

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
MAY 17, 2021**

A regular meeting of the Munster Town Council convened at 7:02 p.m. on Monday, May 17, 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. Councilors, Staff, and the public had the option to participate via Zoom meeting technology. Councilors Chuck Gardiner, Andy Koultourides, Lee Ann Mellon, Ken Schoon and Steven Tulowitzki were physically present at Town Hall. President Koultourides presided.

Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Town Attorney Dave Westland, Fire Chief Mark Hajduk, Police Chief Stephen Scheckel, Police Lieutenant Dan Broelmann, Planning Director Thomas Vander Woude, and Munster Representative to the Hammond Sanitary District Mike Hawkins. 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.

LETTER OF RECOGNITION

On May 2, 2021, the City of Gary experienced a rash of fires. The Gary Fire Department requested assistance and ten communities, including the Munster Fire Department, responded. The City of Gary sent a letter to the Munster Fire Department thanking them for their immediate assistance.

STATE OF INDIANA RECOGNITION OF TOWN OF MUNSTER EMPLOYEES

State Representative Mike Andrade was in attendance to present State of Indiana Resolutions honoring retired Munster Fire Chief Dave Pelc and 2019 Munster Police Officer of the Year Jonathan Hernandez.

PUBLIC HEARING: ADDITIONAL APPROPRIATIONS

Ordinance 1828 was introduced at the May 3, 2021 meeting and had first reading. As part of the adjustments made in response to the Department of Local Government Finance certified budget, the Town needs to seek additional appropriations as follows.

Fund Name	Amount	Type	Use
Local Road & Street 202	\$ 250,000	Controlled	MVH offset
LIT Public Safety 249	\$ 150,000	Reporting Only	General Fund offset
Municipal Surtax 258	\$ 1,000,000	Reporting Only	MVH offset
Municipal Wheel Tax 259	\$ 50,000	Reporting Only	MVH offset
Electric 270	\$ 100,000	Reporting Only	Park offset
EDC Bond & Interest 328	\$ 17,362,278	Reporting Only	Refunding of called bonds
Cumulative Capital Improvement 401	\$ 120,000	Controlled	General Fund offset
Riverboat 446	\$ 150,000	Reporting Only	MVH offset
Major Moves 450	\$ 195,039	Controlled	Infrastructure
Water Cash Operating 601	\$ 250,000	Reporting Only	Hammond Water rate increase
Water Depreciation 603	\$ 850,000	Reporting Only	Infrastructure
Escrow 783	\$ 2,230,000	Reporting Only	Correction of error

The procedure for securing additional appropriations requires a public hearing, scheduled for this evening, and the adoption of an ordinance by the Town Council. The “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.

President Koultourides opened the floor for the public hearing. No one rose to claim the floor, and President Koultourides closed the public hearing.

PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT

Each spring, the Lake County Community Economic Development Department applies to the U.S. Department of Housing and Urban Development (HUD) for new funding through the Community development Block Grant program (CDBG).

One of the application requirements is to hold public hearings in the communities where CDBG funding is allocated in order to obtain input from the local citizens on the proposed use(s) of the new funding. For FY2021, the Town of Munster CDBG allocation is approximately, \$103,712.00.

The most common use of CDBG funds is for infrastructure, including street reconstruction, sanitary sewers, water line extensions, storm drainage improvements, sidewalks, and projects to remove architectural barriers (handicapped access), such as curb cuts and wheelchair ramps. CDBG funds may also be used to eliminate slums and blight through demolition of unsafe buildings or other clearance activities.

CDBG funded infrastructure projects may only be done in areas where the neighborhood is at least 42% low/moderate income according to HUD guidelines. IN most cases, an income survey must be done to qualify the area for funding eligibility. The income information taken by the survey is strictly confidential and is used solely for the purpose of determining the area’s eligibility for CDBG funding.

Handicapped access projects and demolition may be done anywhere in a community, without the need for are income determinations.

The public hearing is just the start of the application process for Lake County. There are a series of legal advertisements and comment periods that take place during the summer, prior to final grant approval from HUD in late August. The CDBG funding is released to the County and its entitlement communities on or around September 1 and needs to be expended by June 15 of the following year.

After public comment tonight, three documents need to be read and adopted: The Affirmative Action Program, Section 3 Understanding, and a Resolution authorizing the Town Executive to submit a project proposal for CDBG funding.

The proposed project is to regrade and reconstruct five alleys in the northwest corner of Town as follows.

