

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
JULY 20, 2020**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, July 20, 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, and Lee Ann Mellon 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 were Town Attorney David W. Westland, and Planning Director Thomas VanderWoude. It is believed each person was in a different physical location.

Councilor Kenneth J. Schoon was present via Zoom for the beginning of the meeting, experienced technical difficulties, and at 7:13 p.m. arrived at Town Hall where he remained for the duration of the meeting.

Clerk-Treasurer Wendy Mis, Controller Patricia L. Abbott, 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.

45th 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. Acceleration work continues. The underground storm sewer work along Calumet Avenue is on-going.

Councilor Gardiner asked about the temporary bike route and detour. Mr. Randell explained that was not part of the contract but will work with the contractor to improve the situation.

President Mellon and Councilor Schoon asked about the merging along Calumet Avenue for the lane restrictions. The idea of a zipper merge as opposed to a traditional merge were discussed. Councilor Gardiner asked what has been done in similar situations. Mr. Randell stated it is a traffic management issue and will work with the contractor.

PROCLAMATION: INDEPENDENCE PARK CHILDREN'S PARADE 80th ANNIVERSARY

President Mellon read the proclamation recognizing the Independence Park neighborhood children's parade which has been held for the past 80 consecutive years on July 4. This year's parade was modified to conform with the pandemic restrictions.

Larry Keilman was present to accept the proclamation and spoke about the tradition and what it means to the neighborhood.

Councilor Gardiner moved, with a second by Councilor Koultourides, to adopt "A Proclamation Recognizing the Independence Park Children's Parade." Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. The motion carried and the Proclamation was adopted as presented.

PUBLIC HEARING: ADDITIONAL APPROPRIATION (1)

Ordinance 1799 was introduced at the June 15, 2020 meeting and had first reading. Additional appropriations are being sought as follows.

Fund	Type	Amount
Municipal Bond & Interest 306	Controlled	\$ 11,500.00
Park Bond & Interest 312	Controlled	\$ 12,000.00
Electric 270	Reporting Only	\$ 75,000.00
Sewer Maintenance 280	Reporting Only	\$ 250,000.00

The procedure for securing the additional appropriations requires a public hearing, properly advertised for this evening, and the adoption of an ordinance by the Town Council. Information regarding all funds will be sent to the Department of Local Government Finance (DLGF). Controlled funds will be reviewed by the DLGF and a determination made within fifteen days of submittal. No determination is made for "Reporting Only" funds. Upon passage of the ordinance, the additional appropriations for these funds will be in effect.

There are adequate cash reserves available in each fund to support the requested appropriations for the "Reporting Only" funds. The controlled funds are receiving a transfer of surplus bond proceeds as authorized in Ordinance 1798 and proposed Ordinance 1802 scheduled for first read this evening.

President Mellon opened the floor for public comment. There being no one wishing to speak, the public hearing was closed.

PUBLIC COMMENT

Mr. Mike Dujmovic, 1833 Tulip Lane, asked the response to the person who asked about the Town's policy on face masks at the last meeting. President Mellon explained that the Lake County Board of Public Health issued a mandate earlier this evening and that the Town is under that mandate. Mr. Dujmovic stated that his street has flooded during the last four storms; he then requested the sewers be televised. Mr. Dujmovic then requested a larger sign be placed on Main Street at the traffic signal for the bike path. Mr. Dujmovic asked how often yard waste (branches) are collected. President Mellon stated the zones are posted so that residents can see when their area will be collected.

Mr. Mike Jancosek, 10245 Cherrywood Lane, spoke about the crowds at Centennial Park and the appearance that most of the vehicles are from Illinois. While it is a public park, Mr. Jancosek feels that when Munster residents cannot use it, something should be done. He proposed metered parking which may deter some users and would provide revenue to the Town to offset the increased maintenance costs.

Mr. Brian Edward, 3217 Otto Street, Lansing, Illinois, has been a member of the dog park for several years. He enumerated the various things he has witnessed in the last few months at Centennial Park including use of shelters without permits, vulgar music playing loudly, alcohol use, dog feces, grilling in the parking lot, and behavior that is not family-friendly. President Mellon stated that the park is one of the Town's biggest assets, that enforcement is always an issue and that a meeting is being planned to address the problem.

