

Agenda
Thirty-third Regular or Special Meeting
of the Twenty-Ninth Town Council of Highland
Regular Meeting of Monday, February 22, 2021 at 6:30 p.m.

Agenda organized pursuant to Section 2.05.090 of the Highland Municipal Code
 This meeting will be convened as an electronic meeting, pursuant to Governor
 Holcomb's Executive Orders, 20-04, 20-09, 20-25 and extended by Executive
 Order 21-03, allowing such meetings, pursuant to IC 5-14-1.5-3.6 for the
 duration of the emergency, through to March 1, 2021.

People may observe and record the meeting for live streaming by joining the meeting on the
 Zoom platform <https://zoom.us/j/94596320995?pwd=MGFxN0NacGVvbTV4VWV2OXFNNOIRQT09>

Further, persons wishing to offer comment in the meeting may access the electronic
 meeting by using the preceding and adding the password for Meeting ID 945 9632 0995,
 password (code): 348992.

Prayer: Bernie Zemen

Pledge of Allegiance: Bernie Zemen

Roll Call: Bernie Zemen



Mark A. Herak

Mark J. Schocke

**A GREAT PLACE
 TO CALL HOME**

Thomas (Tom) Black

Roger Sheeman

Minutes of Previous Session: Minutes of the Regular Meeting of 08 February 2021 and
 Special Meeting of 12 February 12 2021.

COMMENTS FROM THE PUBLIC or VISITORS This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council regarding matters on the agenda. Persons addressing the Town Council are requested to limit their presentations to **two (2) minutes** and encouraged to avoid repetitious comments.

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- Appointments:**
- Executive Appointments (May be made in meeting or at another time)
 (Listed in case there is readiness)*
1. **Municipal Plan Commission:** (1) appointment to be made by Town Council President. *(Note: Currently held by Thomas Vander Woude (I))* Citizen members cannot have more than two of any party. Currently, 2 D, 1 R and 1 Ind.
 2. **Advisory Board of Zoning Appeals:** (1) appointment to be made by Town Council President. This appointment only necessary if there is a change to the appointment on the Plan Commission. *(Note: Currently*

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held by Joseph Grzymski term is co-extensive with his plan commission term for which there is no fixed term)

3. **Waterworks Board of Directors:** (2) appointments to be made by Town Council President. (Note: Currently serving Lawrence R. Kondrat (R), and George A. Smith (R). Current composition of the board is three Republicans and two Democrats. No more than three of any one party under state law.
4. **Board of Sanitary Commissioners:** (2) appointments to be made by Town Council President. (Note: currently serving, Richard Garcia (D) and Greg Cieslak (R)). Current composition is three Republicans, two Democrats. Current law provides no more than three of any one party.

Regional Statutory Commissions or Boards

- 5 **Northwestern Indiana Regional Planning Commission (NIRPC):** (1) appointment to be made by Town Council President. (Note: **No action is necessary unless** the Town Council President wishes to change appointment. Appointee must be an elected official of the community represented. Currently serving, Michael Griffin. He is the Immediate Past Chair of the Commission.)
6. **Town Representative to the Lake County Public Safety Communications Commission.** Pursuant to Lake County Ordinance No. 1362A-2, the Town of Highland is a Group A municipality, so the appointment is an Executive appointment. Term expires 12.31.2020 and terms are four years. (Currently held by William R. Timmer, Jr., CFOD)
7. **Economic Development Commission.** (1) Appointment to be made by the municipal executive, but requiring nomination from the Town Council. Term ends just before February 1st. (Currently held by Michael Wieser. He has asked not to be reappointed.) This term does not expire until February 1, 2021.)
 - a. Nomination by the Town Council. (The council would pass a motion to nominate.)
 - b. Appointment by executive. (If nominee is acceptable, the Town Council President may appoint.)

Home Rule Boards and Commissions

8. **Community Events Commission** Multi-Year position: (1) appointment to be made by the Town Council President. **Term: 4 years.** (Note: Currently serving, Jacqueline Herrera)
9. **Tree Board:** (2) appointments, to be made by the municipal executive, but requiring nomination from the Town Council. (Positions currently held by William (Bill) Vargo and Judy Vaughn.)
 - a. Nomination by the Town Council. (The council would pass a motion to nominate.)
 - b. Appointment by executive. (If nominee is acceptable, the Town Council President may appoint.)
 - **Tree Board Chairperson.** The Town Council President also appoints the Chairperson to be selected from the membership of the board. (See HMC Section 8.25.030 (C)) (Currently held by Bill Vargo.)

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Legislative Appointments

1. **Municipal Plan Commission:** (3) appointments to be made by Town Council. (Note: Appointees may be elected or appointed officials or employees of the Town. Currently no vacancies. **No action necessary** as incumbents continue to serve unless the legislative body acts to change. Currently serving: Bernie Zemen (Elected Official); Douglas Turich (employee); Joseph Grzymiski (employee))
2. **Advisory Board of Zoning Appeals:** (1) appointment to be made by Town Council as the Fiscal Body of Unit. (Note: Currently held by David Helms)
3. **Park and Recreation Board:** (1) appointment to be made by Town Council. (Note: Currently serving Carlos Aburto (D).)
4. **Town Board of Metropolitan Police Commissioners:** (2) appointments to be made by Town Council. (Note: currently serving Steven Jurczak (D) and James k. Slagle (D)) Cannot have more than three persons of any single party. Current composition is Three D and Two R.
5. **Redevelopment Commission** (2) appointments to be made by Town Council. (Note: currently held by Robyn Radford, LCSW; and Cyril Heurter)

Regional Statutory Commissions or Boards

6. **Lake County Solid Waste Management District Board of Directors** (1) appointment to be made by Town Council. (Note: currently held by Councilor Thomas "Tom" Black. Must be a member of the Town Council (Fiscal Body). Term is co-extensive with term of councilor. **No action necessary** unless the Town Council wishes to change the appointment. The term continues until acted upon or status changes as a fiscal body member)

Home Rule Commissions

7. **Main Street Bureau Board:** (17) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2023. There is currently 1 of the 17 in place and serving. Currently serving is Teri Youkovich.
8. **Joint Board of Delegates of the Interlocal Cooperation Ethics Entity.** Continues until recalled. Currently, Michael Griffin.
9. **Community Events Commission** Multi-year positions: (3) appointments to be made by the Town Council. **Term: 4 years.** (Note: Currently serving Dawn Wolak and Kristen Smith. Also there is a vacant post the term of which expires 1 January 2022, unexpired term)

Single year positions: (9) appointments to be made by the Town Council. **Term: 1 year.** (Note: Currently serving, John A. Salzeider, Stan M. Allen, Michael Cardone, Michael Blejski, Christopher Kornaus, Deanna Christ, Elizabeth Alakel, and Jason Tharp)

10. **Traffic Safety Commission:** (5) appointments, which must be comprised of 1 representative from the **Fire Department**, (1) representative from the **Public Works Department** (Agency), (1) **member from the Town Board of Metropolitan Police Commissioners**, and (2) **members from the Police Department**. Also note, HMC Chapter 10.45 provides that the Police Chief serves as Chief of the Commission

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regardless of being a member of the commission. (Currently serving, William Timmer, CFO, Fire Department Representative; Vacant* (owing to retirement) Public Works Department (Agency) representative; Steve Jurczak, Town Board of Metropolitan Police Commissioners representative; Commander John Banasiak, Police Department representative; and Chief Peter T. Hojnicky, Police Department representative.)

**Unfinished
Business &
General Orders:**

1. **Redevelopment Resolution No. 2021-07:** A Resolution Authorizing, Accepting and Approving the Conveyance, Return and Transfer of a Certain Parcel of Land and/or its Improvements to the Parks and Recreation Department and the Public Works Department (Agency) of the Town of Highland in Consequence of the Completion of the Redevelopment Project and Improvement Work Performed by the Redevelopment Department. (At its meeting of January 26, 2021 the Redevelopment Commission approved the completion of the Downtown Parking Project. While the project was underway, it required temporary transfer of the property to the Redevelopment Department. Once approved by all the needed bodies, the area of the project, bike trail and other improvements will be transferred to the Parks and Recreation Department. The Park and Recreation Board approved at its meeting of February 18, 2021. The Town Council acting as the Works Board of the Town is the last governing body required to act to perfect the return of the property.)
2. **Resolution No. 2021-07:** An Exigent Resolution Providing for the Transfer of Appropriation Balances from and Among Major Budget Classifications in the Public Safety Local Income Tax Fund as Requested by the Proper Officer and Forwarded to the Town Council for its Action Pursuant to I.C. 6-1.1-18-6.
3. **Commendation Letter for Day Off and Signature Authorization.** Action to approve Letters of Commendation for **Exemplary Public** service leading to the award of a single paid day off for several workers in the **Metropolitan Police Department**. Pursuant to **Section 4.13** of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. The Town Board of Metropolitan Police Commissioners has granted preliminary approval to a letter of commendation to *Lance Corporal John Hinkel* regarding the rescue and apprehension of a person suspected of fleeing a traffic stop.

Action should include approval for the members of the Town Council to sign the letters of commendation.

The Police Chief and the Town Board of Metropolitan Police Commissioners are asking for approval of a letter of commendation for the exemplary public service evidenced in the rescue and then apprehension of a person suspected of fleeing a traffic stop:

- *Lance Corporal John Hinkel*

4. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of **\$110,000** in the **Public Safety Income Tax Fund**.

NEW BUSINESS:

**Comments or
Remarks from the
Town Council:**

Councilor Bernie Zemen
Councilor Mark Herak

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(Good of the Order) **Councilor Mark Schocke**

 Councilor Thomas Black

 Councilor Roger Sheeman

COMMENTS FROM THE PUBLIC or VISITORS This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. Depending on the nature of the comments, the Town Council may direct the staff to address the topic or follow-up on matters that may arise from public comments. If necessary, the matter may be set for action at a future meeting. Persons addressing the Town Council are requested to limit their presentations to **two (2) minutes** and encouraged to avoid repetitious comments.

ACTION TO PAY Accounts Payable Vouchers Accounts payable vouchers February 9, 2021 to February 22, 2021 in the amount of **\$539,736.82**.
Payroll Dockets for the payday of January 29, 2021 in the amount of **\$319,960** and the payday of February 9, 2021 in the amount of **\$242,259.45**.

ADJOURNMENT The Town Council may meet in study session immediately following the Regular Meeting.
Posted pursuant to IC 5-14-1.5-4(a)

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**Enrolled Minutes of the Thirty-First Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting (Electronic)
Monday, February 08, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, February 08, 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. 21-03. 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.

The Town Council President, Roger Sheeman, 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: (Silent) 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 Knesek, 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 (electronically).

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 and Robin Carlascio of the Idea Factory; and James L. Wieser, attorney for the petitioner, SJ HIGHLAND, LLC/Russell Group were also present.

Minutes of the Previous Meetings: Councilor Zemen moved the approval of the minutes of the regular meeting of 25 January 2021, the Special Meeting of 25 January 2021, and the Special Meeting of 30 January 2021. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes of the regular meeting of 25 January 2021, the Special Meeting of 25 January 2021, and the Special Meeting of 30 January 2021 were approved.

Special Orders:

- 1. Consideration of Proposed Additional Appropriations:** (*non-controlled funds*) Proposed Additional Appropriations in Excess of the 2021 Budget for the **Unsafe Building Fund** in the amount of \$142,669, **General Improvement Fund** in the

amount of \$8,000, **Hazardous Materials Response Fund in the amount of \$4,807.00**, and the **Municipal Cumulative Street Fund**.

- (a) Attorney verification of Proof of Publication: The TIMES 28 Jan 2021. The Town Attorney stated that the proof of publication complied with the statutory requirements.
- (b) **Public Hearing**. The Town Council President called the public hearing to order.
 1. Mike Upchurch, Highland, offered remarks regarding the proposed rezoning, favorably recommended by the Plan Commission. The Town Attorney noted that the subject for the current hearing was confined to the matter of the proposed additional appropriations and there would be another opportunity for comments on that subject later in the meeting.
 2. Larry Kondrat, Highland, asked that the proposed additional appropriations be explained in the several funds. It was noted that this is a routine authorization.

There were no further comments or remonstrances. The Town Council President closed the hearing.

- (c) Action on **Appropriation Enactment No. 2021-05**: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Unsafe Building Fund, General Improvement Fund, Hazardous Materials Response Fund, and the Municipal Cumulative Street Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced the enactment and moved for the consideration of Appropriation Enactment No. 2021-05 at the same meeting of its introduction. Councilor Schocke seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. He enactment could be considered at the same meeting.

Councilor Herak moved for the passage and adoption of Appropriation Enactment No. 2021-05 at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. He enactment was passed and adopted at the same meeting of its introduction.

**Town of Highland
Appropriation Enactment
Enactment No. 2021-05**

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the UNSAFE BUILDING FUND, GENERAL IMPROVEMENT FUND, HAZARDOUS MATERIALS RESPONSE FUND, AND THE MUNICIPAL CUMULATIVE STREET FUND, ALL PURSUANT TO I.C. 6-1.1-18, and I.C. 36-5-3-5.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Unsafe Building Fund, General Improvement Fund, Hazardous Materials Response Fund, and the Municipal Cumulative Street Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

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

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Unsafe Building Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

UNSAFE BUILDING FUND	
Acct. No. 003-0000-310.05 Demolition Costs:	<u>\$ 142,699.00</u>
<i>Total Series:</i>	\$ 142,699.00
Fund Total:	\$ 142,699.00

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **General Improvement Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

GENERAL IMPROVEMENT FUND	
Acct. No. 083-0000-34003 Record/Releasing Lien	<u>\$ 8,000.00</u>
<i>Total Series:</i>	\$ 8,000.00
Fund Total:	\$ 8,000.00

Section 3. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Hazardous Materials Response Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

HAZARDOUS MATERIALS RESPONSE FUND	
Acct. 20-0000-21000 Haz Mat Misc. Supplies:	<u>\$ 3,807.00</u>
<i>Total Supplies:</i>	\$ 3,807.00
Acct. 20-0000-44050 Haz Mat Equipment:	<u>\$ 1,000.00</u>
<i>Total Equipment:</i>	\$ 1,000.00
Fund Total:	<u>\$ 4,807.00</u>

Section 4. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Municipal Cumulative Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

MUNICIPAL CUMULATIVE STREET FUND	
Acct. No. 088-0000-44010 Sidewalk Replacement:	<u>\$ 4,494.00</u>
<i>Total Series:</i>	\$ 4,494.00
Fund Total:	\$ 4,494.00

Section 5. That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 6-1.1-18.

