

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
JUNE 3, 2024

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, June 3, 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, Interim Director of Operations Chris Spolnik, Munster Representative to the Hammond Sanitary District Mike Hawkins. Representatives from the media were present.

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

PROCLAMATION: MUNSTER HISTORICAL SOCIETY

Councilor Hofferth read a proclamation recognizing June 10-16, 2024, as Munster History Week in the Town of Munster.

Councilor Gardiner moved, with a second by Councilor Shinkan, to adopt the A Proclamation Recognizing Munster History Week. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

PUBLIC HEARING: ADDITIONAL APPROPRIATIONS

The procedure for securing additional appropriations requires a public hearing and the adoption of an ordinance by the Town Council. The first reading was held at the May 20, 2024, meeting. Additional appropriations are being sought in the Park Donation Non-Reverting Fund in the amount of \$20,000.00 and the LIT-Economic Development Fund in the amount of \$125,000.00.

The Park Donation Fund and the LIT-Economic Development Fund are considered “reporting only,” and the Department of Local Government Finance (DLGF) does not approve or deny it. 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.

President Nellans opened the public hearing. There being no one coming forward to speak, the public hearing was closed.

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. Bobby Shaw, 8137 State Line, questioned why we are still discussing the Ridge Road Lane reduction. He is in favor of improvements to new curbs, pavement, poles but do not reduce the roadway. It is unsafe for bicyclists, and no one is using the bike lanes on Hohman Avenue.

Dr. Kenneth Schoon, 8010 Forest Avenue, he has been on numerous boards and commissions. He is a scientist first and needs evidence. Ridge Road is dangerous which is why it should be re-imagined. As part of the planning board, he evaluated the evidence and understands why the Road needs to be safer. He has not seen any professional studies on which the objections are based. The plan has many great features. Let's work together.

Mrs. Jeannie Tsolakos, 7707 Forest Avenue, reducing the lanes on Ridge Road would endanger those that live north of Ridge Road. When the expressway goes down, Ridge Road becomes an alternate route impacting residential streets. Ambulances and fire engines will not be able to access our neighborhoods and the hospital. The lives of those on the north side of Town are just as important as the people on the south side of Town. All lives are just as valuable as the grant is worth.

Ms. Virginia Storey, 7725 Forest Avenue, assessed Beverly Place after work was done in the Summer of 2023. She has listened to the residents' complaints and did a simple survey. The survey questions are: did you have prior knowledge of the project, are you pleased with the present appearance of Beverly Place, and should we accept Beverly Place as is or change? Residents were unaware of the project and are 100% unhappy with the current look and want change.

Mrs. Beverly Matz, 7925 Forest Avenue, the Beverly Place meadow is filled with critters and bugs. When the area is mowed, those will come into our neighborhood. The residents feel disrespected, unheard, and they are angry. They want it to be a place that could be used again. The area does not keep with the aesthetics of the neighborhood and is lowering property values. The road configuration is bad and narrow. Mirrors have been taken off and cars go the wrong way. The neighbors are willing to help with a solution.

Ms. Christine Fortney, 9128 White Oak Avenue, why would you do a \$17 million project on Ridge Road when the streets and the sidewalks in Munster are so horrid. She fell while out walking because the sidewalks are in such disrepair.

Mr. Mike Egler, 113 Beverly, lives overlooking the bioswale. The safety of the kids as they are hard to see behind the weeds, wildlife is going into the area, aesthetics and property values will be dampened. He is willing to help remediate.

Mr. Bob Cushing, 8003 Forest Avenue, they are unable to see traffic from Forest going east and west because of that monstrosity. He encouraged Council to go over and see what is

happening over there. The money spent on Ridge could be used for infrastructure like striping the roads like Calumet. Road repair on Ridge backs up traffic. He wants to keep Ridge Road five lanes. He would like to see a meeting where residents speak for more than two minutes. He wants Council to get out and see what the townspeople see.

Ms. Connie Karras, 211 Maple Lane, noted a change in her Knickerbocker Manor subdivision on Forest Avenue. The SurveyMonkey survey that the residents completed last fall asked about traffic calming measures. For years that area needed traffic medication. The previous council already approved the traffic calming measures. Now all traffic calming measures are being eliminated except for the speed humps.

