

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
FEBRUARY 5, 2024

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, February 5, 2024. 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 George Shinkan, Joseph G. Hofferth, Chuck Gardiner, Jonathan Petersen, and David B. Nellans were physically present at Town Hall. Also present in Town Hall were Clerk-Treasurer Wendy Mis, Controller Patricia Abbott, Director of Operations Jill DiTommaso, Police Chief Steve Scheckel, Fire Chief Mark Hajduk, Town Attorney Dave Westland, Superintendent of Operations Chris Spolnik, and Munster Representative to the Hammond Sanitary District Mike Hawkins. The media were not represented.

President Nellans presided and opened the meeting with a moment of silence followed by the Pledge of Allegiance.

LETTER OF APPRECIATION TO PEPSIAMERICA

On January 17, 2024, the water inlet from Lake Michigan which supplies the City of Hammond and surrounding communities, including Munster, experienced freezing conditions. As a result, Munster had to institute water restrictions. PepsiCo is one of the largest water users in Munster and during this time, shut down its production line and resumed operations on January 19, 2024. This action reduced their consumption by 403,000 gallons which greatly aided the Town in its efforts to maintain water in the holding tanks.

A letter of appreciation has been drafted and will be sent to PepsiCo North America.

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 wmis@munster.org.

Mr. Mike Dujmovic, 1833 Tulip Lane, asked for a correction to the January 8, 2024, minutes to clarify that it was Town Manager Dustin Anderson who confirmed that agency responsible for removal of beavers. Mr. Dujmovic also spoke in favor of changing the hours at Centennial Park to 10:00 p.m.

Mr. Hoss Fatemi, 1901 Fisher Drive, asked about the plans to fill the vacant position of Town Manager, what happens with the salary, and if there are plans to reduce further staff based on proposed Resolution 2123.

Mr. Stan Jayjack, 428 South Street, welcomed the new Town Council and confirmed their position on the proposed Ridge Road project.

Mr. Scott Mason, 8639 Hohman Avenue, asked that the Westland & Bennett contract be tabled.

Mr. Ryan Dean, 8222 White Oak Avenue, strongly opposed proposed Resolution 2123.

Mr. Steve Tulowitzki, 8808 Northcote Avenue, asked for rationale behind separation agreement with former Town Manager.

Mr. Mitch Barloga, 1900 Bluebird Lane, stated that he works for NIRPC with a focus on pedestrian and bicycle safety. He supports the proposed Ridge Road project.

No one else rose to claim the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on January 8, 2024

Minutes of a special meeting held on January 15, 2024

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #23-12M dated 12/31/23 totaling \$2,287,279.19

Approval of Voucher Register #23-12N dated 12/31/23 totaling \$184,223.47

Confirmation of Voucher Register #23-1H dated 01/18/24 totaling \$239,219.15

Confirmation of Voucher Register #23-1I dated 01/25/24 totaling \$1,627,874.20

Confirmation of Voucher Register #23-1J dated 01/26/24 totaling \$602,551.80

Confirmation of Voucher Register #24-2A dated 02/01/24 totaling \$489,783.43

Approval of Voucher Register #24-2B dated 02/05/24 totaling \$311,380.72

TREASURER'S REPORTS

The December 2023 Treasurer's Report was presented.

The 2023 Annual Treasurer's Report was presented.

WATER BILL ADJUSTMENTS 2024-04 AND 2024-09

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
2024-04	20,000	113,000	2 months	\$ 610.56	\$ 380.18	\$ 230.38
2024-05	2,000	26,000	1 month	\$ 147.61	\$ 129.50	\$ 18.11
2024-06	5,000	34,000	2 months	\$ 201.75	\$ 140.75	\$ 61.00
2024-07	0	20,000	1 month	\$ 115.19	\$ 97.08	\$ 18.11
2024-08	14,000	76,000	2 months	\$ 421.91	\$ 257.11	\$ 164.80
2024-09	17,000	82,000	2 months	\$ 453.34	\$ 255.38	\$ 197.96

WATER UTILITY WRITE-OFFS

Resolution 1745 outlines the collection policy to be followed for Water Utility accounts. In 2020 we began using TRECS as an additional collection remedy.

