

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
APRIL 4, 2022

A regular meeting of the Munster Town Council convened at 7:02 p.m. on Monday, April 4, 2022. Ordinance 1830 is the basis for holding electronic meetings. 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 Gardiner presided.

Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Deputy Town Manager Robin Streets, Town Attorney Dave Westland, Fire Chief Mark Hajduk, Planning Director Thomas Vander Woude, Superintendent of Operations Chris Spolnik, and Munster Representative to the Hammond Sanitary District Mike Hawkins. The news media were not represented.

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

PROCLAMATION: MUNSTER SPEECH AND DEBATE TEAM

Last month, the Munster High School Speech Team was named the 2022 Class 2A and Ralph Lawson Award Winner, and overall State Champion. This is the Munster High School Speech Team's twelfth consecutive state championship and the twenty-first state title since 1965. President Gardiner read "A Proclamation Congratulating the Munster High School Speech and Debate Team on Winning the State Championship."

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to adopt the Proclamation. Motion carried *viva voce*. The Council congratulated the coaches and members of the Speech and Debate Team that were present.

PUBLIC HEARING: RE-ESTABLISHMENT OF CUMULATIVE CAPITAL DEVELOPMENT FUND

The Cumulative Capital Development Fund was originally established in 1984 and most recently re-established in 2017. At that time, the tax rate was set at \$0.05 per \$100.00 of assessed valuation. Over time, the rate has eroded and is currently \$0.0470 per \$100.00 of assessed valuation.

The procedure for re-establishing the CCD Fund requires a public hearing, the adoption of an ordinance by the Town Council, submission of documents to the Department of Local Government Finance (DLGF), and publication of a Notice of Adoption. This publication starts a thirty-day remonstrance period in which taxpayers can file an objecting petition with the Lake County Auditor. If there is no remonstrance, the DLGF will issue their determination. If there is a successful remonstrance, the DLGF will conduct a hearing, then issue their determination.

President Gardiner opened the floor for public comment.

There being no one wishing to speak, the public hearing was adjourned.

PUBLIC COMMENT

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.

Mr. Mike Dujmovic, 1833 Tulip Lane, asked what the CCD Fund is used for and how the rate erodes.

No one else rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Approval of the minutes of the regular meeting held on March 21, 2022

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #22-2K dated 02/28/22 totaling \$73,618.75
Confirmation of Voucher Register #22-2L dated 02/10/22 totaling \$176.63
Approval of Voucher Register #22-2M dated 02/28/22 totaling \$1,846.17
Confirmation of Voucher Register #22-3J dated 03/24/22 totaling \$105,118.69
Confirmation of Voucher Register #22-3K dated 03/25/22 totaling \$411,974.96
Confirmation of Voucher Register #22-3L dated 03/31/22 totaling \$543,589.27
Approval of Voucher Register #22-4A dated 04/04/22 totaling \$107,570.97

TREASURER'S REPORTS

The February 2022 Treasurer's Reports was presented.

WATER LEAK ADJUSTMENT 2022-17 AND 2022-18

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
2022-17	2,000	78,000	2 months	\$ 281.23	\$ 257.75	\$ 23.48
2022-18	1,000	70,000	1 month	\$ 242.78	\$ 231.04	\$ 11.74

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

OLD BUSINESS

ORDINANCE 1857: SETTING WATER RATES

Introduced ORDINANCE 1857 is AN ORDINANCE AMENDING SCHEDULE "A," A NON-CODIFIED PORTION OF THE MUNICIPAL CODE, AMENDING FEES FOR WATER UTILITIES. This matter was the subject of a public hearing and second reading at the March 21, 2022, regular meeting. At that time, Staff was directed to look at the impact of a reduced sprinkler rate and various options. This matter was also the topic of a Work Study session held earlier this evening.

