

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
AUGUST 21, 2023**

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, August 21, 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, Ken Schoon, and Steven Tulowitzki were physically present at Town Hall. Councilors Andy Koultourides and Lee Ann Mellon were absent. 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, 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.

SAGAMORE OF THE WABASH AWARD

Former Munster Clerk-Treasurer and Town Councilor David F. Shafer was awarded the Sagamore of the Wabash by the Governor of Indiana. Indiana State Representative Hal Slager made the presentation, and Mr. Shafer was congratulated.

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.

No one rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on August 7, 2023

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #23-6N dated 06/30/23 totaling \$2,447,741.12
Approval of Voucher Register #23-6O dated 06/30/23 totaling \$198,203.41
Confirmation of Voucher Register #23-8E dated 08/10/23 totaling \$408,310.48
Confirmation of Voucher Register #23-8F dated 08/11/23 totaling \$521,183.99
Confirmation of Voucher Register #23-8G dated 08/17/23 totaling \$91,691.66
Approval of Voucher Register #23-8H dated 08/21/23 totaling \$396,447.19

WATER BILL ADJUSTMENTS 2023-44 AND 2023-45

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:

<u>Adjustment Number</u>	<u>Average Usage</u>	<u>Actual Usage</u>	<u>Length of Time</u>	<u>Original Bill</u>	<u>Adjustment Amount</u>	<u>Adjusted Bill</u>
2023-44	4,000	18,000	1 month	\$ 104.38	\$ 79.98	\$ 24.40
2023-45	49,000	206,000	2 months	\$ 1,066.06	\$ 788.12	\$ 277.94

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, Tulowitzki, and Gardiner voted in favor; none voted against. Motion passed.

NEW BUSINESS

ENGAGEMENT LETTER: BARNES AND THORNBURG

Mr. Brad Bingham of the law firm of Barnes and Thornburg, LLP submitted a proposed letter of engagement for his services as bond counsel for the 2023 General Obligation Bond Issue. The letter of engagement is in the same form as the Town is accustomed to seeing for these bond issues.

Mr. Bingham proposed a fee of \$10,000.00 plus out-of-pocket charges and expenses. The base fee is consistent with last year's base fee. The Clerk-Treasurer's Office has estimated that out-of-pocket charges and expenses will not exceed \$500.00.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to confirm the letter of engagement with Barnes and Thornburg. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion passed.

CONTRACT RENEWAL: ALL CITY MANAGEMENT

On July 27, 2015, the Town of Munster entered into a contract with All City Management Services to provide crossing guards for predetermined intersections. This was a result of the School Town of Munster discontinuing the bus service to any student that lived within a one (1) mile radius from their respective school. Although this decision resulted in a substantial cost to the Town of Munster, the services provided to the Town have been more than satisfactory.

After signing with All City Management Services in 2015, our rates were increased every year, thus increasing our expenses. In 2018, at the direction of the Town Council, Staff reached out to All City Management about the Council's displeasure with the constant increases regarding the contract, and that other avenues would be pursued if the rate increases continued every school year. As a result, All City Management locked in a rate of \$18.89 per hour, for the 2020-2021 and 2021-2022 contracts, thus resulting in no price increase for two (2) years.

The 2022-2023 and 2023-2024 contract was to have a rate of \$20.14 per hour. With the drastic changes in the labor market, All City has informed the Town that they are unable to hold that rate for the 2023-2024 school year. The new rate is \$24.30/hour. The projected hours are 6,120, making the total for the new contract forecasted at \$148,740.30, an increase of over \$25,000.00 from last school year.

Councilor Tulowitzki commented on the possibility of the School Town taking over this cost.

Councilor Schoon moved, with a second by Councilor Tulowitzki, to authorize the Town Manager to sign accordingly on behalf of the Town of Munster, the 2023-2024 contract with All City Management. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion carried.

