

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
DECEMBER 5, 2022

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, December 5, 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 Jill DiTommaso, 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.

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. Mike Dujmovic, 1833 Tulip Lane, asked that Public Works make another pass through town to collect branches. Mr. Anderson stated that will happen once leaf collection is complete.

Mr. James Kaspar, 8021 Kooy Drive, echoed the comments about leaf and branch collection and commented he liked that the redistricting reflected in Ordinance 1886 has wards along the river and the representation that allows.

No one else rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on November 21, 2022

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #22-10L dated 10/31/22 totaling \$222,178.08
Approval of Voucher Register #22-10M dated 10/31/22 totaling \$1,895,643.67
Confirmation of Voucher Register #22-11J dated 11/23/22 totaling \$479,487.98
Confirmation of Voucher Register #22-12A dated 12/01/22 totaling \$231,302.59
Approval of Voucher Register #22-12B dated 12/05/22 totaling \$131,217.43
Confirmation of Voucher Register #22-12C dated 12/02/22 totaling \$459,210.85

TREASURER'S REPORT

The October 2022 Treasurer's Report was presented for acceptance

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

OLD BUSINESS

ORDINANCE 1886: WARD REDISTRICTING

Introduced ORDINANCE 1886 is AN ORDINANCE AMENDING THE TOWN ORDINANCE NO. 1578, BEING "AN ORDINANCE AMENDING THE TOWN CODE OF THE TOWN OF MUNSTER TO ADOPT DISTRICTS FOR THE AT LARGE ELECTION OF EACH RESPECTIVE MEMBER OF THE TOWN COUNCIL" PERTAINING TO THE GEOGRAPHIC BOUNDARIES OF DISTRICTS (WARDS) IN THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA, AND REPEALING ALL TOWN CODE SECTIONS AND ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH. The ordinance was first considered at the November 21, 2022, meeting.

Councilors Schoon commented that there were minor changes from the first reading with no impact and that he still prefers Option C.

Councilor Tulowitzki expressed his continued preference for Option C.

Councilor Koultourides moved, with a second by Councilor Mellon, to adopt Ordinance 1886 An Ordinance Amending the Town Ordinance Number 1578, Being "An Ordinance Amending the Town Code of the Town of Munster to Adopt Districts for the At-Large Election of Each Respective Member of the Town Council." On second reading. Councilors Mellon, Koultourides, and Gardiner voted in favor; Councilors Schoon and Tulowitzki voted against.

ORDINANCE 1888: CONTRACTOR REGISTRATION REVISION

Introduced ORDINANCE 1888 is AN ORDINANCE AMENDING CHAPTER 10 ARTICLE IV OF THE MUNSTER MUNICIPAL CODE. The ordinance was first read at the November 21, 2022, meeting. This ordinance will remove the requirements for contractor background checks and for taking the electrical test for electricians.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to adopt Ordinance 1888 on second reading. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

NEW BUSINESS

ORDINANCE 1889: ADDITIONAL APPROPRIATIONS (3)

Proposed ORDINANCE 1889 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2022 (3). The Consumer Water Deposit Fund needs an additional appropriation before the end of the year. This is due to the increased deposit amounts. This fund is used strictly for the deposits made for new water customers. After a year of on-time payments or when a customer closes their account, the deposit is refunded. With the increased deposit amount and the new method, the financial software handles deposits, the fund does not have enough appropriation to make it to year-end. There is more than sufficient cash available in the fund; it only needs the permission to disburse it. Appropriations requested: \$25,000.00

The procedure for securing the additional appropriations requires a public hearing, scheduled for December 19, 2022, and the adoption of an ordinance by the Town Council. Upon passage of the ordinance, the additional appropriations will go into effect.

Councilor Tulowitzki moved, with a second by Councilor Schoon, hear proposed Ordinance 1889 for additional appropriations on first reading, and schedule a public hearing and second reading for December 19, 2022. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none vote against. Motion carried.

