

**TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
DECEMBER 18, 2023**

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, December 18, 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. Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Town Manager Dustin Anderson, Director of Operations Jill DiTommaso, Police Chief Steve Scheckel, Fire Chief Mark Hajduk, Town Attorney Dave Westland, and Munster Representative to the Hammond Sanitary District Mike Hawkins. The media were not represented.

President Gardiner presided and 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.

No one rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on December 4, 2023

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #23-10K dated 10/31/23 totaling \$43,559.60
Approval of Voucher Register #23-10L dated 10/31/23 totaling \$737,224.65
Confirmation of Voucher Register #23-12C dated 12/07/23 totaling \$642,270.38
Confirmation of Voucher Register #23-12D dated 12/11/23 totaling \$53,323.73
Confirmation of Voucher Register #23-12E dated 12/11/23 totaling \$46,914.39
Confirmation of Voucher Register #23-12F dated 12/14/23 totaling \$897,397.55
Confirmation of Voucher Register #23-12G dated 12/15/23 totaling \$454,965.83
Approval of Voucher Register #23-12H dated 12/18/23 totaling \$612,468.18

WATER BILL ADJUSTMENTS 2023-55 AND 2023-56

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
2023-55	7,000	23,000	1 month	\$ 131.40	\$ 89.37	\$ 42.03
2023-56	8,000	50,000	2 months	\$ 284.41	\$ 188.81	\$ 95.60

LETTER OF CREDIT: GRADE SEPARATION PROJECT

Beginning in December of 2017, the U.S. Army Corps of Engineers (ACOE) required a Letter of Credit from the Town of Munster to ensure that wetlands mitigation would be performed properly in association with construction of the 45th Street Underpass Project.

On December 4, 2017, the Town Council approved the Clerk-Treasurer to execute documents for issuance of the Letter of Credit for \$150,000.00 for this purpose, and to obligate the Town of Munster for fees payable to First Merchants Bank in connection with the Letter of Credit in the amount of \$3,000.00 annually.

This Letter of Credit expired December 18, 2022. Upon review, it was determined that it would need to be renewed. Per Robinson Engineering, we have met seven of the nine performance standards and the final tarte woody species cutting will be completed in the upcoming months. This is the only outstanding issue.

The amount of the Letter of Credit has been reduced to \$75,000.00 as we are substantially compliant. First Merchants Bank will charge a quarterly fee of \$375.00 for the Letter of Credit as it is believed to be short-term in nature.

Authorization for the Clerk-Treasurer to execute the necessary documents to issue the Letter of Credit as described and to obligate the Town for the fees payable to First Merchants Bank is sought.

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

OLD BUSINESS

ORDINANCE 1927: SOLID WASTE COLLECTION FEE

Introduced ORDINANCE 1927 is AN ORDINANCE AMENDING SCHEDULE "A," A NON-CODIFIED PORTION OF THE MUNICIPAL CODE, AMENDING FEES FOR REFUSE DISPOSAL. The ordinance had its first reading on November 20, 2023.

Councilor Tulowitzki moved, with a second by Councilor Koultourides, to approve introduced Ordinance 1927 as presented. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion carried.

ORDINANCE 1929: AMENDING ARPA FUND

Introduced Ordinance 1929 is AN ORDINANCE AMENDING ORDINANCE 1902 CREATING THE PLAN FOR THE USE OF THE FUNDS ACCOUNTED FOR IN THE ARP CORONAVIRUS LOCAL FISCAL RECOVERY FUND (2403). The ordinance had first reading at the December 4, 2023, meeting. The ordinance amends the plan for how the American Recovery Plan dollars will be used. Specifically, it will allow the use of \$539,330.53 for the purchase of new portable radios for the Fire Department.

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

NEW BUSINESS

ORDINANCE 1930: AMENDMENT TO CENTENNIAL VILLAGE PUD

Proposed ORDINANCE 1930 is AN ORDINANCE AMENDING THE CENTENNIAL VILLAGE PLANNED UNIT DEVELOPMENT (PUD) TO THE TOWN OF MUNSTER, INDIANA. The proposed amendment

is to change the size, location, and shape of proposed Building “O” located at approximately 9615 N. Centennial Drive in the Centennial Village Planned Unit Development.