ORDINANCE 1910: AN ORDINANCE AMENDING ORDINANCE 1206 **CFNI BUSINESS PLANNED UNIT DEVELOPMENT**

Proposed ORDINANCE 1910 is AN ORDINANCE AMENDING CFNI BUSINESS PLANNED UNIT DEVELOPMENT. The CNFI PUD at 10010-10020 Donald Powers Drive is currently governed by Ordinance 1206 as adopted January 13, 2003, and includes general site plan information, architectural site plans, and a landscape plan. The applicant is requesting a revision to the PUD to allow an expansion of the Diagnostic Center Building by 2,000 square feet, adding an MRS Suite and a CT Scan Suite to the building.

Representatives of the applicant appeared before the Plan Commission at a public hearing on July 11, 2023. No remonstrances were heard and the Plan Commission voted unanimously to forward a favorable recommendation for approval to the Town Council. The Council must now take final action to adopt, reject, or amend the proposal.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to approve Ordinance 1910 amending the CNFI Business PUD to accommodate an addition to the existing Diagnostic Center Building Block 2 at 10010-10020 Donald Powers Drive, Munster, Indiana. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion passed.

ORDINANCE 1911: AN ORDINANCE AMENDING THE CENTENNIAL VILLAGE PLANNED UNIT DEVELOPMENT

Proposed ORDINANCE 1911 is AN ORDINANCE AMENDING CENTENNIAL VILLAGE PLANNED UNIT DEVELOPMENT. The Centennial Village PUD at 9601 and 9605 North Centennial Drive is currently governed by Ordinance 1709 as adopted March 6, 2017, by the Town Council. The approved PUD includes a final subdivision plat, plan of development, infrastructure development plan set, and a set of development standards. The applicant is requesting a revision to the PUD to make changes to two buildings (I and M) and reconfigure the parking areas. The parking lot will be reconfigured to accommodate the structure location changes.

Representatives of the applicant appeared before the Plan Commission at a public hearing on July 11, 2023. No remonstrances were heard and the Plan Commission voted unanimously to forward a favorable recommendation for approval with conditions to the Town Council. The conditions include revisions to size, location, and shape of Buildings I and M as follows.

- A. Revisions to the proposed building and land use language for consistency purposes within the document to change the term “commercial” to “retail.”
- B. Revisions to the proposed conceptual plan to show only the changes requested to Buildings I and M and the associated parking lot to make clear the changes are limited to the area within the “red box.”
- C. Revisions to any references to Building F to be a retail, multi-tenant rather than a single retail tenant to reflect how it is actually being used.

The Council must now take final action to adopt, reject, or amend the proposal.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to approve Ordinance 1911 amending the Centennial Village PUD to include the listed conditions. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion passed.

AGREEMENT FOR GRAND PRAIRIE WETLANDS MITIGATION

In order to complete the 45th Street Grade Separation Project, three separate wetlands had to be disturbed. Regulating jurisdiction for these wetlands is split between the Indiana Department of Environmental Management (IDEM) and the United States Army Corps of Engineers (USACE). The 1.54 acres of regulated wetlands requires an offset mitigation of 9.63 acres of wetlands. The restoration areas will be at the Grand Prairie Nature Preserve near Sycamore Avenue and Grand Boulevard in Highland, Indiana.

The Town requested the site be released in accordance with the 2022 monitoring report. At their June 20, 2023, meeting, IDEM and USACE outlined additional monitoring and maintenance work to be completed ahead of their fall meeting. In 2018, the Town engaged Cardino Engineering to handle the monitoring and mitigation work. Cardino Engineering has now become Stantec Engineering and has presented an agreement to perform the requested work at a fixed fee of \$19,850.00.

Councilor Schoon moved, with a second by Councilor Tulowitzki, to authorize the Town Manager to sign the agreement with Stantec Engineering to ensure wetlands mitigation and monitoring compliance at the Grand Prairie site for 2023. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion passed.