ORDINANCE 1890: 2023 SALARY AND PAY PLAN

Proposed ORDINANCE 1890 is AN ORDINANCE ESTABLISHING THE 2023 PAY PLAN FOR THE TOWN OF MUNSTER, INDIANA 2023 SALARY ORDINANCE. Compensation of elected officials must be fixed and the Police Pension Base must be certified before January 1 of the ensuing year. Proposed Ordinance 1890 has been prepared for that purpose and it includes other annual authorizations and clarifications related to payroll. Of note are the following.

1. All regular, full-time employees at Grades 6-8 will receive a 6.00% increase; Grades 9-10 will receive a 5.00% increase. Grades 11-16 will receive 4.00%. Grades 17 and higher, including the Clerk-Treasurer and Town Manager, will receive a 3.00% increase.
2. Town Councilor pay rates will increase by 2.00%. (Elected officials' rates must be set by December 31, 2022.)
3. Firefighter stipends and Officer hourly rates will increase by 5.00%. Paid-on-call firefighter hourly rates will increase by 6.00%.
4. The Certified First Class Officers Rate will increase by 5.00%. (This determines the amount of pension retired officers and their dependents receive as well as how much the Town and current officers contribute to the pension plan. The rate must be set and certified to the State of Indiana by December 31, 2022.)
5. Seasonal and Non-Recreational rates have been increased to meet market conditions. The Park Board is expected to approve the pay rates for part-time employees at their December meeting; Exhibit C is what will be presented to the Park Board.
6. New provisions include
 - a. A stipend of \$100.00/pay for employees with a Water Operator license
 - b. Early promotion for employees who get their CDL prior to completion of their first year of employment
 - c. Two personal days for each regular full-time employee in place January 1, 2023.
 - d. Clothing allowance for certain Building Department employees
 - e. One additional Code Enforcement Office authorized in the Police Department
7. All benefits and related provisions (e.g., health insurance, Park discounts, etc.) will continue with the addition of free parking at Centennial Park for Town employees.

President Gardiner asked to see the number of filled and vacant positions for second reading and that the Town Manager receive the holiday bonus just as other full-time employees do.

Councilor Mellon moved, with a second by Councilor Koultourides, to hear proposed Ordinance 1890 on first reading and schedule second reading for the next regular meeting. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

ENGAGEMENT LETTER: IRA TAX CREDIT

At the September 19, 2022 meeting, Council approved a letter of engagement with Baker Tilly to develop a comprehensive financial plan. Included in the potential work was assistance with identifying and assisting with the application for potential federal grant and related opportunities.

When the landfill closed, a methane generator was installed to capture the gas and sell it back to NIPSCO. Staff has been monitoring the generator and working with Cabeno Environmental Field Services and Clarke Energy to maintain both the generator and the well field. The Town now faces the need to perform a major overhaul of the existing generator, installation of a new generator, or closing the generator completely and use a flare to control the methane. Staff and the experts believe the best course of action is to install a new generator at the cost of approximately \$600,000.

The Inflation Reduction Act (IRA) has a variety of grant and tax credit opportunities. Staff believes, as does Baker Tilly, that the new methane generator will qualify for a tax credit of up to 30%. Normally municipalities do not qualify for tax credits. The IRA allows a municipality to receive the credit in the form of a reimbursement. The potential reimbursement is \$180,000.00.

Staff has met with its representatives with Baker Tilly who has provided an amendment to the current scope of services. The proposed plan will include the following.

1. Provide preliminary assistance with interpreting and applying the IRA guidance to the proposed generator project
2. Determine project eligibility for and application for an IRA tax credit
3. Estimate credit amount and assist with meeting Begun Construction requirements
4. Perform pre and post construction analysis to enhance tax credit opportunities
5. Prepare files for claiming the tax credit

The project has a not-to-exceed amount of \$50,000.00 and will be paid from the Solid Waste Management Fund.

