

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
AUGUST 19, 2024

A meeting of the Munster Town Council convened at 7:01 p.m. on Monday, August 19, 2024. Ordinance 1830 is the basis for holding electronic meetings. The announced meeting location was Munster Town Hall, 1005 Ridge Road, Munster, Indiana. 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, Fire Chief Mark Hajduk, Town Attorney Dave Westland, Interim Director of Operations Chris Spolnik, and 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.

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 August 5, 2024, meeting. Additional appropriations are being sought in the TIF Allocation Fund in the amount of \$2,500,000.00 and the General Fund in the amount of \$500,000.00.

The TIF Allocation Fund is 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. The General Fund request will be submitted to the DLGF for their review and authorization.

President Nellans opened the public hearing.

Mr. Ryan Dean, 8222 White Oak Avenue, spoke against using TIF funds for personnel and asked the Council to consider how it will be using the funds going forward.

No one else came 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. All in-person public comments are limited to two minutes and limited to a total of twenty minutes for the public comment section.

Mr. Jay McCormick, 9523 White Oak, shared his frustration with the ongoing construction on White Oak and the delays involved with getting the project completed. Mr. McCormick provided a log of activities for the project for the Councilors to review.

Mr. Mike Englert, 113 Beverly Place, provided an update on Beverly Place.

Ms. Elaine Reyna and Georgianne Glaros, 10094 Redbud Lane and 1727 Chelsea St, Schererville, shared information about Logan's Love the provider of the blue bags for the Munster Police Department.

Clerk-Treasurer Mis shared a summary of emails were submitted electronically. Twenty-four emails were no to Ridge Road and six were in favor. Twenty-one did not want the Town to get involved with the CVPA. One email wanted to know how many emails were from unique addresses. One email supported the closing of Terrace Drive.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on August 5, 2024

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #24-8C dated 08/09/24 totaling \$57,956.99
Confirmation of Voucher Register #24-8D dated 08/08/24 totaling \$541,808.19
Confirmation of Voucher Register #24-8E dated 08/09/24 totaling \$605,511.11
Confirmation of Voucher Register #24-8F dated 08/15/24 totaling \$1,144,363.74
Approval of Voucher Register #24-8G dated 08/19/24 totaling \$505,576.14

WATER LEAK ADJUSTMENTS 2024-41 AND 2024-42

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:

<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>
2024-41	47,000	112,000	1 month	\$ 668.51	\$ 370.25	\$ 298.26
2024-42	5,000	12,000	1 month	\$ 82.18	\$ 26.85	\$ 55.33

Councilor Shinkan moved, with a second by Councilor Gardiner, 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 1960: ADDITIONAL APPROPRIATIONS (4)

Introduced ORDINANCE 1960 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2024 (4). The procedure for securing additional appropriations requires a public hearing, scheduled for this evening, and the adoption of an ordinance by the Town Council. The first reading was held at the August 5, 2024, meeting.

The TIF Fund is 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. Upon passage of the ordinance, the General Fund request will be submitted to the DLGF for their review and authorization.

Councilor Petersen moved, with a second by Councilor Shinkan, to approve introduced Ordinance 1960 as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

ORDINANCE 1961: AMENDMENT #3 TO 2024 SALARY ORDINANCE

Introduced ORDINANCE 1961 is AMENDMENT #3 TO THE 2024 SALARY ORDINANCE. Council held first reading on this matter at the August 5, 2024, meeting. The amendment increases the total number of sworn officers to fifty by increasing the number of patrol officers, sergeants, and creating a deputy chief position. There is also a ministerial component which adopts Resolutions 2126, 2027, and 2035 by reference to cover those components of the Interim Town Manager position that are salary related.

Councilor Petersen moved, with at a second by Councilor Hofferth, to adopt Ordinance 1961 on second reading, as amended. A discussion ensued. Councilors Shinkan, Hofferth, Petersen, and Nellans voted in favor; Councilor Gardiner voted against. Motion carried.

NEW BUSINESS

ENGAGEMENT LETTER: 2024 GENERAL OBLIGATION BOND ISSUE

Mr. Brad Bingham of the law firm of Barnes & Thornburg submitted a proposed letter of engagement for his services as bond counsel for the 2024 General Obligation Bond Issue. Mr. Bingham proposes (1) a fee of \$10,000.00 (plus out-of-pocket charges and expenses) for his services as bond counsel for the proposed general obligation bond issue. 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.

Historically, Munster has sold the bonds by soliciting bids from local banks and other eligible financial institutions that requested notification of bond sales. Based on conversations with bond counsel and its own research, Staff is recommending using the Indiana Bond Bank (IBB). The IBB offers a pooled financing program for essential public projects for terms up to twenty-

five years. The IBB handles the bidding process and because they are issuing in large amounts, the rates are better than what the Town could achieve through its own bidding process. Bonds can be structured to the Town's needs in terms of repayment and closing date.

The process starts with a rate inquiry and completion of an application. There will be several other communities going through the same process at the same time. The IBB will then issue its own bond in order to provide the funds to each of the communities that applied to participate in that month's issuance. Munster would enter into a purchase agreement with IBB to issue the Munster bond and receive the proceeds. Applications are accepted on a rolling basis, and the Town is aiming for a September application with bond closing at the end of October.

If the Town works with IBB, there is a conflict which must be addressed. Barnes & Thornburg, and at times Brad Bingham specifically, serve as bond counsel for the pooled bond issued by the IBB each month. Bose McKinney and Evans LLP serve the IBB as the issuer's counsel for the purchase agreement that individual units enter. If there were a dispute between the Town and the Indiana Bond Bank, it would be related to the purchase agreement. In that situation, Barnes & Thornburg would withdraw and not represent either side in the dispute. Town Attorney Westland would represent Munster and Bose McKinney and Evans would represent the Bond Bank.

The Town can choose to waive the conflict, and Staff believes the Town is appropriately protected should Council decide to move forward with the engagement. By approving the engagement letter, Council will be waiving the conflict. The other options are to find a different firm to serve as bond counsel or to issue the bonds in the manner traditionally used by Munster.

Councilor Shinkan moved, with a second by Councilor Gardiner, moved to confirm the letter of engagement with Barnes & Thornburg to serve as Bond Counsel for the 2024 GO Bond Issue with the Indiana Bond Bank. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

ENGAGEMENT EXTENSION: PLANNING SERVICES

Council approved an engagement letter with HWC at the May 20, 2024, meeting for on-call planning services. The purpose of the engagement was to allow Staff time to focus on the review and update of the Town Code. The original engagement was for three months at the rate of \$8,500.00/month, not to exceed \$25,500.00. The term of this engagement has ended and the need for their services remains.

HWC has presented Contract Amendment #1 for an additional three months at a not-to-exceed amount of \$25,500.00.

Councilor Petersen moved, with a second by Councilor Hofferth, to approve Contract Amendment #1 to the letter of engagement with HWC for on-call services. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

PORTFOLIO REPORTS

Councilor Gardiner shared information about the Munster Civic Foundation Civic Monday concert series and the Cruising on the Ridge car show.

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 5, 2024. The Redevelopment Commission will hold a regular meeting immediately following. The meeting is held on a different day than usual because of the Labor Day holiday.

ADJOURNMENT

There being no further business to come before the Council, and upon a motion by Councilor Shinkan and seconded by Councilor Hofferth, the meeting adjourned at 7:35 p.m. by voice vote.

David B. Nellans, President

ATTEST:

Wendy Mis, Clerk-Treasurer