Section 6. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 8th Day of February 2021. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 8th Day of February 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**

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

ATTEST:

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

2. Consideration of Proposed Additional Appropriations: (controlled funds):
Proposed Additional Appropriations in Excess of the 2021 Budget for the

Redevelopment Capital Fund in the amount of \$1,800,853.00 and in the **Sanitary District Bond and Interest Fund** in the amount of \$486,712.00.

- (a) Attorney verification of Proofs of Publication: The TIMES 28 Jan 2021. The Town Attorney stated that the proof of publication complied with the statutory requirements.
- (b) **Public Hearing.** The Town Council President called the hearing to order.
1. Larry Kondrat, Highland inquired regarding the appropriation account proposed for the Redevelopment Capital Fund identified as property acquisition. It was noted that this only to support properties identified on the relevant redevelopment plan and its related acquisition list.

Mr. Kondrat inquired about the account related to the community garden and whether it was supported by donations. It was noted that it was.

The Town Council President closed the public hearing.

- (c) Action on **Appropriation Enactment No. 2021-06:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the **Redevelopment Capital Fund** and in the **Sanitary District Bond and Interest Fund**, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced the enactment and moved for the consideration of Appropriation Enactment No. 2021-06 at the same meeting of its introduction. Councilor Schocke seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. He enactment could be considered at the same meeting.

Councilor Herak moved for the passage and adoption of Appropriation Enactment No. 2021-06 at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. He enactment was passed and adopted at the same meeting of its introduction.

Town of Highland
APPROPRIATION ENACTMENT
Enactment No. 2021-06

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund and for the Sanitary District Special Bond and Interest Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Redevelopment Capital Fund**, and the **Sanitary District Bond and Interest Fund**;

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

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

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Redevelopment Capital Fund** and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT CAPITAL FUND

Increase accounts:

096-0000-31005 Engineering & Architecture	\$	41,300.00
096-0000-31007 Maintenance & Repair	\$	35,000.00

096-0000-31008 Tree Replacement	\$	4,000.00
096-0000-31009 Landscape Services	\$	16,000.00
096-0000-34002 Facade Improvement Grant	\$	100,000.00
096-0000-39019 Legal Services Land Acquisition	\$	32,500.00
096-0000-39025 Property Appraisal Services	\$	47,200.00
096-0000-39026 Demolition Services	\$	60,000.00
096-0000-39040 Community Garden Services	\$	<u>2,124.00</u>
<i>Total for 300 Series:</i>	\$	338,124.00
 <i>Increase accounts:</i>		
096-0000-40001 Land purchases	\$	1,383,229.00
096-0000-42001 Wayfinding Signs	\$	76,000.00
096-0000-45006 Benches and Receptacles	\$	<u>3,500.00</u>
<i>Total for 400 Series:</i>	\$	1,462,729.00
TOTAL for FUND:	\$	<u>1,800,853.00</u>

Section 2. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Sanitary District Bond and Interest Fund** and for the purposes herein specified, subject to the laws governing the same:

SANITARY DISTRICT SPECIAL BOND AND INTEREST FUND

Acct. 042-0000-39011 Principal Payments		<u>\$ 486,712.00</u>
Total:		\$ 486,712.00
TOTAL for the FUND:		<u>\$ 486,712.00</u>

Section 3. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

Section 4. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 8th Day of February 2021. Consideration on the same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 8th Day of February 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

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

ATTEST:

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

Comments from the Public or Visitors:

The Town Council President noted that the agenda was adjusted to divide the special orders to cause the public comments to be received before action was taken on the rezoning ordinance. The Town Council President suggested that the comment period be confined to 1 hour with a limit of each person wishing to speak of two minutes, all of which was to present a suggested rule for this portion of public comments.

Rule regarding comment period. Councilor Schocke moved that there be no time limit on public comment. Councilor Black seconded. There was an amendment to this motion, show below. Upon a roll call vote, following the amendment below, there were five affirmatives and no negatives. The motion as amended was passed. The rule that there would be no time limit on the period of public comment, provided that each person would speak for up to two minutes and only once on the subject was adopted.

Amendment. Councilor Herak moved that motion be amended to say that each person be allowed to speak one time only and then for a period not to exceed two minutes. Councilor Zemen seconded. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Herak and Sheeman voting I the affirmative and Councilors Black and Schocke voting in the negative, the motion passed. The amendment was adopted.

It was determined after an objection raised by Councilor Schocke, that the attorney for the petitioner would be confined to comment in the place noted in the agenda and not during the public comment period.

1. Stephanie Smith, _____ favored allowing Scheeringa's to buy the 19 acres that is the subject of the purchase agreement/option between SJ Highland, LLC/Russell Group and Griffland. Ms. Smith opposed the rezoning.
2. Mike Upchurch, Highland, favored allowing Scheeringa's to buy the 19 acres that was the subject of the purchase agreement/option between S.J. Highland, LLC/Russell Group and Griffland. Mr. Upchurch opposed the rezoning.
3. Beth Hobbs, Highland, supported the use of the former Ultra super grocery store site, (8401 Indianapolis Boulevard) for the senior housing development. Ms. Hobbs opposed the rezoning.
4. Jannine Scheeringa, Highland, stated why she favored allowing her family to buy the 19 acres that is the subject of the purchase agreement/option between SJ Highland, LLC/Russell Group and Griffland instead of SJ Highland, LLC/Russell. Ms. Scheeringa listed the activities associated with the farm stand such as the petting zoo and hayrides as positive activities of the farm. Janille Scheeringa opposed the sale by Griffland to the developer. Ms. Scheeringa opposed the rezoning.
5. Linda _____, Highland, expressed her opposition to the project.
6. Amy Hine, _____, who indicated that she was treasurer of the Lake County Farm Bureau, expressed the Lake County Farm Bureau's support for the Scheeringa's farm.
7. Thomas Blejski, Highland, expressed concern about policies that reduce farm land. Mr. Blejski opposed the rezoning.
8. Chris Kornaus, Highland, expressed concerns about the proposed senior development's ability to manage its run off.
9. Liz Brezlin, Highland, urged the Town Council to vote no on the rezoning.
10. Janine Scheeringa, Highland, expressed disapproval for what she referred to as emails that contained remarks of the Town Council President regarding the economics of purchasing farm land at the same price as the developer and continuing to farm it. Ms. Scheeringa disapproved of what she interpreted to be questioning her family's motives in seeking to purchase the 19 acre property that is the subject of the purchase agreement/option between SJ Highland, LLC/Russell Group and Griffland instead of SJ Highland, LLC/Russell. Ms. Scheeringa urged the Town Council to not rezone the property.
11. Amanda Schocke, Highland, expressed support for the farm.

Councilor Schocke tried to be recognized to speak not in his role as a town councilor but as a citizen. The Town Council President ruled this out of order.

12. Deb Lichtle, _____, favored allowing Scheeringa's to buy the 19 acres that is the subject of the purchase agreement/option between SJ Highland, LLC/Russell Group and Griffland. She opposed the rezoning.
13. Cynthia _____ expressed disappointment in what she perceived as a change of position by the Town Council President on the subject of the development.
14. Jack Havlin, Highland, stating he was completing remarks intended to be shared by Janille Scheeringa challenging the right of the SJ Highland LLC/Russell Group to have purchase agreement/option with Griffland. Mr. Havlin further stated that the Scheeringa Farm is an attraction and destination.
15. Alicia _____, _____ favored allowing Scheeringa's to buy the 19 acres that is the subject of the purchase agreement/option between SJ Highland, LLC/Russell Group and Griffland. She opposed the rezoning.
16. Larry Kondrat, Highland, opposed the rezoning. He wanted to pose some questions. The Town Attorney stated that questions were not in order for this public comment period.

With leave from the Town Council, Councilor Schocke asked the Town Attorney to opine on his right to speak in the public comment period as a resident and not in his role as a councilor. The Town Attorney suggested that Councilor Schocke possesses a first amendment right to speak.

17. Renee Reinhart, Highland, opposed the rezoning.
18. Mark Schocke, Highland, speaking as a resident expressed opposition to the rezoning and urged that the current zoning be left in place.
19. Barb Haddad, _____ opposed the senior housing development and opposed the rezoning.
20. Jennifer _____, _____ stated that there was a petition with three thousand signatures opposing the rezoning.
21. Stephanie, _____, opposed the sale of the property and favored the farm.
22. Ruth _____, _____ opposed the senior housing center.
23. A person wishing not to be identified expressed her opposition to the rezoning.
24. Mike Maloney, Highland, asked the Clerk-Treasurer about the procedural path for this matter if the rezoning passed. With leave from the Town Council, it was noted that the economic development and redevelopment components including incentives not already agreed upon such as the conversion of the private access road named Ernie Strack Drive to an improved public way, would require staff work and some level of negotiation. Any incentives would require a public vote by the appropriate public body and a public hearing if the financing involved the sale of bonds.
25. Rick Volbrecht, Highland, express his opposition to the project.
26. Aaron Straker, _____ referencing some digital videos, which he reported that he transmitted by email and Facebook direct message to Councilor Zemen, had a colloquy with Councilor Zemen regarding voting for what the town people want.

Appealing a Ruling. Councilor Schocke, having been permitted by the Town Council President to ask a question of Mr. Straker after Mr. Straker's time for comment had expired, inquired what else Mr. Straker wanted to say. The Town Council President ruled the question out of order.

Councilor Schocke moved to appeal the ruling of the chair, pursuant to the provisions in Section 2.05.180(H) of the Highland Municipal Code. The motion did not attain a second. The motion could not be considered. The ruling was sustained.

27. Paul Scheeringa, _____, supported the use of the former Ultra super grocery store site, (8401 Indianapolis Boulevard) for the senior housing development. Mr. Scheeringa opposed the rezoning.
28. Jim Rauer, Highland, opposed the senior development and expressed concern that in using the proposed site, flooding might be triggered in the surrounding area.
29. Phil Scheeringa, _____ opposed the rezoning ordinance.
30. John Vanek, _____, shared results of on-line polls conducted at certain web or Facebook websites regarding the senior housing development. He noted it was informal. Mr. Vanek reported that h several polls measured opposition to the senior development. Mr. Vanek urged the Town Council to vote no on the proposed rezoning.
31. Barbara Berones, urged the Town Council to vote no on the proposed rezoning.
32. Tammy Lowser, urged the Town Council to vote no on the proposed rezoning.
33. Chris Magley, Highland opposed the project and stated his concerns for flooding that the development might trigger.
34. Councilor Schocke reported a text message he received from Mike Maloney asking for permission to complete his speaking time. Mr. Maloney asked for clarifications regarding whether the development matter would be done in a single meeting before the Town Council and for clarification regarding the process dealing with any economic incentive.

It was noted that there three boards would be involved. Final action would be in a public meeting. It was noted that some of this would depend on the nature of the incentives.
35. Karen Maloney, Highland also inquired about a responses to some questions she had provided to Councilor Zemen regarding this matter.
36. Brandon Dothrager, Highland, expressed concern about what he called the breakdown of trust in the public officials, and expressed his opposition to the rezoning and the project.
37. Jodie _____, expressed opposition to the rezoning and urged the Town Council to vote no on the ordinance.
38. Chris Vickery, Highland, expressed disappointment with what understood to be a change of position on this matter by the Town Council President. Mr. Vickery opposes the senior citizen development.
39. Brittany Good, Highland, expressed opposition to the project and the rezoning.

- 40 Amber Smith, _____, consider the reach of the appeal of the farm outside and inside highland when considering to vote.

The Town Council President closed the public comment period.

Special Orders (continued):

3. **Plan Commission Docket No. 2020-03:** Petitioner is seeking an amendment to the zoning map involving property located between Kleinman Avenue and Cline Avenue, commonly known as the Scheeringa Farm. The subject property is currently zoned R-1A Single Family (Large Lot) Residential District and petitioner seeks rezoning to R-3 PUD Planned Unit Development District, designation.

Petitioner: SJ Highland, LLC/Russell Group, by its counsel, James L. Wieser, Wieser & Wyllie, LLP. The Municipal Plan Commission determined a favorable recommendation, by a vote of five (5) in favor, one (1) opposed, and one (1) abstention at its December 16, 2020. The Plan Commission's findings of fact were memorialized from the December 16, 2020 hearing and were officially adopted at its special meeting of February 3, 2021. The matter was certified to the Town Council for its consideration and action, received in the Office of the Town Clerk-Treasurer, Thursday, February 4, 2021.

IC 36-7-4-608 (e) states that the legislative body shall vote on the proposal within 90 days after the plan commission certifies the proposal. Coming with a favorable recommendation, IC 36-7-4-608 (f) further provides that at the first regular meeting of the legislative body after the proposal is certified or at any subsequent meeting within the 90 day period, the legislative body may adopt or reject the proposal.