There are forty-four accounts from 2021-2022 totaling \$8,114.00 that had appropriate collection efforts made but were not successful. It is unlikely that these would be or could be collected. Under Ordinance 1248, Town of Munster Water Utility records are excluded from disclosure. Therefore, a detailed listing is not provided with this memorandum, but is available to the Council at the Clerk-Treasurer's Office.

Although there is no action required of the Town Council, the Clerk-Treasurer and Town Manager are required to notify the Town Council when collection efforts have ceased. The amount of \$8,114.00 will be written off pursuant to Ordinance 1745.

ACCEPTANCE OF 2024 SURETY BONDS

There are statutory needs for certain officers and employees of a town to file individual surety bonds for the faithful performance of their duties.

IC 5-4-1-18 stipulates that the bond of a town Clerk-Treasurer shall be fixed by the town council in an amount equal to \$15,000 for each one million dollars of receipts, up to a maximum bond amount of \$300,000. As of November 30, 2023, the Town of Munster had received net revenues in excess of \$75,000,000.00. Seventy-five times \$15,000 equals \$1,125,000. Therefore, the bond for the Munster Clerk-Treasurer should be in the amount of \$300,000. The Munster Clerk-Treasurer is Wendy Mis.

IC 36-7-14-7(c) calls for each redevelopment commissioner (each member of the Munster Redevelopment Commission) to execute a bond in the amount of \$15,000 before beginning his (her) duties. Further, the cost of the bond shall be paid by the special taxing district. The Munster Redevelopment Commissioners are Chuck Gardiner, Joseph G. Hofferth, David B. Nellans, Jonathan Petersen, and George Shinkan.

IC 36-5-5-5 stipulates that a town manager “must, in the manner prescribed by IC 5-4-1, execute a bond for the faithful performance of his duties.” IC 5-4-1-18(c)(2) requires the “amount of the bond of any other person required to file an individual bond shall be fixed by the fiscal body of the unit” at not less than \$5,000. Dustin C. Anderson is the Munster Town Manager.

IC 36-8-6-3(e) stipulates that a secretary of a 1925 police pension fund “shall, in the manner prescribed by IC 5-4-1, execute a bond conditioned upon the faithful discharge of the secretary’s duties.” IC 5-4-1-18(c)(2) required the “amount of the bond of any other person required to file and individual bond shall be fixed by the fiscal body of the unit” at not less than \$5,000. The Secretary of the Munster Police Pension Board is Bryan Oberc.

Public official bonds have been executed by the town Clerk-Treasurer, the five redevelopment commissioners, the town manager, and the secretary of the police pension board and are now ready for acceptance by the Town Council.

NEPOTISM AND CONFLICT OF INTEREST CERTIFICATES

IC 36-1-20.2-16 mandates: “Each elected officer of the unit shall annually certify in writing, subject to the penalties for perjury, that the officer has not violated this chapter [on nepotism]. An officer shall submit the certification to the executive of the unit no later than December 31 of each year.” Copies of certificates executed by Councilors Gardiner, Koultourides, Mellon, Schoon, and Tulowitzki and Clerk-Treasurer Mis were presented.

IC 36-1-21-6 mandates: “Each elected officer of the unit shall annually certify in writing, subject to the penalties for perjury, that the officer is in compliance with this chapter [on conflict of interest]. An officer shall submit the certification to the executive of the unit not later than December 31 of each year.” Copies of certificates executed by Councilors Gardiner, Koultourides, Mellon, Schoon, and Tulowitzki were presented. The Clerk-Treasurer is not required to execute this certification.

IC 36-1-20.2-9 and IC 36-1-21-4 specifically allow a unit to adopt requirements that are “more stringent or detailed.” Accordingly, Ordinance 1561, “An Ordinance for compliance with HEA 1005 entitled Conflict of Interest and Nepotism Effective July 1, 2012,” adopted June 18, 2012, requires the Town Manager to execute the nepotism and conflict of interest certificates. Copies of the certificates executed by Town Manager Anderson were presented.