West of Hohman Avenue/East of Forest Avenue north of Adelaide Place
North of Belmont/South of Belden between Hohman and Manor
North of Broadmoor/South of Belmont between Hohman and Manor
North of Sunnyside/South of Fairbanks between Hohman and Manor
Between Hollywood Avenue and Kinsley Place

Public Works has identified the alleys as in poor condition and most in need of repair. The full cost of the project is estimated at \$290,830.00 with the Town responsible for that portion which exceeds the CDBG allotment.

Finally, Project Applications, and supporting documentation, need to be submitted no later than May 21, 2021 for review by Lake County.

The floor was opened for comments. There being no one else claiming the floor, President Koultourides closed the public hearing.

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 none were received.

No one rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on May 3, 2021

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #21-4S dated 04/30/21 totaling \$1,449.84
Confirmation of Voucher Register #21-4T dated 04/12/21 totaling \$2,079.61
Confirmation of Voucher Register #21-4U dated 04/20/21 totaling \$949.65
Confirmation of Voucher Register #21-4V dated 04/16/21 totaling \$28,265.03
Confirmation of Voucher Register #21-5B dated 05/05/21 totaling \$280,400.75
Confirmation of Voucher Register #21-5C dated 05/07/21 totaling \$395,305.31
Confirmation of Voucher Register #21-5D dated 05/07/21 totaling \$361,553.39
Confirmation of Voucher Register #21-5E dated 05/10/21 totaling \$106,001.59
Confirmation of Voucher Register #21-5F dated 05/10/21 totaling \$80,135.64
Confirmation of Voucher Register #21-5G dated 05/05/21 totaling \$720.15
Confirmation of Voucher Register #21-5H dated 05/05/21 totaling \$1,241.69
Approval of Voucher Register #21-5I dated 05/17/21 totaling \$34,759.24
Confirmation of Voucher Register #21-5J dated 05/13/21 totaling \$244,299.50

WATER BILL ADJUSTMENTS 2021-23 THROUGH 2021-25

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
2021-23	3,000	27,000	1 month	\$ 83.25	\$ 73.21	\$ 10.04
2021-24	4,000	17,000	1 month	\$ 54.04	\$ 40.65	\$ 13.39
2021-25	12,000	112,000	2 months	\$ 325.10	\$ 247.58	\$ 77.52

TREASURER'S REPORT

The April 2021 Treasurer's Report was presented for acceptance.

LOCAL ROADS & STREETS AND BRIDGES ANNUAL REPORT

Indiana Code 8-17-4.1-1 requires an operational report to be prepared by all cities and towns having a population of 15,000 or more with road and street responsibilities. The report must be prepared on forms prescribed by the State Board of Accounts and must disclose all information considered necessary to reflect the financial condition and operations of the department.

Accordingly, the Clerk-Treasurer's Office and Public Works Department prepared the attached report, which was filed electronically on April 30, 2021 with the State Board of Accounts, the Indiana Department of Transportation, and the Purdue University Local Technical Assistance Program. The report is also to be filed with the governing body of the municipality and is available to the public and to the press in the Clerk-Treasurer's Office during regular business hours.

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

NEW BUSINESS

ORDINANCE # 1826: CREATION OF THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND (176)

Introduced ORDINANCE 1826 is AN ORDINANCE CREATING THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND (176). The ordinance had first reading at the May 3, 2021 meeting. In response to the Coronavirus pandemic, the federal government adopted the American Rescue Plan Act (ARP) earlier this year. The Town of Munster's projected allocation is \$4,683,778.52. The Town is expected to receive this in two distributions, one in 2021 and the second in 2022. Funds must be spent on or before December 31, 2024.

The Indiana State Board of Accounts has provided Directive 2021-1 on how to account for these monies. Under this guidance, the Town must establish a separate fund by ordinance to account for transactions related to the ARP Act allocation.

Ordinance 1826 has been drafted for this purpose and specifies the uses of the fund in accordance with the purposes outlined in Section 603(c) of the Social Security Act. The Town Council must appropriate the money in Fund 176 for a use consistent with Section 603(c) and will do so in a future ordinance. The Town of Munster will comply with these guidelines and provide a detailed plan at a future date before any funds are distributed.

A detailed accounting of ARP funds will be maintained in a separate file for future audits of ARP funds. Every dollar disbursed will be tracked and supporting documentation will be retained. Each disbursement will be directly tied to a use listed in Section 603(c). The Town will use some of the ARP funds to recover costs incurred for the provision of governmental services as provided in Section 603(c)(1)(C) and will maintain the detailed calculations of the reduction in revenue due to COVID-19 using the most recent full fiscal year prior to the emergency which was 2019.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to hear Ordinance 1826 on first reading and schedule second reading for the next regular meeting. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

ORDINANCE # 1828: ADDITIONAL APPROPRIATIONS

Introduced ORDINANCE 1828 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2021 (1). This matter was the subject of a public hearing earlier in the meeting.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to approve introduced Ordinance 1828 for additional appropriations as presented. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against.