Action. Pursuant to IC 36-7-4-608 (f), having received a favorable recommendation, the Town Council may either approve the recommendation and adopt the ordinance or reject the recommendation, and defeat the ordinance. If no action occurs within 90 days, the recommendation of the Plan Commission is adopted. (90 days tolls on May 4, 2021.)

Note: As an ordinance to amend the zoning code, IC 36-5-2-9.8 (b)(1) provides that the provisions for considering an ordinance on the same night of introduction do not apply.

- (1) Petitioner communication or comment.

Jim Wieser, attorney for the petitioner, offered a public review of the process associated with the project and the rezoning. He stated that at the two public hearings before the Plan Commission there was not the same number of persons expressing opposition. He further noted that the concerns regarding the drainage were addressed as part of the plan commission vetting process.

Mr. Wieser asked that the Town Council approve the favorable recommendation of the Plan Commission and adopt the ordinance.

- (2) **Ordinance No. 1727:** An Ordinance Amending the Zoning Map of the Comprehensive Zoning Ordinance Passed by the Town Council of the Town of Highland, Lake County, Indiana, on the 9th day of October 2017, by Ordinance No. 1659 and Codified as Title 18 of the Municipal Code to be Effective on the date of adoption; and hereinafter reclassifying an area in the Town of Highland, Lake County, Indiana from an R-1A Single Family Residential District to a R-3-PUD District.

Motion to adopt the Ordinance. Councilor Herak moved to adopt Ordinance No. 1727. After the appeal from the decision of the chair memorialized below and motion to fixing the time to adjourn, Councilor Zemen seconded.

Councilor Schocke moved to amend the ordinance that had not yet been seconded.

With leave from the Town Council, the Town Attorney explained the types of zoning ordinances that involve textual changes, rewrites and zoning map revisions. The Town Attorney opined that the involvement of the Planned Unit Development could make this ordinance both a textual and map change. However, he noted that the petition was filed as a zoning map change.

He further counseled that while it is technically true that amendments may not be allowed as this is probably a zoning map change, it might be prudent to somehow hear the amendments that Councilor Schocke desired to offer in the record.

The Town Council President ruled that it was not in order to amend the ordinance based upon the zoning law, which limits the actions of that the Town Council can take on zoning map changes.

Appeal the decision of the chair. Councilor Schocke moved to appeal the decision of the chair not allowing him to propose amendments. Councilor Black seconded. On the issue whether the ruling of the chair should be overruled, there were three negatives and two affirmatives. With Councilors Zemen, Herak and Sheeman voting no on overruling the chair and Councilors Schocke and Black voting in the affirmative to overrule the chair, the motion did not pass. The ruling of the chair was sustained.

Motion Fixing the Time to Adjourn. Councilor Schocke moved to fix the time to adjourn at 8:55 p.m. It did not attain a second. The motion could not be considered.

With leave from the Town Council, Councilor Schocke noted that he had 42 different amendments distributed to the Town Council and filed with the Town Clerk-Treasurer.

Councilor Schocke also noted a letter composed by the attorney for the petitioner sent to the Town Attorney regarding his concerns about Councilor Schocke's actions taken to oppose the rezoning seeking his recusal from voting on the ordinance.

Motion to make documents a part of the minutes. Councilor Schocke moved to make his written list of amendments to be made part of the record. Seconded by Councilor Black. Upon a roll call vote, as amended, there were five affirmatives and no negatives. The motion passed as amended. The written amendments, the letter from the attorney for the rezoning petitioner and the written response and analysis of the Town Attorney to the petitioner's letter would be made a part of the record.

Councilor Herak moved to amend the motion to include that the letter from the petitioner's attorney regarding his concerns about Councilor Schocke's actions related to his opposition to the rezoning, be made a part of the record as well. Councilor Zemen seconded. Upon a roll call vote there were five affirmatives and no negatives. The motion passed. The amendment was adopted.

Councilor Schocke moved to further amend the motion by requiring inclusion of the Town Attorney's written analysis and response to the letter from the petitioner's attorney. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The amendment was adopted.

Remarks of the Councilors Prior to Roll Call. Prior to the vote on the ordinance, Councilor Schocke, Councilor Zemen, Councilor Herak and Council President Sheeman offered extended remarks regarding their position on the rezoning and the development.

Motion to adjourn. Councilor Schocke moved to adjourn It did not attain a second. The motion could not be considered.

Motion to fix the time to adjourn. Councilor Schocke moved to fix the time to adjourn at 9:49 p.m. It did not attain a second. The motion could not be considered.

Councilor moved to call a recess. Councilor Schocke moved to place this before a committee.

The President instructed the Clerk-Treasurer to call the roll.

Roll Call Vote on Ordinance No. 1727. Upon a roll call vote, following the actions below, there were three affirmatives and two negatives. With Councilors Zemen, Herak and Sheeman voting in the affirmative and Councilors Schocke and Black voting in the negative, the motion passed. The ordinance for rezoning was adopted.

ORDINANCE NO. 1727
of the
TOWN OF HIGHLAND, INDIANA

An Ordinance Amending the Zoning Map of the Comprehensive Zoning Ordinance Passed by the Town Council of the Town of Highland, Lake County, Indiana, on the 9th day of October 2017, by Ordinance No. 1659 and Codified as Title 18 of the Municipal Code to be Effective on the date of adoption; and hereinafter reclassifying an area in the Town of Highland, Lake County, Indiana from an R-1A Single Family Residential District to a R-3-PUD District.

WHEREAS, The Town Council of the Town of Highland, Indiana, did on the 9th day of October 2017, pass a certain replacement zoning ordinance which is now in full force and effect, and which is known as Ordinance No. 1659, together with all amendments thereof and supplements thereto and codified as Title 18 of the Highland Municipal Code; and

WHEREAS, A petition and application for said proposed amendment was presented to the Highland Plan Commission by the Petitioner and a public hearing was held thereon according to said Ordinance 1659, together with all amendments thereof and supplements thereto and codified as Title 18 of the Highland Municipal Code, and said Plan Commission recommends **favorable approval**; and

WHEREAS, After due consideration and study, the Town Council of the Town of Highland, does believe that the amendment will be advantageous to said Town and will insure the public health, safety, welfare, and morals of the Citizens thereof in the area affected,

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

Section 1. That the following described property situated in the Town of Highland, Lake County, Indiana, which is presently designated as being **R-1A Single Family Large Lot Residential District** is hereby rezoned to rezoned to **R3-PUD Residential Planned Unit Development District**, which area is more particularly described as follows:

That part of the west half of the north half of the southeast quarter of the southeast quarter and the east half of the southeast quarter of the southeast quarter of Section 27, Township 36 north, Range 9 west of the Second Principal Meridian described as follows: beginning at the southwest corner of said west half; thence N0°05'27"W along the west line of said west half, 661.02 feet to the northwest corner thereof; thence S89°40'53"E along the north line of said west half and the north line of said east half, 1327.98 feet to the northeast corner of said east half; thence S0°01'01"W along the east line of said Section 27, 688.70 feet; thence N89°25'59"W, 210.00 feet; thence S0°00'39"W, 2.82 feet; thence N89°42'07"W, 453.35 feet to the west line of said east half; thence N0°02'13"W, 30.00 feet to the south line of said west half; thence N89°42'07"W along said south line, 663.37 feet to the point of beginning, excepting therefrom Lot 1 of Griffland Center Inc. First Addition to the Town of Highland as recorded in Plat Book 63, Page 3 and containing 20.11 acres (more or less) in Lake County, Indiana.

More commonly known as the Scheeringa Farm, Highland, IN.

Section 2. That the Zoning Map, which accompanies the Comprehensive Zoning Ordinance and which is part thereof, shall be amended and changed so as to include the "R-3-PUD" *Planned Unit Development District* on the specific parcel(s) of the real estate hereinabove described, all of which was formerly "R-1A" Single Family Large Lot Residential District, and henceforth whose plan, regulations and rules governing the "B-PUD" General Business Planned Unit Development District shall apply to the specific parcel of real estate hereinabove described, respectively;

Section 3. That the Town Engineer is hereby ordered to make appropriate map change and that said Ordinance No. 1659 together with all amendments thereof and supplements thereto is, codified as Title 18 of the Highland Municipal Code, and the same is hereby further amended accordingly;

Section 4. That the written commitment associated with this rezoning, approved by the plan commission is hereby approved to the extent required, pursuant to IC 36-7-4-1015;

Section 5. That this amendment shall be in full force and effect from and after its passage and adoption.

Certificate of the Municipal Plan Commission

It is hereby certified that the foregoing proposed rezoning amendment was considered at a regular ~~or special~~ meeting by the Highland Municipal Plan Commission, and said rezoning request, having first passed by a vote 5 in favor, 1 opposed and 1 abstention, for a favorable recommendation, is now duly forwarded with a favorable recommendation, for adoption to the Town Council of the Town of Highland by the Highland Municipal Plan Commission on the 3rd day of February 2021, pursuant to IC 36-7-4-605(a)(3).

TOWN OF HIGHLAND
MUNICIPAL PLAN COMMISSION

Doug Turich, President

Attest:

Mark Kendra, Secretary

Approval by Legislative Body

Having received the forgoing recommendation of the municipal plan commission pursuant to the duty set forth in IC 36-7-4-605(d), and pursuant to the provisions of IC 36-7-4-608(e), and IC 36-7-4-608(f) the Town Council considered the favorable recommendation of the municipal plan commission at its meeting of February 8, 2021, being the first regular meeting or a subsequent meeting within ninety days following the certification of the proposal.

Duly Ordained and Adopted/Rejected, pursuant to the provisions of IC 36-5-2-9.8 (b)(1) by the Town Council of the Town of Highland, Lake County, Indiana, this 8th day of February 2021, having passed by a vote of 3 in favor and 2 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

Roger W. Sheeman, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

Additional Exhibits approved for inclusion in the minutes:

Scrivener's note: The Town Council acted to include this list of amendments in the minutes of this meeting that were intended to be offered by Councilor Schocke for the Council's consideration. Offering amendments to ordinance that concerned changing zoning map was ruled by the Town Council President and sustained by the Town Council as not being in order.

The Town Council acted to include the full list of amendments that Councilor Schocke intended make to make these intended amendments a part of the minutes, along with a letter of concern from the petitioner's legal counsel and the written response and discussion of the Town Attorney composed in response to it.

Amendments filed by Councilman Schocke to Plan Commission Docket No. 2020-03 at the Highland Town Council Plenary Meeting on February 8, 2021.

1. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that there shall be NO expenditure of public funds on the S.J. Highland, LLC/ Russell Senior Living Project, including taxpayer derived funds, TIF funds, or other sources of funds controlled by the Town of Highland.
2. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that there shall be NO required exercise of governmental condemnation authority or action to obtain any real estate, including land or improvements thereon, for the purpose of assisting the S.J. Highland, LLC/Russell Senior Living Project.
3. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that there shall be NO required use of public resources, labor, or taxpayer funds to assist in the construction of any improvements, including utilities or connections thereto, for the purpose of assisting the S.J. Highland, LLC/Russell Senior Living Project.
4. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that there shall be a covenant placed upon the subject property that it may never apply for property tax "exempt status" as a Non-Profit entity or other type of entity that is not subject to local property taxes.
5. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the purchaser of the land be required to execute a covenant that runs with the land that promises that the property shall not be transferred to a tax exempt entity such as a medical research foundation/hospital, religious organization, or other not-for profit entity as designated by the U.S. Tax Code and the Indiana Department of Revenue.
6. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the purchaser of the land be required to execute a covenant that runs with the land that promises that the property shall not be converted into an apartment complex at any time in the future.

7. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the purchaser of the land be required to execute a covenant that runs with the land that promises that the property shall not be converted into a condominium complex at any time in the future.
8. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon requiring the petitioner to re-apply for rezoning and subdivision at the Plan Commission level to include detailed engineering and architecture plans and approval for each subsequent phase of the R-3 PUD plan.
9. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon requiring the petitioner to self-finance all the improvements to Ernie Strack Drive assumed in the September 30, 2019 by the Town of Highland in contract between the Town of Highland, S.J. Highland, LLC and Griffland Center, Inc.
10. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the simultaneous elimination of the Commercial Corridor Allocation Area and reversion of all such funds in said allocation area to the Town of Highland General Fund.
11. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the simultaneous elimination of the Commercial Corridor Allocation Area and reversion of all such funds in said allocation area to the Highland Redevelopment Commission.
12. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the immediate and simultaneous cancellation of the September 30, 2019 contract between the Town of Highland, S.J. Highland, LLC and Griffland Center, Inc.
13. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the immediate and simultaneous modification of the September 30, 2019 contract between the Town of Highland, S.J.

Highland, LLC and Griffland Center, Inc. that removes the Town of Highland as a signatory to the contract.

14. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that the petitioner nor any business on the petitioner's real property not seek any form of property tax abatement from the Town of Highland.
15. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that neither the petitioner nor any business on the petitioner's real property seek any form of Tax Increment Financing from the Town of Highland.
16. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that neither the petitioner nor any business on the petitioner's real property seek any form of Tax Increment Financing from the Town of Highland Redevelopment Commission.
17. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that the petitioner revise all building plans to require each building to obtain Platinum level LEED certification.
18. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that the petitioner revise all building plans to require each building to be 100% carbon neutral in emissions.
19. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that the petitioner to amend the current landscaping plan to accommodate agricultural area green space/garden space to maintain the historical and traditional farming land use of the property that yields marketable crops on an annual basis.
20. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that the petitioner

revise all building plans to require each building to include solar panels that will power at least 50% of the electrical needs for each building.

21. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner revise all building plans to require each building to include windmills that will power at least 50% of the electrical needs for each building.
22. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner revise all building plans to require each building to include geothermal pumps that will power at least 50% of the heating and cooling needs for each building.
23. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner revise all engineering plans to require each impermeable blacktop surface to include permeable pavement to encourage more even draining of the re-zoned area.
24. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner revise all building plans to require the petitioner to modify all current water retention/detention basins into rain gardens with flora and fauna appropriate for a rain garden.
25. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner revise all building plans to require the petitioner to modify all current water detention basins include bubblers and/or pumps to eliminate surface algae.
26. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner to execute a written easement that permits the Scheeringa Farms unlimited ingress and egress from the northern boundary of the proposed re-zoned parcel to Ernie Strack Drive on the Southern boundary of the proposed re-zoned parcel.
27. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner reimburse the Town of

Highland for all costs associated with sanitary sewer improvements, tap fees, and associated infrastructure modifications associated with developing the subject parcel that was assumed by the Town of Highland in the contract executed on September 30, 2019 between S.J. Highland, LLC, Griffland Center, Inc. and the Town of Highland.

28. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner reimburse the Town of Highland for all costs related to constructing Ernie Strack Drive associated with developing the subject parcel that was assumed by the Town of Highland in the contract executed on September 30, 2019 between S.J. Highland, LLC, Griffland Center, Inc. and the Town of Highland.
29. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner reimburse the Town of Highland for at least 90% of all costs associated with sanitary sewer improvements, tap fees, and associated infrastructure modifications associated with developing the subject parcel that was assumed by the Town of Highland in the contract executed on September 30, 2019 between S.J. Highland, LLC, Griffland Center, Inc. and the Town of Highland.
30. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner reimburse the Town of Highland for at least 90% of all costs related to constructing Ernie Strack Drive associated with developing the subject parcel that was assumed by the Town of Highland in the contract executed on September 30, 2019 between S.J. Highland, LLC, Griffland Center, Inc. and the Town of Highland.
31. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner and each successor owner guarantee that each employee within the proposed senior housing/memory care facility make at least \$15.00 per hour.
32. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner and each successor owner guarantee that each employee within the proposed senior housing/memory care be guaranteed two-weeks paid vacation.
33. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be

contingent upon the express condition that the petitioner and each successor owner guarantee that each employee within the proposed senior housing/memory care be guaranteed a benefit package to include the employee health insurance and a 401k style retirement plan.

34. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner and each successor owner guarantee that the owner of the property and any successor owner will not appeal its property tax assessment at any time.
35. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner and each successor owner reimburse the Town of Highland for all resurfacing, maintenance, and manpower charges associated with Ernie Strack Drive in perpetuity.
36. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner and each successor owner grant an express easement that runs with the land that will allow the Scheeringa Farms to traverse the property and transport farm equipment, people, livestock, and crops from North to South through the Senior Living Facility grounds and parking lots.
37. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner and each successor owner permit adjoining landowners to allow cost free grazing of livestock in the greenspaces of the proposed senior living facility.
38. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner shall construct all parking surfaces made of permeable pavement and the install underground storage tanks for excess rainwater events.
39. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a two lot subdivision*) (*approve the preliminary Planned Unit Development Plan*) be contingent upon the express condition that the petitioner shall fence-in all water retention/detention areas with a six foot chain linked fence.
40. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to (*rezone the subject property from R1A to R3PUD*) (*Subdivide the property into a*

two lot subdivision) (approve the preliminary Planned Unit Development Plan) be contingent upon the express condition that the petitioner and/or successor owner shall not seek any future variances or amendments to the R3-PUD as approved.

41. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that the petitioner shall return to the Plan Commission with complete engineering drawings for the remaining phase or phases of the parcel before any construction may be commenced on any portion thereof.
42. I move to amend the main motion to add the following language to the end of the main motion: That the approval of the Plan Commission's favorable recommendation to *(rezone the subject property from R1A to R3PUD) (Subdivide the property into a two lot subdivision) (approve the preliminary Planned Unit Development Plan)* be contingent upon the express condition that the petitioner shall complete an environmental impact study on the re-zoned parcel to determine the flora and fauna that will be displaced by this project and take remedial actions to replace the loss of plants and animals lost due to development.

WIESER & WYLLIE, LLP

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Scherverville, Indiana 46375
Telephone (219) 865-7404
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Attorneys at Law

JAMES I. WIESER
E-mail:
jlw@wieserwyllelaw.com

February 5, 2021

Via E-Mail Transmission

Mr. John P. Reed
Abrahamson, Reed & Bilse
8230 Hohman Avenue
Munster, Indiana 46321
jpratlaw@aol.com

RE: Our Client: S.J. Highland LLC (Russell Company)
Your Client: Town of Highland Town Council
Subject: Required Recusal of Town Councilmember

Dear John:

On behalf of our client, S.J. Highland LLC, I submit the following legal memorandum and opinion, the conclusion of which is that Mark Schocke (hereinafter "Councilman Schocke"), current Highland Town Councilman and former Town Council President in the calendar year 2020, has engaged in conduct related to our client's attempt to re-zone and subdivide a parcel of property for the construction of a senior living facility in the Town of Highland, so egregious as to, pursuant to Indiana law, require Mr. Schocke to recuse himself from further participation whatsoever in consideration and determination of our client's Applications for Change of Zone, approval of Planned Unit Development Plan and approval of Primary Subdivision. In support of this contention, please consider the following:

Councilman Schocke, as a member of the legislative body of the Town of Highland (hereinafter "Council") has an obligation to consider all matters presented before him in an unbiased and impartial manner, as a neutral fact finder. Since the original Application for Change of Zone filed by our law firm on behalf of our client in February, 2020, Councilman Schocke has repeatedly, and without regard to his obligation to consider this matter as an unbiased and impartial fact finder, publicly advocated denial of the project, while, in fact, acting as the de-facto representative of a specific group of remonstrators to the project (hereinafter designed as "Save the Farm"). The examples of Councilman Schocke's conduct are legion and will be the subject of a separate, supporting document incorporated herein by reference. These actions, serious as they may be taken individually, rise to a shocking level of inappropriate conduct when taken in their totality, leading to the inescapable conclusion that Councilman Schocke's conduct deprives our client of its entitled due process and requires his recusal from any further participation in these proceedings.

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Specifically, I direct your attention to the case of City of Hobart Common Council v. Behavioral Institute of Indiana, LLC and 61st Avenue Building LLC, 785 NE 2d. 238 (Ind. App. 2003) as the controlling and definitive authority in this matter. (A copy of said opinion is attached hereto for reference.)

In this case, the School City of Hobart was a remonstrator during the planning process, and an intervenor in the cause of action. The case involved a request by the Behavioral Institute to obtain a use variance for the purpose of operating a 60-bed, for-profit residential treatment facility in the City of Hobart. The primary remonstrator opposing this request was the School City of Hobart. One of the members of the Hobart City Council, Councilwoman Juzwicki worked as a non-tenured, non-contractual media center paraprofessional for the public schools. In addition, Councilwoman Juzwicki presented to the Council (the body upon which she sat as an alleged unbiased and impartial fact finder), a petition signed by twelve (12) residents opposed to the land use variance; thus, in essence, acting as the de-facto representative of the remonstrators. Further, Councilwoman Juzwicki met and consulted with members of the Public Schools concerning the petition pending before the Council meeting and then subsequently voted against the petition for the Behavioral's use variance.

The Court of Appeals, in its opinion that due process was not afforded Behavioral, specifically cited and found that her presence on the Council violated Behavioral's due process right to an unbiased and impartial fact finder. (Pg. 253) The Court then went on to state that "...due process mandates a neutral unbiased fact finder for land use variance proceedings" and cited a number of Indiana cases. Specifically, the Court determined that:

"Biased behavior may be demonstrated by extreme partisan political considerations, personal conflicts of interest and gain, or invidious discriminatory intent." Equicor 754 NE 2d. 37; See also City of Mishawaka v. Stewart, 261 Ind. 670, 677-78 and 310 NE 2d. 65, 69 (1974).

In conclusion, in that section of the opinion, the Court concluded the following:

"However, in light of Councilwoman Juzwicki's strong connection to the Public Schools (Save the Farm) and the Schools' (Save the Farm) blatant attempt to influence her decision, the only appropriate decision that she could have made regarding the land use variance petition, consistent with the Institute's due process rights, would have been to recuse herself from the proceedings."

As if the Hobart case, and the various cases cited therein, were not dispositive of this matter, I refer your attention to the Rules of Professional Conduct, as amended through November 1, 2020, governing the conduct of lawyers in the State of Indiana. Councilman Schocke is a duly licensed lawyer in the State of Indiana, and thus, is subject to and bound by such rules. Although

Mr. John P. Reed
February 5, 2021
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not acting in his capacity as a lawyer while sitting as a member of the Highland Town Council, Councilman Schocke is nevertheless subject, as previously stated, to said rules, and, particularly Rule 8.4 **Misconduct**. Comment 4 to said rule is particularly enlightening, stating as follows:

“(4) Lawyers holding public office assume legal responsibilities going beyond those of other citizens. A lawyer’s abuse of public office can suggest an inability to fulfill the professional role of lawyers.”

In other words, lawyers are held to a higher standard of conduct, while holding public office, than others may be. In that regard, I would direct your attention to the applicability of Rules 3.3, 3.4, 3.5 and 8.4. Specifically, these rules refer to the conduct of a lawyer while either a member of, or appearing before, a “tribunal”. Rule 1.0(m) defines “tribunal” as a court, an arbitrator, or any other neutral body or neutral individual making a decision. Thus, the Highland Town Council is clearly a Tribunal under the definition of this rule and thus subjects Councilman Schocke to its provisions.

In conclusion, based upon Councilman Schocke’s conduct regarding the Application for Change of Zone and related approvals submitted by S.J. Highland LLC in February of 2020, and currently pending for final consideration before the Highland Town Council, specific examples of which are incorporated herein by reference, Councilman Schocke must, based upon the determination in the Hobart case, and the Rules of Professional Conduct for lawyers in the State of Indiana, recuse himself from any discussion, participation or voting on this matter, as a member of Highland Town Council.

Should you have any questions in reference to the foregoing, please do not hesitate to contact me. Thank you for your consideration of this matter.

Very truly yours,
WIESER & WYLLIE, LLP



JAMES L. WIESER
Attorney at Law

JLW:bg
Attachments

Abrahamson, Reed & Bilse Attorneys at Law
John P. Reed, Attorney

All:

As most of you already know, it was a very interesting weekend. I received the attached correspondence from Attorney James Wieser on Friday at 4:40 p.m. I performed a lengthy and thorough amount of research n Friday evening to analyze the contents of the letter and the law associated therewith. I also met with Councilman Schocke on Saturday for about three hours to discuss the matter and advise him of the situation and the threats against him participating in the meeting scheduled for this evening.

Councilman Schocke had subsequent meetings with personal attorneys to obtain their advice and opinions on the various matters (since I am not his personal attorney). As I understand the current status, councilman Schocke will not be recusing himself from the discussion or the vote. Without getting too far into the complexities of the allegations in attorney Wieser's letter, I will state the following analysis and conclusions/ opinions:

1. Attorney Wieser relies upon the case of *City of Hobart Common Council v. Behavioral Institute of Indiana. LLC*, et al. to support his contention that Councilman Schocke must recuse himself from participation in tonight's meeting. However, that case concerned a situation in which the Town Council of Hobart was considering an action of the the Hobart BZA. BZA's are quasi-judicial bodies. This distinction is key to understanding why the case is not on point with tonight's meeting. Tonight's meeting concerns a review of a Plan Commission recommendation, not the recommendation of the BZA. Plan Commissions are NOT quasi-judicial bodies, they are advisory bodies to the legislative body (the Town Council). Therefore, and in short, the case is not applicable.

2. Attorney Wieser also "threatens" Councilman Schocke concerning a potential violation of Admission and Discipline rule 8.4 applicable to attorneys practicing law in the State of Indiana. This "threat" is personal to Councilman Schocke, and does not concern the Town Council. Rule 8.4, in the comment section, holds attorneys to a higher standard of care than citizen members of a body politic. My understanding is that Councilman Schocke, on my advice and of his own accord, sought a legal opinion from a highly experienced attorney in the field of attorney and judicial discipline. Based upon that advice, and as far as I am aware, Councilman Schocke will proceed at tonight's meeting with a clear conscience concerning any risks to his personal well-being and career.

While the underlying issues are substantially more complex that the above analysis indicates, I feel that this email explains the issues in the correct detail so that we are all on the same footing concerning tonight's meeting, with the proper and necessary level of understanding. Do not hesitate to call me with any questions or concerns. My mobile is 219-712-4104. Thank you.