FORM 100R

Starting in January 2013, the Certified Report of Names, Addresses, Duties and Compensation of Public Employees (Form 100R) must be entered through the Indiana Gateway for Government Units (Gateway). The form must be submitted by January 31 each year. (IC 5-11-13-1)

The 100R salary report was submitted to Gateway on January 8, 2024.

Councilor Gardiner moved, with a second by Councilor Hofferth, to suspend the rules, waive the readings, and adopt the Consent Agenda with corrected minutes. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

NEW BUSINESS

SEPARATION AGREEMENT

A separation agreement has been negotiated with Mr. Dustin Anderson to end his tenure as Town Manager. The agreement has been presented for Council approval.

Councilor Shinkan, with a second by Councilor Petersen, to approve the separation agreement with Mr. Dustin Anderson. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

Councilor Gardiner read a statement outlining the accomplishments of Mr. Anderson during his tenure and noted the letters of support received on his behalf.

RESOLUTION 2122: AUTHORIZED SIGNER FOR INDOT BUSINESS

Proposed RESOLUTION 2122 is A RESOLUTION AUTHORIZING THE TOWN COUNCIL PRESIDENT TO EXECUTE CONTRACTS AND DOCUMENTS FOR THE INDIANA DEPARTMENT OF TRANSPORTATION. INDOT requires either a blanket resolution for the year or separate resolutions for each project contract. The current resolution has been drafted to authorize the Council President to the sign INDOT contract agreement#0000000000000000000080409 and other paperwork associated with the CCMG project DES No. 2301475. Future INDOT projects not related to this one will come before the Council to authorize a signer.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve Resolution 2122: A Resolution Authorizing the Town Council President to Execute Contracts and Documents for the Indiana Department of Transportation. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

RESOLUTION 2123: AUTHORIZING COUNCIL PRESIDENT TO EFFECTUATE STAFF CHANGES

Proposed RESOLUTION 2123 is A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MUNSTER, INDIANA AUTHORIZING THE TOWN COUNCIL PRESIDENT OT EFFECTUATE STAFF CHANGES AND A REDUCTION IN WORKFORCE. Earlier this evening the Council accepted the resignation of its Town Manager. Council would like to be proactive in explicitly establishing authority for staff changes and personnel in the absence of a Town Manager.

Resolution 2123 has been drafted to grant authority to the Town Council President to effectuate staff changes and, if necessary, a reduction in workforce for a period of forty-five (45) days.

Councilor Petersen moved, with a second by Councilor Shinkan, to approve Resolution 2123 as presented. Councilors Shinkan, Hofferth, Petersen, and Nellans voted in favor; Councilor Gardiner voted against. Motion passed.

CONFIRMATION OF PROPOSAL: POLICE DEPARTMENT REMEDIATION

In November 2022, there was a sewer backup in the Munster Police Department causing substantial damage and loss of property. At the time of the incident, flooring, cabinets, and the like were removed by Town employees. ServPro was called in to clean and sanitize the affected area. A claim was filed with the Town's liability insurance.

Staff sought a proposal from Century Roofing for the necessary restoration work. Their proposal dated December 7, 2023, was for \$171,170.80 and was signed by a representative of the Town on December 13, 2023. Indiana Code 5-22 and Munster Ordinance 1629 outline the purchasing policy to be followed. According to both, all projects in excess of \$150,000.00 will go through a competitive bidding process. Staff in place at the time believed

that because it was coming from insurance proceeds that these requirements did not apply and told the contractor to proceed. The restoration work has started and is ongoing.

The Town has a \$50,000.00 deductible to meet, which will come from the Self-Funded Liability Insurance Fund. Insurance has preliminarily authorized \$223,886.99 which includes the proposal and other items previously paid. The Town has received an initial check to cover the restoration work in the amount of \$120,835.79. Additional reimbursements are expected as the work progresses.

In addition, the contractor has asked for payment in advance to cover the material costs. This is permitted under Ordinance 1913 provided the amount requested does not exceed 50% of the entire cost of the contract, the request is made in writing, an invoice is presented, and a purchase order created.

