

TOWN OF MUNSTER
MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL
DECEMBER 16, 2024

A meeting of the Munster Town Council convened at 7:00 p.m. on Monday, December 16, 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 Stephen Scheckel, Town Attorney Dave Westland, Director of Operations Bob Valois, and Hammond Sanitary District representative 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 APPROPRIATION

The first reading on the ordinance was held at the December 2, 2024, meeting. Additional appropriations were being sought in three funds: the General Fund, Consumer Water Deposit Fund, and Technology Fund. Since first reading, the preliminary budget notice for 2025 was issued, final invoices have been received for this evening's meeting, and one payroll remains. Another review of the General Fund was made, and it has been determined that additional appropriation is not needed. The General Fund has been removed from the ordinance and Council is being asked to approve the other two funds.

The procedure for securing additional appropriations requires a public hearing, scheduled for this evening, and the adoption of an ordinance by the Town Council. Upon passage of the ordinance, the appropriations for the Consumer Water Deposit and Technology Funds will be in effect and reported to the Department of Local Government Finance (DLGF).

President Nellans opened the public hearing.

No member of the public 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 wms@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. Greg Starcevich, 9501 Cottonwood Drive, shared his concerns about speeding on Azelea on Azelea and Camila and would like a sign on Camellia.

Mr. Robert Thomas, 8445 Manor, wanted to follow up about why the multi-unit water rates are higher and will reach out to the Clerk-Treasurer. He would like fencing on Manor along the NICTD train line.

Mr. Jim Clark, 8306 Oakwood Avenue, wants to see less water main breaks especially around Castle and Oakwood Avenue

Mr. Mike Englert, 113 Beverly Place, appreciated the support on Beverly Parkway
Mrs. Margaret Pruzin, 1157 Bluebird, requested access to the RAISE grant information and wanted updated information on the status of the grant. She did not believe that the residents were being informed and the Council is being transparent.

No one else rose to the floor.

CONSENT AGENDA

APPROVAL OF MINUTES

Minutes of a regular meeting held on December 2, 2024

ACCOUNTS PAYABLE VOUCHER REGISTERS

Confirmation of Voucher Register #24-10L dated 10/31/24 totaling \$87,321.02
Approval of Voucher Register #24-10M dated 10/31/24 totaling \$180,253.24
Confirmation of Voucher Register #24-12B dated 12/05/24 totaling \$227,591.13
Confirmation of Voucher Register #24-12C dated 12/10/24 totaling \$57,956.99
Confirmation of Voucher Register #24-12D dated 12/10/24 totaling \$49,103.47
Confirmation of Voucher Register #24-12E dated 12/12/24 totaling \$673,899.11
Approval of Voucher Register #24-12F dated 12/16/24 totaling \$478,935.17
Confirmation of Voucher Register #24-12G dated 12/13/24 totaling \$573,051.85

ACCEPTANCE OF SURETY BONDS

This item was removed from the agenda to be addressed at a future meeting.

NEPOTISM AND CONFLICT OF INTEREST STATEMENTS

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 not later than December 31 of each year." Attached are copies of certificates executed by Councilors Shinkan, Hofferth, Gardiner, Nellans, and Petersen and Clerk-Treasurer Mis.

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." Attached are copies of certificates executed by Councilors Shinkan, Hofferth, Gardiner, Nellans, and Petersen. The Clerk-Treasurer is not required to execute this certification but has submitted.

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. Attached are copies of certificates executed by Interim Town Manager Abbott.

WATER LEAK ADJUSTMENTS 2024-56 THROUGH 2024-57

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>Adjustment Amount</u>	<u>Adjusted Bill</u>
2024-56	6,000	44,000	2 months	\$ 291.01	\$ 206.91	\$ 84.10
2024-57	7,000/10,000	133,000	2 months	\$ 807.66	\$ 690.12	\$ 117.54
2024-58	6,000	21,000	1 month	\$ 139.86	\$ 97.81	\$ 42.05

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

OLD BUSINESS

ORDINANCE 1973: ADDITIONAL APPROPRIATIONS (7)

Introduced ORDINANCE 1973 is AN ORDINANCE FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE YEAR 2024 (7). This matter was subject of a public hearing earlier in the meeting. The General Fund was removed from the ordinance.

Councilor Gardiner moved, with a second by Councilor Hofferth, to approve Ordinance 1973 as amended. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

ORDINANCE 1974: 2024 SALARY ORDINANCE AMENDMENT #5

Introduced ORDINANCE 1974 is AMENDMENT #5 TO THE 2024 SALARY ORDINANCE. Council held first reading on this matter at the December 2, 2024, meeting. The amendment includes Resolution 2140 into the Salary Ordinance to cover the Interim Town Manager compensation and benefits.

