

**TOWN OF MUNSTER**  
**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL**  
**DECEMBER 6, 2021**

A regular meeting of the Munster Town Council convened at 7:00 p.m. on Monday, December 6, 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, Ken Schoon, and Steven Tulowitzki were physically present at Town Hall; Councilor Lee Ann Mellon was absent. President Koultourides presided.

Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Fire Chief Mark Hajduk, Police Chief Stephen Scheckel, Police Lieutenant Dan Broelmann, and Superintendent of Operations Chris Spolnik. Town Attorney Dave Westland, Director of Operations Steve Gunty, and Munster Representative to the Hammond Sanitary District Mike Hawkins were present in the virtual setting. 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 and 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 HEARING: ORDINANCE #1850 - 2021 ADDITIONAL APPROPRIATIONS (3)**

Earlier this year, the Town reached an agreement with the City of Hammond for an increase in the wholesale water rate. The new rate was retroactive to the beginning of the year. Council adopted an increased rate for Munster Water Utility rate payers to cover the new rate from Hammond. A bill to "true-up" the water accounts has been received by the Town. There is sufficient cash to cover the payment, but there is not enough appropriation. The fund is seeking \$400,000.00 in additional appropriation.

The Local Law Enforcement Continuing Education Fund is requesting \$10,000.00 in additional appropriations.

The procedure for securing the additional appropriations requires a public hearing and the adoption of an ordinance. On passage of the ordinance, the additional appropriations will go into effect.

President Koultourides opened the floor for comment.

There being no one requesting 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](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.

Mr. Camillus Robinson, 8227 Jackson Street, expressed his concern about the need for public transportation with the coming train station and increased restaurants and shops. He observed the current volume of traffic and expressed concern about how that will worsen. Mr. Robinson asked about any plans for partnering with public transportation providers.

No one else rose to claim the floor.

**CONSENT AGENDA**

**APPROVAL OF MINUTES**

Approval of the minutes of the regular meeting held on November 15, 2021

## **ACCOUNTS PAYABLE VOUCHER REGISTERS**

Confirmation of Voucher Register #21-11H dated 11/18/21 totaling \$194,234.95  
Confirmation of Voucher Register #21-11I dated 11/19/21 totaling \$406,867.59  
Confirmation of Voucher Register #21-11J dated 11/24/21 totaling \$327,043.65  
Approval of Voucher Register #21-12A dated 12/06/21 totaling \$106,007.23  
Confirmation of Voucher Register #21-12B dated 12/02/21 totaling \$13,499.01  
Confirmation of Voucher Register #21-12C dated 12/03/21 totaling \$429,463.94

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

## **OLD BUSINESS**

### **ORDINANCE 1850: ADDITIONAL APPROPRIATIONS (3)**

Introduced ORDINANCE 1850 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2021 (3). First reading on the ordinance was held at the November 15, 2021 meeting. There are two funds seeking additional appropriations. Each is considered "Reporting Only" by the Department of Local Government Finance (DLGF).

The procedure for securing the additional appropriations requires a public hearing, held earlier this evening, and the adoption of an ordinance by the Town Council. Upon passage of the ordinance, the additional appropriations will go into effect. The information will be forwarded to the DLGF but no determination will be made.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to approve introduced Ordinance 1850 as presented. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried and Ordinance 1850 was adopted.

## **NEW BUSINESS**

### **ORDINANCE 1852: GROUP TRANSFERS**

Proposed ORDINANCE 1852 is AN ORDINANCE FOR TRANSFERS WITHIN CERTAIN APPROPRIATED FUNDS FOR THE YEAR 2021. At the end of each fiscal year, a final review of budget allocations is made. Occasionally, expenditures are greater than originally anticipated in a certain area. Funds controlled by the Department of Local Government Finance must not be overspent within each major expenditure group (Personal Services, Supplies, Contractual Services, and Capital Outlays). Municipalities are allowed to transfer budget amounts from one major expenditure group to another within the same fund in order to avoid overspending the budget. The transfers must be authorized by ordinance or resolution.

