

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
APRIL 3, 2023

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, April 3, 2023. 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, Police Chief Stephen Scheckel, Fire Chief Mark Hajduk, Superintendent of Operations Chris Spolnik, Town Attorney Dave Westland, 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 accepts public comments 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.

Mrs. Sharon Grady, 7931 Monroe Avenue, reported safety concerns along School Street by James B. Eads Elementary School and along River Drive from Calumet Avenue to Frederick Street.

Mr. William Szumelda, 7922 Madison Avenue, echoed the comments regarding safety near Eads school and commented on excessive noise from the expressway.

Mr. George Budzik, 8144 Jefferson Avenue, commented on traffic concerns in that area including the number of semi-trucks in the area. Mr. Budzik observed a number of water main breaks in the same area over the past few months and expressed concern that the heavy truck traffic was damaging the subsurface of the road.

Mr. Jim Grady, 7931 Monroe Avenue asked Council to consider closing River Drive at Calumet Avenue to reduce traffic coming from the expressway or making River Drive one-way, eastbound.

No one else rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on March 20, 2023

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #23-2J dated 02/28/23 totaling \$7.29
Confirmation of Voucher Register #23-2K dated 02/28/23 totaling \$49,949.93
Confirmation of Voucher Register #23-2L dated 02/28/23 totaling \$1,686,498.88
Confirmation of Voucher Register #23-3I dated 03/23/23 totaling \$248,381.29
Confirmation of Voucher Register #23-3J dated 03/24/23 totaling \$451,638.15
Confirmation of Voucher Register #23-3K dated 03/30/23 totaling \$532,076.11
Approval of Voucher Register #23-4A dated 04/03/23 totaling \$119,999.14

TREASURER'S REPORT

February 2023 Treasurer's Report was presented.

WATER BILL ADJUSTMENTS 2023-17 THROUGH 2023-21

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
2023-17	13,000	150,000	2 months	\$ 795.62	\$ 642.36	\$ 153.26
2023-18	3,000	386,000	1 month	\$ 1,502.45	\$ 1,487.27	\$ 15.18
2023-19	10,000	47,000	2 months	\$ 268.20	\$ 149.54	\$ 118.66
2023-20	4,000	23,000	2 months	\$ 135.97	\$ 87.17	\$ 48.80
2023-21	57,000	215,000	2 months	\$ 1,109.11	\$ 493.48	\$ 615.63

Councilor Schoon moved, with a second by Councilor Koultourides, 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.

NEW BUSINESS

ORDINANCE 1898: ADDITIONAL APPROPRIATIONS (1)

Proposed ORDINANCE 1898 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2023 (1). In December 2022, the Department of Local Government Finance (DLGF) certified the 2023 budget for the Town of Munster. The General Fund was cut from what was originally requested. At that time, it was known that the Town could go through the additional appropriation process to restore the budget to the necessary levels.

To determine a reasonable level of appropriation, Staff waited until the first quarter payrolls were complete. This allowed payroll projections to year-end to be made that included the raises granted for 2023 and the larger payroll expenditures that happen in January and February. Appropriations requested for the General Fund are \$700,000.00.

The procedure for securing additional appropriations requires a public hearing, scheduled for April 17, 2023, and the adoption of an ordinance by the Town Council. Because the General Fund is a controlled fund, it will be reviewed by the DLGF and a determination made within fifteen days of submittal.

Ordinance 1898 has been drafted to start the process.

Councilor Schoon moved, with a second by Councilor Tulowitzki, to hear proposed Ordinance 1898 for additional appropriations on first reading and schedule a public hearing and second reading for April 17, 2023. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

PROPOSAL FOR SERVICES OF A HORTICULTURIST

At the meeting of January 16, 2023, the Town Council adopted a proclamation supporting the monarch butterfly. The Town is in the process of establishing habitat areas throughout Munster. To successfully accomplish this, maintenance staff in both the Park Department and Public Works need training in site preparation, plant selection, planting techniques, and management.

The staff has found a horticulturist who provides educational resources for this purpose and has received a proposal for a series of lunch and learn sessions. The cost is \$250.00 for each ninety-minute session and \$225.00 for each sixty-minute session. The cost includes the presentation and all related materials.