Century Roofing has presented an invoice for \$100,000.00 for the purposes outlined above. While this exceeds 50% of the total contract, there is an invoice in the amount of \$80,574.14 for the flooring materials and installation by a subcontractor. Staff can confirm that this portion of the work is substantially complete, and the remaining flooring materials are currently in the Police Station waiting for installation.

The balance of the invoice from Century Roofing is \$19,425.86, which represents less than 50% of the proposed total work, will be used for other materials needed for the project, and is in compliance with the rules regarding payments in advance.

Councilor Gardiner and President Nellans complimented Staff on their efforts in this matter.

Councilor Gardiner, with a second by Councilor Hofferth, to confirm approval of the proposal from Century Roofing in an amount not to exceed \$171,170.80 and to pay the current Century Roofing invoice in the amount \$100,000.00. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

CONFIRMATION OF PURCHASE OF DUMP TRUCK

Unit 322, a one-ton dump truck purchased in 2015, was scheduled for replacement in 2023. Limited availability of vehicles and equipment due to COVID caused significant changes to the ordering process for vehicles. Vehicles and equipment had year-long wait times, and new vehicles could only be ordered during small windows of time, some lasting only a few hours. Receiving quotes was not possible.

On January 7, 2023, during one of the windows of opportunity a new dump truck was ordered, and a purchase order was created from bond funds. However, the purchase was not presented to the Council for approval. When Staff was notified that the dump truck was about ready for delivery, this error was discovered. Public Works Staff has received a new Ford F550 4x4 one-ton dump truck from Bosak Ford. A snowplow and salt spreader will be purchased from W.A. Jones. The existing Unit 322 will be traded in for \$25,000.00. Funds for the purchase were included in the 2022 General Obligation Bond.

Councilor Gardiner moved, with a second by Councilor Petersen, to approve the purchase of a 2023 Ford F550 dump truck from Bosak Ford at a cost of \$61,319.00 minus trade-in of \$25,000.00 and a snowplow and salt spreader from W.A. Jones for a cost of \$69,863.00 for a total overall cost of \$106,182.00. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

CONFIRMATION OF TRUELOOK AGREEMENT

During the Grade Separation Project at Calumet Avenue and 45th Street, the Town used a construction monitoring camera which provided time lapse photographs of the construction process. Staff is interested in doing the same thing with the Main Street station currently under construction. As such, Staff purchased a new camera last year. The time-lapses have been programmed. The hosting of the data for this requires a separate fee of \$4,188.00. The cost will come from the LIT – Economic Development Fund.

Councilor Gardiner moved, with a second by Councilor Shinkan, to approve payment to TrueLook, Inc. for a cost not to exceed \$4,188.00 for data hosting associated with the track and terminal station construction of the

NICTD Westlake Extension. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

IMPACT CONTRACT REVISION

Impact Networking provides the Town with managed IT services. Over the past few months, new devices have been added to the Town inventory that require additional costs to the monthly payment agreement. The new amount of \$15,630.61/month. This is a \$1,578.52/month or 11% increase.

Councilor Gardiner asked if IT concerns are being documented. Clerk-Treasurer Mis stated they are.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve revised monthly invoice fee from Impact Networking at a cost not to exceed \$15,630.61 effective December 2023. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

CENTENNIAL PARK OPERATING HOURS

At their November 2023 meeting, Park Staff recommended changes to the operating hours at Centennial Park. The Park Board approved the recommended changes. The new hours would be 6:00 a.m. to 10:00 p.m. This change only impacts Centennial Park. All other parks would keep the current operating hours of 6:00 a.m. to dusk.

Councilor Gardiner moved, with a second by Councilor Shinkan, to authorize the preparation of an ordinance to formally change the park hours as recommended. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

APPROVAL OF WELL FIELD BALANCING PROPOSAL

The Town operates a Landfill Gas to Energy Facility at Centennial Park. There is a generator to capture methane gas and convert it to usable electricity which is then sold to NIPSCO. There are numerous requirements to maintain the former landfill site and there are several consultants that the Town has worked with over the years to remain in compliance.

