

**Enrolled Minutes of the Twenty-Seventh Regular or Special Meeting  
For the Twenty-Ninth Highland Town Council  
Regular Plenary Meeting (Electronic)  
Monday, January 11, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, January 11, 2021 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

This meeting was convened as an *electronic meeting*, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.6 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 20-52. Some persons were participating remotely on a Zoom platform that allowed for real time interaction, and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely. When the agenda item provided for public comment, this was supported as well. Councilor Bernie Zemen, Councilor Mark Herak, Councilor Mark Schocke, Councilor Thomas Black and Councilor Roger Sheeman participated electronically.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding conducted in the anteroom to the plenary meeting room. Once completed the Town Council moved to the plenary meeting room.

The Town Council President, Mark J. Schocke presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with the Town Council President reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Thomas Black and Roger Sheeman (all participating electronically). The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

**Additional Officials Present:** John P. Reed, Town Attorney; Mark Kneseck, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Superintendent of Parks and Recreation; Kathy DeGuilio-Fox, Redevelopment Director; and Kenneth J. Mika, Building Commissioner, were present.

*Also present:* Ed Dabrowski IT Director (Contract) also of the Board of Waterworks Directors and Larry Kondrat of the Waterworks Board of Directors were also present (electronically).

*Guests:* Theresa Badovich of the Idea Factory was also present.

**Minutes of the Previous Meetings:** The minutes of the regular meeting of 28 December 2020 were submitted for consideration. Councilor Zemen moved the approval of the minutes. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes of 28 December 2020 were approved.

**Special Orders:**

1. Election of the **Town Council President** for 2021, pursuant to § 2.05.040 of the Highland Municipal Code.

Councilor Zemen moved to elect Roger Sheeman as town council president. Councilor Black seconded. Upon a roll call vote, there were three affirmatives, one negative and one abstention. With Councilors Zemen, Herak and Sheeman voting in the affirmative, Councilor Schocke voting in the negative and Councilor Black abstaining, the motion to elect passed. Councilor Sheeman was elected the 70<sup>th</sup> Town Council President. Councilor Sheeman assumed the chair.

Councilor Schocke shared that in his opinion Councilor Sheeman had not kept promises made when he was a candidate and therefore he could not support the Councilor for this position. He further suggested he would not support Councilor Sheeman in other possible votes.

2. Election of the **Town Council Vice President** for 2021, pursuant to § 2.05.040 of the Highland Municipal Code.

Councilor Black moved to elect Bernie Zemen as vice president. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Councilor Zemen was elected the Town Council Vice President.

**Comments from the Public or Visitors:**

There were no comments from the public.

**Staff Reports:** The following staff reports were received and filed.

• **Building & Inspection Report for December 2020**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	8	0	8	\$205,389.00	\$4,270.50
Signs:	1	0	1	\$23,280.00	\$487.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	37	37	0	\$328,667.00	\$8,233.50
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	2	2	0	\$10,911.00	\$327.00
Fences:	6	6	0	\$41,542.00	\$1,275.00
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	6	6	0	\$60,925.00	\$1,588.50
Miscellaneous	2	2	0	\$1,282.00	\$273.00
<b>TOTAL:</b>	<b>62</b>	<b>53</b>	<b>9</b>	<b>\$672,996.00</b>	<b>\$16,455.00</b>
<b>Electrical Permits</b>	15	9	6		\$1,580.00
<b>Mechanical Permits</b>	10	7	3		\$1,170.00
<b>Plumbing Permits</b>	3	3	0		\$666.70
<b>Water Meters</b>	1	1	0		\$375.00
<b>Water Taps</b>	0	0	0		\$0.00
<b>Sewer/Storm Taps</b>	0	0	0		\$0.00
<b>TOTAL Plumbing:</b>	<b>4</b>	<b>4</b>	<b>0</b>		<b>\$1,041.70</b>

**December Code Enforcement:**

Investigations: 077  
 Citations: 001  
 Warnings: 077

**December Inspections:**

Building: 32      Electrical: 19      Plumbing: 07      HVAC: 05

Electrical Exams: 3

• **Fire Department Report for December 2020**

<u>Type of Call</u>	<u>Month</u>	<u>YTD</u>
General Alarms	11	118
Paid Still Alarms	21	328
Still Alarms	4	69
<b>Total Alarms:</b>	<b>36</b>	<b>Calls YTD: 515</b>

• **Workplace Safety Report for December 2020**

There was one workplace incident to report in December. The following report was filed.