ORDINANCE # 1829: CREATION OF CDBG-COVID GRANT FUND (155)

Introduced ORDINANCE 1829 is AN ORDINANCE CREATING THE CDBG-COVID GRANT FUND 155. First reading on this ordinance was held at the May 3, 2021 meeting. The ordinance will formally create the CDBG-COVID Grant Fund 155 to account for the Town's allocation of \$30,531.00. The Town has received all of its allocation.

Councilor Tulowitzki moved, with a second by Councilor Mellon, to adopt Ordinance 1829 as presented. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

RESOLUTION 2081: 2021 SIDEWALK RAISING PROGRAM

Proposed RESOLUTION 2081 is A RESOLUTION APPROVING AND AUTHORIZING THE EXTENSION OF THE CONTRACT FOR SIDEWALK REPLACEMENT THROUGH 2021. Since 2016, the Town has used sidewalk raising as part of its annual Sidewalk Replacement Program. Since that time, the Town has lifted a total of 196 sidewalks at a cumulative cost of \$19,690.00.

In 2017, Level Rite Concrete provided the winning quote of \$110.00/square for this service. IC 5-22-17-4 allows the extension of a contract. Level-Rite Concrete has agreed to hold its pricing from 2017.

Councilor Tulowitzki moved, with a second by Councilor Gardiner, to adopt Resolution 2081 to authorize the extension of the contract with Level-Rite until December 31, 2021. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

RESOLUTION 2082: FISCAL YEAR 2021 CDBG

Proposed RESOLUTION 2082 is A RESOLUTION AUTHORIZING AND DIRECTING THE TOWN COUNCIL PRESIDENT OF THE TOWN OF MUNSTER TO SUBMIT A PROJECT PROPOSAL FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FEDERAL FISCAL YEAR 2021. This matter was the subject of a public hearing earlier in the evening. As part of the process, Council must adopt the Affirmative Action Program and the Section 3 Understanding. These items were read aloud to those present by President Koultourides.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to adopt the Affirmative Action Program and the Section 3 Understanding. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

Councilor Tulowitzki moved, with a second by Councilor Schoon to adopt Resolution 2082 to authorize the Munster Town Council President to submit a project proposal for the CDBG for Federal Fiscal Year 2021. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

MAIN STREET STATION ARCHITECTURAL SERVICES CONTRACT

The Northern Indiana Commuter Transportation District (NICTD) contracted with F.H. Paschen Ragnar Benson Joint Venture (FHP/RB) to design and build the West Lake Corridor Project with two stations planned in Munster. The Town and NICTD have agreed to design enhancements for the Main Street Station in coordination with FHP/RB as it completes the 60% plans for the station areas. The 30% design plans for the rail line and station areas were completed March, 2018.

The Town of Munster published a Request for Qualifications for Architectural Services on March 5, 2021 and three responses were received. The Selection Committee consisted of Town Council and Redevelopment Commission member Lee Ann Mellon, Town Manager Dustin Anderson, Planning Director Thomas Vander Woude, and Town Engineer Jill DiTommaso. The Committee ranked CDM Smith highest and recommends awarding the contract to them in an amount not to exceed \$50,000.00.

Councilor Gardiner moved, with a second by Councilor Mellon, to authorize the Town Manager to enter into the agreements with professional services contract with CDM Smith, Inc. to provide architectural services for the Main Street commuter rail station at a cost not to exceed \$50,000.00. A brief discussion ensued including identifying LOIT or TIF as potential funding sources for this project. The motion was amended and seconded to include the contract is pending upon review of the Town Attorney. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koulourides voted in favor; none voted against. Motion carried.

LEASE PURCHASE OF SEWER VACTOR

At the April 19, 2021 meeting, Council approved the purchase of a Sewer Vactor from Standard Equipment Company. Council also authorized the lease purchase through Public Finance.com. Following is the payment schedule.

Payment No.	Due Date	Lease Payment	Principal Portion	Interest Portion	Termination Amount (after making payment for said due date)
1	5/15/2021	\$ 73,000.00	\$ 73,000.00	\$ -	N/A
2	5/15/2022	\$ 73,000.00	\$ 62,257.40	\$ 10,742.60	N/A
3	5/15/2023	\$ 73,000.00	\$ 63,931.22	\$ 9,068.78	\$ 281,582.82
4	5/15/2024	\$ 73,000.00	\$ 65,650.03	\$ 7,349.97	\$ 213,963.29
5	5/15/2025	\$ 73,000.00	\$ 67,415.06	\$ 5,584.94	\$ 144,525.78
6	5/15/2026	\$ 73,000.00	\$ 69,227.54	\$ 3,772.46	\$ 73,221.41
7	5/15/2027	\$ 73,000.00	\$ 71,088.75	\$ 1,911.25	\$ -
Total		\$ 511,000.00	\$ 472,570.00	\$ 38,430.00	

The financing documents have been prepared by Public Finance.com

Councilor Mellon moved, with a second by Councilor Schoon, to authorize the Council President, Clerk-Treasurer, and Town Manager to execute the lease purchase documents. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koulourides voted in favor; none voted against. Motion carried.

