

TOWN OF MUNSTER
MINUTES OF A SPECIAL MEETING OF THE TOWN COUNCIL
JANUARY 7, 2021

A special meeting of the Munster Town Council convened at 7:00 p.m. on Thursday, January 7, 2021. 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. Executive Order 20-43 requires adherence to Centers for Disease Control guidelines regarding the number of people gathering in one location and maintaining a distance of at least six feet from another person. As a result, Councilors, Staff, and the public had the option to participate via Zoom meeting technology. Councilors Ken Schoon, Lee Ann Mellon, Steven Tulowitzki, Chuck Gardiner, and Andy Koultourides were physically present at Town Hall. Also present were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Town Attorney David W. Westland, and Superintendent of Operations Chris Spolnik. 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 continually changing situation. 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.

This was the first meeting of the year and the Council needed to organize itself by electing officers. As a result, Clerk-Treasurer Mis opened the meeting with a moment of silence followed by the Pledge of Allegiance. She then presided over the meeting until the reorganization of the Council was completed.

REORGANIZATION OF THE TOWN COUNCIL

Clerk-Treasurer Mis opened the floor to nominations for the office of Town Council President for the year 2021. Councilor Gardiner nominated Councilor Koultourides. Councilor Mellon seconded the nomination. There were no other nominations and Councilor Koultourides accepted the nomination. Motion carried *viva voce*. Councilor Koultourides was elected as Town Council President for the year 2021.

Clerk-Treasurer Mis opened the floor to nominations for the office of Town Council Vice President for the year 2021. Councilor Mellon nominated Councilor Gardiner. Councilor Tulowitzki seconded the nomination. There were no other nominations and Councilor Gardiner accepted the nomination. Motion carried *viva voce*. Councilor Gardiner was elected as Town Council Vice President for the year 2021. Councilor Tulowitzki thanked Councilor Mellon for her service as President in 2020, wished Councilors Koultourides and Gardiner well in the coming year.

Clerk-Treasurer Mis relinquished the gavel and President Koultourides presided over the remainder of the meeting.

45th STREET CONSTRUCTION UPDATE

DLZ representative Lee Randell was present in the virtual setting. Mr. Randell reported that work is progressing at the Camellia Drive alley, near Wall 4, the lift station, the bike path, and weather permitting, punch list items. In response to questions from Councilor Tulowitzki, it was reported that approximately \$300,000 has been spent on acceleration costs. There are outstanding payroll items not yet submitted.

PUBLIC COMMENT

Because of the unique nature of this meeting, the Town of Munster accepted public comment submitted both in-person and 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. Mr. Anderson reported that one comment was received by email as follows.

Mr. Dave Nellans, 1535 Ridge Road, asked for a status report on the upgrade to the Town Hall generator. Mr. Anderson responded that the new generator is being designed. President Koultourides asked if the generator would be in place by the year-end. Mr. Anderson responded that it depends on availability.

No one rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on December 21, 2020

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #20-12R dated 12/23/20 totaling \$721,351.58
Confirmation of Voucher Register #20-12S dated 12/31/20 totaling \$301,459.07
Confirmation of Voucher Register #20-12T dated 12/31/20 totaling \$279,029.98
Confirmation of Voucher Register #20-12U dated 12/30/20 totaling \$2,169,477.98
Confirmation of Voucher Register #20-12V dated 12/31/20 totaling \$70,201.66
Approval of Voucher Register #21-01A dated 01/07/21 totaling \$38,377.69

WATER BILL ADJUSTMENTS 2021-01

Staff received a request 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:

| <u>Adjustment Number</u> | <u>Average Usage</u> | <u>Actual Usage</u> | <u>Length of Time</u> | <u>Original Bill</u> | <u>Adjustment Amount</u> | <u>Adjusted Bill</u> |
|------------------------------|--------------------------|-------------------------|---------------------------|--------------------------|------------------------------|--------------------------|
| 2021-01 | 2,000 | 22,000 | 1 month | \$ 68.65 | \$ 58.71 | \$ 9.94 |

REPORT ON TEMPORARY LOANS

On March 23, 2020, the Town Council approved Resolution 2068, "A Resolution for the Temporary Loan and Transfer of Funds Among Various Fund Accounts," to authorize temporary loans to remedy any cash deficient situations throughout the year. The amounts from the originating funds and to the recipient funds were identified as "to be determined." Fortunately, no temporary loans were needed at any point during the year.

