

**Enrolled Memorandum of the Meeting  
Study Session/Meeting Hybrid Electronic/In-person  
Twenty-Ninth Town Council of Highland  
Monday, December 06, 2021**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in a study session on **Monday, December 06, 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 both an *electronic and in person meeting*, pursuant to Governor Holcomb's Executive Order 20-04 and 20-09 allowing such meetings pursuant to IC 5-14-1.5-3.7 for the duration of the COVID-19 public health emergency, extended by Executive Order No. 21-31. 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. Councilors Bernie Zemen, Mark Herak, mark Schocke, Tom Black and Roger Sheeman were present in person.

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

**Officials Present:** John P. Reed, Town Attorney (remotely); and Ed Dabrowski, Director of Information Technology; Kenneth J. Mika, Building Commissioner; and Kathy DeGuilio-Fox (remotely) were also present.

**Guests:** Robin Carlascio, for the Idea Factory (remotely); Matt Reardon of the Highland Economic Development Commission; James D. Shanahan, Taft Law; Randy Palmateer, Indiana Construction Trades Council; Richard Underkofler, Tree Board; Mark Ennis, Risk Management Specialist, Frank Pinson, Vice President of Sales, and Scott Lago Esq., Vice President of Claims, all of Bliss McKnight; and Thomas Crowel of the Crowel Agency were also present.

**General Substance of Matters Discussed.**

1. **Discussion:** *Thomas Crowel of the Crowel Agency, the current agent for the town's multi-peril insurance, property, casualty and related lines, to discuss the policies in place and proposals for next year.*

Tom Crowel, joined by the representatives from Bliss McKnight presented a brief overview regarding the organization and operational character of Bliss McKnight. It was noted that it was a non-profit insurance organization that insures the risk solely of municipal governments in Indiana and Illinois.

The representatives from Bliss McKnight and Mr. Crowel discussed the AM Best rating and suggested that it was not really equipped to meaningfully rate regional non-profit insurance companies that only insure the municipal market. An information sheet not provided to the municipal clerk but provided to the members of the Town Council was shared to show the financial condition of Bliss McKnight and the GIE, one of its wholly owned subsidiaries.

The Town Council, Mr. Crowel and the Bliss McKnight representatives discussed the extent of the coverages in the casualty, properly and the officers' omissions and errors liability in the current plan covering Highland. It was noted that the recent lawsuit alleging a violation of the Americans with Disabilities Act associated with a zoning action, was not a typical covered incident.

The discussion included the instances in which Federal Section 1983 civil lawsuits are brought and how the insurance plan worked to cover those instances.

The discussion included review of other independent ratings such as Demo Tech , which offered a favorable assessment of the Bliss McKnight insurance group. The discussion included an extensive review of the training opportunities and the extend of the services that Bliss McKnight provides Highland as a covered municipality without an additional charge including the review of the current Municipal Employee Handbook.

Mr. Crowel also provided a run of losses for the Town of Highland to be shared with others seeking to quote the Town for its insurance business.

The Bliss McKnight representatives and Mr. Crowel departed at this time.

- 2. Discussion:** *ORDINANCE No. 1757 AUTHORIZING SALE of ECONOMIC DEVELOPMENT REVENUE BONDS. This includes the development agreement. (ED Bonds were approved at a public hearing of the Economic Development Commission on November 3, 2021 at 6:00 p.m.; A Resolution approving the proposed Economic Development Agreement and the use of Allocation Area increment to support the bond payment was approved at the Redevelopment Commission Special Meeting of November 9, 2021 at 6:30 p.m.)*

Mr. Matt Reardon discussed the rationale and the metrics considered by the Economic Development Commission in voting favorably to authorize economic development bonds to be used as an economic incentive for the Russel Senior Housing Development to be located between Kleinman Avenue and Cline Avenue just north of the Strack and Van Til Retail Grocery site.

Joined by Mr. James D. Shanahan, Bound counsel for the Redevelopment Commission, who offered the overview of the Redevelopment Commission's review and favorable action approving an economic development agreement guiding the incentives for the economic development associated with the Senior Housing project. The redevelopment approved the use to tax increment in the commercial corridor allocation area to support the payment on the economic development bonds.

It was noted that the developer, Russel group, had agreed to but the economic development bonds, thus placing all of the venture risk of the incentive upon the developer and not upon the town of Highland or its tax-payers.

The Town Council discussed and posed questions to Mr. Reardon, an economic development professional, Mr. Shanahan as bond counsel and the clerk-treasurer regarding the project, how the financing worked and clarifying the value of the project to the Town. The discussion included exploring the distinction between the "tax abatements – which are a delay of assessed valuation – to the use of allocation areas and tax increment financing.

The Redevelopment Director, Kathy DeGuilio-Fox also reviewed the timetable and the processes that brought the matter to the Town Council. The remaining step that was required before the economic development project could move forward was the passage and adoption of the ordinance (removed from the agenda at the town Council Meeting of Monday, December 6, 2021), which would both approve the economic development bonds up to \$4,000,000 and the economic development agreement between the Redevelopment Commission, the Town Council and S.J. Indiana, LLC, the development corporation formed by Russell group to manage the Senior Housing project.

Mr. Randy Palmateer, representing construction crafts and labor, spoke in favor of the project and supported the value of the jobs that would be created in consequence of the project. Mr. Palmateer noted that the Building Trades Council has a memorandum of understanding with Russell that provided that local trades and construction workers would be the source of the hiring for the project. He commented favorably on the relationship with Russell. He also commended the Town of Highland for being the first municipality in the area to adopt the responsible bidder provisions recommended by the Building Trades for its public works code.