Since first reading, there have been conversations about extending the Interim Town Manager position. Later in the meeting Council will be considering Resolution 2147 for this purpose. Ordinance 1974 has been amended to include this resolution as well.

Councilor Shinkan moved, with a second by Councilor Hofferth, to adopt Ordinance 1974 on second reading as amended. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

NEW BUSINESS

RESOLUTION 2145: RETIREMENT HEALTH SAVINGS PROGRAM

Proposed RESOLUTION 2145 is A RESOLUTION AMENDING THE MISSIONSQUARE RETIREMENT HEALTH SAVINGS (RHS) PROGRAM. Earlier this year, Council reestablished the Retirement Health Savings Plan (RHS). The RHS is specifically designed to create a nest egg to cover medical expenses, including insurance premiums, in retirement. There is triple tax savings with this plan. The earnings are not taxable; the investment earnings on the individual's account are not taxable, and withdrawals from the plan are not taxable provided they are used for approved, medical purposes.

In order to participate in a Retirement Health Savings Plan, specific groups must be defined, and the contribution amounts are set within the plan. Anyone within the defined group must contribute at the same rate. It is not voluntary.

Department Heads have expressed interest in participating. The benefits and drawbacks were discussed at a recent Department Head meeting. The group was given time to consider if they would like to participate and if so, how much they would want to contribute. Each Department Head contacted me separately to say they would like to participate. The level of contribution ranged from 1.00% to 3.00%. A consensus was reached at 2.00%.

Resolution 2145 has been drafted in modify the Retirement Health Savings Plan to create a new group for Department Heads with a mandatory contribution rate of 2.00%. The current groups of Interim Town Manager and Controller will remain in place.

Councilor Hofferth moved, with a second by Councilor Shinkan, to adopt Resolution 2145 as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

**RESOLUTION 2146: TRANSFERRING LAND SALE PROCEEDS
TO PARK LAND ESCROW FUND**

Proposed RESOLUTION 2146 is A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MUNSTER, LAKE COUNTY, INDIANA, TRANSFERRING LAND SALE PROCEEDS TO THE PARK LAND ESCROW FUND. The Northern Indiana Commuter Transportation District (NICTD) is constructing the West Lake Corridor Commuter Rail with will have a stop at Ridge Road and Manor Avenue. Part of the project included purchasing land owned by the Munster Park Department. The sale was approved under Park Resolution 2023-02 and the Park Department received \$396,782.08 for the property.

Ordinance 377 is AN ORDINANCE CREATING A SPECIAL NON-REVERTING CAPITAL FUND FOR USE BY THE BOARD OF PARKS AND RECREATION. The fund was created to acquire land and make capital improvements specifically for park purposes. Staff refers to this as the Park Land Escrow Fund. The current bulk of the money in this fund came from the settlement for the Clubhouse and is being used to pay for the new Pro Shop and Golf Cart Storage Facility. There are occasions when developers must make a mandatory dedication payment to the fund.

The proceeds of the sale were placed in the Park and Recreation Fund which is the main operating fund of the Park Department. The Park Board wants the funds to be used for a future capital park improvement as opposed to general operations, and they adopted Park Resolution 2024-06 to transfer the proceeds from the Park and Recreation Fund to the Park Land Escrow Fund.

Prior to the Park Board action, Staff consulted with the Indiana State Board of Accounts about making this transfer. Because of the specific circumstances of the situation, this transfer can be made. Resolution 2146 has been drafted for this purpose.

Councilor Shinkan moved, with a second by Councilor Hofferth, to adopt Resolution 2146 as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

RESOLUTION 2147: INTERIM TOWN MANAGER EXTENSION

Proposed RESOLUTION 2147 is A RESOLUTION AUTHORIZING AN INTERIM TOWN MANAGER. Resolutions 2126, 2127, 2134, and 2140 were approved by Council to authorize an Interim Town Manager to serve until a permanent individual can be identified for the position. The current extension ends on December 21, 2024. Candidates for the role were identified, and it was anticipated that a hire would be made prior to this date. Unfortunately, no permanent Town Manager was hired.

Council wants to extend the Interim Town Manager position while the job search continues. Resolution 2147 has been drafted for this purpose.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve Resolution 2147 as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

ORDINANCE 1975: GROUP TRANSFERS

Proposed ORDINANCE 1975 is AN ORDINANCE FOR TRANSFERS WITHIN CERTAIN APPROPRIATED FUNDS FOR THE YEAR 2024. There are four major expenditure groups within each fund of the Town, Personal Services, Supplies, Contractual Services, and Capital Outlays. Throughout the year, departments have expenditures greater than originally anticipated in a certain group. When this happens, a transfer of budget dollars is made. There is no overall increase or decrease to the overall budget.