Ordinance 1852 has been prepared to authorize budget transfers known to be required so far this year. We will not know the final amounts until December 31, after we receive the final revenues of the year and have processed the final payroll and all vouchers.

Adoption of an ordinance usually requires two readings. Council is asked to consider Ordinance 1852 on first reading tonight, with adoption of the ordinance on second reading at the first meeting in January. The final appropriation adjustment amounts will be incorporated as amendments to the ordinance prior to adoption. There will be no net change in any fund.

Councilor Tulowitzki moved, with a second by Councilor Gardiner, to hear Ordinance 1852 on first reading and set second reading for the first meeting in January 2022. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against.

### **RESOLUTION 2087: TEMPORARY LOANS**

Proposed RESOLUTION 2087 is A RESOLUTION FOR THE TEMPORARY LOAN AND TRANSFER OF FUNDS AMONG VARIOUS FUND ACCOUNTS. Expenditures of the Town must be supported by adequate appropriation and cash. The end-of-year cash position will not be known until December 31. Temporary internal loans from one fund to another are allowed to be made in order to remedy any funds with insufficient cash.

Two resolutions have been prepared. Resolution 2087 provides the framework for making temporary loans. Exhibit A to the resolution states that the loan amounts are "to be determined." The final amounts of any temporary loans will be reported after the first of the year.

Councilor Gardiner moved, with a second by Councilor Schoon, to adopt Resolution 2087 as presented authorizing temporary loans in amounts to be determined. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried and Resolution 2087 was adopted.

#### **RESOLUTION 2088: EXTENSION OF TEMPORARY LOANS**

Proposed RESOLUTION 2088 is A RESOLUTION EXTENDING TEMPORARY LOANS AND TRANSFERS AS AUTHORIZED IN RESOLUTION NO. 2087 DATED DECEMBER 6, 2021. This resolution would authorize repayment of the loans on or before June 30, 2022. In practice, the loans are repaid on the first Thursday of the new fiscal year. Again, a report that the loans have been satisfied will be presented at the first Town Council meeting in January.

Councilor Gardiner moved, with a second by Councilor Schoon, to adopt Resolution 2088 as presented extending the temporary loans to June 30, 2022. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried and Resolution 2088 was adopted.

#### **2022 LIT-ECONOMIC DEVELOPMENT EXPENDITURE PLAN**

The Town receives distributions for Local Income Tax – Economic Development through Lake County. In order to receive the distributions, a spending plan must be on file with the Lake County Auditor. In years past, the plan has been devoted to the West Lake Extension of the commuter rail service and the Grade Separation Project. The 2022 plan continues to fund the 34% commitment to the West Lake Extension estimated to be \$192,457.00, final incidental costs for the Grade Separation Project, lobbying services with Barnes and Thornburg, design work for the Main Street Redesign and Reconstruction Project, and the comprehensive plan.

Staff has also included the option to use the money for “any legal purpose prescribed by IC 6-3.6-10-2.” There are currently no dollars assigned to this option, but Staff wants the flexibility to use the funds.

Councilor Tulowitzki asked the status of the Streetscape Project and the proposed comprehensive plan. Mr. Anderson stated there are three pilot projects in the current capital plan for the Streetscape Project and that requests for proposals would be issued soon for the comprehensive plan.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to authorize the 2022 LIT Capital Expenditure Plan as presented. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against.

#### **PROPERTY, CASUALTY, WORKERS COMPENSATION INSURANCE RENEWAL**

The Town is self-insured for its liability and workers compensation insurances. Staff presented a market review, table of the Town’s self-insurance exposures and detailed program review. Renewal rates are based on claims experience of previous years and changes in market conditions.

The most significant change in the 2022 renewal is the exit of AIX from the municipal market. They are no longer offering lines of coverage. COVID is a major drive in the increase as well. Employees contracting COVID are, at times, presumed to have gotten it and work which can result in a worker’s compensation claim. Other causes are extreme weather events and the rise in ransomware/cyber-attacks.

The Town had a 8.62% increase going into 2021. There is an expected 17.86% rise going into 2022. Following is a detailed summary of the cost of lines of service.