BS&A SOFTWARE UPGRADE

At the September 21, 2020, meeting, the Council approved the purchase of a new financial software solution for the Town. The Office of the Clerk-Treasurer went live with BS&A Software in June 2021. Since that time, the Town has been able to create efficiencies by eliminating the former paper system of accounts payable, creating workflows for the electronic approvals of purchase orders and accounts payable, offering a variety of new payment options that had been requested by residents for both building permits and utility bill payments.

One drawback to the BS&A Software was the fact that it was premise-based, housed on a server, and maintained in-house. At the time we implemented the software, BS&A was finishing development on a cloud-based version of the software. This version of the software has been made available within the past year. Staff have seen a demonstration of the cloud-based software and would like to make the upgrade. The cloud-based software has resolved some of the look-up and reporting structures in the premise-based version that has proven frustrating to Staff when performing their day-to-day work.

The cloud version also has upgrades to the workflow process which will allow department heads to make their approvals from the notifications they receive; this is something they have requested. As we are all aware, the world of work has changed dramatically over the past three years. The ability to access the software and perform critical functions in it while at home, at a conference or at any location not connected to the Town's server has become a necessity. The cloud-based software allows this.

The quote for the new product is \$138,185 which includes all the modules currently in place, data conversion, and training. Annual maintenance is \$65,213 for the first two years after implementation. The training amounts could vary depending on how much training is done in-person as opposed to virtually. In addition, there are two modules being reviewed to determine if they are meeting the needs for which they are designed. There is a possibility these could be dropped. If that happens, the overall cost will be reduced. This decision does not need to be made until later.

The original purchase of BS&A was budgeted at \$418,117 which included annual maintenance and support for the first year. The project was partially funded (\$291,594) by the 2020 General Obligation Bond and there remains a balance of \$69,775 which can be used for the upgrade. If all modules are implemented and all the estimated training time is used, the funding breakdown will be as follows.

2020 GO Bond Proceeds	\$69,775
Technology	\$ 8,491
Water Cash Operating	\$38,421
Sewer Maintenance	\$14,202
Solid Waste Management	\$ 7,296

The final distributions will be determined by the amount of training needed for each module. There is a fourteen- to eighteen-week waitlist to get the new software. Staff sees this as an opportunity for any potential bugs in the software to be resolved. A new agreement would be contemplated within the next eighteen months as the original agreement ends. The agreement has been reviewed by the Town Attorney and changes were made to the document.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to approve the agreement with BS&A Software for an upgrade to cloud-based software. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion passed.

PURCHASE OF AN EZ VALVE INSERTION MACHINE

Public Works requests the purchase of an EZ Valve insertion machine. This is used for emergency shut-offs at watermain breaks for 4" to 12" pipes. The tool inserts a valve on live water mains to shut off water in sections where other valves have failed. This significantly reduces water outages and service disruptions during maintenance and repair work. This work is currently being outsourced. Staff estimates saving about \$3,000.00 on each installation by acquiring the machine. Advance Valve Technologies is the sole source provider of the machine which costs

\$119,894.31. Quotes for the transport and storage trailer were received with Valpo Trailer having the lowest cost of \$7,125.00.

Councilor Schoon moved, with a second by Councilor Tulowitzki, approve the purchase of a new EZ Valve insertion machine and valves from Advance Valve Technologies for a cost of \$119,894.31 and purchase of a “Darkhorse” 7.14 enclosed trailer from Valpo Trailer for a cost of \$7,125.00. Total purchase price is \$127,019.31 for this package. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion passed.

AGREEMENT FOR WATER VALVE ASSESSMENT AND EXERCISE PROGRAM

M.E. Simpson has presented a proposal to perform an assessment to determine the condition, operability, position, and location of approximately 1,500 water valves throughout Town. This is a three-year contract during which they will exercise 500 valves/year, similar to the hydrant flushing which they perform.