Ms. Julie Dillner, Forest Avenue, cars drive too fast down Forest. Her car was hit during the night, which could have had a different outcome during the day. The SurveyMonkey survey indicated overwhelming support for traffic calming measures. If you want to put Munster first, stop people from using the street as a highway. Odd things are happening during the construction as it looks like some of the crosswalks are being removed and now it looks like they are not being reinstalled. Without Facebook she would not have known about what is happening in her own neighborhood. Be transparent in what is going on.

No one else rose to claim the floor.

Clerk-Treasurer Mis shared 34 emails were submitted electronically with nineteen for Re-Imagine Ridge Road and ten that expressed opposition. Two emails addressed the poor landscaping at Beverly Place. One letter supporting the ongoing operations of the Center for Visual and Performing Arts (CVPA) and one opposed to CVPA. One resident email requested police enforcement of the fireworks ordinance.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on May 20, 2024

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #24-5J dated 05/23//24 totaling \$200,992.75
Confirmation of Voucher Register #24-5K dated 05/30/24 totaling \$884,953.49
Confirmation of Voucher Register #24-5L dated 05/31/24 totaling \$460,841.18
Approval of Voucher Register #24-6A dated 06/03/24 totaling \$176,775.18

WATER LEAK ADJUSTMENTS 2024-34

Staff received requests for adjustment under the leak adjustment policy adopted by the Town Council on April 8, 2013. A 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>Requested Adjustment Amount</u> | <u>Adjusted Bill</u> |
|--------------------------|----------------------|---------------------|-----------------------|----------------------|------------------------------------|----------------------|
| 2024-34 | 6,000 | 25,000 | 2 months | \$ 171.04 | \$ 60.40 | \$ 110.64 |

Councilor Gardiner moved, with a second by Councilor Shinkan, 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

ORDINANCE 1952: ADDITIONAL APPROPRIATION (3)

Introduced ORDINANCE 1952 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2024 (3). This matter was the subject of a public hearing earlier in the evening.

Councilor Gardiner moved, with a second by Councilor Hofferth, to approve introduced Ordinance 1952 as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

NEW BUSINESS

AGENDA AMENDMENT

Councilor Gardiner moved, with a second by Councilor Shinkan to add Resolution #2133 to the agenda. The Resolution details the chain of command to outside vendors and Town employees. Councilor Petersen asked for a Robert’s Rules decision about how to amend the agenda, whether it needs a majority, quorum or unanimously. Councilor Gardiner motioned to close the discussion with a second by Councilor Shinkan. By voice vote, Councilors Shinkan, Hofferth, Gardiner, and Nellans voted in favor; Councilor Petersen voted against. Motion passed. Councilors Shinkan, Hofferth, Gardiner, and Nellans voted in favor of adding an item to the agenda; Councilor Petersen voted against. Motion passed. Item h was added to the agenda.

ORDINANCE 1953: AMENDMENT #2 TO 2024 SALARY ORDINANCE

Proposed ORDINANCE 1953 is AMENDMENT #2 TO THE 2024 SALARY ORDINANCE. An error has been discovered in Ordinance 1940 which is Amendment #1 to the 2024 Salary Ordinance. The intention was for the pay raises to go into effect with the first payroll in July which is July 12, 2024. That pay period begins June 23, 2024. The ordinance lists the effective date as June 21, 2024.

There is a similar error with the effective date for longevity. The new system goes into effect with the payroll dated July 26, 2024, but the ordinance lists that date as July 24, 2024.