Mr. John Kobe, 7905 Monroe Avenue, stated his experiences at Centennial Park which has become rowdy and rude.

Mr. Ken Keilman, 2141 North Delaware Parkway, asked when the work at Circle Park will be completed. Clerk-Treasurer Mis stated there are parts on backorder and Councilor Gardiner will speak with the contractor.

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.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on July 6, 2020

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #20-6U dated 06/23/2020 totaling \$918.74
Confirmation of Voucher Register #20-7E dated 07/10/2020 totaling \$117,165.63
Confirmation of Voucher Register #20-7F dated 07/10/2020 totaling \$91,172.66
Confirmation of Voucher Register #20-7G dated 07/09/2020 totaling \$585,874.12
Confirmation of Voucher Register #20-7H dated 07/08/2020 totaling \$442.50
Confirmation of Voucher Register #20-7I dated 07/13/2020 totaling \$3,412.81
Approval of Voucher Register #20-7J dated 07/20/2020 totaling \$77,699.34
Confirmation of Voucher Register #20-7K dated 07/16/2020 totaling \$2,329,341.87
Confirmation of Voucher Register #20-7L dated 07/17/2020 totaling \$390,939.45
Confirmation of Voucher Register #20-7M dated 07/17/2020 totaling \$347,224.90
Confirmation of Voucher Register #20-7N dated 07/16/2020 totaling \$19,124.65

WATER BILL ADJUSTMENTS 2020-26 AND 2020-27

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	5,000	20,000	1 month	\$ 62.80	\$ 36.68	\$ 26.12
2020-27	2,000	99,000	2 months	\$ 292.06	\$ 265.94	\$ 26.12

TREASURER'S REPORT

The June 2020 Treasurer's Report was presented for acceptance.

Councilor Gardiner moved, with a second by Councilor Schoon, 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.

OLD BUSINESS

ORDINANCE 1799: ADDITIONAL APPROPRIATIONS (1)

Introduced ORDINANCE 1799 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2020 (1). The ordinance had first reading at the regular meeting held on June 15, 2020 and was the subject of a public hearing *supra*.

Councilor Gardiner moved, with a second by Councilor Koultourides, to adopt Ordinance 1799 on second reading as presented. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against. Motion carried.

NEW BUSINESS

ORDINANCE 1802: SURPLUS PARK BOND PROCEEDS

Proposed ORDINANCE 1802 is AN ORDINANCE OF THE MUNSTER TOWN COUNCIL DECLARING CERTAIN PARK BOND PROCEEDS AS SURPLUS AND ALLOWING THE TRANSFER OF SURPLUS PARK BOND PROCEEDS TO THE TOWN OF MUNSTER PARK BOND AN INTEREST FUND 312. The Town and Park Board issue park bonds each year. At the time of issuance, an amortization schedule is prepared detailing the repayment terms. This schedule is then used by the Department of Local Government Finance to determine the tax levy and appropriations needed to make the debt service payments. The amortization schedule for the Park Bonds of 2019 was properly submitted and the budget certified. It has been discovered that the amortization schedule was incorrect causing the certified levy and appropriations to be too low to cover the debt service payments in 2020.

The Town of Munster will meet all of its debt service obligations. This will be accomplished through two separate processes as follows.

The Council adopted Ordinance 1798 declaring surplus a portion of the 2015 Municipal Bond proceeds. The Park Board has adopted Park Resolution 2020-02 declaring a portion of the 2015 Park Bond proceeds surplus. The Council is now asked to confirm the action of the Park Board by adopting Ordinance 1802.

Ordinance 1802 will allow the transfer of \$12,000.00 to the Park Bond & Interest Fund 312 in order to make the debt service payments of the 2019 Park Bond in 2020. This transfer is the basis for the additional appropriation approved *supra*.

