

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
MARCH 18, 2024

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, March 18, 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/Interim Town Manager Patricia Abbott, Police Chief Steve Scheckel, Police Lieutenant Dan Broelmann, Fire Chief Mark Hajduk, Town Attorney Dave Westland, and Interim Director of Operations Chris Spolnik. Munster Representative to the Hammond Sanitary District Mike Hawkins was present virtually. Representatives from the media: NWI Times, Post-Tribune, Lakeshore Public Media and The Lansing Journal were present.

President Nellans 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 wmis@munster.org.

The following members of the public spoke to the Town Council expressing support of the Town of Munster's engagement with the preservation of the Center for Visual and Performing Arts, Theater at the Center, South Shore Arts and Trama Catering located at 1040 Ridge Road in Munster.

Ms. Sue Cook, 8750 Harrison #109, Munster, IN
Ms. Maria Arteaga – 3349 S Manor, Lansing, IL
Mr. Alex Coccia 8711 Manor Drive, Munster, IN
Mr. David Mika 37 Castleton, Valparaiso, IN
Ms. Pat Kramer – 3352 N Schultz Drive, Lansing, IL
Mrs. Carol Moore 9604 Cypress, Munster, IN
Mrs. Sara Solis 8675 Fair Oaks Lane, St John, IN
Mr. William Schu, 10043 Devonshire Lane, Munster, IN
Mrs. Barbara Whitaker, 1921 Alta Vista, Munster, IN
Mr. Kurtis Koch, 8245 Meadow Lane, St. John, IN
Martha Smith, 1918 Lambert Lane, Munster, IN
Mrs. Bridget Covert 2611 Squire Drive, Dyer, IN
Mr. Thomas Plummer, 6979 W 84th Place, Crown Point, IN
Ms. Ann Davis 322 Tremont, Michigan City, IN
Ms. Linda Johnson, 1436 MacArthur, Munster
Ms. Sharvari Dalal, 1321 Tulip, Munster, IN
Ms. Loretta Gallowitch, 9501 Windsor Lane,
Mr. Mike Dujmovic, 1833 Tulip Lane, Munster, IN
Mr. Edwin Seehausen , 637 205th Place, Dyer, IN
Ms. Kathy Tobin, 1123 Elliott Drive, Munster, IN

Ms. Theresa Rossi, 320 Belmont Place, her tap water tested positive for pesticides, and she is requesting the Town's assistance. The Town will follow up.

Mr. Mitch Barloga, 1900 Bluebird Lane, Munster, IN, shared his support of the current Ridge Road project as the traffic numbers support three lanes for Ridge Road. The lane reduction will improve road safety and make the area more of a destination.

No one else rose to claim the floor.

Clerk-Treasurer Mis shared 209 emails were submitted electronically. Mrs. Mis reported all emails were in support of the Center for Visual and Performing Arts and encouraged the Town of Munster to retain the Art Center. Emails were received from residents of Munster and the Region as well as former employees, performers, and artists.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on March 4, 2024

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #23-3B dated 03/07/24 totaling \$483,735.42

Confirmation of Voucher Register #23-3C dated 03/08/24 totaling \$462,451.15

Confirmation of Voucher Register #24-3D dated 03/11/24 totaling \$55,382.95

Confirmation of Voucher Register #24-3E dated 03/11/24 totaling \$32,671.96

Confirmation of Voucher Register #24-3F dated 03/14/24 totaling \$60,942.60

Approval of Voucher Register #24-3G dated 03/18/24 totaling \$376,881.32

WATER BILL ADJUSTMENTS 2024-14 THROUGH 2024-21

Staff received requests for adjustment under the leak adjustment policy adopted by the Town Council on April 8, 2013. The customers have completed the required form, and the requests meet all the criteria for adjustments as follows:

Adjustment Number	Average Usage	Actual Usage	Length of Time	Original Bill	Requested Adjustment Amount	Adjusted Bill
2024-14	1,000	101,000	1 month	\$ 607.33	\$ 583.54	\$ 23.79
2024-15	6,000	58,000	2 months	\$ 355.57	\$ 277.26	\$ 78.31
2024-16	7,000	36,000	2 months	\$ 208.76	\$ 113.28	\$ 95.48
2024-17	2,000	6,000	1 month	\$ 42.05	\$ 21.06	\$ 20.99
2024-18	5,000	15,000	1 month	\$ 88.17	\$ 40.43	\$ 47.74
2024-19	9,000	24,000	2 months	\$ 153.05	\$ 37.38	\$ 115.67
2024-20	1,000	129,000	1 month	\$ 762.92	\$ 741.93	\$ 20.99
2024-21	11,000	64,000	2 months	\$ 359.39	\$ 167.13	\$ 192.26

ANNUAL RED FLAG REPORT

The Federal Trade Commission requires utility companies to adopt and identify a theft prevention program or red flag policy. In April 2009, the Council came into compliance adopting Ordinances 1424 and 1514. The policy requires an annual report on the program.