Councilor Tulowitzki, with a second by Councilor Schoon, to approve the comprehensive valve assessment program quoted by M.E. Simpson for a three-year period for 29,000.00 in 2023, \$29,000.00 in 2024, and \$30,000.00 in 2025. An additional GPS data locate/record fee of \$10.00/valve will be charged to the Town for any discovered valves that are not already GPS located in the Town’s water infrastructure map database. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion carried.

BACKFLOW MANAGEMENT SERVICE AGREEMENT

The Indiana Department of Environmental Management (IDEM) has regulatory requirements regarding backflow devices. All backflow devices are to be tested annually by a certified tester. This is handled by the homeowner and is to be reported to the Town. The system in place is inadequate to meet these requirements. Staff have found a company which can better track this data.

BSI is an online platform where the tester can upload the required data. The tester will pay a fee of \$15.95/report. Transition from the Town’s current data collection process to the BSI program will involve two annual notices to testing contractors and homeowners that will be handled by BSI and will be seamless.

Chief Hajduk commented that this program will also help the fire inspection process.

Councilor Tulowitzki, with a second by Councilor Schoon, to approve the backflow management service proposed by Backflow Solutions Inc. in the amount of \$750.00 for a one-time data migration fee and an annual fee of \$495.00. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion carried.

CRACKSEALING, SEALCOATING, AND STRIPING PARKING LOTS

Public Works Staff received quotes to crackseal, sealcoat and stripe the public parking lots and looped entrance at Town Hall and the public parking lots and connecting street between the lots at the Public Works Garage. Three of the seven companies contact provided quotes as follows.

Everest Paving	\$12,600.00
Holland Asphalt	\$19,900.00
Site Services	\$35,245.00

The work is expected to be completed by September 29, 2023, and the contractor agrees to warrant against defects in the product or workmanship for a one-year period from the date of installation.

Councilor Tulowitzki, with a second by Councilor Schoon, to approve the crack-seal, sealcoat, and striping as specified in the RFQ proposed by Everest Paving in the amount of \$12,600.00 for the Town Hall and Public Works public parking lots. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion carried.

PROPOSAL FOR ENGINEERING SERVICES AT WHITE OAK WATER TOWER

The Council approved a water tank maintenance contract at their January 16, 2023, meeting. The Calumet Avenue tanks have been completed and work has begun on the Ridge Road tower. The elevated tower at White Oak Avenue and Fisher Street is next on the schedule. Space on this tower is leased by the Town to T-Mobile, Sprint, and Verizon. Each has antennae and related equipment that must be relocated during the reconditioning of the tower.

VMC, LLC has presented a proposal to coordinate the notifications needed for the equipment relocation, to attend meetings with the Town and the carriers, to coordinate and inspect the equipment removal and re-installation, and to provide closeout documentation. The estimated cost is \$6,500.00/carrier. These costs will be passed on to the telecommunications tenant in accordance with the lease agreements.

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

PURCHASE OF FIRE DEPARTMENT VEHICLE

The Fire Department seeks permission to purchase a 2023 Ford E450 with specialized utility box from Fire Service, Inc. The price of the vehicle is \$185,000.00. The vehicle will be funded by 2022 and 2023 General Obligation Bond proceeds.

Councilor Tulowitzki, with a second by Councilor Schoon, to approve purchase from Fire Service Inc. for a new 2023 Ford E450 with specialized utility box for \$185,000.00. Councilors Schoon, Tulowitzki, and Gardiner voted in favor; none voted against. Motion carried.

PORTFOLIO REPORTS

Councilor Tulowitzki reported that the educational building of the Lake County Solid Waste Management District is almost complete after the flooding of December 2022.

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 Thursday, September 7, 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 Tulowitzki, the meeting adjourned at 7:37 p.m. by voice vote.

ATTEST:

Chuck Gardiner, President

Wendy Mis, Clerk-Treasurer