Representatives of the property appeared before the Plan Commission on October 10, 2023, where a public hearing was held with one public comment received. The Plan Commission voted unanimously to forward a favorable recommendation for approval to the Town Council. At their November 14, 2023, meeting, the Plan Commission voted to approve the Findings of Fact. The Council must take final action to adopt, reject, defer, or amend the proposal. An amendment will require further consideration by the Plan Commission.

Councilor Tulowitzki moved, with a second by Councilor Mellon, to adopt Ordinance 1930 as presented approving PC23-021 to change the size, location, and shape of Building “O” in the Centennial Village Planned Unit Development. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against. Motion carried.

ACCEPTANCE OF PERFORMANCE BOND: THREE FLOYDS BREWERY

Three Floyds is working with the Plan Commission under PD23-027 to expand their existing Three Floyds Taproom and to create an outdoor biergarten. As part of the project, they have presented a \$20,000.00 performance bond for the installation of sidewalks. The original document has been forwarded to the Clerk-Treasurer.

The Plan Commission voted unanimously to send a favorable recommendation to the Council for acceptance.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to accept a performance surety bond in the amount of twenty thousand dollars and zero cents for Three Floyds Second Consolidation Final Plat for the public improvement of a sidewalk. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against. Motion carried.

ESCROW RELEASE: 8313-8317 CALUMET AVENUE

Bach Pham provided a cashier’s check for \$17,480.00 dated May 19, 2023, as security for the required landscaping improvements as part of the project at 8313-8317 Calumet Avenue. Both the Zoning Code Enforcement Officer and the Planning Director performed a site inspection and determined acceptable compliance with the Town of Munster Landscape and Screening standards has been achieved.

Councilor Tulowitzki moved, with a second by Councilor Mellon, to authorize the release and return \$17,480.00 security held in escrow. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against. Motion carried.

APPROVAL OF CHANGE ORDER NO. 1: 2023 EAST 45th STREET PAVING

Council approved a contract with Milestone Contractors North at the August 7, 2023, meeting for the East 45th Street Paving at their bid price of \$555,005.00. The work began in October and was substantially complete in November. Staff has inspected and is satisfied with the work.

Change Order No. 1 is needed to adjust the final quantities of the contract in accordance with what was installed. The adjustment results in a net increase of \$23,194.54 making the final contract total \$578,199.54.

Councilor Schoon moved, with a second by Councilor Mellon, to approve Change Order No. 1 to the contract for the 2023 East 45th Street Paving in the amount of \$23,194.54. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against. Motion passed.

APPROVAL OF CHANGE ORDER NO. 1: SALT DOME REPAIR

Council approved a contract with Gluth Brothers Roofing to tear off the existing roof on the salt dome and replace it with a TPO thermoplastic roof for a grand total of \$144,700.00. The original quote included a cost to replace wood decking as needed at \$3.12/square foot. Once torn off, it was discovered that six sheets of decking were needed,

and rafters needed repair. The changes increased the contract cost by \$3,694.00 making the total contract cost \$148,394.00.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to approve the change order in the amount of \$3,694.00 to Gluth Brothers Roofing for a new total contract price of \$148,394.00. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

CONTRACT APPROVAL: HVAC PLANNED MAINTENANCE

Mechanical Concepts has provided the Town with planned maintenance on its HVAC systems since 2001. The agreement covers the Public Works Facility, Centennial Park, and the Town Hall Municipal Complex. A request for quotes was sent to four local companies on November 30, 2023, to provide these services for the next three years. Quotes were received as follows.

	Budd Mechanical	Korellis	Mechanical Concepts	Arctic Engineering
2024	\$ 14,241.00	\$ 15,400.00	\$ 17,100.00	\$ 18,272.00
2025	\$ 14,668.00	\$ 15,800.00	\$ 17,950.00	\$ 19,186.00
2026	\$ 14,998.00	\$ 16,200.00	\$ 18,850.00	\$ 20,145.00
Total	\$ 43,907.00	\$ 47,400.00	\$ 53,900.00	\$ 57,603.00

Councilor Mellon, with a second by Councilor Koultourides, to approve the planned maintenance agreement from Budd Mechanical for a period of three years at a cost of \$14,241.00 for 2024, \$14,668.00 for 2025, and \$14,998.00 for 2026 for a total cost of \$43,907.00 to provide HVAC preventive maintenance services. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

MAIN STREET PATCHING PROJECT

Council approved an interlocal agreement with Dyer and Schererville at the November 9, 2023, meeting to patch sections of Main Street. The cost estimate for the project was \$166,320.00 with the Town share estimated at \$55,440.00. The work was completed November 15 and 16 with a total cost based on actual quantities used of \$188,823.60. This increases the individual shares to \$62,941.20. The Town of Dyer has presented an invoice to the Town of Munster for this amount. The work will be paid from the Municipal Surtax Fund.