Most of the practices in the policy were in place prior to adoption of Ordinance 1424. The following table shows the number of events since implementation. Each time there was an incident, Staff denied starting billing until proper identification was provided.

Year	Number of Incidents	Year	Number of Incidents	
2009	fewer than five	2017	4	
2010	-0-	2018	1	
2011	-0-	2019	1	
2012	1	2020	-0-	
2013	-0-	2021	-0-	
2014	1	2022	-0-	
2015	1	2023	1	
2016	1			

Since the last report, there has been one red flag incident. A property owner requested two more individuals have their names added to the water utility account. When asked why, they could not give a logical answer. Staff believe they may have been requesting to try proving residency for the school system. One of the individuals was able to prove their attachment to the property, and Staff allowed that name to be added to the account. The other individual was not allowed to add their name.

As a result of this incident, a procedure has been put into place requiring the primary account holder to be present at the time of sign-up as well as proof attaching the person to the property.

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

OLD BUSINESS

FORKLIFT PURCHASE UPDATE

At the March 4, 2024, meeting, the Council approved the purchase of a new forklift for Public Works at a cost of \$49,556.40 less the trade in of Unit # 353 and Unit # 363 for a net purchase price of \$46,556.40. The trade-in values were \$1,500.00 each.

After Council approval, the Park Department expressed interest in purchasing Unit #363. This is more cost effective for the Park Department than purchasing a new forklift and the unit suits their needs. The vendor, Voss Equipment, is agreeable to taking only one unit for trade-in.

Voss Equipment will invoice the Town for the new forklift, less \$1,500.00 for the trade-in of Unit #353 for a total of \$48,056.40. The Park Department will pay \$1,500.00 from their bond proceeds with the balance paid from bond proceeds designated for Public Works equipment.

Councilor Gardiner moved, with a second by Councilor Shinkan, to approve the new total purchase price of \$48,056.40 and the sale of Unit #363 to the Park Department for \$1,500.00. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

NEW BUSINESS

RESOLUTION 2122A: APPROVING RESOLUTION

Proposed RESOLUTION 2122 is A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MUNSTER, INDIANA, APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION AND ECONOMIC DEVELOPMENT PLAN FOR THE RIDGE ROAD/CALUMET AVENUE ECONOMIC DEVELOPMENT AREA. IN 2023, the Indiana General Assembly amended the allowable uses of Tax Increment Financing (TIF) revenues. Under the revised statute, TIF can be used for both capital and operating expenditures for police and fire services. In order to allow for those uses, the Declaratory Resolution and Development Plan for the Ridge Road/Calumet Avenue Economic Development Area must be amended.

The Redevelopment Commission took the first step of adopting a Declaratory Resolution at the March 4, 2024, meeting. The Plan Commission adopted an Approving Resolution at the March 12, 2024, meeting. This evening, Council is asked to adopt the Approving Resolution. Once this step is complete, a public hearing will be conducted by the Redevelopment Commission. This is scheduled for the April 1, 2024, meeting, along with adoption of the Confirmatory Resolution.

Councilor President Nellans shared this provides the community with the opportunity to use the funds for public safety.

Councilor Shinkan moved, with a second by Councilor Petersen, to adopt Resolution 2122 as presented. Councilors Shinkan, Hofferth, Gardiner, and Nellans voted in favor; Petersen voted against. Motion carried.

RESOLUTION 2123A: 2024 NATIONAL NIGHT OUT BLOCK PARTY FEE WAIVER

Proposed RESOLUTION 2123 is A RESOLUTION FOR THE WAIVER OF FEES FOR THE 2024 NATIONAL NIGHT OUT EVENTS. For the past two years, Council has waived the stipulations and fees for block parties for one day during the National Night Out Against Crime celebration pre-events. This has encouraged larger participation and boosted neighborhood unity. The first year saw fifteen block parties, and the second year had twenty-one.

Officer Ghrist has requested the fees be waived for the 2024 event. The block parties are scheduled for August 3, 2024, with a rain date of August 4, 2024.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the adoption of Resolution 2123 as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

RELEASE OF RETAINAGE: CCMG 2022-2

Munster received CCMG funding in the 2022-2 call for projects. The streets involved were Beverly Place, White Oak Avenue, and Camellia Drive. Work on Camellia included water main replacement. Council awarded the contract to Milestone Contractors North, Inc. at the March 6, 2023, meeting.

Work began on the project in May 2023 and was substantially complete in October 2023. Engineering Consultants SEH has reviewed the work and recommends the release of final retainage in the amount of \$167,408.14.

Councilor Gardiner moved, with a second by Councilor Shinkan, to approve the final release of retainage for Camellia, White Oak and Beverly (CCMG 2022-2) in the amount of \$167,408.14. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

CONTRACT RENEWAL: CIVICPLUS

Town Code is available online for Staff and the public to access. In addition, there are hard copies available in Town Hall. The Town has worked with MuniCode, now CivicPlus, to provide ongoing updates to the website and the physical books.

