upon adoption of Ordinance 1804.

Councilor Tulowitzki received clarification regarding the consolidation and reorganization of positions. Councilor Gardiner questioned the pay rate and job descriptions for the position. Mr. Anderson provided clarification.

Councilor Koultourides moved, with a second by Councilor Gardiner, to suspend the rules, waive the readings and adopt Ordinance 1804 on first reading as presented. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

### **ORDINANCE 1805: AUTHORIZATION REFINANCING OF OUTSTANDING 2010 EDC BONDS**

Proposed ORDINANCE 1805 is AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MUNSTER, INDIANA, AUTHORIZING THE ISSUANCE OF CERTAIN ECONOMIC DEVELOPMENT REVENUE REFUNDING BONDS FOR THE PURPOSE OF REFINANCING CERTAIN ECONOMIC DEVELOPMENT FACILITIES AND APPROVING AND AUTHORIZING OTHER ACTIONS IN RESPECT THERETO. The Town issued \$5,335,000 worth of economic development bonds in 2010. If the remaining principle of \$3,090,000 were to be refinanced, it is projected that it would generate total savings of between \$240,000 and \$300,000. This would be \$25,000 and \$30,000 savings per year in debt service payments over the next 10 years. There is no downside to refinancing.

At the April 6, 2020 meeting, Council authorized Staff to engage with Baker Tilly, Stifel, and Barnes and Thornburg to begin working on this potential refinancing. Our underwriters and placement agent have not seen any conclusive evidence that the current health emergency will have a significantly adverse impact on the projected refinancing savings.

There is some concern about a public offering of this debt, as it would require a ratings agency to become involved. There has not been a TIF project that has been rated since the onset of the pandemic, and there is some reluctance to be the first through that door. There is interest from a number of banks to transact a private placement of this refinancing. This may result in a lower-than-projected total savings. Initially, the projected floor for the potential savings to the Town was \$250,000. With a private placement, we see the floor move toward \$240,000. The most recent analysis by the placement agent was provided.

Staff recommends continuing to move forward. While the April approval allowed Staff to work with the placement agents and bond counsel, Ordinance 1805 authorizes the Town to refinance the 2010 Economic Development Bonds. If the market moves away on this issue and it makes sense to pause, that is not a problem to do.

Councilor Gardiner moved, with a second by Councilor Schoon, to accept ordinance 1805 and set for final reading and potential approval at the regularly scheduled August 17, 2020 meeting of the Town Council. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

### **MUNSTER TREE SERVICE BIDS**

Our previous tree services contractor withdrew from their contract awarded in March so quotes for the removal of trees and stumps in addition to tree pruning, debris removal and emergency tree work were solicited from 15 contractors via email on May 22 with 3 quotes received, as follows: 1) Dave's Tree Service, Inc. (Munster, IN), 2) Pro Tree Services (Mokena, IL) and 3) Davey Tree Expert Co. (Mokena, IL). Some of the contract expectations and highlights include: contractor shall be called to perform tree work services on an as-needed basis, contractor must be on call on a 24 hour, 7 days a week, 365 days a year basis for any emergency situations with a required response time within two (2) hours of call-out, work not accomplished within a two-week period of time once scheduled excluding emergencies will be considered an unreasonable response, tree removals must be

completed within 48 hours from the beginning of work by contractor unless otherwise agreed upon in writing, contractor billing is preferred monthly but not to exceed 2 months, contractor must have or obtain a valid contractor's license from the Town of Munster.

For purpose of scoring we placed emphasis on the size trees we are most likely to contract out as the Town cuts most of the smaller and less technically difficult trees. Tree and stump removal prices were quoted in a unit price format based on actual tree size serviced. Tree pruning and debris removal prices were quoted based on an hourly crew rate with an after-hours emergency callout rate also cited. The largest expected expense will be tree and stump removal. To help make the needed comparison for an award decision, the 2 categories of tree removal and stump removal were reduced to one estimated lump sum dollar cost based on last year's actual experience (namely... 46 trees cut and 60 stumps removed).

While the actual Quotes are provided, the projected 2020 expenses we calculated and compared. Davey Tree Expert has higher pricing in the 2 major areas. The remaining two are quite close in the 2 major areas: Dave's Tree Service @ \$45,625 and Pro Tree Services @ \$46,071. This is not a material difference since these are hypothetical annual costs based on projected quantities. The Tree Pruning Rate is won by Pro Tree Services and the Debris Removal Rate by Dave's Tree Service. Dave's Tree Service has the more favorable Emergency Call-out Rate @ 1.5 versus 2.0 for Pro Tree Services. If the decision were strictly monetary, the advantage is toward Dave's Tree Service. Factoring in past complaints about Dave's Tree Service, the advantage slants toward Pro Tree Services.

Councilor Schoon shared he had received a call from a former Town employee endorsing the quality of work of Dave's Tree Service. Discussion ensued.