Councilor Koultourides asked about the possible methane generator replacement. Staff explained the generator is facing the need for either a major overhaul or replacement. As the gas levels decrease, a smaller generator will provide more efficient collection.

Councilor Tulowitzki asked that a grant writer position or third-party grant writer be considered to handle the various grant opportunities that are available to the Town.

Councilor Mellon moved, with a second by Councilor Schoon, to approve the Scope Appendix to the engagement letter with Baker Tilly Municipal Advisors in an amount not to exceed \$50,000.00. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

NICTD INVOICE #3893: WESTLAKE CORRIDOR PROJECT

On May 16, 2022, the Munster Town Council executed two written commitments and agreements with the Northern Indiana Commuter Transportation District (NICTD). The First Written Commitment and Agreement directed NICTD to authorize its Design-Build Contractor to proceed with a change order for the design and construction of the alternate architecture and aesthetic finishes of the station buildings and passenger platforms at the new Ridge Road and Main Street passenger train stations. The additional design and construction costs are estimated at \$6,007,657.87. The Second Written Commitment and Agreement, for \$397,175.59, directed NICTD to authorize its Design-Build Contractor to proceed with the design and construction of the alternate location of the water main between Fisher Street and the Canadian National/Grand Trunk Western Railroad.

The Town has received the third invoice for this work from NICTD. Invoice No. 3893 includes engineering and design work for the improvements listed for the period of September 1 through September 30, 2022. It also includes construction of the relocated 12" water main. Ten percent retainage has been withheld in accordance with typical contract conditions. This invoice represents about 100% of the construction costs of the water main relocation. Design for the Ridge Road and Main Street stations is 88% and 73% complete, respectively, as of September 30, 2022.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to authorize payment of Invoice No. 3893 to NICTD in the amount of \$410,879.85 from the TIF Allocation Fund. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

BOARDS AND COMMISSIONS

The Town Council is considering appointments or reappointments for positions that will expire December 31, 2022 and January 31, 2023. Individuals with expiring terms were contacted and most expressed a desire to continue serving on their appointed board. Positions on the Redevelopment Commission, Plan Commission, Board of Zoning Appeals, Board of Safety, Park Board, Economic Development Commission, and RDA Steering Committee are up for appointment.

Councilor Mellon moved, with a second by Councilor Koultourides, to reappoint Mr. Lorin Brown to a three-year term on the Board of Safety to expire December 31, 2025. Councilors Schoon, Mellon, Tulowitzki, Koultourides and Gardiner voted in favor; none voted against.

Councilor Koultourides moved, with a second by Councilor Schoon, to reappoint Ms. Sharon Mayer to a four-year term on the Board of Zoning Appeals to expire December 31, 2026. Councilors Schoon, Mellon, Tulowitzki, Koultourides and Gardiner voted in favor; none voted against.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to reappoint Mr. William Baker to a four-year term on the Plan Commission to expire December 31, 2026. Councilors Schoon, Mellon, Tulowitzki, Koultourides and Gardiner voted in favor; none voted against.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to reappoint Mr. Roland Raffin to a four-year term on the Plan Commission to expire December 31, 2026. Councilors Schoon, Mellon, Tulowitzki, Koultourides and Gardiner voted in favor; none voted against.

Mr. Dave Cerven has declined to be reappointed to the Park Board. Council directed the Nominating Committee to meet and have a nomination for Council by the third Monday in January 2023.

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.

Councilors Koultourides and Tulowitzki thanked all who worked on the Light the Night event.

No other 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 Town Council will hold a regular meeting on Monday, December 19, 2022. The Redevelopment Commission will hold a regular meeting immediately following.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Schoon and seconded by Councilor Mellon, the meeting adjourned at 7:34 p.m. by voice vote.

ATTEST:

Chuck Gardiner, President

Wendy Mis, Clerk-Treasurer