Councilor Hofferth moved, with a second by Councilor Shinkan, to suspend the rules, and waive the readings to allow for the adoption of Ordinance 1953 on first reading as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

Councilor Hofferth moved, with a second by Councilor Shinkan, to adopt Ordinance 1953 on first reading as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

RESOLUTION 2132: LIMITING NUMBER OF BOARDS AND COMMISSIONS A RESIDENT MAY SERVE ON AT THE SAME TIME

Proposed RESOLUTION 2132 is A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MUNSTER, INDIANA ESTABLISHING A POLICY LIMITING THE NUMBER OF COMMISSIONS, BOARDS, OR COMMITTEES A RESIDENT MAY SERVE ON AT ANY GIVEN TIME. Council wants to allow for greater participation by numerous residents on the various boards and commissions. In order to accomplish this, Resolution 2132 has been drafted to limit residents from serving on more than one commission, board, or committee of the Town at one time.

Councilor Shinkan moved, with a second by Councilor Hofferth, to adopt Resolution 2132 as presented. Councilor Gardiner asked if would impact the Town Councilors appointed to the Redevelopment Commission and it was clarified the impact would be to resident appointments and would also exempting those that are appointed by ordinance or statue. The thought of adding term limits was raised. Councilor Petersen motioned to table the Resolution and Councilor Gardiner seconded the motion to table this Resolution 2132. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor of tabling the motion; none voted against. Motion carried.

ORDINANCE 1954: SIDEWALK REPLACEMENT PROGRAM

Proposed ORDINANCE 1954 is AN ORDINANCE AMENDING THE 50/50 PUBLIC SIDEWALK REPLACEMENT PROGRAM AND ADOPTING A PUBLIC SIDEWALK REPLACEMENT PROGRAM. The Town of Munster has 116 centerline miles of roadway with 232 miles of public sidewalk. Council engaged SEH in 2017 to complete a Townwide Sidewalk Inventory and Assessment using an objective, systematic, and comprehensive condition assessment on all Town sidewalks. The list is updated annually for budgeting decisions and the prioritization of scarce resources to improve the sidewalk infrastructure moving forward.

At this time, the Town finds it best to adopt a new Sidewalk Replacement Program. The existing 50/50 Sidewalk Program currently in place under Ordinance 1920 will be repealed. In its place, the Town will replace sidewalks based on the Town's physical inspection and rating by utilizing the Town's official judgment and discretion in ranking the substandard sidewalk. Ordinance 1954 has been drafted for this purpose.

Before the motion, a discussion regarding the responsibility of the sidewalk, specifically snow removal, was raised. That would remain the responsibility of the resident.

Councilor Petersen moved to hear Ordinance 1954 as presented and schedule a second reading, with the lack of a second, the motion died. With no second, the opportunity for additional discussion was discussed. Councilor Petersen shared his thoughts on the issue. Councilor Gardiner asked the discussion end after additional information is provided from staff. The discussion ended.

AGREEMENT WITH LIFE SAFETY INSPECTION VAULT (LIV)

The Munster Fire Department is tasked with conducting annual fire inspections for all commercial and multifamily residential buildings. If the property has a fire alarm or fire suppression system, the property owner must have the systems inspected by a certified, third-party company. The property owner receives these results, and the Fire Department can request to receive the report as well. The fire Department is then tasked with ensuring any deficiencies found on the report are resolved. The property owner is not required to inform the Fire Department which company it uses. The entire process is time-consuming and inefficient.

Life Safety Inspection Vault LLC (LIV), has a system that the various inspection companies use. LIV provides a database of inspection results which will prompt Staff when new results have been uploaded within the jurisdiction. The inspection company pays a fee of \$15.00/report, and there is no cost to the Town. A Master Services Agreement has been reviewed by the Town Attorney.

Councilor Shinkan moved, with a second by Councilor Gardiner, to allow the Fire Chief to sign the Master Services Agreement from LIV at no cost to the Town of Munster. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

RENEWAL OF AGREEMENT WITH VERIZON

The Town has an agreement with Verizon Wireless to lease space on the White Oak Avenue Water Tower that is coming to an end. Both parties want to extend the lease. The original lease began in 1999 and is scheduled to end July 31, 2024. Under the terms of the amendment, the lease would continue for four (4) additional five (5) year terms with an annual rent of \$40,800.00 beginning August 1, 2024. Beginning August 1, 2025, the annual rent for each year of the lease will increase by 2.00% over the previous year's amount. The current annual rent is \$41,194.80.