Exhibit A to Resolution 2068 has been amended to show that no temporary loans were needed.

ACCEPTANCE OF OFFICIALS BONDS

The public officials' bonds for the Clerk-Treasurer, the Redevelopment Commissioners, the Town Manager, the five members of the Board of Public Safety, and the Secretary of the Munster Police Pension Board were presented for acceptance.

2020 STANDARD MILEAGE RATE

Ordinance 1817, adopted by the Town Council on December 21, 2020, provided, in part, the following.

Mileage Reimbursement Rate – Employee use of a privately-owned vehicle driven on official Town business shall be reimbursed at the standard mileage rate established by the latest Internal Revenue Service determination for business miles driven.

On December 22, 2020, the Internal Revenue Service announced that beginning January 1, 2021, the standard mileage rate for the use of a vehicle for business purposes will be 56 cents per mile for business miles driven. This rate is a decrease of 1½ cents from the rate of 57½ cents per mile that became effective January 1, 2020.

Claims for mileage reimbursement must be made on General Form No. 101 (1955), available through the Clerk-Treasurer's Office.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to accept the Consent Agenda as presented. Councilors Schoon, Mellon, Tulowitzki, Gardiner, and Koultourides voted in favor; none voted against. Motion carried.

OLD BUSINESS

ORDINANCE 1815: GROUP TRANSFERS

Introduced ORDINANCE 1815 is AN ORDINANCE FOR TRANSFERS WITHIN CERTAIN APPROPRIATED FUNDS FOR THE YEAR 2020. The first reading of this ordinance took place at the December 7, 2020 meeting and was scheduled for second reading in January 2021. The adjustments in Exhibit A are based on the final expenditures made on December 31, 2020.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to adopt the introduced Ordinance 1815 on second reading as presented. Councilors Schoon, Mellon, Tulowitzki, Gardiner, and Koultourides voted in favor; none voted against.

NEW BUSINESS

MAPLE LEAF CROSSING DEVELOPMENT: THIRD AMENDMENT TO DEVELOPMENT AGREEMENT

The developer is scheduled to go before the Plan Commission to secure final plat. In order to secure the final plat, the public improvements must either be completed, or a bond must be posted. The improvements needed include a road and intersection signal. The developer cannot determine the cost and it is not practical to install the road when construction traffic will begin soon.

The law allows other methods of providing financial commitment. The proposed amendment will allow the final plat to be granted with the cost of the public improvements being covered by a pledge of the anticipated TIF revenues that would otherwise go to the developer. It is estimated that the cost will be \$500,000.

Mr. Westland stated the amendment presents little risk to the Town. Councilor Tulowitzki asked clarifying questions.

Councilor Mellon moved, with a second by Councilor Gardiner, to accept the third amendment to the development agreement with Maple Leaf Crossing. Councilors Schoon, Mellon, Tulowitzki, Gardiner, and Koultourides 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 stated the Park Board has met to elect officers.

Councilor Mellon reported that the Town formally remonstrated against the renewal of the liquor license for Marc O's Bar & Grill citing the numerous complaints received from residents. Discussion ensued regarding the options available to the Town.

Councilor Tulowitzki reported that he is committing himself to focus on unity and reconciliation this year.

President Koultourides and Councilor Gardiner had nothing to report.

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, January 18, February 1, and 15, 2021. The Redevelopment Commission will hold regular meetings immediately following the Town Council meetings.

ADJOURNMENT

There being no further business to come before the Council, Councilor Schoon moved with a second by Councilor Tulowitzki, to adjourn. The meeting adjourned at 7:38 p.m. by voice vote.

ATTEST:

Andy Koultourides, President

Wendy Mis, Clerk-Treasurer