	Expiring	Renewal	Change	
<b><u>Coverages:</u></b>				
Package	\$ 222,233	\$ 271,065	\$ 48,832	
Excess Workers' Compensation	75,502	89,984	14,482	
Excess Property	63,166	72,466	9,300	
Cyber Liability	14,368	29,585	15,217	
Clubhouse & Amphitheatre	49,046	51,472	2,426	
Methane Plant	60,781	69,565	8,784	
<b>Subtotal</b>	<b>\$ 485,097</b>	<b>\$ 584,137</b>	<b>\$ 99,040</b>	
<b><u>Administration</u></b>				
Service Fee	78,795	80,317	1,522	
<b>Subtotal</b>	<b>\$ 78,795</b>	<b>\$ 80,317</b>	<b>\$ 1,522</b>	
<b>TOTAL</b>	<b>\$ 563,892</b>	<b>\$ 664,454</b>	<b>\$ 100,562</b>	

The Town has completed its three-year contract with third-party claims administrator Gallagher Bassett. Staff has found Gallagher Bassett to be diligent in their claims management and are negotiating a rate increase. Staff anticipates presenting a proposal for this at the December 20, 2021 meeting.

Councilor Tulowitzki moved with a second by Councilor Schoon, to authorize the Town Manager to bind coverage for the liability insurance programs as presented in the 2022 renewal package. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against.

#### **PROJECT AWARD: GENERATOR SYSTEM UPGRADES**

Staff and SEH Engineer received bids on November 16, 2021 for the Generator System Upgrades Project. In addition to the base bid, an alternate was solicited to furnish and install two single walkways with leg. The Engineer's Estimate was \$294,000.00. Four bids were received as follows.

Bidder	Base Bid	Alternate #1	Total Bid
Engineer's Estimate	\$ 294,000.00	\$ 36,000.00	\$ 330,000.00
Continental Electric Co., Inc., Gary, Indiana	\$ 313,805.00	\$ 2,075.00	\$ 315,880.00
Sargent Electric Company, East Chicago, Indiana	\$ 342,063.39	\$ -	\$ 342,063.39
Austgen Electric, Inc., Griffith, Indiana	\$ 443,616.00	\$ 8,418.00	\$ 452,034.00
Midwestern Electric, LLC, East Chicago, Indiana	\$ 482,330.00	\$ 10,500.00	\$ 492,830.00

SEH reviewed the bids and noted some irregularities including bids above the estimate as well as large variations among the base bids. SEH contacted the references of the apparent low bidder Continental and believe them to be fully capable of performing the required work. As such, SEH recommends awarding the project to Continental.

In response to Council Gardiner, it was explained that there is a six to eight month lead time for the generator to be built and delivered. SEH Engineer Jill DiTomasso stated the generator will be placed behind the Police Station with an enclosure. The enclosure is not included in the bid or work to be performed by Continental. The current generator will be removed from the Police Station and that space freed.

Councilor Gardiner moved, with a second by Councilor Tulowitzki, to award the base bid and alternate for the Generator System Upgrades Project to Continental Electric Company, Inc., Gary, Indiana in the amount of \$315,880.00. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against.

#### **LEASE PURCHASE AGREEMENT: PUBLICFINANCE.COM**

The Police Department anticipates purchasing nine (9) 2022 or Current Ford Police Interceptors from Bloomington Ford, the winner of the statewide QPA. All the vehicles and emergency equipment will be included in a lease purchase agreement with PublicFinance.com. The total financed is \$415,273.16 at an annual rate of 2.39%. It is a three-year lease with six semi-annual payments. The total amount financed with interest is \$434,580.00. The payment schedule is as follows.