The previous escalator was 3.00% which was common when the original lease was written. This exceeds the CPI of the last decade which has been around 2.6%. As time passed, this was observed by the stockholders and there has been a push to reduce the escalators in these types of leases to stay more in line with the overall economy. The Town works with VMC Engineering for all aspects of the cell tower leases, and they observe that this is a common change among leases across all carriers.

This water tower is scheduled for reconditioning in August. Under the terms of the lease, all equipment will be removed and placed on a temporary site, a new railing meeting the Town's specifications will be installed, and all equipment replaced once the reconditioning and painting are complete. There are details regarding the railing included in the amended lease.

The White Oak tower also has equipment from T-Mobile. Staff and VMC are still working with T-Mobile to remove and replace their equipment as well as secure an amended lease. Staff expects this to come for Council approval before August.

The Town Attorney and VMC have reviewed the lease amendment and approve the language.

Councilor Hofferth moved, with a second by Councilor Shinkan, approve the proposed First Amendment to the Lease Agreement between the Town of Munster and Chicago SMSA Limited Partnership d/b/a Verizon Wireless. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion passed.

2025 BUDGET CALENDAR

The annual budget adoption process has a series of statutory deadlines which must be met in order to receive a budget for 2025. The 2025 Budget Preparation Schedule has been prepared for consideration. The local schedule was developed based on statutory deadlines. It calls for Town Council adoption on next year’s budget on October 7, 2024, with the required public hearing on September 16, 2024. These are both critical pieces in the budget process and both are regular meeting dates.

The Council is asked to review the schedule and to notify the Clerk-Treasurer of any scheduling conflicts by June 30, 2024. The dates may be changed but must fall within the statutory requirements and cannot go beyond any of the statutory deadline dates.

**APPOINTMENT TO SOUTH SHORE CONVENTION
AND VISITOR BOARD OF DIRECTORS**

Councilor Gardiner moved, with a second by Councilor Shinkan, to re-appoint Matthew Maloney to the Board of Directors of the South Shore Convention and Visitors Authority for a three-year term ending June 30, 2027. A brief discussion ensued. Councilor Petersen motioned to table the appointment. The motion did not have support. Councilors Shinkan, Hofferth, Gardiner, and Nellans voted in favor; Councilor Petersen voted against. Motion passed to reappoint Matthew Maloney.

**RESOLUTION 2133: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF
MUNSTER, INDIANA COORDINATING THE CHAIN OF COMMAND AND FLOW
OF WORK TO THIRD PARTY VENDORS AND DEPARTMENT HEADS.**

Proposed RESOLUTION 2133 is A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MUSNTER, INDIANA COORDINATING THE CHAIN OF COMMAND AND FLOW OF WORK TO THIRD PARTY VENDORS AND DEPARTMENT HEADS. Council to coordinate the chain of command and flow of work to third-party vendors and department heads, the following chain of command is established for third party contractors and attorneys. Authorization for work shall be through either the Town Council President, the Town Council Vice President in the absence of the President, the Town Manager at the direction of the President

or Vice President or by an affirmative vote of the legislative body. Individual members of the Town Council shall refrain from directing or authoring work on behalf of the Town of Munster by third party vendors. Regarding department heads and Town employees, the Town Council will observe the chain of command established by ordinance, resolution and/or policy. Department heads will take direction from the Town Manager as coordinated by the Town Council President or Vice President or by an affirmative vote of the legislative body

Councilor Gardiner moved, with a second by Councilor Shinkan, to adopt Resolution 2133 as presented. A brief discussion ensued. Councilor Petersen moved to table the Resolution and did not receive a second. Councilors Shinkan, Hofferth, Gardiner, and Nellans voted in favor of Resolution 2133; Councilor Petersen voted against. Motion carried.

PORTFOLIO REPORTS

Lake County Solid Waste will have a new Director as Jeanette Romano has resigned.

Beverly Place will be mowed in the upcoming days. We are looking to engage a landscape architect to assist in re-designing the area.

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, June 17, 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 8:11 p.m. by voice vote.

David B. Nellans, President

ATTEST:

Wendy Mis, Clerk-Treasurer