Municipalities are allowed to make these budget transfers. The transfers must be authorized by ordinance or resolution. Ordinance 1975 has been prepared to authorize budget transfers known to be required so far this year. We will not know the final amounts until December 31, after we receive the final revenues of the year and have processed the final payroll and all vouchers.

Adoption of an ordinance usually requires two readings. We ask that the Town Council consider Ordinance 1975 on first reading on December 16, and then adopt the ordinance on second reading at the first meeting in January. The final appropriation adjustment amounts will be incorporated as amendments to the ordinance prior to adoption. There will be no net change in any fund.

Councilor Gardiner moved, with a second by Councilor Hofferth, to consider Ordinance 1975 on first reading and schedule second reading in January 2025. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

2025 NON-HEALTH INSURANCE RENEWAL

The Town administers a self-insured program for its non-health insurance programs. Staff worked with its broker Gallagher the renew coverage for 2025. Overall, the Town had a good claims year, and four companies provided quotes. Following are the coverages and the recommended provider.

1. Ambridge – Package (general and law enforcement liability, employee benefits, automobile, errors and omissions, public officials and employment practices liability, property and crime)
2. Fireman’s Fund Insurance Company– Excess Property
3. Arch Insurance – Excess Workers Compensation (New provider with two-year guarantee)
4. Beazley Excess & Surplus Insurance, Inc. – Property/Boiler and machinery for Clubhouse and Amphitheater
5. Houston Casualty Company/Tokio Marine HCC – Cyber Liability
6. Federal Insurance Company – Property /Liability for Methane Plant

The Package carrier is being changed from Old Republic to Ambridge which has a lower loss fund but the same retention. When the Clubhouse is removed, Staff will notify the insurance carrier, and a pro-rated refund will be issued. No changes to retention levels were recommended.

Average premium increases are in the 7-9% range. Munster will see a 6% increase with a total premium and service fee of \$830,427.38. A large portion of the increase is due to increased property coverage and payroll cost. The premiums will be paid from the Self-Funded Liability Insurance Fund. There is \$800,000.00 budgeted for claims in 2025 which is paid from the same fund.

Councilor Hofferth moved, with a second by Councilor Shinkan, to authorize the Interim Town Manager to bind coverage for the liability insurance program as presented in the 2025 Proposal of Insurance. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

APPROVAL OF THIRD PARTY CLAIMS PROCESSING

Earlier this evening, Council approved and authorized binding of coverage for the 2025 non-Health Insurance Program. Part of that program is an agreement with a third-party claims administrator, Gallagher Bassett. The Town is beginning the fourth year of a five-year contract. Gallagher Bassett is looking for a signature confirming the pricing for 2025.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the pricing and signature by the Interim Town Manager for the 2025 Liability Program third-party claims administrator Gallagher Bassett. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

CHANGE ORDER #3: 2024 PAVING & WATERMAIN

This project included work on Fran Lin, Chestnut, Holly, Camellia and White Oak. During the design phase of the project SEH was told all water services were ¾ inch. As the contractor replaced the services, they discovered 1 inch, 1.5 inch, and 2-inch services were also present. The additional cost because the water services lines have three different sizes instead of one resulted in Change Order #3. The total increase in price of this Change Order is \$185,564.65. The contract price was \$5,236,100.33. This change order will bring the total cost of the project to \$5,421,664.98.

Councilor Gardiner moved, with a second by Councilor Hofferth, to approve \$185,564.65 for Change Order #3 for varying water services sizes for a new project cost of \$5,421,664.98 for the 2024 Paving and Watermain project. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

CHANGE ORDER #4: 2024 PAVING & WATERMAIN

The original project design called for ten raised crosswalks, each with trench grates to be installed at the curb. At the Town's request, only five raised crosswalks were constructed. Rieth-Riley ordered enough trench grates for ten crosswalks. Five crosswalks were removed from the project. The raised crosswalks removed from the project were:

- Chestnut Lane/Oriole Drive
- Chestnut Lane/Bluebird Lane
- Chestnut Lane/Robin Drive
- Camellia Drive/Elmwood Drive

- Camellia Drive/Greenwood Avenue

The raised crosswalks grates are non-refundable and have been given to the Town of Munster. The cost of the crosswalk is \$283.00 each. The contract price was \$5,421,664.98. This change order is a decrease in price of \$46,038.00. This change order will bring the total cost of the project to \$5,375,626.98.

Councilor Gardiner moved, with a second by Councilor Shinkan, to approve \$46,038.00 for Change Order #3 for varying water services sizes for a new project cost of \$5,375,626.98 for the 2024 Paving and Watermain project. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

TITLE VI IMPLEMENTATION PLAN UPDATE

In 2017, the 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. There is no change from the 2024 plan, but it is anticipated that a new coordinator will be named later in the year. 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 Hofferth moved, with a second by Councilor Shinkan, to approve the amended Title VI Implementation Plan for 2025. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

UPDATE TO ADA TRANSITION PLAN

In 2012, the 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.