Since its installation, there has been uneven production of electricity. Beginning in 2021, Staff began to regularly meet with its consultants to understand why and to increase overall efficiency. One of the steps taken was to balance and tune the wellfield monthly. Cabeno Environmental Field Services has been performing these tasks and assisting in critical repairs, system improvements, and general observations of the facility.

Cabeno has provided their 2024 rates for work outside of the routine monthly balancing and tuning of the wellfield. The monthly balancing and tuning will be \$2,320.00 for an annual total of \$27,840.00. These costs are paid for by the Solid Waste Management Fund.

Councilor Gardiner moved, with a second by Councilor Shinkan, to approve two proposals dated November 20, 2023, from Cabeno Environmental Field Services for monthly balancing and monitoring of the methane wellfield at the Centennial Park landfill and the time and material basis for any repairs that are beyond the monthly scope. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

CHANGE ORDER NO. 3: CCMG 2022-2 PAVING AND WATER MAIN IMPROVEMENTS

Council awarded the construction contract for the CCMG 2022-2 Paving and Water Main Project to Milestone Contractors North, Inc. at the March 6, 2023, meeting in the amount of \$1,496,049.60. Change Order #1 in the amount of \$144,959.22 was approved by Council at the September 7, 2023, meeting. Change Order #2 in the amount of \$27,080.00 was approved by Council at the October 2, 2023, meeting. The work on Beverly Place, White Oak Avenue, and Camellia Drive was substantially complete in October 2023.

Milestone has submitted a pay application for final quantities on the project. At this time, a balancing change order is needed to reconcile the final quantities used versus the quantities estimated in the bid. SEH has provided construction oversight and has approved the final quantities. The change order results in a net increase to the contract of \$5,992.29 making the final contact price \$1,674,081.11.

Councilor Shinkan moved, with a second by Councilor Petersen, to approve Change Order No. 3 to the contract for the Paving and Water Main Improvements – White Oak, Camellia, and Beverly (CCMG 2022-2) in the amount of \$5,992.29. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

ADDITIONAL COST FOR NEW DUMP TRUCK

Council approved the purchase of a new 2022 Tandem Axle Dump Truck with snowplow and existing anti-icing unit installation from Rush Truck Center for a total price of \$199,436.00 at the October 4, 2021, meeting. The truck is an addition to the fleet and is assigned Unit #336. The vehicle was purchased through Sourcewell and while it was ordered in 2021, it has just been put in the 2024 calendar year for production.

Emissions standards have changed from the time the unit was ordered. To meet the standards, the engine will now cost an additional \$10,072.00 with a freight increase of \$500.00. In addition, there is an increase to the price of the body upfit of \$16,919.30. The total additional charges are \$27,491.30 making the total cost \$226,927.30. Original funding was scheduled from the 2020 General Obligation Bond. The additional charges will come from the same place.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the total additional cost of \$27,491.30 for a new total cost of \$226,927.30 to Rush Truck Center for the purchase of a new 2024 tandem axle dump truck, Unit #336. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

RELEASE OF RETAINAGE: EAST 45TH STREET

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. Change Order #1 was approved by Council at the December 18, 2023, meeting in the amount of \$23,194.54. Milestone has submitted a pay application for release of retainage in the amount of \$57,829.67.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the final release of retainage for the East 45th Street paving project to Milestone in the amount of \$57,829.67. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

2024 LAKE, POND AND DITCH MAINTENANCE SERVICE AGREEMENT

Since 2018, Aquatic Control of Valparaiso, Indiana has performed vegetation management services including inspections and treatments at various locations in Munster. On January 11, 2024, a proposal for the Custom Vegetation Management Program at a cost of \$26,995.00 was received. Aquatic Control has held their pricing from 2023. If payment is made before April 1, 2024, the Town will receive a 3.00% discount totaling \$809.85 for a total payment of \$26,185.15.