Staff has presented four different options in an amended ordinance. Option 1 ties the sprinkler rate to the residential rates. Option 2 caps the sprinkler rate increase to 90% of its current rate with subsequent increases tied to the same proportional increase as the residential rates. Option 3 caps the sprinkler rate increase to 75% of its current rate with subsequent increases tied to the same proportional increase as the residential rates. Option 3 caps the sprinkler rate increase to 50% of its current rate with subsequent increases tied to the same proportional increase as the residential rates.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to adopt Ordinance 1857 as amended to include Option 1 where the sprinkler rate is tied to the residential rates. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

ORDINANCE 1859: AMENDING CHAPTER 26, ARTICLE III SWIMMING POOLS

Introduced ORDINANCE 1859 is AN ORDINANCE AMENDING CHAPTER 26 ARTICLE III – *SWIMMING POOLS* OF THE MUNSTER MUNICIPAL CODE. First reading on the ordinance was held March 7, 2022. The Town currently requires a pool to be surrounded by a six-foot wall or fence with a self-latching gate. The State code requires access to pools be restricted by either a four-foot wall or fence with self-latching gate or a power safety pool cover.

Staff presented two versions of the ordinance for Council to choose between. Option one eliminates the fencing requirement and variance to allow installation of a power safety pool cover. Option two leaves those provisions in place.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to adopt Ordinance 1859 as amended and shown in Attachment 4 which retains the fencing requirement. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

ORDINANCE 1860: RE-ESTABLISHMENT OF THE CUMULATIVE CAPITAL DEVELOPMENT FUND

Introduced ORDINANCE 1860 is AN ORDINANCE RE-ESTABLISHING A MUNICIPAL CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE TOWN OF MUNSTER, INDIANA, INCLUDING THE ADOPTION OF A PROPOSED PLAN SPECIFYING THE PROPOSED TAX RATE AND THE PLANNED USE OF THE TAXES TO BE RAISED. First reading was held at the March 7, 2022, meeting. The matter was subject of a public hearing earlier in the meeting.

Councilor Koultourides moved, with a second by Councilor Mellon, to adopt Ordinance 1860 on second reading as presented. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

NEW BUSINESS

2022 LAKE, POND & DITCH MAINTENANCE PROGRAM

Aquatic Control of Valparaiso, Indiana, has informed the Town that they are unable to hold their pricing from 2018 to perform vegetation management including inspections and treatments for the following locations.

- West Lake Subdivision – 1 lake, 4 ponds
- White Oak Estates Subdivision – 5 ponds
- White Oak Woods – 1 pond
- Centennial Park (Maynard Lake) – 1 lake
- Schoon Ditch (at Fisher Street between Calumet and Columbia Avenues) – 1 linear ditch
- Community Estates – 2 ponds

Staff sought proposals from two vendors for the service; only Aquatic Control submitted a quote. The ditch work included in the proposal includes monthly rip-rap treatment. If additional treatment is needed, there will be a \$332.00/treatment charge. The contract period is April through September 2022.

This work will be funded by the Sewer Maintenance Fund 280 and covers Annual Lake, Pond & Ditch Maintenance, not fountain maintenance which is covered under a separate contract.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to approve the Aquatic Control proposal dated December 17, 2021, labeled Quotation #313465 for 2022 Custom, Vegetation Management Program in the amount of \$26,995.00. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

EXTENSION OF CONTRACT: MAIN STREET STATION ARCHITECTURAL SERVICES

Council approved a contract with CDM Smith at the May 17, 2021, meeting. The contract was to provide architectural services for the Main Street commuter rail station at a cost not to exceed \$50,000.00 and set to expire December 31, 2021. Amendment 01 has been presented to extend the contract through June 30, 2022, and to increase the not to exceed amount by \$42,675.00 for a total contract amount of \$92,675.00. The project is paid from the LIT Economic Development Fund.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to authorize the Town Manager to pay CDM Smith a total amount not to exceed \$92,675.00 and to approve Amendment 01 to the contract. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. 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.

No reports were given.

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, April 18, 2022. 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 Koultourides and seconded by Councilor Tulowitzki, the meeting adjourned at 7:25 p.m. by voice vote.

ATTEST:

Chuck Gardiner, President

Wendy Mis, Clerk-Treasurer