Under the current structure the Town pays per page when changes are made. The total cost in 2023 was \$5,375.00. The per page cost is set to increase from \$22.25 to \$28.93. Under this method, the Town must estimate how many changes will be made in each billing period. This is difficult to predict and can lead to holding back sending changes for the updates since the costs could exceed what was budgeted.

CivicPlus has presented the Town with a Full-Service Supplementation Subscription option which removes the need to estimate. The first-year cost would be \$2,786.56. There is an additional charge of \$1,140.00 to host the online version of the Code. There will be a 5.00% increase in the second year. Staff believe the full-service option will be more cost-effective in the long run. This is paid from the Technology Fund.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the proposed Full-Service Supplementation Subscription for a cost of \$3,751.56 for the first year and authorize the Council President to sign Quote Q-62965-1. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

LETTER OF ENGAGEMENT: CCMG 2024-1 ENGINEERING

Staff applied for Community Crossing Matching Grant (CCMG) Funds in the first round of 2024. The following streets were included in the application.

Highland Place from Ridge Road to Broadmoor Avenue
Meadow Lane from Ridge Road to Broadmoor Avenue
Linden Avenue from Fisher Street to Park Drive
Independence Drive from White Oak Avenue to Washington Circle

There is a short timeline from when the CCMG awards are announced to when the project must be designed, constructed, paid for, and closed. The practice has been to begin the engineering work prior to the CCMG award announcement. SEH has submitted a proposal to do this work.

The proposal includes Topographical Surveys, Project Plan Sheets, Project Contract Documents, and Bid Phase Services for a lump sum of \$62,400.00. Resident Project Representative Services will be completed on an hourly basis at a not-to-exceed amount of \$26,800.00. All work will be completed pursuant to the Master Agreement for Professional Services dated September 10, 2014. The work will be paid from General Obligation Bond Proceeds.

Councilor Gardiner asked if the speed team will be reviewing any traffic calming measures as previously had considered on other projects. Ms. Abbott would work with SEH and have the staff review.

Councilor Hofferth moved, with a second by Councilor Shinkan, to approve and authorize Council President to sign the Supplemental Letter Agreement from SEH dated March 13, 2024, for an amount not to exceed \$89,200.00. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

LETTER OF ENGAGEMENT: LANDFILL ASSURANCE TEST

The Indiana Department of Environmental Management (IDEM) requires documentation from the Town regarding financial assurance of the landfill. This requirement has traditionally been in place to assure IDEM that a private business owner operating a landfill site has placed financial assurance on record in case the owner closes the business without any warning, leaving behind a brownfield. The provisions in 329 IAC 10-39-2(a)(6) apply to municipalities as well, even though the same risks are not involved.

Baker Tilly has completed numerous reports on the financial status of the landfill for the Town. A letter of engagement to perform the work that must be completed to provide IDEM with the proper financial assurance has been presented.

Baker Tilly has the appropriate financial information to provide IDEM with information about the Town's general financial well-being. IDEM does not stipulate that the Town pass any further bonds or pay any sums of money at this time to comply with the financial assurance provisions.

The expense of these financial analyses is set at \$7,700.00 and is to be paid from the Solid Waste Management Fund.

Councilor Petersen moved, with a second by Councilor Shinkan, to approve the letter of engagement with Baker Tilly for the Annual Landfill Assurance Test in the amount of \$7,700.00. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

UPDATE TO TITLE VI IMPLEMENTATION PLAN

In 2017, Council adopted a Title VI Implementation Plan as mandated by INDOT. Among other things, the plan affirms the Town's commitment to nondiscrimination in its programs, policies, and activities, establishes a complaint procedure for residents and employees, and affirms the Town's commitment to environmental justice.

Each year the plan is reviewed and updated as needed. With the recent staff changes, a new person must be named as the Title VI Coordinator. This person will be responsible for initiating and monitoring Title VI activities, preparing reports, and performing other responsibilities, as required by 23 C.F.R. § 200 and 49 C.F.R § 21.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the amended Title VI Implementation Plan naming the Interim Town Manager as the Coordinator. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

UPDATE TO ADA TRANSITION PLAN

In 2012, Council adopted an ADA Transition Plan outlining steps the Town would take to ensure Town Facilities, services, programs, and events will be accessible to persons with disabilities. As a recipient of federal funding, the Town is required to maintain this transition plan and update it annually.

With the recent staff changes, a new person must be named as the ADA Compliance Coordinator.

Councilor Gardiner moved, with a second by Councilor Shinkan, to approve the amended 2024 ADA Transition Plan naming the Interim Town Manager as the Coordinator. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

PORTFOLIO REPORTS

Councilor Gardiner shared a meeting was held with the Interim Town Manager, Clerk-Treasurer, and himself and the RDA. A date will be determined for the RDA to present Council with information regarding the TOD.

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 1, 2024. 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 Shinkan and seconded by Councilor Gardiner, the meeting adjourned at 8:28 p.m. by voice vote.

ATTEST:

David B. Nellans, President

Wendy Mis, Clerk-Treasurer