Councilor Gardiner moved, with a second by Councilor Schoon, to approve the acceptance of the Dave's Tree Service proposal and award them the contract. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

#### **M.E. SIMPSON CONTRACT RENEWAL – FIRE HYDRANT FLOW/WATERMAIN CAPACITY TESTING**

M.E. Simpson Company is a local sole source company that has served the Town of Munster and other communities for over twenty years. They have knowledge of the Town's infrastructure. As part of the agreement between the Town and M.E. Simpson Company, they will provide all labor, materials, transportation, tools, and equipment necessary to flow-test all hydrants in the water distribution system. They will also document all pertinent information for each flow-tested hydrant in the GIS and ISO Fire Inspection reports so repairs and replacements can be completed when necessary. The funding for the hydrants will be from the Water Operating Budget.

Year	Cost per Hydrant	# of Hydrants	Approx. Annual Cost
2020	48	39	\$ 1,872
2020	48	352	\$ 16,896
2021	50	352	\$ 17,600
2022	50	352	\$ 17,600

Councilor Gardiner moved, with a second by Councilor Koultourides, to approve the contract renewal of M.E. Simpson for the fire hydrant flow/watermain testing. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

#### **ALL CITY MANAGEMENT SERVICES RENEWAL – CROSSING GUARDS**

On July 27, 2015, the Town of Munster entered a contract with All City Management Services to provide crossing guards for predetermined intersections. This was a result of the School Town of Munster discontinuing bus

service to any student that lived within a one (1) mile radius from their respective school. Although this decision resulted in a substantial cost to the Town of Munster the services provided to the Town have been more than satisfactory.

After signing with All City Management Services in 2015, our rates were increased every year, thus increasing our expenses. In 2018, at the direction of the Town Council, Staff reached out to All City Management about the Council's displeasure with the constant increases regarding the contract, and that other avenues would be pursued if the rate increases continued every school year. As a result, All City Management locked in a rate of \$17.24 per hour, for the 2018-2019 and 2019-2020 contracts. Thus, resulting in no price increase for two (2) years.

Because the two (2) school years have now passed the new contract has an increased rate of \$18.89 per hour. This rate has been locked in for the upcoming school year as well as the 2021-2022 school year. The total hours have also increased from the previous contract to 6,660 from 6,615 to accommodate adjusting some crossing's hours to make sure a crossing guard is available at peak times. The total for the new contract is forecasted at \$125,807.00.

Police Chief Scheckel shared All City did have a rate increase and will remain the same for two years. Discussion regarding the history of the service including the 2015 reduction of bus service provided by the school necessitated an outside crossing guard service.

Councilor Koultourides moved, with a second by Councilor Schoon, to approve a contract with All City Management Services renewal to provide crossing guards. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

### **TOWN COUNCIL MEETING SCHEDULE**

The first Monday of September is Labor Day as such, a discussion regarding rescheduling the September 7, 2020 meeting was held. As a result, the regular September 7, 2020 meeting of the Town Council will be cancelled. The Town Council will hold a special meeting on Monday, August 31, 2020. The Redevelopment Commission will hold a special meeting immediately following the Town Council meeting.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to approve changing the date of the regularly scheduled Town Council to accommodate the Labor Day holiday. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

### **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 discussed the streetscape project consultants will be at the upcoming Community Market to share information regarding the project and offer suggestions.

Councilor Gardiner shared the Fire Department has been received an upgraded score class 3 for insurance service office certification. This is a great accomplishment for our Fire Department.

Councilor Tulowitzki reported that the School Town held a public working session and special meeting to discuss the return to school in the fall and the meeting was highly attended.

Councilors Koultourides had nothing to report.

Clerk-Treasurer Mis reported the Town of Munster has dropped to #8 in the state of Indiana with an 82.1% response rate. Census takers began visiting non-responding households in select areas which include Lake County Indiana.

President Mellon reinforced the importance of completing the census.

**ANNOUNCEMENTS**

(Unless stated otherwise, all meetings of the Town Council begin at 7:00 p.m. at the Munster Town Hall.)  
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.

The Town Council will hold regular meetings on Monday, August 17, 2020. The Redevelopment Commission will hold regular meetings immediately following Town Council meetings.

The Town Council will hold a special meeting on Tuesday, August 31, 2020. The Redevelopment Commission will hold a special meeting immediately following the Town Council meeting.

The Town Council will hold a regular meeting on Monday, September 21, 2020 and conduct a public hearing on the 2021 budget. The Redevelopment Commission will hold a regular meeting immediately following the Town Council meeting.

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 Koulterides moved with a second by Councilor Schoon. The meeting adjourned at 7:55 p.m. by voice vote.

**ATTEST:**

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**Lee Ann Mellon, President**

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**Wendy Mis, Clerk-Treasurer**