Councilor Schoon asked if the sessions would be open to the public. Staff say no reason not to include the public.

Councilor Tulowitzki moved, with a second by Councilor Mellon to authorize the Town Manager to engage Dolly Foster to provide three sixty-minute lunch and learn sessions to maintenance staff over the next several months at a total cost of \$675.00. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against.

OPIOID SETTLEMENT SPENDING

The Town has received its first distribution of the Opioid Settlement funds in the amount of \$52,683.50. The Town will receive varying amounts over the next sixteen years for a grand total of \$355,836.69. A portion of the funds are restricted to opioid remediation. Staff were directed to develop a new initiative that fits with the restrictions.

The Police Department has requested \$6,000.00/year over the life of the settlement distributions to increase the D.A.R.E. program offerings. Specifically, the “More than Sad” presentation for high schoolers and a new four-week program that would be part of the high school health and safety classes. Lessons include *Your Community and Perceptions of Alcohol and Other Drug Use*, *Consequences of drug Use*, *Resisting Peer Pressure*, and *Being an Upstander*.

Councilor Tulowitzki was pleased to see new program offerings and hopes to see that expanded.

President Gardiner commented that there is still funding available for other uses.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to approve providing \$6,000.00 annually of Opioid Settlement Funding to Munster’s D.A.R.E. Program during the seventeen-year funds distribution period. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

RESOLUTION 2109: WAIVER OF BLOCK PARTY FEES

Proposed RESOLUTION 2109 is A RESOLUTION FOR THE WAIVER OF FEES FOR THE 2023 NATIONAL NIGHT OUT EVENTS. This year the Munster Police Department and the Choice Community Council will hold the 28th Annual National Night Out Event on August 1, 2023. Last year the organizers encouraged residents to hold block parties on the Saturday preceding the event. Under Resolution 2095, Council waived the fees normally associated with block parties.

Under the Town Code, a block party requires an application, a damage deposit of \$250.00, and a fee of \$100.00 for Public Works employees to deliver traffic barricades. Residents have the option to collect and return the barricades themselves for no charge. Organizers of the event are requesting the fees be waived as they were last year. The application process is the same, and Public Works staff will still deliver the barricades.

Resolution 2109 has been drafted for this purpose and is the same as last year.

Councilors Schoon and Koultourides praised the National Night Out event and the block parties held in 2022.

Councilor Mellon moved, with a second by Councilor Koultourides, to adopt Resolution 2109 on first reading as presented. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

CONTRACT AWARD: WEST 45th STREET PAVING

The Staff opened sealed bids on March 29, 2023, for repaving 45th Street from the Illinois State line to Calumet Avenue. Two bids were received as follows.

Milestone Contractors North, Inc. \$797,370.00

Rieth-Riley Construction Co, Inc. \$826,117.40

Both bids were responsive and responsible. The Engineer's Estimate was \$1,048,465.00. The cost difference is attributed to lower-than-expected mobilization costs and more favorable asphalt costs due to the scale of the project. Staff recommend accepting the bid from Milestone Contractors North, Inc. The project will be paid for from the MVH Restricted Fund 2203.

Councilor Mellon asked when construction will begin. Staff explained that Milestone must get bonds in place before the contract can be signed, which will take a couple weeks. After that, it's up to Milestone to fit it into their schedule. There will be some coordinating with NICTD to complete the work at the railroad crossing.

Councilor Tulowitzki observed the difference between the Engineer's Estimate and the final bid. Councilor Mellon suggested these budget dollars could go towards the work on East 45th Street.

Councilor Koulourides moved, with a second by Councilor Tulowitzki, to award Milestone Contractors North, Inc. the contract for the 2023 West 45th Street Repaving project at their bid price of \$797,370.00. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against. Motion carried.

PROPOSAL FOR CELL TOWER ENGINEERING SERVICES: RIDGE ROAD WATER TOWER

The Council awarded a contract to Veolia at the January 16, 2023, meeting for water tank maintenance and rehabilitation. Work is scheduled to begin in April for the Calumet Avenue ground tanks and the elevated tank on Ridge Road is scheduled for this fall. Council authorized engaging VMC, LLC for engineering services related to telecommunications on the water towers at the February 20, 2023, meeting.