Yours,

John P. Reed
Abrahamson, Reed & Bilse
8230 Hohman Avenue
Munster, IN 46321
Tel: (219) 595-5306 ext,236
Fax: (219) 513-9754

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

• **Building & Inspection Report for January 2021**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	2	0	2	\$1,010,000.00	\$17,493.00
Signs:	2	0	2	\$4,242.00	\$265.50
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:	29	29	0	\$290,957.00	\$6,844.50
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	1	1	0	\$29,500.00	\$730.50
Fences:	1	1	0	\$8,225.00	\$240.00
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	2	2	0	\$25,072.00	\$612.00
Miscellaneous	0	0	0	\$0.00	\$0.00
TOTAL:	37	33	0	\$1,367,996.00	\$26,185.50
Electrical Permits	13	10	3		\$2,069.00
Mechanical Permits	15	11	4		\$1847.00
Plumbing Permits	12	9	3		\$2,295.90
Water Meters	1	0	1		\$375.00
Water Taps	1	1	0		\$200.00
Sewer/Storm Taps	1	1	0		\$300.00
TOTAL Plumbing:	15	11	4		\$3,270.90

January Code Enforcement:

Investigations: 145
Citations: 041
Warnings: 145

January Inspections:

Building: 21 Electrical: 08 Plumbing: 10 HVAC: 08
Electrical Exams: 1

• **Fire Department Report for January 2021**

<u>Type of Call</u>	<u>Month</u>	<u>YTD</u>
General Alarms	17	17
Paid Still Alarms	19	19
Still Alarms	04	04
Total Alarms:	40	Calls YTD: 40

• **Workplace Safety Report for January 2021**

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

Department	Injuries this Month	Year to Date 2021	Total in 2020	Restricted Days 2021	Lost Workdays This Year (2021)	Restricted Days Last Year (2020)	Lost Workdays Last Year (2020)
Parks	0	0	2	0	0	0	0
Fire	0	0	0	0	0	0	0
Police	0	0	2	0	0	0	0
Street	0	0	1	0	0	0	0
Water & Sewer	1	1	2	31	0	93	81
Maint.	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0
TOTALS	1	1	7	31	0	93	81

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:

It was noted that the balance of appointments would be delayed until after the interviews were concluded.

Unfinished Business and General Orders:

- 1. Introduced Enactment No. 2021-04:** An Enactment To Permit one time reimbursements for certain health expenses, notwithstanding the Compensation, Benefits And Personnel Program Of The Municipality, To Be Known As The Compensation And Benefits Ordinance Commonly Known as the Employees Handbook. *Councilor Schocke introduced and filed Enactment No. 2021-04 at the Town Council meeting of January 25, 2021. There was no further action.*

Councilor Herak moved to adopt Enactment No. 2021-04. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The enactment was adopted.

- 2. Meeting Authorization.** Authorize the calling of special meeting to interview prospective candidates for appointment to boards and commissions for Friday, February 12, 2021 at 5:00 p.m., pursuant to HMC Section 2.05.130(A) (4) and Section 2.05.130(F).

Councilor Herak moved for the Town Council to convene a special meeting on Friday, February 12, 2021 at 5:00 p.m. to conduct interviews of prospective candidates. Councilor Black seconded. Upon a roll call vote there were five affirmatives and no negatives. The motion passed. The meeting was authorized.

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

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

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

Councilor Zemen acknowledged the Building Commissioner, who reported on matters pending before the Advisory Board of Zoning Appeals.

- **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 Police Chief on his birthday.

Councilor Herak also thanked all the first responders and the workers who assisted with the response to the recent snows.

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

Councilor Schocke acknowledged the Parks and Recreation Superintendent who reported on parks and recreation generally. Councilor Schocke thanked the Parks and Recreation Department for its work assisting the snow removal and for keeping the Bike and Pedestrian Trail open.

Councilor Schocke also expressed disappointment regarding the vote on the zoning ordinance during this meeting. Councilor Schocke indicated that he would not forget this matter.

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

Councilor Black acknowledged the Public Works Director and the Public Works workers for its work in dealing with the recent snows and keeping the streets passable.

- **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 February 23, 2021 would be the next Restaurant Crawl in the downtown.

Comments from Visitors or Residents:

1. Larry Kondrat, Highland, expressed disappointment with the rezoning and the passage of Ordinance No. 1727.

Mr. Kondrat expressed skepticism regarding the allocation area in the area of the proposed development.

2. Brandon Dothraeger, Highland expressed disappointment with the vote for the rezoning.
3. Jannine Scheeringa, expressed disappointment with the vote, expressed disappointment with Councilor Herak for his vote and expressed concerns about the impact on the Scheeringa farm.
4. Mike Upchurch, Highland, expressed disappointment at the vote on the rezoning.

5. Janille Scheeringa, opined on the electoral prospects for the councilors who supported the rezoning. Ms. Scheeringa expressed disappointment for the vote.
6. Thomas Blejski, Highland, expressed disappointment with the vote for the rezoning.
7. Aaron Straker, inquired about the film projectors that were part of the former Town Theater. Some possible outcomes were suggested, it was noted that the projectors were recovered by Public Works and are in storage.

Mr. Straker expressed disappointment with the vote.

8. Alicia _____ expressed disappointment in the rezoning vote and also for the Town Council President's apparent change of position on the development.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period January 25, 2021 through February 08, 2021. Councilor Black 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, \$325,228.61; Motor Vehicle Highway and Street (MVH) Fund, \$83,772.45; Law Enforcement Continuing Education and Training and Supply Fund, \$235.00; Insurance Premium Agency Fund, \$539,534.64; Gasoline Agency Fund, \$17,205.62; Information Communications Technology Fund, \$15,241.24; Solid Waste District Grant Fund, \$612.00; Police Pension Fund, \$68,730.46; Municipal Cumulative capital Development Fund, \$52,298.78; Traffic Violations and Law Enforcement Agency Fund, \$9,000.00; Public Safety Local Income Tax Fund, \$54,614.30; Total: \$1,166,473.20

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, February 08, 2021 at 10:26 O'clock p.m.

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

Approved by the Town Council at its meeting of _____, 2021.

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

**Enrolled Minutes of the Thirty-second Regular or Special Meeting
Special Meeting
Twenty-Ninth Town Council of Highland
Friday, February 12, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a special meeting on **Friday, February 12 2021** at 5:00 O'clock P.M., in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.*

**Special note:* This special meeting was convened allowing members of the Town Council to participate electronically without being physically present, to be counted in the quorum and able to simultaneously listen and respond to matters taken up in the meeting, all pursuant to Governor Holcomb's Executive Orders 20-04 and 20-09, extended by Executive Order No. 21-03 allowing meetings to be convened pursuant to IC 5-14-1.5-3.6 for the duration of the Corona Virus COVID 19 emergency. All members of the Town Council participated electronically with the Clerk-Treasurer participating as well. The electronic platform also allowed the public to observe and participate from on-line access.

Silent Roll Call: Councilors Tom Black, Mark Herak, Bernie Zemen, Mark Schocke and Roger Sheeman (electronically), were present as indicated The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings (electronically). A quorum was attained. The Clerk-Treasurer's daughter, Abigail Griffin, welcomed the three participants who were interviewed in the plenary meeting room supported by an iPad to access Zoom.

Special Orders:

Interviews of prospective appointees

1. The Town Council interviewed **Ms. Octavio Rolland**, (un stated) 3337 Duluth Street, who expressed interest in being appointed to the Town Board of Metropolitan Police Commissioners. The Town Council and Ms. Rolland discussed her work history. They discussed the importance of diversity in town government. Ms. Rolland also expressed willingness to be considered for appointment to another board or commission. (Electronically)
2. The Town Council conducted an interview with **Mr. Michael Blejski**, 9335 5th Street, Highland, who discussed his interest in being reappointed to the Community Events Commission. (Electronically)

The Town Council and Mr. Blejski discussed the programing and events that might be desirable for the town.

3. The Town Council conducted an interview with **Ms. Kylee McLellan**, (D) 8737 Prairie Avenue, Highland, who expressed interest in continuing her existing service on the Park and Recreation Board. (Accessing via iPad at Town Hall)

Ms. McLellan discussed her interest in serving on the Park and Recreation Board, her children's interest in the parks and its programs as well her regular attendance at meetings of the board She discussed issues of interest regarding Brantwood Park.

4. The Town Council conducted an interview with **Mr. George Smith**, (R), 3221 O'Day Drive, Highland, who expressed interest in remaining on the Board of Waterworks Directors. (Accessing via iPad at Town Hall)

Mr. Smith offered a survey of his contributions and experiences as a member of the Board of Waterworks Directors. He also discussed his recent sale of his tax preparation business for which he continues to work as an employee. Mr. Smith responded to

questions regarding his service on the Board of Waterworks Directors, including discussing concerns about financing maintenance on the water infrastructure.

5. The Town Council conducted an interview with **Mr. Jason Tharp**, (D) 9343 Kennedy Avenue, Highland, who expressed interest in being appointed to the Board of Waterworks Directors. He currently serves on the Community Events Commission. (Accessing via iPad at Town Hall)

Mr. Tharp offered a brief narrative regarding his work background. Mr. Tharp also spoke about his ideas of public and community service and how they inform his desire to seek to serve on the Board of Waterworks Directors. Mr. Tharp responded to questions regarding his interest in the appointment and suggestions for ways to improve public engagement and communications. (Electronically)

6. The Town Council conducted an interview with **Ms. Theresa Knipe**, (unstated) 3420 Lincoln Street, Highland, who expressed interest in being appointed to the Economic Development Commission or the Board of Sanitary Commissioners. (Electronically)

Ms. Knipe discussed the basis of her interest in these two places of service. Ms. Knipe discussed her availability for meetings, forms of invoicing for utilities to be "paperless" and making payment solely electronic. Ms. Knipe indicated equal interest in serving on either board.

7. The Town Council conducted an interview with **Ms. Robin Salzeider**, 8926 Arbor Hill Drive, Highland who expressed interest in being appointed to the Park and Economic Development Commission. (Electronically)

Ms. Salzeider responded to questions regarding her family's special charity and its works. Ms. Salzeider discussed her views regarding public economic development incentives and similar economic development tools.

8. The Town Council interviewed **Ms. Elizabeth Alakel**, 3048 100th Place, Highland who expressed interest in being reappointed to the Community Events Commission. (Electronically)

Ms. Alakel responded to questions regarding her service on the Community Events Commission. The questions included the merits of including a beer garden as part of the elements for Independence Day festival, and the various events that she believed were valued by residents including her desire to program more "family friendly" activities.

9. The Town Council interviewed **Mr. Joseph Grzyski**, 3110 Farmer Drive, Highland who expressed interest continuing to serve as a member of the Highland Plan Commission and thereby as an appointee from the Plan Commission to the Advisory Board of Zoning Appeals. (Electronically)

Mr. Grzyski offered a brief narrative regarding his work background. Mr. Grzyski responded to questions regarding his basis for deciding rezoning matters and matters regarding public decision-making. Mr. Grzyski responded to questions posed as zoning scenarios and offered some suggestions for improving the zoning and appeals processes.

10. The Town Council interviewed **Ms. Christine Gonzalez**, 9032 Pettit Drive, Highland who expressed interest in being re-appointed to the Community Events Commission. (Electronically)

Ms. Gonzalez offered a survey of her contributions and experiences as a member of the Community Events Commission. Ms. Gonzalez responded to questions regarding her aspirations for events programming and activities that could be provided by the Community Events Commission.

The discussion included the number of volunteers needed to operate the Independence Day Festival and the value of the Main Square Park.

11. The Town Council interviewed with **Mr. Doug Turich**, 9336 4th Place, Highland who expressed interest in being retained on the Plan Commission. (Electronically)

Mr. Turich offered a survey of his contributions and experiences as a member of the Plan Commission. Mr. Turich also discussed how to encourage citizen engagement, and ways that might encourage people to gather in the downtown. Mr. Turich discussed the opportunities that Highland might utilize to enhance the community. Mr. Turich responded to questions regarding his service on the Plan Commission.

Scrivener's note: Under Indiana law, it is noted that party affiliation is a consideration certain boards and commissions except the following: Redevelopment Commission, Economic Development Commission, Advisory Board of Zoning Appeals, Community Events Commission, and Tree Advisory Board.

There being no further interviews or business to come before the Town Council, the special meeting of the Town Council, of Friday, February 12, 2021, was adjourned at 8:09 o'clock p.m.

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

Approved by the Town Council at its meeting of _____, 2021.

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

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
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Statutory Boards & Commissions

<p>1) Town Board of Metropolitan Police Commissioners <i>"Each commissioner shall take and subscribe an oath before the clerk of the county in which the Town is located"</i></p>	<p>Chairman & Vice Chairman IC 36-8-9-4 adopts consistent patterns of the Safety Brds which has chairman IC 36-8-3-3 Also refer IC36-8-9-6(a)</p>	<p>(5) member body Initial body is 3. No more than 2 of same political party. After initial appt of 3, board may be increased by 2 who may not be the same political party. 3 year term <u>Oath</u> by circuit court clerk. Appointees must be of good moral character and legal residents of the Town. If ordinance amended, Town Council members can be appointed with limits.</p>	<p>Legislative Body Town Council Appointment I.C. 36-8-9-3(a)(b) HMC Chapter 9.10</p>
<p>2) Park & Recreation Board</p>	<p>President and Vice President a secretary may be selected from within or without its membership. IC 36-10-3-8(c)</p>	<p>6 member body one an appointee of school board / one an appointee of Library Board. 4 citizens no more than 2 of same political party. 4 year term. Term goes to 1st Monday in January. If not made by first Monday in April continues for a full term. Members shall be appointed on the basis of their interest in and knowledge of parks and recreation. (In towns must be a resident) Oath of Office</p>	<p>Legislative Body (changed 2007) Town Council Appoints 4 citizen members I.C. 36-10-3-4(a) HMC Chapter 11.05 Formerly Municipal Executive as appointing authority School Board Appoints (1) member Lake County Library Board Appoints (1) member</p>
<p>3) Plan Commission</p>	<p>President and Vice President IC 36-7-4-303 Commission may appoint and fix the duties of a secretary who is not required to be a member of the commission. IC 36-7-4-304 Citizen members shall be appointed because of the member's knowledge, and experience in community affairs, the members' awareness of the social, economic, agricultural, and industrial problems of the area and the member's interest in the development of and integration of the area.</p>	<p>7 member panel no more than two of the citizen members may be of the same political party. 4 year term Commences First Monday in January Citizens: IC 36-7-4-218(a)(1)(b) Legislative: IC 36-7-4-217. Certified by exec & clerk. A citizen member may not hold other elective or appointive office in municipal, state or county government and must be a resident.</p>	<p>Split Appointment: Municipal Executive appoints 4 Citizen members I.C. 36-7-4-207(b)(2) HMC Chapter 14.05) Legislative Body appoints 3 persons who <i>shall</i> be elected or appointed officials or employees in municipal government I.C.36-7-4-207(b)(1) HMC Chapter 14.05</p>
<p>4) Advisory Board of Zoning Appeals</p>	<p>Chairman and Vice-Chairman IC 36-7-4-912 May Appoint a secretary and such employees as are necessary for the discharge of its duties. IC 36-7-4-913</p>	<p>5 member panel 4 year term First Monday in January IC 36-7-4-906(b) None of the members of a BZA may hold other elective or appointive office in municipal, county or state government, except as permitted by I.C. 36-7-14-902. Member must be a resident</p>	<p>Triune Appointment: Municipal Executive appoints 3 citizen members - 1 must be a plan commission member; 2 must not be members. I.C. 36-7-4-902(a)(1) Municipal Fiscal Body</p>