The current plan must be reviewed and updated by year-end. This has been done and the 2025 ADA Transition Plan is presented for approval.

Councilor Shinkan moved, with a second by Councilor Gardiner, to approve the amended 2025 Transition Plan. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

2025 LIT EXPENDITURE PLAN

The Town must file an expenditure plan for the Local Income Tax – Economic Development Fund with the County Auditor for the ensuing year. Uses of the fund are outlined in statute and the Town has been using the fund for the West Lake Extension, engineering of the bridges over Hart and Cady Marsh Ditches, legal fees associated with updating the zoning code, and regular lobbying fees.

The plan is written to allow the fund to be used for anything permitted in statute.

Councilor Gardiner moved, with a second by Councilor Shinkan, to approve the 2025 LIT Capital Expenditure Plan as amended. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

CHAMBER OF COMMERCE PROPOSAL

The Munster Chamber of Commerce will celebrate its 100th anniversary in 2025. The Chamber has presented a proposal to have street banners from April through October of 2025 along Ridge Road and Calumet Avenue. The commemorative banners will not only celebrate this milestone but will also showcase and promote local businesses.

All costs to produce the banners will be handled by the Chamber of Commerce and participating businesses. The installation and removal of the banners would be handled by Town Staff. The Chamber is seeking approval to install the banners on Town of Munster light poles as detailed in their proposal dated November 25, 2024.

Councilor Shinkan moved, with a second by Councilor Hofferth, to approve the installation and removal of street banners as outlined in the proposal dated November 25, 2024, from the Munster Chamber of Commerce. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

REORGANIZATION OF TOWN COUNCIL, REDEVELOPMENT COMMISSION, AND APPOINTMENTS TO BOARDS AND COMMISSIONS 2025

As year-end approaches, the Council is considering appointments and reappointments for positions that will expire December 31, 2024.

Councilor Hofferth nominated Councilor Shinkan with a second by Councilor Gardiner to the Town Council President. Councilor Shinkan accepted the nomination. Councilor Gardiner motioned to close the nominations and appoint Councilor Shinkan as the President, Commission Hofferth seconded. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

Councilor Shinkan nominated Councilor Hofferth with a second by Councilor Gardiner to office as Vice-President. Councilor Hofferth accepted the nomination. Councilor Shinkan motioned to close the nominations and appoint Councilor Hofferth as the Vice-President. Councilor Gardiner seconded. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

President Nellans appointed Councilors Petersen, Gardiner, and Hofferth to a one-year term on the Redevelopment Commission which will end December 31, 2025. President Nellans then opened the floor for nominations to the Munster Redevelopment Commission for the year 2025. Councilor Gardiner nominated Councilors Nellans and Shinkan each to a one-year term on the Redevelopment Commission which will end December 31, 2025. Councilor Petersen seconded the motion. Councilor Gardiner seconded. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

Councilor Shinkan moved, with a second by Councilor Gardiner, to reappoint Michael Hawkins as the Town of Munster Representative to the Hammond Sanitary District for a term to expire December 31, 2028. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against.

2025 TOWN OF MUNSTER REGULAR MEETING SCHEDULE

The schedule of regular meeting dates and times was presented for the Agenda Review, Town Council, Redevelopment Commission, Board of Zoning Appeals, Plan Commission, Board of Safety, Site Plan Review, and Park Board. The only change from the current schedule is the meeting time of the Town Council. Beginning January 6, 2025, regular Council meetings will begin at 6:30 p.m. Redevelopment Commission meetings will continue to be immediately after Council meetings.

Councilor Shinkan moved with a second by Councilor Hofferth, to accept the 2025 Town of Munster Regular Meeting Schedule as presented. Councilors Shinkan, Hofferth, Gardiner, Petersen, and Nellans voted in favor; none voted against. Motion carried.

REPORTS

Clerk-Treasurer Mis shared the Light the Night event was attended by over 1,000 people and was a successful collaborative event between the Public Works Department, Munster Parks and Recreation, Munster Chamber of Commerce and the Munster Civic Foundation despite the cold weather.

PORTFOLIO REPORTS

No reports were presented.

ANNOUNCEMENTS

(Unless stated otherwise, all meetings of the Town Council begin at 6:30 p.m. at Munster Town Hall.)

The Town Council will hold a regular meeting on Monday, January 6, 2025. 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 Gardiner and seconded by Councilor Shinkan, the meeting adjourned at 7:48 p.m. by voice vote.

David B. Nellans, President

ATTEST:

Wendy Mis, Clerk-Treasurer