The maintenance includes inspections and treatment 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

The ditch work included in the proposal includes monthly rip-rap treatment. If additional treatment is needed, there will be a \$362.00/treatment charge. The contract period is April through September 2024. This work will be funded by the Sewer Maintenance Fund 2580 and covers Annual Lake, Pond & Ditch Maintenance, not fountain maintenance which is covered under a separate contract.

Councilor Petersen stated that he is the president of the White Oak Woods Homeowners' Association and will abstain from voting on the matter.

Councilor Gardiner commented on the issues at Community Estates last season and asked Staff to start early in that area this year.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the Aquatic Control proposal 375915 dated January 11, 2024, for the 2024 Custom Vegetation Management Program in the amount of \$26,185.15. Councilors Shinkan, Hofferth, Gardiner, and Nellans voted in favor; none voted against; Councilor Petersen abstained. Motion carried.

ENGAGEMENT LETTER FOR ATTORNEY FEES: WESTLAND & BENNETT

At the meeting of January 8, 2024, the Council appointed Dave Westland as the Town Attorney. Mr. Westland has presented a letter of engagement to formalize the arrangement. Attorney fees will be charged at an hourly rate of \$225.00 with a minimum charge of a quarter of an hour for any work performed.

At the request of Councilor Petersen, Mr. Westland explained that his fee is discounted from the rate he charges private clients. While the rate is the same regardless of which attorney in the firm performs the work, the overall rate being charged is at a discount. Mr. Westland stated he seeks prior approval for any extraordinary costs that might be incurred.

Councilor Gardiner moved, with a second by Councilor Shinkan, to accept the letter of engagement with Westland & Bennett P.C. as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

ENGAGEMENT LETTER FOR ATTORNEY FEES: DAVID E. WICKLAND

At the meeting of January 8, 2024, the Council appointed Dave Wickland as the Town Attorney for the Munster Plan Commission, Board of Zoning Appeals, Park Board, and the Hammond Sanitary District. Mr. Wickland has presented a letter of engagement to formalize the arrangement. Attorney fees will be charged at an hourly rate of \$225.00.

Councilor Petersen stated that the fee is substantially discounted.

Councilor Gardiner clarified that, while the initial appointment of Mr. Wickland was for a period of two to three months, the engagement letter goes through to the end of 2024.

Councilor Gardiner moved, with a second by Councilor Shinkan, to accept the letter of engagement with David E. Wickland, Attorney at Law as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

ORDINANCE 1932: ADDITIONAL APPROPRIATIONS (1)

Proposed ORDINANCE 1932 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2024 (1). The budget adoption process is set by statute and the Department of Local Government Finance (DLGF) with Council adoption happening in October of the preceding budget year. Funds controlled by the DLGF are certified in December or January. The 2024 budget was certified January 16, 2024.

As part of the certification process, we review all funds, and determine if the expenditures and revenues adopted in the previous year are still reasonable and adjustments are made as necessary. During this process, two funds were found to need additional appropriations, and several were found in need of a reduction. Ordinance 1932 addresses the additional appropriations.

To legally spend Town money, we must have appropriations, which simply means permission to spend. Two funds need what is known as an additional appropriation. Basically, there is a need to spend money, and there is cash

available that the Town does not currently have permission to spend. Tonight begins the process to formally obtain that permission.

- The TIF Allocation Fund needs an additional appropriation in the amount of \$1,720,000. This is the balance of the contract with Infrastructure Engineering, Inc. for the Reimagine Ridge Road Project. While the grant will reimburse the expenditures, there must be appropriations for each payment. The reimbursements provide cash but do not reset the appropriations. There are sufficient cash balances to support this expenditure.
- The Park Land Escrow Fund needs an additional appropriation in the amount of \$2,900,000. This is the balance of the contracts to build the Pro Shop and Golf Storage buildings at Centennial Park. There was a timing issue with when contracts were approved, construction beginning, and the regular budget process which prevented this from being included in the 2024 budget. The money to support this expenditure comes from the 2022 Clubhouse settlement.

The procedure for securing additional appropriations requires a public hearing, scheduled for February 19, 2024, and the adoption of an ordinance by the Town Council. Ordinances normally have two readings. Both funds are considered “reporting only,” and the DLGF does not approve or deny these. Upon passage of the ordinance, the additional appropriations will be in effect. The information will be forwarded to the DLGF for reporting purposes, but no determination will be made by them.

