

**Enrolled Memorandum of the Meeting
Study Session/Meeting (Convened Electronically/Hybrid)
Twenty-Ninth Town Council of Highland
Monday, May 17, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a study session on **Monday, May 17, 2021** at 6:43 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. 21-11. Some persons were participating remotely on a Zoom platform that allowed for real time interaction between and among all the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely, allowing for all councilors to be simultaneously seen and heard. When the agenda item provided for public comment, this was supported as well. All councilors participated on the Zoom platform. The Town Council President Roger Sheeman and Councilor Mark Herak were also present in person.

The meeting was streamed live on the Town of Highland, Indiana Facebook page and participation was supported by the Zoom on-line communication platform.

Silent Roll Call: Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Tom Black and Roger Sheeman were present (electronically) as indicated. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings (electronically). *A quorum was attained.*

Officials Present: John P. Reed, Town Attorney; Peter T. Hojnicky, Police Chief; Mark Knesek, Public Works Director; William Timmer, Fire Chief; Kenneth Mika, Building Commissioner and Kathy DeGuilio-Fox, Redevelopment Director, were also present, participating electronically. Kenneth Mika, Building Commissioner and Kathy DeGuilio-Fox, Redevelopment Director, participated in person also.

Additional Officials Present: Ed Dabrowski, IT Consultant (Contract) and Board of Waterworks Directors, (electronically); was present. (electronically).

Guests: Dan Botich, Associate Regional Practice Leader & Senior economic Development Professional, Short Elliot and Hendrickson; Theresa Badovich of the Idea Factory were also present (electronically).

General Substance of Matters Discussed.

Special Meeting at 6:30: Public Hearing and related action on FY 2021 CDBG Grant was adjourned at 6:43 p.m. (memorialized separately)

1. **Discussion:** *Consideration and further discussion regarding the information or a revised approach to the recently filed for ECONOMIC DEVELOPMENT REVITALIZATION APPLICATION of Webb Hyundai continued.*

Mr. Dan Botich of Short Elliot and Hendrickson (S.E.H.) was present in person and reviewed the written reports that he had provided to the Town Council at its plenary meeting of May 17, 2021.

There was a colloquy between and among members of the Town Council and Mr. Botich regarding how the process of economic revitalization areas operate, how the

concept of tax abatement really involves not the taxes but the incremental addition of the new assessed valuation from the improvement contemplated and the effect of the several scenarios reviewed in the report shown below:

TOWN OF HIGHLAND, INDIANA
 DEPARTMENT OF REDEVELOPMENT

Project Webb
 Summary of Schedules

Scenario	ESTIMATED (10-Year Period)				
	Real Property Taxes Due	Real Property Taxes AFTER AV Deduction	AV Deduction Tax Savings	15% Imposed Fee	Net Tax Savings
10-Year Traditional	\$ 718,776	\$ 593,002	\$ 125,773	\$ 18,866	\$ 106,907
7-Year Traditional	\$ 718,776	\$ 617,395	\$ 101,381	\$ 15,207	\$ 86,174
5-Year Traditional	\$ 718,776	\$ 642,550	\$ 76,226	\$ 11,434	\$ 64,792
5-Year (100%)	\$ 718,776	\$ 591,732	\$ 127,044	\$ 19,055	\$ 107,989
5-Year Alternative (to Match 10-Year Traditional)	\$ 718,776	\$ 593,002	\$ 125,773	\$ 18,865	\$ 106,908
Current Taxes of the Project Site (Annual)	\$ 464,856				
Current Taxes of the Project Site (Annual)	\$ 46,487				
Estimated Increase in Taxes (2021 Investment)	\$ 253,920				
Estimated Annual Increase in Taxes (2021 Investment)	\$ 25,392				

It was noted that the petitioner assumed a different valuation on the new construction. Mr. Botich, estimated a lower valuation for the improvement. Regardless the valuation, it was noted that the impact on homestead residential, non-homestead residential property taxpayers would be protected by the circuit breaker. Mr. Botich noted that the impact would be very small in to the commercial and other tax bases that have a circuit breaker of 3%. Since the additional tax base is around \$2,000,000 and the current net tax base is \$1,245,776,292, there is no material impact, according to Mr. Botich.

The Town Council discussed the concept and desirability of moving forward. When asked by the Town Council to make a recommendation, Mr. Botich stated if the Town Council was open to the concept, he would suggest the five year 100% scenario. It allowed the new tax base to come on at once and not incrementally once the five year period was over, and it offered a better incentive to long standing taxpayer business in town that had contributed over time to the community. It was noted that business retention is a desirable objective.

There was no further discussion on the matter.