Councilor Koultourides, with a second by Councilor Mellon, to approve payment to the Town of Myer in the amount of \$62,941.20 for Munster's share of the Main Street Patching Project. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

PURCHASE APPROVAL: FIRE DEPARTMENT TRANSPORT EQUIPMENT

The Fire Department purchased Unit 2260 earlier this year and a cot is needed in order to be certified by the State EMS Commission. The unit is a Stryker 6506 MTS Powerpro with all necessary accessories for installation. The cost is \$39,592.70 which will be paid from the Cumulative Capital Development Fund as part of the Fire Department's annual budget.

Councilor Mellon moved, with a second by Councilor Koultourides, to approve the Fire Department purchase of one Stryker 6506 MTS Powerpro cot with needed accessories for a total cost of \$39,592.70. Councilors Schoon, Mellon, Tulowitzki, Koultourides, and Gardiner voted in favor; none voted against. Motion passed.

2024 PROPERTY/CASUALTY 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. There is an expected 10% rise going into 2024. Our premium increase is modest in relation to the fact the self-insured retention amount will be increased from \$150,000.00 to \$200,000.00.

Coverages	Expiring	Renewal	Change
Package	\$ 280,800.00	\$ 285,155.00	\$ 4,355.00
Excess Property	78,587.00	89,629.02	11,042.02
Clubhouse & Amphitheater	58,789.00	58,789.00	-
Methane Plant	75,070.00	73,394.00	(1,676.00)
Cyber Liability	39,095.00	39,085.30	(9.70)
Excess Workers Comp	97,495.00	97,465.00	(30.00)
Gallagher Service Fee	81,978.00	81,978.00	-
	\$ 711,814.00	\$ 725,495.32	\$ 13,681.32

The Town is entering the third year of a five-year contract with third-party claims administrator Gallagher Bassett. The agreement calls for a 2.50% increase in the per-claims fee per year in each of these years.

Councilor Tulowitzki moved, with a second by Councilor Schoon, to authorize the Town Manager to bind coverage for liability insurance program as presented in the 2024 renewal package. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against.

2024 LIT-ECONOMIC DEVELOPMENT EXPENDITURE PLAN

The Town receives distributions for Local Income Tax – Economic Development through Lake County. To receive the distributions, a spending plan must be on file with the Lake County Auditor. The 2024 plan continues to fund the 34% commitment to the West Lake Extension estimated to be \$328,168.00, lobbying services with Barnes and Thornburg, design work for the bridge over the Hart and Cady Marsh Ditches, conceptual planning and rendering of the Municipal Complex, and design work for the Ridge Road Redesign and Reconstruction.

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 want the flexibility to use the funds.

Councilor Koulourides moved, with a second by Councilor Schoon, to authorize the 2024 LIT Capital Expenditure Plan as presented. Councilors Schoon, Mellon, Tulowitzki, Koulourides, and Gardiner voted in favor; none voted against.

PORTFOLIO REPORTS

Councilor Mellon reported on the most recent TDD Steering Committee meeting and the recent resident complaint about noise at the Main Street Station. She observed the damage to the roads at various construction sites. Mr. Anderson assured her that the Town will have NICTD remediate the roads once construction is complete.

This being the last meeting for the current Town Council, President Gardiner and Clerk-Treasurer Mis presented plaques to the departing councilors and thanked each for their service. Councilors Koulourides, Mellon, Schoon, and Tulowitzki each took a moment to express their gratitude to the residents and employees and for the opportunity to serve.

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 regular meetings on Monday, January 8, and 15, 2024. The Redevelopment Commission will hold regular meetings immediately following.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Schoon and seconded by Councilor Koultourides, the meeting adjourned at 7:36 p.m. by voice vote.

ATTEST:

Chuck Gardiner, President

Wendy Mis, Clerk-Treasurer

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