Councilor Schoon moved, with a second by Councilor Koultourides, to suspend the rules, waive the readings and adopt Ordinance 1802 on first reading as presented. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

ORDINANCE 1803: ESTABLISHING THE MAPLE LEAF CROSSING PLANNED UNIT DEVELOPMENT

Proposed ORDINANCE 1801 is AN ORDINANCE OF THE TOWN OF MUNSTER TOWN COUNCIL REZONING CERTAIN PROPERTY AS THE MAPLE LEAF CROSSING PUD AND ADOPTING DEVELOPMENTAL STANDARDS FOR THE MUNSTER BUSINESS COMPLEX PLANNED UNIT DEVELOPMENT. Maple Leaf Crossing LLC submitted plans to establish the Maple Leaf Crossing Planned Unit Development at 9450 Calumet Avenue, the site of the former Munster Business Complex.

Representatives of the developer appeared before the Plan Commission for public hearings at their meetings on March 10, June 9, and July 14, 2020. A favorable recommendation was made to Council from the Plan Commission with the following condition. A traffic study for the intersection of Maple Leaf Boulevard and Calumet

Avenue shall be completed with intersection and traffic signals designed and constructed prior to receipt of a certificate of occupancy for any building.

Councilor Gardiner asked for a timeline. Mr. Jay Lieser, the developer of the property, was present and stated the work is currently out to bid. He anticipates underground work to begin in August with the goal being to have footings and foundations in place by Thanksgiving.

Councilor Schoon asked about the viability of a hotel at that location as there are several others nearby. Mr. Lieser explained that the hotel operator, Hyatt, has seven other brands in the area and Munster has been very successful for them.

Councilor Tulowitzki stated that the project has gone through extensive review at the Plan Commission level and that any deviations from code are thoughtful and appropriate.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to suspend the rules, waive the readings, and adopt Ordinance 1803 on first reading, amending the Munster zoning code to establish the Maple Leaf Crossing Planned Unit Development, upon the condition that a traffic study for the intersection of Maple Leaf Boulevard and Calumet Avenue shall be completed and the intersection and traffic signals be designed and constructed prior to receipt of a certificate of occupancy for any building. Councilors Schoon, Gardiner, Tulowitzki, Koultourides, and Mellon voted in favor; none voted against.

CONDITIONAL USE PERMIT: DANNY Z'S OUTDOOR DINING

The owner of Danny Z's Restaurant submitted plans to construct a 648 square foot covered patio addition on the west side of the building. The proposed addition will more than double the outdoor dining area. The restaurant is located at 1860 45th Street which is zoned CD-4.A. Outdoor patios in this district are classified as a conditional use. The Board of Zoning Appeals heard the matter at a public hearing on July 14, 2020 with no remonstrances. The BZA subsequently voted unanimously to forward a favorable recommendation for approval to the Council.

President Mellon stated the improvements look nice and encouraged other businesses to do similar projects if they have the space.

Councilor Gardiner asked for a timeline. Staff explained the owner wants to get the work done as soon as possible as it has a direct impact on his ability to address the pandemic.

Councilor Gardiner moved, with a second by Councilor Koultourides, to approve a conditional use permit for an outdoor dining area in a CD-4.A district to allow a covered patio at the Danny Z's Restaurant at 1860 45th Street. 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 Gardiner stated the Plan Commission and Board of Zoning Appeals are considering changing their meeting time to start earlier in the evening.

Councilors Koultourides had nothing to report.

Councilor Schoon reported that the search committee interviewed five candidates for the Director of Parks and Recreation. The field has been narrowed to three and each will be interviewed by the Park Board.

Councilor Tulowitzki reported that the School Town will hold a public working session to discuss the return to school in the fall. He further reported that the Lake County Solid Waste Management District sent the recycling grant dollars to the Town in the amount of \$64,664.00. Councilor Tulowitzki also reported that he and Councilor Gardiner met with the Indiana University Environmental Resilience Institute which addresses environmental change.

Clerk-Treasurer Mis reported the South Shore Line made a presentation at NIRPC and the project is scheduled to begin in September or October 2021, to end in 2024 and to be in service in 2025.

President Mellon reported on the most recent Executive Order from Governor Holcomb. She and Mr. Westland then explained the mask order issued by Lake County earlier in the evening.

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, August 3, and 17, 2020. The Redevelopment Commission will hold regular meetings immediately following Town Council meetings. 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 Gardiner moved with a second by Councilor Schoon. The meeting adjourned at 8:18 p.m. by voice vote.

ATTEST:

Lee Ann Mellon, President

Wendy Mis, Clerk-Treasurer