Councilor Petersen moved, with a second by Councilor Shinkan, to hear proposed Ordinance 1932 for additional appropriations on first reading and schedule a public hearing and second reading for February 19, 2024. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

ORDINANCE 1933: BUDGET REDUCTIONS (1)

Proposed ORDINANCE 1933 is AN ORDINANCE FOR THE REDUCTION OF THE 2024 BUDGET (1). When the 2024 budget was adopted, estimates were made regarding how much would be received and spent in the last half of 2023 as well as what the December 31, 2023, cash balance would be. All funds were reviewed this month to determine the current status of each fund. Earlier this evening, Council was asked to consider Ordinance 1932 for additional appropriations in two funds as a result of this review. Ordinance 1933 asks for budget reductions in four funds.

The Clerk-Treasurer’s Office strives to maintain sustainable spending in each of the fifty separate funds of the Town. For most funds, this means maintaining a cash reserve of at least 15%. The review of the 2024 budget found four funds which need to be reduced in order to achieve these goals.

- The Municipal Surtax Fund was projected to spend more than it will bring in this year. This is a result of road work, including patching Main Street, in the second half of 2023. The recommended reduction balances the budget and allows for the reserve to be met. This leaves \$556,000 available for road resurfacing work from this source. Recommended reduction: \$200,000.
- The Electric Fund receives revenue from NIPSCO from the sale of electricity from the methane generator at Centennial Park. The proceeds are used for the NIPSCO bills of the Park Department and for a portion of the traffic signal and street light costs otherwise assigned to Public Works. The methane generator is at the end of its useful life and its output to NIPSCO has been unpredictable. Over the past few years, efforts have been made to improve its performance. Its overhaul or replacement needs to be determined. In the meantime, there was not an adequate cash balance at the end of the year, and the projected revenues do not support the original budget request. The recommended reduction should balance the budget and provide the targeted reserve. The costs that otherwise would have come from this fund will be shifted to the Municipal Surtax and Park Funds. Recommended reduction: \$55,000.
- The Water Cash Operating Fund is not on track to meet its reserve. The NewGen revenue projections, which were the basis of the 2023 cash projections and for the 2024 budget estimates, are not being realized. The recommended reduction will balance the budget and allow for the reserve. Purchase orders have been made for equipment and projects that have been formally authorized by Council. This leaves a balance that can be used towards capital expenditures (i.e. projects, vehicles, and equipment) of about \$768,000. Recommended reduction: \$660,000.

- The Solid Waste Management Fund has been underfunded for some time. The new rate goes into effect in March of this year. It is uncertain if the rate fully represents all costs associated with the fund, and the fund is not currently meeting its reserve. The adopted budget exceeds the department request by \$13,923. This means no specific line item will be cut only the overall appropriations. The fund will continue to be closely monitored throughout the year to determine how to proceed. Recommended reduction: \$13,923.

A budget reduction requires the approval of Council; Ordinance 1933 has been drafted for this purpose. The reductions will go into effect upon passage of the ordinance.

Councilor Gardiner moved, with a second by Councilor Hofferth, to hear proposed Ordinance 1933 for budget reductions on first reading, and schedule second reading for February 19, 2024. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

PORTFOLIO REPORTS

No 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, February 19, 2024. The Redevelopment Commission will hold a regular meeting immediately following.

Councilor Gardiner thanked Police Chief Scheckel for his thirty-five years of service to the Town and recognized the following firefighters with similar service to the Town.

Frederick Herman, Sr.	46 years
Ronald Svetic	40 years
Jose Serrano	38 years
Kevin Heggi	37 years
Mark Hajduk, Jr.	35 years
Kevin Nowaczyk	35 years
Chris Spolnik	35 years

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Shinkan and seconded by Councilor Petersen, the meeting adjourned at 8:00 p.m. by voice vote.

ATTEST:

David B. Nellans, President

Wendy Mis, Clerk-Treasurer