2. **Discussion:** *Desirability or need for revision to or the addition of the following positions:*
 - *Code Enforcement Officer, FTE.* The Building Commissioner and Councilor Herak explained that the incumbent code enforcement officer would be leaving. As a part time position, they further explained the difficulty in hiring someone to perform the tasks. Noting the position is regularly scheduled 30 or more hours a week and is a qualified position under the ACA and local ordinance for group health benefits.

It was further noted that the enforcement demands based upon the code regulations in force, suggested the desirability of making the position be full-time.

The Town Council and the Building Commissioner discussed the competing merits of having a police officer detailed to assist with code enforcement. It was agreed that it was desirable but, the police department was experiencing up to four vacant positions in sworn officers and could not spare someone. It was also noted that this would still be desirable with a full-time code enforcement officer.

The discussion included the desirability and utility of having the code enforcement officer be in a uniform with a badge.

- *Information Technology Officer, FTE.* The Town Council President noted he received notice from the worker in the police department who performed Information Technology functions for the department, ending his employment, effective July 10, 2021. Noting that the town currently had contracted for IT services for all other departments and the vacancy in this full-time position, the Town Council President discussed the desirability of establishing a single full-time position who would do all departments including the police department.

The Town Council discussed the competing merits of establishing an employee position or of contracting for the services.

- *Fiscal Analyst. (Internal Controls)* The Town Clerk-Treasurer explained the recent elective departure of the incumbent encumbering officer to take a similar position in a neighboring community. It was further noted that pursuant to the terms of the Compensation and Benefits Ordinance, there was a candidate within the office who accepted the promotion.

The Clerk-Treasurer also noted that the office of clerk-treasurer has a challenge of staff capacity to meet the needs imposed by the legislature regarding its increased emphasis on internal controls and the increased demands for financial information for the governing bodies of the utilities and the town council.

The Town Clerk-Treasurer indicated that when he was first elected, he was unmarried and he compensated with added time at the office for the increasing capacity challenge. As he formed his family, it has become increasingly challenging for he to do as he did then. The Town Clerk-Treasurer further noted that when there is any vacancy it is a good management practice to review the staff and consider needs based upon the talent in place, and the new requirements partly driven by changes imposed by the Indiana General Assembly.

The Town Clerk-Treasurer asked for the position of fiscal analyst to be authorized, to be salaried. The position would generate the monthly reports to the utilities and to the boards and commissions that the clerk-treasurer currently composes himself. This position will assist with the budget process and assist with related matters of finance. The position would also work on quality assurance. This will allow the clerk-treasurer more opportunities to manage. A draft of a job description was prepared and sent to the Town Councilmembers by electronic mail.

It was noted that he would like to assure the funding for the position by leaving the position in his office made vacant by the promotion to the encumbering officer at least through the budget preparation cycle to assure the budget sustainability.

The Town Council discussed the staff levels in the office. It was also noted that there may be an added rationale to have such a position, that would be performing many

of the reporting and data compiling functions being done by the clerk-treasurer. It was noted that the clerk-treasurer staff should have such skills to assure continuity of service and function for the Town.

The discussion included a review of the size of the clerk-treasurer's staff. It was requested that the position be authorized by the needed enactments for the plenary meeting on Monday, May 24, 2021. No objection was raised.

3. **Discussion:** *The desirability of vacating the dedicated but unimproved street, 2703 Jewett Avenue, which lays directly in front of the American Legion Post 180, which appears to be on Ridge Road.* It was noted that the American Legion Post 180 approached the Town about vacating the still dedicated portion of Jewett Street, that is unimproved and undiscernible that is in front of the Legion Post.

The Public Works Director noted that he does send trucks to plow there as it is still a public way. It is further noted that the remnant of the road is a gravel parking lot. The Town Clerk-Treasurer provided a memorandum packet styled as a public way vacation kit. It had the steps needed to proceed with vacating. It was noted that a petition was needed to be filed, containing a legal description of the proposed vacating public way, and legal notice of a public hearing on the matter. If after the hearing, a favorable vote, then the vacation ordinance and legal description would need to be filed with the County Auditor and our Building and Inspection Office to execute the vacation of the public way.

There was no evinced objection. The Town Council President would follow-up with the Legion officers to encourage them to take the steps needed to begin the process.

4. **Ad Hoc:** *The need to approve agreement with Best Buy Services for which billing took place under the Special Patrol Zone provisions of the Highland Municipal Code.* It was noted that services were requested for special patrol at Best Buy in Highland Grove Mall, and another were requested by North Township. It was noted that the billing and subsequent pay processing required approval by the Town Council of the Special Patrol Zone agreement, all pursuant to Article III of Chapter 9.10 of the Highland Municipal Code, providing for Special Patrol Zones. (Confer HMC Sections 9.10.250 through 9.10.280)

There being no further business necessary or desired to be discussed by the Town Council, the *electronically convened* regular study session of the Town Council of **Monday, May 17, 2021**, was adjourned by the Town Council President at 8:37 O'clock p.m.

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