Space on the Ridge Road tank is leased to T-Mobile. This antennae and related equipment on the tower that need to be removed and relocated during the reconditioning work scheduled for this fall. VMC has prepared a proposal to coordinate the notifications needed to facilitate the equipment relocation, attend meetings with both the Town and T-Mobile, coordinate and inspect the equipment removal and re-installation and provide closeout documentation. The fee is estimated at \$6,500.00. These costs will be passed to T-Mobile.

Councilor Tulowitzki moved, with a second by Councilor Mellon, to authorize the Town Manager to enter into an agreement with VMC, LLC to provide engineering services for the telecom coordination associated with the Ridge Road water tower reconditioning project in the amount of \$6,500.00. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against.

PROPOSAL FOR GEOTECHNICAL SERVICES: EAST 45th STREET

The Staff is working on the repaving of 45th Street from the Southwood Drive to the Highland Town Line as well as the Midwest Industrial Park including Superior Avenue, Valparaiso Drive, Progress Avenue, and Indiana Parkway. Staff want to look at the existing pavement and soil conditions with a geotechnical investigation before proceeding further. Advanced Engineering Services has provided these services for the Town in the past and has presented their Proposal 2023-149G to do similar work on this project. Staff will use the findings to determine the best course of action.

Councilors Koulourides and Schoon thanked Staff for moving quickly on this project and observed that 45th is the street they receive the most complaints about from residents.

President Gardiner asked for a timeline to bidding and construction. Staff explained it will take a couple of months to complete the geotechnical work and the bidding process. The work itself will be done this construction season.

Councilor Koultourides moved, with a second by Councilor Tulowitzki, to authorize the Town Manager to accept Advanced Engineering Services' proposal for geotechnical engineering services in the amount of \$12,270.00. Councilors Schoon, Mellon, Tulowitzki, Koultourides and Gardiner voted in favor; none voted against.

CDM SMITH CONTRACT AMENDMENT #3: MAIN STREET STATION ARCHITECTURAL SERVICES

The Council approved a contract with CDM Smith at the May 17, 2021, meeting. At the April 4, 2022, meeting, the Council approved an amendment to the agreement to increase the not-to-exceed amount from the original \$50,000.00 to \$92,675.00 and to extend the contract to June 30, 2022. Amendment #2 was approved at the July 6, 2022, and it extended the contract to December 31, 2022.

Proposed Amendment #3 extends the contract to December 31, 2023 as the NICTD work is not complete. There is about \$22,500.00 remaining on the original contract. While the hourly rates for the engineers are increasing, this extension will not increase the overall contract amount.

Councilor Tulowitzki, with a second by Councilor Schoon, to authorize the Town Manager execute Amendment 3 of the agreement between CDM Smith and the Town of Munster. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

CONTRACT AMENDMENT: CCMG 2022-2

The Council approved the contract for CCMG 2022-2 at the January 16, 2023 meeting. Since then, INDOT has informed the Town that they assigned the wrong DES number to the agreement. INDOT has issued a new DES number and Council is asked to approve this change.

Councilor Mellon, with a second by Councilor Koultourides, to approve the amended contract #69638 with the new DES number. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

NICTD INVOICE #3969: 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 an invoice for this work from NICTD. Invoice No. 3969 includes engineering and design work for the improvements listed for the period of January 1, through January 31, 2023. Ten percent retainage has been withheld in accordance with typical contract conditions.

Councilor Koultourides moved, with a second by Councilor Schoon, to authorize payment of Invoice No. 3969 to NICTD in the amount of \$154,634.85 from the TIF Allocation Fund. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

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 Koultourides asked for the status of the traffic study at the 45th Street grade separation. Mr. Anderson stated that Staff is working on a request for proposal.

Councilor Mellon announced the Munster School Board referendum that is on the ballot of the May 2, 2023 election.

Councilor Tulowitzki commented on a misconception about TIF and stated that the referendum tax is also on the increment.

No other reports were given.

ANNOUNCEMENTS

(Unless stated otherwise, all meetings of the Town Council begin at 7:00 p.m. at Munster Town Hall.)

The Town Council will hold a regular meeting on Monday, April 17, 2023. 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 7:40 p.m. by voice vote.

ATTEST:

Chuck Gardiner, President

Wendy Mis, Clerk-Treasurer