Department	Injuries this Month	Year to Date 2020	Total in 2019	Restricted Days 2020	Lost Workdays This Year (2020)	Restricted Days Last Year (2019)	Lost Workdays Last Year (2019)
Parks	0	2	0	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	1	2	4	0	0	0	0
Street	0	1	1	0	0	0	0
Water & Sewer	0	2	5	93	81	0	0
Maint.	0	0	1	0	0	14	2
Other	0	0	1	0	0	0	0
<b>TOTALS</b>	<b>1</b>	<b>7</b>	<b>13</b>	<b>93</b>	<b>81</b>	<b>14</b>	<b>2</b>

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

**Appointments:**

• **Statutory Boards and Commissions**  
*Executive Appointments*

- Redevelopment Commission:** (3) appointments to be made by Town Council President. (Note: currently held by Tony Washick (unexpired term of George Georgeff) , Renee Reinhart (unexpired term of Bill Leep), and Jack Havlin (unexpired term of Sean Conley))

*Action.* The Town Council President as municipal executive announced the appointments of **Bill Leep**, 8407 Cottage Grove Place, Highland; **George Georgeff**, 2251 Oakdale, Highland, and **Sean Conley**, 2852 100<sup>th</sup> Street, Highland to the Redevelopment Commission. Terms are 1 year and until a successor is appointed and qualified, subject to the limitation in IC 36-1-15-10(d)(1). The Clerk-Treasurer noted he would prepare the proper certificates of appointment to be executed by the Town Council President.

**Unfinished Business and General Orders:**

- 1. Resolution No. 2021-01:** A Resolution Of The Fiscal Body Of The Town Of Highland Approving And Fixing The Official Charges Or Fees For Information And Communication Technology Services Provided By The Municipality To Its Executive Departments And Offices And Accounted In The Information And Communication Technology Fund.

Councilor Herak moved the passage and adoption of Resolution No. 2021-01. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

TOWN of HIGHLAND  
Town Council Resolution No. 2021-01

**A RESOLUTION OF THE FISCAL BODY OF THE TOWN OF HIGHLAND APPROVING AND FIXING THE OFFICIAL CHARGES OR FEES FOR INFORMATION AND COMMUNICATION TECHNOLOGY SERVICES PROVIDED BY THE MUNICIPALITY TO ITS EXECUTIVE DEPARTMENTS AND OFFICES AND ACCOUNTED IN THE INFORMATION AND COMMUNICATION TECHNOLOGY FUND**

**WHEREAS**, The Town Council of the Town of Highland serves as both the legislative and fiscal body of the municipality, all pursuant to I.C. 36-1-2-6, I.C. 36-1-1-2-9 and I.C. 36-5-2-2;

**WHEREAS**, IC 36-1-3-2 and IC 36-1-3-6(b)(1) confer upon local units of government the powers that they need for the effective operation of government as to local affairs and prescribe the manner and form of enactment for any such exercise of power;

**WHEREAS**, The Highland Town Council did adopt and establish an Information and Communication Technology Fund, by adoption of Ordinance No. 1323, amending the Highland Municipal Code by adding a new section § 31.08 (now codified as Section 3.45.110), which provides for an internal service fund as an accounting entity to which the resources and costs associated with providing information and communication technology services to the municipality will be accounted; and,

**WHEREAS**, Section 3.45.110 (F) (1) particularly provides that resources or revenue for these services supported by the internal service fund may consist of *"interdepartmental charges, contributions, cost shares or assessments levied against funds or departments of the municipality to support the lawful purposes and budget of the Information and Communication Technology Fund;"*

**WHEREAS**, Section 3.45.110 (F) (1) (a) still further provides that the *"charges and rates shall be developed and recommended by the proper officers of the municipality and fixed and approved by the Town Council"*;

**WHEREAS**, The proper officers of the municipality have developed and now recommend charges and rates for **FY 2021** to support the costs associated with the provision of information and communication technology services to the municipality and its several executive departments and utilities; and,