Payment No.	Due Date	Lease Payment	Principal Portion	Interest Portion	Termination Amount (after making payment for said due date)
1	7/15/2022	\$ 72,430.00	\$ 65,792.09	\$ 6,637.91	NA
2	1/15/2023	\$ 72,430.00	\$ 68,240.31	\$ 4,189.69	\$ 289,677.98
3	7/15/2023	\$ 72,430.00	\$ 69,058.39	\$ 3,371.61	\$ 218,547.84
4	1/15/2024	\$ 72,430.00	\$ 69,886.29	\$ 2,543.71	\$ 146,564.96
5	7/15/2024	\$ 72,430.00	\$ 70,724.11	\$ 1,705.89	\$ 73,719.13
6	1/15/2025	\$ 72,430.00	\$ 71,571.97	\$ 858.03	\$ -
		\$ 434,580.00	\$ 415,273.16	\$ 19,306.84	

The financing documents have been prepared by PublicFinance.com

Councilor Tulowitzki moved with a second by Councilor Gardiner, to authorize the purchase of (9) 2022 Ford Police Interceptors from Bloomington Ford and approve the financing of nine Munster Police Department fully equipped emergency vehicles. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against.

#### **REVISED AGREEMENT: CFNI SNOW FENCE**

Council approved a hold harmless agreement between the Town and Community Foundation of Northwest Indiana at the February 4, 2019 meeting. At that time, Public Works recommended installing a snow fence along the western side of Calumet

Avenue to prevent the accumulation of drifting snow on the roadway. The proposed location of the fence as along property owned by the Community Foundation of Northwest Indiana (CFNI) which is willing to allow the installation. CFNI has requested a hold harmless agreement for the project. An updated agreement has been drafted and reviewed by the Town Attorney.

Clerk-Treasurer Mis asked for clarification of the dates listed in the agreement. Staff confirmed it is an annual agreement for the year 2022.

Councilor Gardiner moved, with a second by Councilor Schoon, to authorize the Town Manager to sign the hold harmless agreement between the Town and Community Foundation of Northwest Indiana. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

#### **ENGAGEMENT LETTER: ARPA MATTERS**

Staff has consulted with Barnes and Thornburg to act as special counsel to the Town regarding Coronavirus State and Local Fiscal Recovery Fund of the American Rescue Plan Act. They will assist in developing a strategy and provide guidance on the use of the funds received from the ARPA as well as related compliance matters. Fees will be based on hours actually worked by each lawyer and legal assistant. Fees may be paid from the ARPA Fund 176.

Councilor Tulowitzki asked when discussions would be held to create the plan for the balance of the funds. Clerk-Treasurer Mis recommended holding a work study in February 2022.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to agree to the letter of engagement of Barnes and Thornburg, LLP as special counsel to the Town of Munster, Indiana regarding Coronavirus State and Local Fiscal Recovery Fund of the American Rescue Plan Act. The fees will be eligible for reimbursement from the ARPA Fund. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

#### **CONTRACT AGREEMENT: SUPERIOR AMBULANCE**

Council entered into a three-year service agreement with Superior Ambulance effective August 1, 2017 and approved an extension through December 31, 2021 at the October 18, 2021 meeting. A final agreement has been reached and the Board of Safety recommended its adoption. Mr. Westland has reviewed the contract and stated it provides the same level of service as currently receiving..

Councilor Gardiner stated that the Board of Safety reviews the response times every month with Superior Ambulance representatives.

Councilor Schoon sought clarification on the 911 dispatch process.

The new agreement goes into effect October 1, 2021 and will expire September 30, 2024 unless cancelled earlier. There is a one-year contract extension option.

Councilor Gardiner moved, with a second by Councilor Schoon, to approve the agreement with Superior Air-Ground Ambulance Service for the next three years with the option for another year. Councilors Schoon, Gardiner, Tulowitzki, and Koultourides voted in favor; none voted against. Motion carried.

#### **REPORTS**

Councilor Tulowitzki expressed thanks on behalf of the Munster Civic Foundation to Town Staff, community groups and all those involved with the inaugural Light the Night event.

Councilor Schoon announces plans to bring the Northwest Indiana Symphony to Town for a concert in 2022.

#### **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 a regular meeting on Monday, December 20, 2021. The Redevelopment Commission will hold a regular meeting immediately following the Town Council meeting.

#### **ADJOURNMENT**

There being no further business to come before the Council, and upon a motion by Councilor Schoon and seconded by Councilor Tulowitzki, the meeting adjourned at 7:38 p.m. by voice vote.

**ATTEST:**

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**Andy Koultourides, President**

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**Wendy Mis, Clerk-Treasurer**

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