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
			<p>appoints 1 citizen member who must not be a plan commission member. I.C. 36-7-4-902(a)(2)</p> <p>• Plan Commission appoints 1 member who must be a plan commission member other than the one appointed under subdivision 1 above I.C. 36-7-4-902(a)(3).</p>
5) Board of Sanitary Commissioners	President and Vice President IC 36-9-25-6	5 member panel No more than three of same political party 4 year term oath of office.	Municipal Executive appointment I.C. 36-9-25-3(b)(1).
6) Redevelopment Commission	IC 36-7-14 President, Vice - President and Secretary	5 member panel one year term from January 1 must be 18 years old & reside in unit. Oath of office.	<p>Split appointment:</p> <p>• Municipal Executive appoints 3 members I.C. 36-7-14-6.1 HMC Chapter 14.10</p> <p>Legislative Body appoints 2 members I.C. 36-7-14-6.1 Ord. No.946 H.M.C.Chapter 14.10</p>
7) Water Works Board of Directors		5 member panel members called Directors w/ oath of office. No more than three of same party. By act of ordinance serve for three year terms. (See HMC 190) Oath of office.	Municipal Executive I.C. 8-1.5-4-2(a)(b). H.M.C.Chapter 12.05
Regional Appointments			
1)Northwest Indiana Regional Planning Commission	Appointee must be a resident of Highland, an <i>elected official</i> and knowledgeable in matters of physical, social, or economic development in the region.	Multi-Member panel One (1) appointment 51 Members called Commissioner :Highland allowed one (1) appointment Term: Serves until recalled	Municipal Executive certified to the MPO IC 36-7-7-4(c)(1)
2)Lake County Convention &Visitor Bureau	No appointee may hold an elective or appointed political office while serving on the bureau. Appointing Authority shall give consideration to appointees knowledgeable about or employed as executives or managers in at least one of the following in the county: Hotel, Motel, Restaurant, Travel, Transportation, Convention, Trade Show; riverboat,banking,real estate, & construction. If not made before July 16	13 Member panel Three (3) year term beginning July 1: Highland allowed one (1) appointment The Executives of the eight (8) largest municipalities shall appoint one member to the bureau. IC 6-9-2-3. Oath & Certificate	Municipal Executive IC 6-9-2-3(c) Note: If a vacancy is not filled within 30 days of vacancy or an appointment is not made by July 16 then the Lt. Governor's appointee shall appoint a qualified person.(IC 6-9-2-3(i).

**Appointment Authority
Highland Town Government**

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
	or 30 days vacancy.(amended 2007)		
3) Lake County Solid Waste Management District		Multi-member Panel 22-23 persons: Highland allowed one (1) member to be selected from membership of fiscal body.Term is co-extensive with member's elective term. Serves at pleasure of appointing authority.	Fiscal Body(Legislative Body) IC13-9.5-2-5(d)(4).
4) Lake County Public Safety Communications Commission	Appointee must be one of the following: Fire Chief, Police Chief, EMA Director or a Town Council Member. A proxy vote can be granted to a deputy of the public safety representative	Multi-member Panel 19 members. Highland allowed one (1) member Term four years.	Municipal Executive (Town Council President) See Section 31.302(A)(1)(b) of the Lake County Code of Ordinances
Home Rule Boards & Commissions			
Traffic Safety Commission		No less than six members. (1) member from Town Council;2 from the Police Department;1 from the Fire Department;1 from Department of Public Works;1 Police Commissioner; Police Chief is <i>ex officio</i> Chairman(HMC §11-203(c))	Legislative Appointment. HMC Chapter 10.45
Community Events Commission	Chair & Vice Chair	consist of 7 voting members; term of 3 years. Also 9 who are annual and appointed as legislative appt.	Three (3) appointed by Municipal Executive; four (4) appointed by legislative body. Three year terms. 9 for one year terms appointed by legislative body. HMC Chapter 11.15.
TREE BOARD	Chairperson	Consists of 7 voting members, staggered terms	Seven (7) appointed by the municipal executive upon nomination by the Town Council. Municipal executive chooses the chair from the membership of the board. HMC Chapter 8.25.
Main Street Bureau Board of Directors Department of Redevelopment	Chairperson	Consists of not less than 7 and not more than 21 members	The municipal executive shall appoint thre (3) special constituency members (Town Council, Economic Development and Highland chamber, who serve until a successor is appointed. Municipal legislative body chooses up to 17 members, who serve for 2 year terms. HMC Chapter 14.15.

Legislative Appointment means the appointment comes from the Town Council.

Fiscal Body Appointment means the appointment comes from the Town Council.

Municipal Executive Appointment means the appointment comes from the Town Council President.

**Appointment Authority
Highland Town Government**

Board or Commission or Appointed Officer	Form or organization	Composition	Appointment Authority
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Also note:

IC 36-1-8-10 " Board" defined; political affiliation of board appointees

Sec. 10. (a) As used in this section, "board" means an administration, an agency, an authority, a board, a bureau, a commission, a committee, a council, a department, a division, an institution, an office, a service, or another similarly designated body of a political subdivision.

(b) Whenever a law or political subdivision's resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment, one (1) of the following must apply to the appointee:

- (1) The most recent primary election in Indiana in which the appointee voted was a primary election held by the party with which the appointee claims affiliation.
- (2) If the appointee has never voted in a primary election in Indiana, the appointee is certified as a member of that party by the party's county chair for the county in which the appointee resides.

(c) If a certification by a county chair of a political party is required under subsection (b), the certification must be filed with the office of the circuit court clerk not later than the time the appointee's oath of office is filed with the clerk under IC 5-4-1. If the county chair's certification is not filed with the circuit court clerk's office as required by this subsection, the appointment is void.

(d) Notwithstanding any other law, if the term of an appointed member of a board expires and the appointing authority does not make an appointment to fill the vacancy, both of the following apply:

- (1) The member may continue to serve on the board for *only ninety (90) days* after the expiration date of the member's term.
- (2) The county chair of the political party of the member whose term has expired shall make the appointment.

Special Law for appointments to the Board of Sanitary Commissioners:

IC 36-9-25-3 Establishment of department; composition of board of commissioners; oaths, surety bonds, and compensation of commissioners.

IC 36-9-25-3 (f)

Notwithstanding IC 36-1-8-10, whenever this section requires that the membership of the board of sanitary commissioners not exceed a stated number of members from the same political party, at the time of appointment the appointee must:

- (1) have voted in the two (2) most recent primary elections held by the party with which the appointee claims affiliation; or
- (2) if the appointee did not vote in the two (2) most recent primary elections or only voted in one (1) of those elections, be certified as a member of the party with which the appointee claims affiliation by that party's county chairman for the county in which the appointee resides.

(Print optimized 85%)

**TOWN of HIGHLAND
REDEVELOPMENT COMMISSION
HIGHLAND REDEVELOPMENT DEPARTMENT
Resolution No. 2021-07**

**A Resolution Authorizing, Accepting and Approving the Conveyance,
Return and Transfer of a Certain Parcel of Land and/or its
Improvements to the Parks and Recreation Department and the
Public Works Department (agency) of the Town of Highland in
Consequence of the Completion of the Redevelopment Project and
Improvement Work Performed by the Redevelopment Department**

WHEREAS, The Redevelopment Department through its Redevelopment Commission established the Highland Downtown Redevelopment Area that encompasses the municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues;

WHEREAS, The Redevelopment Department through its Redevelopment Commission conducted a redevelopment project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area;

WHEREAS, The Redevelopment Department through its Redevelopment Commission customarily returns, transfers or restores jurisdiction to the properties and the improvements to the original departments of jurisdiction upon completion of such projects and does now desire to make such return, transfer or conveyance; and,

WHEREAS, The Redevelopment Commission desires to return and transfer jurisdiction of the respective portions of the improvement to the Parks and Recreation Board and the Works Board, which in turn, desire to accept and resume jurisdiction over the property now improved and enhanced as indicated,

NOW, THEREFORE, BE IT RESOLVED, by the Town of Highland Redevelopment Commission as follows:

Section 1. That the Redevelopment Department conducted a redevelopment project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area;

Section 2. That the project is now satisfactorily completed, the temporary easement/authorization or jurisdiction granted by the proper governing bodies to

support the exercise of redevelopment powers on the properties is dissolved, and those improvements of public way and other infrastructure improved or installed in consequence of the Downtown Redevelopment Area project described herein, become property of the respective individual departments, all according to governing law;

Section 3. That the proper officers of the Town of Highland Parks and Recreation Board and the Works Board should evidence or ratify authorization for the improvements and to act to accept the improvements as conveyed, *to the extent that they may apply*, all pursuant to IC 36-7-14-12.2; IC36-7-14-22.5; IC 36-1-11-8; and IC 36-1-4-16.

Duly Passed and Adopted by the Highland Redevelopment Commission of the Town of Highland, Lake County, Indiana, this 26th day of January 2021, having passed by a vote of 5 in favor and 0 opposed.

**REDEVELOPMENT COMMISSION of the
TOWN of HIGHLAND, INDIANA**



Cyril Huerter, President

Attest:



Robyn Radford, Secretary

Approval by Parks and Recreation Board

The Highland Parks and Recreation Board now hereby approves the following:

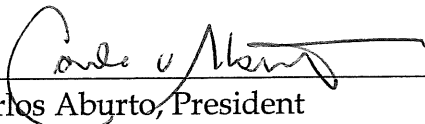
(A) The Parks and Recreation Board accepts and acknowledges that the project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, and which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area is now satisfactorily completed;

(B) That the necessary temporary easement/authorization or jurisdiction granted by this body to support the exercise of redevelopment powers on the properties is hereby ratified for such period of time as was necessary to execute the project, pursuant to IC 36-1-4-16 and now is dissolved, returned to the jurisdiction of the Parks and Recreation Department; and

(C) That those improvements of public way and other infrastructure improved or installed in consequence of the Downtown Redevelopment Area project described herein, are accepted and become property of the Park and Recreation Department, particularly *the improved bike trail and the public restrooms*, all according to governing law.


Duly Resolved and Approved by the Parks and Recreation Board of the Town of Highland, Lake County, Indiana, this 18th day of February 2021, having passed by a vote of 5 in favor and 0 opposed.

**PARKS and RECREATION BOARD of the
TOWN of HIGHLAND, INDIANA**



Carlos Aburto, President

Attest:



Chris Ray, Secretary

Approval by the Works Board

The Town Council acting as the Works Board now hereby approves the following:

(A) The Town Council acting as the Works Board accepts and acknowledges that the project constructing desirable improvements for municipal parking lot located on the southwest corner of the intersections of Highway and Kennedy Avenues, which includes enhancement to parking lot and the bike trail, and which includes the construction of a public restroom depot, all consistent with the plan for the Downtown Redevelopment Area is now satisfactorily completed;

(B) That the necessary temporary easement/authorization or jurisdiction granted by this body to support the exercise of redevelopment powers on the properties is hereby ratified for such period of time as was necessary to execute the project, pursuant to IC 36-1-4-16 and now is dissolved, returned to the jurisdiction of the Public Works Department (Agency); and

(C) That those improvements of public way and other infrastructure improved or installed in consequence of the Downtown Redevelopment Area project described herein, are accepted and become property of the Public Works Department (Agency), particularly *the parking lot and any other improvements not intended for the Parks and Recreation Department*, all according to governing law.

Duly Resolved and Approved, by the Town Council acting as the Works Board of the Town of Highland, Lake County, Indiana, this ____ day of _____ 2021, having passed by a vote of ____ in favor and ____ opposed.

**WORKS BOARD of the
TOWN of HIGHLAND, INDIANA**

Roger W. Sheeman, President (IC 36-5-2-10)

Attest:

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

**TOWN OF HIGHLAND
APPROPRIATION TRANSFER RESOLUTION
RESOLUTION NO. 2021-07**

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS in the PUBLIC SAFETY LOCAL INCOME TAX FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO I.C. 6-1.1-18-6.