COMMERCIAL JANITORIAL SERVICES

The Town has contracted with Purcell Commercial Cleaning & Supply, LLC since 2011 to provide janitorial services at Town Hall, Police Department, Public Works Garage, Park Maintenance Garage, Community Park Social Center, Community Park bathrooms, Centennial Park Maintenance Garage and all three Fire Stations. Staff at all locations were dissatisfied with the service received.

The three-year contract with Purcell was set to expire in March 2021 and quotes were sought for a new provider with a different, more-defined scope of service. As part of this process, Staff examined the cost of performing the service in-house. Four quotes were received as follows.

Company	Daily Social Center Value	Deep Clean	Annual	3-Year Total
Purcell	\$ 60.00	\$ 6,125.00	\$ 76,276.00	\$ 234,953.00
Jani-King of Illinois	\$ 75.00	\$ 1,060.00	\$ 81,168.00	\$ 244,564.00
Performance Plus	\$ 70.90	\$ 9,142.00	\$ 99,573.00	\$ 307,861.00

All companies are required to be licensed in Town and have liability insurance. Staff met with representatives of Purcell to discuss the dissatisfaction. Because Purcell is a Munster-based business, Staff agreed to allow Purcell another chance to meet the expectations. While the recommendation is to award another three-year contract, Purcell representatives were clearly told that a third party will be contracted to perform a deep clean of the bathrooms to demonstrate the expected standard. Purcell will have a three-month probationary period to meet the standard of the new scope. In addition, the agreement has a clause allowing the Town to terminate the contract with thirty days' notice.

Purcell continued to provide service after the contract expired. They have asked to be paid for this work at a rate 5.00% higher than the expired contract rate.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to award a new three-year revised scope of services Janitorial Services Contract for Municipal Facilities beginning June 1, 2021 to May 31, 2024 at an annual contract amount of \$76,276.00 payable monthly at \$6,356.33. Council Gardiner asked about the method of notification if we see noncompliance with the new scope and followed up with question regarding the overall appearance of Town Hall. Town Manager Anderson shared that Public Works is acting as the liaison between Purcell and staff. He shared plans to redo front doors as well as floorboards and chair rails being painted. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

Councilor Tulowitzki moved, with a second by Councilor Mellon, to authorize retroactive payment to Purcell for the non-contract period of March 6, 2021 through May 31, 2021, effectively three billable months, at the slightly increased non-contract rate of \$3,675.00 per month for a total of \$11,025.00. Councilors Schoon, Mellon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

APPOINTMENT TO SOUTH SHORE CONVENTION AND VISITOR BOARD OF DIRECTORS

The Munster Town Council first appointed Matthew J. Maloney to the Board of Directors of the South Shore Convention & Visitors Authority on June 18, 2018, for a term ending June 30, 2021.

The Town Council and Clerk-Treasurer have noted that Mr. Maloney's strong leadership ability, his sound judgment, and his depth of knowledge ensure his success as a valuable and contributing member of the Board. Mr. Maloney is a real estate agent serving all Northwest Indiana. As such, Mr. Maloney meets the requirement for appointment under Indiana Code 6-2-2-3(h)(10).

Councilor Mellon moved, with a second by Councilor Gardiner, to reappoint Matthew J. Maloney to the Board of Directors of the South Shore Convention & Visitors Authority for a three-year term expiring June 30, 2024.

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.

Mrs. Mis reported the software conversion is moving along and we are now live on the new BS&A system. The Clerk-Treasurer's office will be closed on Tuesday, May 18, 2021 to process manual transactions.

Council Schoon reported concern that the Hammond Sanitary District is interested in purchased a building for the purpose of leasing to an unrelated party. Councilor Schoon expressed concern about a public entity acting as a landlord.

Councilor Tulowitzki reported on May 11, 2021 the Plan Commission approved a four-story office building at Maple Leaf Crossing.

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, June 7, and 21, 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 Mellon and seconded by Councilor Tulowitzki, the meeting adjourned at 7:59 p.m. by voice vote.

ATTEST:

Andy Koultourides, President

Wendy Mis, Clerk-Treasurer