

**TOWN OF MUNSTER  
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL  
FEBRUARY 15, 2021**

A regular meeting of the Munster Town Council convened at 7:01 p.m. on Monday, February 15, 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. Councilor Gardiner, Andy Koultourides Lee Ann Mellon, Ken Schoon, and Steven Tulowitzki were present in the virtual setting. President Koultourides presided.

Present in Town Hall were Clerk-Treasurer Wendy Mis and Town Manager Dustin Anderson. Town Attorney Dave Westland and Munster Representative to the Hammond Sanitary District Mike Hawkins were present in the virtual setting. 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.

President Koultourides opened the meeting with a moment of silence followed by the pledge of allegiance.

**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](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 reported that none were received.

No one else rose to claim the floor.

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

Approval of the minutes of the regular meeting held on February 1, 2021

**ACCOUNTS PAYABLE VOUCHER REGISTERS**

Confirmation of Voucher Register #21-1X dated 01/06/21 totaling \$37.21  
Confirmation of Voucher Register #21-2B dated 02/04/21 totaling \$548,780.37  
Confirmation of Voucher Register #21-2C dated 02/04/21 totaling \$168.12  
Confirmation of Voucher Register #21-2D dated 02/10/21 totaling \$66,406.87  
Confirmation of Voucher Register #21-2E dated 02/10/21 totaling \$114,689.73  
Approval of Voucher Register #21-2F dated 02/15/21 totaling \$73,175.27  
Confirmation of Voucher Register #21-2G dated 02/10/21 totaling \$128.22

Confirmation of Voucher Register #21-2H dated 02/11/21 totaling \$47,649.15  
 Confirmation of Voucher Register #21-2I dated 02/12/21 totaling \$525,594.78  
 Confirmation of Voucher Register #21-2J dated 02/12/21 totaling \$496,582.63  
 Confirmation of Voucher Register #21-2K dated 02/11/21 totaling \$945.30

### **OUTSTANDING CHECKS**

Pursuant to IC 5-11-10.5, "Disposition of Warrants and Checks," the Clerk-Treasurer is required annually to furnish the Town's fiscal body (the Town Council) a list of all checks that have been outstanding for a period of two or more years as of December 31 of the preceding year. Accordingly, the checks listed below are declared void, the amounts so listed are entered as a receipt to the fund or funds upon which they were originally drawn, and the checks are removed from the list of outstanding checks.

#### **Checks Outstanding Two or More Years as of December 31, 2020**

<b>Fund</b>	<b>Check No.</b>	<b>Check Date</b>	<b>Paid to the Order of</b>	<b>Check Amount</b>	<b>For</b>
101	49379593	4/10/18	Baker, William F	\$133.42	Payroll Check
			<b>Sub-Total</b>	<b>\$133.42</b>	
204	49380593	6/22/18	Rossi, Daniel	\$1.79	Payroll Check
204	862872	8/2/18	Indiana BMV	\$144.00	Plates for New Trailers
			<b>Sub-Total</b>	<b>\$145.79</b>	
601	863533	9/27/18	Hensley, George R	\$33.57	Refund Credit on Final
601	863860	10/25/18	Singh, Jagjit	\$806.58	Refund Credit on Final
			<b>Sub-Total</b>	<b>\$840.15</b>	
			<b>Total</b>	<b>\$1,119.36</b>	

After a check has been outstanding for three months, the Clerk-Treasurer's Office sends a letter to the payee explaining the procedure for obtaining a replacement for a lost or destroyed check. Some payees take advantage of our advice; others do not. In an effort to minimize the number of outstanding checks, we send at least three letters. Honoring, cashing, or accepting for payment or deposit any of these voided checks would be a violation of IC 5-11-10.5-2.

### **100R – CERTIFIED REPORT OF NAMES, ADDRESSES, DUTIES AND COMPENSATION OF PUBLIC EMPLOYEES**

Starting in January 2013, the Certified Report of Names, Addresses, Duties and Compensation of Public Employees (Form 100R) must be entered through the Indiana Gateway for Government Units. The form must be submitted by January 31 each year per IC 5-11-13-1.

The 100R salary report for the Town of Munster was submitted to Gateway on January 12, 2021.

### **WATER BILL ADJUSTMENTS 2021-08 THROUGH 2021-10**

Staff received requests for adjustments under the leak adjustment policy adopted by the Town Council on April 8, 2013. The customers have 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
2021-08	6,000	47,000	2 months	\$146.06	\$106.28	\$39.78
2021-09	3,000	24,000	1 month	\$74.49	\$64.45	\$10.04
2021-10	5,000	47,000	2 months	\$145.61	\$112.13	\$33.48

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

### **NEW BUSINESS**

#### **ENGAGEMENT LETTER: REFUNDING OF SERIES 2011 EDC BONDS**

Financial Advisor Baker Tilly has performed analyses and is recommending the refunding of the 2011 Economic Development Bonds. These bonds were used to redevelop the Lake Business Center. In order to proceed, engagement letters have been presented by Baker Tilly to serve as financial advisor, Barnes & Thornburg to serve as bond counsel, and Stifel to serve as underwriter and placement agent. The Town has successfully worked with all three entities in the past and has found them to be highly professional. Staff recommends approving all three engagement letters and proceeding with the refunding of the Series 2011 Economic Development Bonds.

Councilor Gardiner moved, with a second by Councilor Mellon to approve and authorize the Town Manager to sign the engagement letters for Baker Tilly, Stifel, and Barnes and Thornburg for the refinancing of the Series 2011 EDC Bonds. Councilors Gardiner, Koultourides, Schoon, Tulowitzki, and Mellon voted in favor; none voted against. Motion carried.

#### **LEGAL SERVICE RATES**

Town Attorney David W. Westland observed that the law firm of Westland & Bennett P.C. has performed legal services for the Town of Munster at the hourly rate of \$150.00 for the three years 2016, 2017, and 2018 with an increase to \$175.00 in March 2019. He now asks the Town Council to approve an increase in the hourly rate to \$190.00, beginning with the February 2021 billing as recited in his Letter of Engagement dated February 11, 2021.

A discussion ensued regarding annual total fees. It was also determined Town Attorney Wickland would receive the same hourly rate increase.

Councilor Gardiner moved, with a second by Councilor Mellon, to approve an hourly rate of \$190.00 for the law firms of Westland & Bennett P.C and David E. Wickland, P.C. Councilors Gardiner, Koultourides, Schoon, and Mellon voted in favor; Councilor Tulowitzki voted against. The 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 Gardiner shared there will be a Board of Safety meeting on Thursday, February 18, 2021 at 7:00 a.m.

Councilor Schoon shared the Park Board will meet on Tuesday, February 16, 2021 at 5:00 p.m.

Clerk-Treasurer Mis shared as a 2021 America in Bloom grant recipient, she will be working with Town Planner, Tom Vander Woude, to compile the community profile which will assess our community vitality, flowers, landscaped areas, urban forestry, environmental efforts, celebrating heritage, and the overall impression.

No other Councilors gave a 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, March 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, and upon a motion by Councilor Gardiner and seconded by Councilor Schoon, the meeting adjourned at 7:26 p.m. by voice vote.

**ATTEST:**

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**Andy Koultourides, President**

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**Wendy Mis, Clerk-Treasurer**