WHEREAS, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **Public Safety Local Income Tax Fund;**

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

Section 1. That for the expenses of said municipality, the following appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

Section 2. That it has been shown that certain existing unobligated appropriations of the **Public Safety Local Income Tax Fund**, which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

PUBLIC SAFETY LOCAL INCOME TAX FUND

Reduce Account:

249-0000-43007 EQUIPMENT SCBA	<u>\$ 10,000.00</u>
<i>Total 400 Series Reductions:</i>	\$ 10,000.00

Increase and Create Accounts:

249-0000-PPE & COVIND SUPPLIES	<u>\$ 10,000.00</u>
<i>Total 200 Series Increases:</i>	\$ 10,000.00

Total of Fund Decreases:	\$ 10,000.00
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Total of Fund Increases:	\$ 10,000.00
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DULY RESOLVED and ADOPTED this 22nd Day of February 2021 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

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

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

Attest:

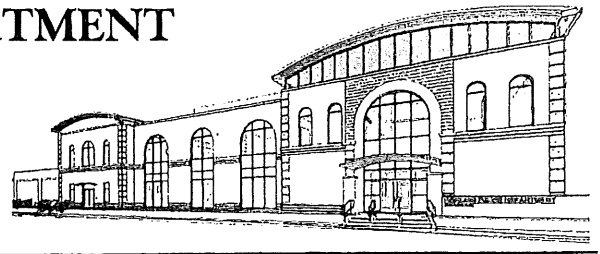
Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)



HIGHLAND POLICE DEPARTMENT

3315 RIDGE ROAD
HIGHLAND, IN 46322-2097
(219) 838-3184

PETER T. HOJNICKI, CHIEF OF POLICE



February 10, 2021

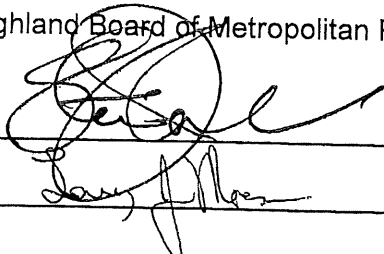
Lance Corporal John Hinkel
Ref case # 21-01014
Agency Assist

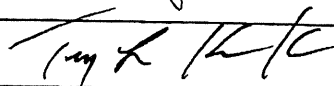
On February 9th at approximately 2:20 AM you had occasion to assist Griffith Police with a subject fleeing a traffic stop after having become stuck on a snowy embankment. The suspect entered a wooded ravine and disappeared. It was at this time you and a Griffith Officer began tracking the suspect's footprints and heard faint yelling. The suspect was observed submerged, neck deep in the Little Calumet River after falling through the ice. The suspect partially crawled out and on the frozen ice, however refused efforts to grab a branch handed to him by yourself, and eventually slid back into the water. A Griffith Officer laid onto the ice and extended his hand to the suspect while you held the Officer's belt, however, the suspect made no attempt to grab the Officer's hand. At this time the Officer grabbed the suspect's jacket, and you both pulled the incoherent suspect out of the water and onto the ice shelf. The suspect, somewhat incoherent, began yelling for the Officers to kill him and attempted to crawl back into the water, whilst you both were struggling to keep him from doing so. After physically having to restrain the suspect, both Officers were able to gain control of the suspect while he continued to resist, until additional help arrived. Emergency personnel were summoned and the suspect was transported for a medical evaluation while awaiting a multitude of charges including, Resisting Arrest, Traffic Violations (multiple), and Possession of Narcotics pending lab analysis.


Your life saving efforts are well noted, as you risked your life to save another! You are hereby commended for a job well done!

Highland Board of Metropolitan Police Commission

Highland Town Council







**TOWN OF HIGHLAND
NOTICE TO TAXPAYERS
OF PROPOSED ADDITIONAL APPROPRIATIONS**

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at **6:30 p.m.** on the **8th day of March 2021**, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

PUBLIC SAFETY LOCAL INCOME TAX FUND	
Acct. No. 249-0000-29000 PPE & COVID SUPPLIES:	\$ 110,000.00
<i>Total Series:</i>	\$ 110,000.00
Fund Total:	\$ 110,000.00

Funds to support these additional appropriations in the **Public Safety LIT Fund** shall be from interest earnings, miscellaneous revenues, a distribution pursuant to IC 6-3.6 et seq., and unobligated fund balance on deposit to the credit of the Fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers are asked to contact the Office of the Clerk-Treasurer at (219) 838-1080 to provide an email address to allow the Zoom platform information to be provided. You may also write to the Office of the Clerk-Treasurer if you wish to comment on the proposed additional appropriation. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its information and file.

**TOWN COUNCIL of HIGHLAND
Roger Sheeman, President**

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

ALLOWANCE OF ACCOUNTS PAYABLE VOUCHERS

TOWN OF HIGHLAND, INDIANA

I hereby certify that each of the above listed vouchers and the invoices, or bills attached thereto, are true and correct and I have audited same in accordance with IC-5-11-10-1.6

DATED THIS 19th DAY OF February, 2021.  FISCAL OFFICER

ALLOWANCE OF VOUCHERS

We have examined the Accounts Payable Vouchers listed on the foregoing Register of Accounts Payable Vouchers consisting of 5 pages and except for accounts payables not allowed as shown on the Register such accounts payables are hereby allowed in the total amount of \$ 539,736.82.

Dated this _____ day of _____, _____.

TOWN COUNCIL

MARK A. HERAK

ROGER SHEEMAN

BERNIE ZEMEN

MARK SCHOCKE

TOM BLACK

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 GENERAL						
Dept 0000						
001-0000-45200	GEN FUND TRANSFERS GROSS	90689	PAYROLL ACCOUNT	2/12PRL D/S TRANSFER GENERAL	169,064.93	45227
	Total For Dept 0000				169,064.93	
Dept 0001 TOWN COUNCIL						
001-0001-33001	ADDITIONAL APPROPRIATIONS #61	90668	THE TIMES	ADDITIONAL APPROPRIATIONS-	75.89	
001-0001-33001	ADDITIONAL APPROPRIATIONS #61	90669	THE TIMES	ADDITIONAL APPROPRIATIONS-61611	52.98	
001-0001-33001	ADDITIONAL APPROPRIATIONS #61	90670	THE TIMES	ADDITIONAL APPROPRIATIONS-61619	104.53	
001-0001-39004	INSERTING GAZEBO INTO BILLS	90839	LITHOGRAPHIC COMMUNICATIONS	FEB2021GAZEBO EXPRESS INSERT-8654	684.23	
001-0001-39004	GAZEBO EXPRESS FEB 2021	90846	THE IDEA FACTORY, INC	GAZEBO EXPRESS FEB/WEBSITE UPDATE	2,143.71	
	Total For Dept 0001 TOWN COUNCIL				3,061.34	
Dept 0003 VIPS						
001-0003-22004	PARTS FOR REPAIRS TO V4 OIL L	90856	GRIMLER AUTOMOTIVE, INC	PARTS AND LABOR FOR REPAIRS TO V4	372.86	
001-0003-36001	LABOR TO REPAIR V4	90856	GRIMLER AUTOMOTIVE, INC	PARTS AND LABOR FOR REPAIRS TO V4	345.00	
001-0003-39007	VIPSC CAR WASHES FOR JAN	90855	EASY CLEAN CAR WASH, INC	D/S- VIPS CAR WASHES FOR JAN	3.00	
	Total For Dept 0003 VIPS				720.86	
Dept 0004 CLERK-TREASURER						
001-0004-20003	D/S TONER CARTRIDGES	90847	CBL CONSULTING, INC	D/S TONER CARTRIDGES	210.00	
001-0004-20003	D/S CT PERSONNEL POCKET FILES	90838	HR DIRECT	D/S CT PERSONNEL POCKET FILES	11.94	
001-0004-31004	REGISTRATION D BECK	90729	ILMCT	ILMCT ANNUAL CONFERENCE3/15-3/18/	300.00	45229
001-0004-31004	2/11/2021 WEBINAR DBECK	90666	APT US&C	2/11/2021 INTERNAL CONTROLS WEBIN	227.00	
001-0004-31004	2021 MEMBERSHIP FEE- M GRIFFI	90834	INTERNATIONAL INSTITUTE OF	MEMBERSHIP FEE 2021 M GRIFFIN, K	445.00	
001-0004-34023	HEALTH INS	90739	TOWN OF HIGHLAND INS FUND (	FEBRUARY 2021 HEALTH/LIFE INS PRE	5,451.63	45238
001-0004-34023	DENTAL INS	90743	TOWN OF HIGHLAND INS FUND (	JANUARY 2021 HEALTH/LIFE INS PREM	252.63	45238
001-0004-34043	LIFE INS	90739	TOWN OF HIGHLAND INS FUND (	FEBRUARY 2021 HEALTH/LIFE INS PRE	37.93	45238
001-0004-34043	LIFE INS	90743	TOWN OF HIGHLAND INS FUND (	JANUARY 2021 HEALTH/LIFE INS PREM	37.93	45238
	Total For Dept 0004 CLERK-TREASURER				6,974.06	
Dept 0006 BUILDING & INSPECTION						
001-0006-20003	OFF DEPOT 155063435001	90866	OFFICE DEPOT, INC	OFF DEPOT 155063435001	11.29	
001-0006-20003	OFF DEPOT 155063434001	90867	OFFICE DEPOT, INC	OFF DEPOT 155063434001	62.99	
001-0006-20003	OFF DEPOT 155047357001	90868	OFFICE DEPOT, INC	OFF DEPOT 155047357001	197.57	
001-0006-34023	HEALTH INS	90738	TOWN OF HIGHLAND INS FUND (	FEBRUARY 2021 HEALTH/LIFE INS PRE	6,103.10	45238
001-0006-34023	DENTAL INS	90742	TOWN OF HIGHLAND INS FUND (	JANUARY 2021 HEALTH/LIFE INS PRE	170.96	45238
001-0006-34043	LIFE INS	90738	TOWN OF HIGHLAND INS FUND (	FEBRUARY 2021 HEALTH/LIFE INS PRE	29.94	45238
001-0006-34043	LIFE INS	90742	TOWN OF HIGHLAND INS FUND (	JANUARY 2021 HEALTH/LIFE INS PRE	29.94	45238
	Total For Dept 0006 BUILDING & INSPECTION				6,605.79	
Dept 0007 FIRE DEPARTMENT						
001-0007-23004	INVOICE # 082727	90842	AAA SUPPLY CORPORATION	STEEL SUPPLIES	151.41	
001-0007-32005	STATIONS SECURITY SYSTEM	90845	PHIL & SON, INC	STATIONS SECURITY	145.60	
001-0007-32006	BROADBAND AIR CARDS FOR RIGS	90734	VERIZON WIRELESS	AIR CARDS FOR RIGS	300.14	45235
001-0007-34023	HEALTH INS	90740	TOWN OF HIGHLAND INS FUND (	FEBRUARY 2021 HEALTH/LIFE INS PR	2,155.70	45238
001-0007-34023	DENTAL INS	90744	TOWN OF HIGHLAND INS FUND (	FEBRUARY 2021 HEALTH/LIFE INS PR	68.81	45238
001-0007-34043	LIFE INS	90740	TOWN OF HIGHLAND INS FUND (	FEBRUARY 2021 HEALTH/LIFE INS PR	7.12	45238
001-0007-34043	LIFE INS	90744	TOWN OF HIGHLAND INS FUND (	JANUARY 2021 HEALTH/LIFE INS PRE	7.12	45238
001-0007-35005	HYDRANT - SOUTH STATION	90843	TOWN OF HIGHLAND UTILITIES	SOUTH STATION WATER & SEWER	100.94	
001-0007-35005	HYDRANT - CENTRAL STATION	90844	TOWN OF HIGHLAND UTILITIES	CENTRAL STATION WATER & SEWER	104.16	
001-0007-35007	STORM - SOUTH STATION	90843	TOWN OF HIGHLAND UTILITIES	SOUTH STATION WATER & SEWER	97.37	
001-0007-35007	STORM - CENTRAL STATION	90844	TOWN OF HIGHLAND UTILITIES	CENTRAL STATION WATER & SEWER	107.07	
	Total For Dept 0007 FIRE DEPARTMENT				3,245.44	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 001 GENERAL						
Dept 0008 PLAN COMMISSION						
001-0008-31001	PLAN COMMISSION LEGAL INVOICE 90869		ABRAHAMSON, REED & BILSE	PLAN COMMISSION LEGAL INVOICE JAN	2,280.00	
				Total For Dept 0008 PLAN COMMISSION	2,280.00	
Dept 0009 POLICE DEPARTMENT						
001-0009-11204	PRE EMPLOYMENT POLYGRAPH TEST 90849			ALERT PROFESSIONAL INVEST, I PRE EMPLOYMENT POLYGRAPH FOR POLI	175.00	
001-0009-11204	POLYGRAPH TEST 90850			ALERT PROFESSIONAL INVEST, I POLYGRAPH TEST FOR NEW RECORDS AP	175.00	
001-0009-21001	1188.1 GAL OF GAS 90861			WARREN OIL COMPANY 1188.1 GAL OF GAS DELV ON 2/5	2,497.62	
001-0009-21004	MEDICAL SUPPLIES FOR BOOKING 90852			CINTAS CORPORATION NO 2 MEDICAL SUPPLIES FOR CABINET IN B	74.01	
001-0009-22004	INV 363772 90851			JAN STMT OF VEH PARTS FOR PD CARS	736.36	
001-0009-23004	D/S PD PERSONNEL POCKET FILES 90837			HR DIRECT D/S PD PERSONNEL POCKET FILES	20.00	
001-0009-31001	LEGAL MATTERS FOR JAN 90848			ABRAHAMSON, REED & BILSE LEGAL MATTERS FOR JAN	342.00	
001-0009-32003	IDACS NETWORK ACCESS FOR JAN 90857			.INDIANA OFFICE OF TECHNOLOG IDACS NETWORK ACCESS FOR JAN	118.41	
001-0009-32004	IDACS INTERNET 1/28-2/27 90854			IDACS INTERNET FOR 1/28-2/27	126.85	
001-0009-32004	CID INTERNET SEARCHES FOR JAN 90860			CID INTERNET SEARCHES FOR JAN	88.40	
001-0009-34003	REIMBURSE FOR 2 NEW CAR TITLE 90858			REIMBURSE FOR 2 NEW TITLE FEES	30.00	
001-0009-34023	HEALTH INS 90741			PATRICK L VASSAR (R) FEBRUARY 2021 HEALTH/LIFE INS PRE	94,516.32	45238
001-0009-34023	DENTAL INS 90745			TOWN OF HIGHLAND INS FUND (JANUARY 2021 HEALTH/LIFE INS PREM	3,855.37	45238
001-0009-34042	SURVIVORS ADJ 90741			TOWN OF HIGHLAND INS FUND (FEBRUARY 2021 HEALTH/LIFE INS PRE	2,086.96	45238
001-0009-34043	LIFE RETIREE 90741			TOWN OF HIGHLAND INS FUND (FEBRUARY 2021 HEALTH/LIFE INS PRE	19.69	45238
001-0009-34043	LIFE RETIREE 90745			TOWN OF HIGHLAND INS FUND (JANUARY 2021 HEALTH/LIFE INS PREM	19.69	45238
001-0009-35005	PD WATER SERVICE 12/18-1/18 90859			TOWN OF HIGHLAND UTILITIES PD WATER SERVICE 12/18-1/18	615.89	
001-0009-38006	MAT CHANGE AT PD ON 2/9 90853			CINTAS CORPORATION #319 MAT CHANGE AT PD ON 2/9	36.66	
				Total For Dept 0009 POLICE DEPARTMENT	105,534.23	
Dept 0011 SERVICES & WORKS						
001-0011-35005	TOWN GARAGE WATER/HYDRANT 90747			TOWN OF HIGHLAND UTILITIES #0382013660 TOWN GARAGE WATER/SE	444.10	45241
001-0011-35005	WATER/HYDRANT 90748			TOWN OF HIGHLAND UTILITIES #0542303600 TOWN HALL WATER/SEWER	214.76	45241
001-0011-35007	VIPS WATER/HYDRANT 90746			TOWN OF HIGHLAND UTILITIES 0643112591 VIPS WATER/SEWER	72.54	45241
001-0011-35007	TOWN GARAGE SEWER/STORM 90747			TOWN OF HIGHLAND UTILITIES #0382013660 TOWN GARAGE WATER/SE	778.08	45241
001-0011-35007	STORM/SEWER 90748			TOWN OF HIGHLAND UTILITIES #0542303600 TOWN HALL WATER/SEWER	263.69	45241
001-0011-35007	STORM 90749			TOWN OF HIGHLAND UTILITIES 0901207112- 2819 LINCOLN -STORM-	26.88	45241
001-0011-38005	D/S CT FOR BANK RECS 90648			BAKER TILLY MUNICIPAL ADVIS D/S CT BANK RECONCILIATION	568.00	
001-0011-38005	CONTRACT FOR TEMP DEPUTY J FI 90657			GOVHR USA, LLC CONTRACT FOR TEMP DEPUTY J FIGUER	1,680.00	
001-0011-38005	CONTRACT FOR TEMP DEPUTY J FI 90658			GOVHR USA, LLC CONTRACT FOR TEMP DEPUTY J FIGUER	1,669.50	
001-0011-38005	CONTRACT FOR TEMP DEPUTY J FI 90659			GOVHR USA, LLC CONTRACT FOR TEMP DEPUTY J FIGUER	1,680.00	
001-0011-38005	CONTRACT FOR TEMP DEPUTY J FI 90832			GOVHR USA, LLC CONTRACT FOR TEMP DEPUTY J FIGUER	1,680.00	
001-0011-38005	CONTRACT FOR TEMP DEPUTY J FI 90833			GOVHR USA, LLC CONTRACT FOR TEMP DEPUTY J FIGUER	1,680.00	
001-0011-39001	D KOVACICH MEMBERSHIP RENEWAL 90667			AMERICAN PAYROLL ASSOCIATIO D KOVACICH MEMBERSHIP RENEWAL, PA	1,247.00	
				Total For Dept 0011 SERVICES & WORKS	12,004.55	
Dept 0012 TOWN HALL						
001-0012-21004	BOTTOM LOAD COOLER FEB 2 90649			HINCKLEY SPRINGS BOTTOM LOAD COOLER	8.99	
001-0012-36003	TOWN HALL MATS 1/5,1/19/2021 90836			TOWN HALL MATS ACT 16459440	113.03	
001-0012-36004	GENERAL CLEANING AND WINDOWS 90819			GLOBAL MAINTENANCE & CO. GENERAL CLEANING SERVICE FOR JANU	1,495.00	
				Total For Dept 0012 TOWN HALL	1,617.02	
				Total For Fund 001 GENERAL	311,108.22	
Fund 002 MVH						
Dept 0000						
002-0000-45200	MVH TRANSFERS GROSS 90690			PAYROLL ACCOUNT 2/12PRL D/S TRANSFER MVH	63,298.79	45228
				Total For Dept 0000	63,298.79	