**WHEREAS**, The Town Council now desires to fix and adopt the charges and rates as recommended,

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the proper officer(s) of the municipality have developed and now recommend the following annual charge for services for the fiscal year **2021** as follows:

(a) For information and communication technology services provided to the several departments reposed in the **Corporation General Fund**, the annual charge is allocated at **25% of costs or \$52,941.50**;

(b) For information and communication technology services provided to the department reposed in the **Park and Recreation Fund**, the annual charge is allocated at **20% of costs or \$42,353.20**;

(c) For information and communication technology services provided to the department reposed in the **Redevelopment General Fund**, the annual charge is allocated at **5% of costs or \$10,588.30**;

(d) For information and communication technology services provided to the Waterworks Utility, the annual charge is allocated at **25% of costs or \$52,941.50**;

(e) For information and communication technology services provided to the Wastewater/Stormwater Utility, the annual charge is allocated at **25% of costs or \$52,941.50**;

**Section 2.** That the Town Council hereby finds and determines that the rates and charges as recommended are consistent with IC 36-1-3-8(a)(6), calculated to include reasonable costs associated with those purposes outlined in Section 3.45.110 (D) of the Highland Municipal Code;

**Section 3.** That the Town Council hereby now fixes and approves the annual rates and charges as set forth herein, and authorizes the municipal fiscal officer to take such lawful measures to charge and collect the fees herein, either as a single lump sum fee or collected periodically until fully collected, and then to deposit these charges into the **Information and Communication Technology Fund**;

**DULY RESOLVED and ADOPTED** this 11<sup>th</sup> Day of January 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

/s/ Roger Sheeman, President (IC 36-5-2-10)

**ATTEST:**

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

**2. Resolution No. 2021-02: A Resolution Authorizing a Transfer to the Rainy Day Fund of Identified Monies, pursuant to IC 36-1-8-5.1 et seq.**

Councilor Herak moved the passage and adoption of Resolution No. 2021-02. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted.

**TOWN OF HIGHLAND  
RESOLUTION NO. 2021-02**

**A RESOLUTION AUTHORIZING A TRANSFER TO THE RAINY DAY FUND OF IDENTIFIED MONIES,  
PURSUANT TO IC 36-1-8-5.1 ET SEQ.**

**WHEREAS**, The Highland Town Council did establish a **Rainy Fund**, codified as Sections 3.45.175 through 3.45.195 in the Highland Municipal Code, all pursuant to IC 36-1-8-5.1;

**WHEREAS**, Pursuant to HMC Section 3.45.175(B), the purpose of the Rainy Day Fund is for *“accumulating funds to provide resources to support lawful purposes of the municipality, including meeting exigencies as herein may be defined and such other purposes permitted by IC 36-1-8-5.1 and as are identified in this article;”*

**WHEREAS**, Indiana Code 36-1-8-5.1 (b)(2) further provides that an ordinance establishing a Rainy Day Fund must specify the sources of funding for the rainy day fund, which may include any funding source specified in the adopting ordinance and not otherwise prohibited by law;

**WHEREAS**, Indiana Code 36-1-8-5.1 (d) and HMC Section 3.45.175 (E) provides that in any fiscal year, a political subdivision may transfer under (IC 36-1-8-5) not more than ten percent (10%) of the political subdivision’s total annual budget for that fiscal year, adopted under IC 6-1.1-17, to the rainy day fund;

**WHEREAS**, Section § 3.45.175 (C) (4) of Highland Municipal Code provides that sources for the Town’s Rainy Day Fund may include: *“Unassigned fund balances which may be identified in the several funds of the municipality, as may be approved by the town council, and then transferred to the rainy day fund, subject to the provision of IC 36-1-8-5.1(d);”* and,

**WHEREAS**, The Town Council of the Town of Highland has identified unassigned fund balances from which to transfer a portion to the Rainy Day Fund,

**NOW, THEREFORE BE IT RESOLVED** by the Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That the Clerk-Treasurer be and is hereby directed to transfer the following identified amounts of unobligated fund balance on deposit to the credit of the funds herein identified then to be transferred to and deposited to the credit of the **Rainy Day Fund**:

- (A) CORPORATION GENERAL FUND  
*Transfer to Rainy day Fund* \$ 175,000.00
- (B) REDEVELOPMENT GENERAL FUND

	<i>Transfer to Rainy day Fund</i>	\$ 75,000.00
(C)	Cumulative Capital Development Fund <i>Transfer to Rainy day Fund</i>	\$ 100,000.00
(D)	Economic Development LIT Fund <i>Transfer to Rainy day Fund</i>	\$ 50,000.00

**Section 2.** That the Town Council finds and determines:

(A) That the total appropriated amount of the budget passed and adopted for the taxing units of Highland, by the Town Council, under IC 6-1.1-17 for FY 2021 and reduced by the debt service budgets, is \$17,675,261, rendering the ten percent (10%) limit to be \$1,767,526;

(B) That the amount being transferred, being \$400,000, does in fact conform to the statutory limitation provided in IC 36-1-8-5.1(d).

(C) That the no amount of unobligated fund balance is coming from a debt service, bond proceeds or an allocation fund.

**DULY RESOLVED and ADOPTED** this 11<sup>th</sup> Day of January 2021, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

/s/ Roger Sheeman, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

**Remarks from the Town Council:**  
*(For the Good of the Order)*

- **Councilor Bernie Zemen:** • *Fire Department, Liaison* • *Liaison to the Plan Commission*

Councilor Zemen congratulated Councilor Sheeman on his election as president.

Councilor Zemen acknowledged the Fire Chief who offered a survey of service and incidents of the Fire Department.

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Advisory Board of Zoning Appeals* • *Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Herak congratulated the newly elected Council President and Vice President.

Councilor Herak acknowledged the Public Works Director who offered a survey of matters undertaken by the Public Works Agency. There was a brief discussion regarding streets and the resurfacing for 2021.

Councilor Herak acknowledged the Building Commissioners who noted that the Plumbing Inspector would likely be retiring soon.

- **Councilor Mark Schocke:** *Park and Recreation Liaison.*

Councilor Schocke acknowledged the Parks and Recreation Superintendent who reported on parks and recreation generally. The Parks and Recreation Superintendent noted that the Daddy-Daughter dance would be likely postponed until April owing to the COVID pandemic restrictions.

Councilor Schocke also noted that he hoped that the recently obtained CARES Act reimbursement would be used to reimburse each department for its costs associated with COVID.

- **Councilor Tom Black:** *Liaison to the Board of Sanitary Commissioners • Liaison to the Board of Waterworks Directors.*

Councilor Black wished the new president well.

- **Council President Roger Sheeman:** *Town Executive • Chair of the Board of Police Pension Trustees • Chamber of Commerce Liaison • Liaison to the Community Events Commission • Information Technology Liaison • and Redevelopment Commission Liaison.*

Councilor Sheeman acknowledged the Redevelopment Director who offered a brief report regarding the lighting replacement in the downtown. He also noted that the January 26, 201 would be the next Restaurant Crawl in the downtown.

#### **Comments from Visitors or Residents:**

There was were no comments.

With leave from the Town Council, the Town Council President offered remarks on the occasion of his election as the 70<sup>th</sup> Town Council President.

**Payment of Accounts Payable Vouchers.** There being no further comments from the public, Councilor Black moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period December 29, 2020 through January 11, 2021. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

#### **Vendors Accounts Payable Docket:**

**General Fund, \$261,652.85; Motor Vehicle Highway and Street (MVH) Fund, \$27,128.96; Law Enforcement Continuing Education and Training and Supply Fund, \$1,492.22; Insurance Premium Agency Fund, \$7,853.98; Information Communications Technology Fund, \$4,640.93; Police Pension Fund, \$69,229.26; Municipal Cumulative capital Development Fund, \$161,301.64; Public Safety Local Income Tax Fund, \$14,450.00; Total: \$547,749.84**

**Adjournment of Plenary Meeting.** There being no further business on the agenda, the Town Council President adjourned the regular plenary meeting of the Town Council of Monday, January 11, 2021 at 7:22 O'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO  
Clerk-Treasurer

Approved by the Town Council at its meeting of \_\_\_\_\_, 2020.

Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO  
Clerk-Treasurer