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 002 MVH						
Dept 0017 MVH RECONSTRUCTION/MAINTENANCE						
002-0017-21003	TIRE REPAIR MATERIALS	90829	SAM'S TECH SUPPLY INC	STOCK SUPPLIES FOR STREET DEPT.	208.69	
002-0017-21004	6506-93997 6604-06 THICKSTER1	90830	SHERWIN WILLIAMS CORP	SAFETY EQUIPMENT FOR STREET DEPT.	79.87	
002-0017-22004	ACT 32980258 INVOICE 56919	90825	MENARDS CORP - SCHERERVILLE	POST SUPPORT FOR DAMAGED MAILBOX	29.98	
002-0017-22004	2151226 GENTRY POST MOUNT COM	90826	MENARDS CORP - SCHERERVILLE	MAILBOX REPAIRS FROM PLOW DAMAGE	51.37	
002-0017-22005	CAP	90831	TEPSTRA'S SALES & SERVICE,	MISSED CHARGE FOR CAP ON INVOICE	9.05	
002-0017-23002	2/3/2021 4015083 COLD MIX	90828	RIETH-RILEY CONSTR CO., INC	COLD MIX FOR STREET DEPT.	822.96	
002-0017-23005	ROAD SALT	90822	CARGILL, INC	UNTREATED ROAD SALT 2021	3,786.36	
002-0017-23005	ROAD SALT	90823	CARGILL, INC	UNTREATED ROAD SALT 2021	14,386.03	
002-0017-23005	259 TONS ROAD SALT	90824	CARGILL, INC	UNTREATED ROAD SALT 2021	18,697.23	
002-0017-36001	REPAIR AND MAINT TO FUEL PUMP	90827	NORTHERN INDIANA MECHANICAL	REPAIR AND MAINT TO FUEL PUMPS AT	369.00	
			Total For Dept 0017 MVH RECONSTRUCTION/MAINTENANCE		38,440.54	
			Total For Fund 002 MVH		101,739.33	
Fund 004 LR&S						
Dept 0000						
004-0000-31002	GENERAL CONSULTING	90820	NIES ENGINEERING, INC.	GENERAL CONSULTING THROUGH 1/22/2	5,521.60	
			Total For Dept 0000		5,521.60	
			Total For Fund 004 LR&S		5,521.60	
Fund 018 LAW ENFORCE CON'T ED						
Dept 0000						
018-0000-20003	RETIRED OFFICER NAME PLATE	90864	LANSING SPORT SHOP, INC	RETIRED OFFICERS NAME PLATE FOR P	20.00	
018-0000-23006	CAMERA SYS DOWN SERV CALL	90865	TRI-ELECTRONICS, INC	CAMERA SYSTEM SERV CALL	350.00	
018-0000-33002	20 COPIES OF ANNUAL REPORT	90862	BAXTER PRINTING INC	20 COPIES OF ANNUAL REPORT	200.00	
018-0000-39005	PD CAR WASHES FOR JAN	90863	EASY CLEAN CAR WASH, INC	D/S- PD CAR WASHES FOR JAN	165.00	
			Total For Dept 0000		735.00	
			Total For Fund 018 LAW ENFORCE CON'T ED		735.00	
Fund 030 ICT FUND						
Dept 0000						
030-0000-32001	FEB 2021 POSTAGE METER SERVIC	90650	PITNEY BOWES INC.	FEB 2021 POSTAGE METER SERVICE A	129.29	
030-0000-32003	ELEVATOR PHONE- 2/1-2/28/2021	90730	AT&T	219923-2320 260 1 ELEVATOR PHONE	184.22	45230
030-0000-32003	219 R10 2255 255 7 2/1-2/28	90731	AT&T	219 R10 2255 255 7 2/1-2/28/2021	572.51	45231
030-0000-32003	MO INTERNET SVC 8771400250188	90732	COMCAST CABLE	TOWN HALL ACCT 8771400250188267	190.38	45232
030-0000-32003	PHONE/INTERNET FD CENTRAL	90733	COMCAST CABLE	FD CENTRAL/2901 HIGHWAY-PHONE/INT	173.50	45233
030-0000-32003	642004646-00002 BROADBAND-J K	90736	VERIZON WIRELESS	642004646-00002 D/S BROADBAND-J K	30.01	45234
030-0000-32003	PW/B&I/PARK/FD WIRELESS 78032	90735	VERIZON WIRELESS	PW/B&I/PARK/FD WIRELESS 780324475	1,119.28	45236
030-0000-32003	MONTHLY CELL PHONE 642004646-	90737	VERIZON WIRELESS	PD CELL PHONE USE PD- 642004646-0	1,317.22	45237
030-0000-32003	MONTHLY TELEPHONE FEE- PD ACT	90841	WINDSTREAM HOLDINGS INC	MONTHLY TELEPHONE FEE- PD FEB 202	849.77	
030-0000-38006	JANUARY 2021 COPIER AGREEMEN	90671	RICOH USA, INC	JAN 2021 COPIER AGREEMENT	224.47	
030-0000-38006	JANUARY 2021 COPIER AGREEMEN	90840	RICOH USA, INC	COPIER AGREEMENT 1/30-1/31/2021	35.28	
030-0000-38006	WEB SECURITY MONTHLY	90846	THE IDEA FACTORY, INC	GAZEBO EXPRESS FEB/WEBSITE UPDATE	899.99	
030-0000-39024	WEB UPDATE WEEKLY	90846	THE IDEA FACTORY, INC	GAZEBO EXPRESS FEB/WEBSITE UPDATE	541.08	
030-0000-43009	COPIERS FOR ALL DEPARTMENTS	90880	RICOH USA, INC	COPIERS FOR ALL DEPARTMENTS	44,149.00	
			Total For Dept 0000		50,416.00	
			Total For Fund 030 ICT FUND		50,416.00	
Fund 055 MCCD						
Dept 0000						

GL Number	Invoice Line Desc	Ref #	Vendor	Invoice Description	Amount	Check #
Fund 055 MCCD Dept 0000 055-0000-39006	ANNUAL SRV/SUPPORT FEE 12/18 90835	90835	BELLEFEUIL, SZUR & ASSOC/DB	D/S ANNUAL SRV/SUPPORT FEE 12/18,	2,666.66	
			Total For Dept 0000		2,666.66	
			Total For Fund 055 MCCD		2,666.66	
Fund 085 TRAFFIC VIOLATIONS Dept 0001 TOWN COUNCIL 085-0001-00400	CASH BOND FEES	90875	LAKE COUNTY CLERK	CASH BOND FEES	1,500.00	45242
			Total For Dept 0001 TOWN COUNCIL		1,500.00	
			Total For Fund 085 TRAFFIC VIOLATIONS		1,500.00	
Fund 104 COMMUNITY CROSSING GRANT FUND Dept 0000 104-0000-44080	2020 CCMG	90821	WALSH & KELLY INC	2020 CCMG PROJECT	66,050.01	
			Total For Dept 0000		66,050.01	
			Total For Fund 104 COMMUNITY CROSSING GRANT FUND		66,050.01	

GL Number Invoice Line Desc Ref # Vendor Invoice Description Amount Check #

Fund Totals:

Fund 001 GENERAL	311,108.22
Fund 002 MVH	101,739.33
Fund 004 LR&S	5,521.60
Fund 018 LAW ENFORCE CON'T ED	735.00
Fund 030 ICT FUND	50,416.00
Fund 055 MCCD	2,666.66
Fund 085 TRAFFIC VIOLATIONS	1,500.00
Fund 104 COMMUNITY CROSSING GRANT	66,050.01

539,736.82

Payroll Docket

\$ 319,960.02

\$ 319,960.02

Delta

\$ -

Council, Boards and Commissions

\$ 8,350.24

Office of Clerk-Treasurer

\$ 17,691.23

Regular Staff \$ 17,691.23

Field Service Rep \$ -

Building & Inspection

\$ 8,858.18

Metropolitan Police

\$ 117,533.48

Crossing \$ 1,063.68

Full-Time Police \$ 94,420.07

Full-Time Non-sworn \$ 22,049.73

Public Works Department

\$ 71,531.09

Fire Department

\$ 27,372.99

Component One \$ 3,978.46

Component Two \$ 23,394.53

Police 1925 Pensions

\$ 68,622.81

Payday: 29-Jan-2021

Payroll Docket

			Delta
\$	242,259.45	\$	242,259.45
		\$	-
Council, Boards and Commissions			
		\$	16,807.83
Office of Clerk-Treasurer			
Regular Staff	\$ 16,807.83		
Field Service Rep	\$ -		
		\$	9,056.99
Building & Inspection			
		\$	125,669.73
Metropolitan Police			
Crossing	\$ 932.87		
Full-Time Police	\$ 103,268.86		
Full-Time Non-sworn	\$ 21,468.00		
		\$	86,854.10
Public Works Department			
		\$	3,870.80
Fire Department			
Component One	\$ 3,870.80		
Component Two	\$ -		
		\$	-
Police 1925 Pensions			

Payday: **12-Feb-2021**