Mr. Palmateer, Mr. Reardon and Mr. Shanahan departed at this time.

3. **Discussion:** *The Advisory Board of Zoning Appeals, through the Zoning Administrator, Mr. Mika, will soon certify its recommendations on several petitions for Use Variances. The Town Council may discuss these petitions and may hear from the attorney representing one of the petitioners. The Zoning Administrator Mr. Mika offered an overview of the following petitions for use variances that had been before the Advisory Board of Zoning Appeals and would soon be certified to the Town Council for its actions.*
  - (1) *Thuong Cap, 611 James Place, Griffith seeking a use variance to permit a Tattoo studio at 2716 Condit Street, Highland, Indiana. This will be certified with an unfavorable recommendation. It was noted that this was made before the Town Council amended its code regarding the requirement for Tattoo parlors to be operated by persons with a medical degree.*
  - (2) *Highland Osborn Partners, LLC, 20 W. Road, Dune Acres, IN , seeking to permit climate controlled storage facilities at 8601 Indianapolis Boulevard, and 8621 Osborne Avenue. This would be coming with a favorable recommendation.*
  - (3) *Ms. Autumn Lynumn-Simmons, 3145 Duluth Street, seeking to have an in home daycare at the same address, a single family residence. This would be coming with an unfavorable recommendation.*
4. **Discussion:** *Closing building half day on last working day of 2021 Thursday, December 30. This is the convention to allow the staffs to perform year end tasks for the full day, confining the work to the year-end tasks.*

The Town Clerk-Treasurer requested this annual change in building hours to support his staff's work on year end matters. There was no objection to allowing this to be placed on the plenary meeting agenda for Monday December 13, 2021.

5. **Discussion:** *Resolution fixing Faithful Performance Bond for Fiscal Officer. The Clerk-Treasurer notes that the Town Council needs to fix the bond for him as fiscal officer. Based upon receipts from last full fiscal year, FY 2020, those being in the amount of \$42,710,845, pursuant to I.C. 5-4-1-18(e), fixing the faithful performance bond amount at \$30,000 for each \$1 million dollars of receipts with the amount not to exceed \$300,000, the amount will again be \$300,000.*

The Town Clerk-Treasurer requested this matter to be acted upon by the Town Council, which the law requires based upon the formula described. There was no objection to allowing this to be placed on the plenary meeting agenda for Monday December 13, 2021.

6. **Discussion:** *Proposed wage and salaries for 2022. It is the intention to obtain feedback on changes to longevity (if any) and any changes for the Town Council that may be desirable.*

The Clerk-Treasurer and the budget chair noted that the general wage and salary ordinance would be prepared to be introduced at the meeting of Monday, December 13, 2021. This would allow it to be discussed at the study session of December 20 and then considered for action by the Town Council at its meeting of December 27, 2021.

The Town Council discussed whether there should be changes to the current longevity amounts and whether these should be changed for the town council as well. Further the Town Council discussed the prospect of granting itself a raise. It was noted that the current salaries had not been changed since 1997. There was some expressed support by some for an increase.

**Excerpts from the Compensation and Benefits Ordinance or the most recently effective Wage and Salary Ordinance:**

**§ 4.04 Longevity Pay**

All regular full-time employees from all departments who have completed a specified consecutive number of years of service and who have not taken the elective waiver for this benefit will be paid a longevity benefit. Longevity pay will be combined with the regular hourly or bi-weekly rate of pay to create a composite rate of pay. This composite rate of pay will begin and increase, as scheduled beginning with the payroll period in which the associated pay date will be the first full pay period following the employee's service anniversary date.

The composite rate shall be the base rate for the purposes of calculating any overtime premium where such premium applies. For the purposes of establishing the value of the longevity benefit for the purposes of IC 36-8 et seq., the annual longevity benefit will be unchanged. Effective from 2016, the annual longevity benefit will be \$2,059.20 or 2,080 times the hourly longevity rate for 20 years. The composite rate for longevity shall be applied according to the following schedule:

Years of Service Completed	Current Hourly	Bi-weekly
1	\$ 0.07	\$ 5.60
2	\$ 0.12	\$ 9.60
3	\$ 0.17	\$ 13.60
<b>4</b>	<b>\$ 0.22</b>	<b>\$ 17.60</b>
5	\$ 0.27	\$ 21.60
6	\$ 0.32	\$ 25.60
<b>7</b>	<b>\$ 0.37</b>	<b>\$ 29.60</b>
8	\$ 0.42	\$ 33.60
9	\$ 0.47	\$ 37.60
<b>10</b>	<b>\$ 0.52</b>	<b>\$ 41.60</b>
11	\$ 0.57	\$ 45.60
12	\$ 0.62	\$ 49.60
Years of Service Completed	Current Hourly	Bi-weekly
<b>13</b>	<b>\$ 0.67</b>	<b>\$ 53.60</b>
14	\$ 0.72	\$ 57.60
15	\$ 0.77	\$ 61.60
<b>16</b>	<b>\$ 0.82</b>	<b>\$ 65.60</b>
17	\$ 0.87	\$ 69.60
<b>18</b>	<b>\$ 0.92</b>	<b>\$ 73.60</b>
19	\$ 0.97	\$ 77.60
<b>20</b>	<b>\$ 0.99</b>	<b>\$ 79.20</b>
21	\$ 1.07	\$ 85.60
<b>22</b>	<b>\$ 1.12</b>	<b>\$ 89.60</b>
23	\$ 1.16	\$ 92.80
24	\$ 1.18	\$ 94.40
25	\$ 1.20	\$ 96.00
26	\$ 1.22	\$ 97.60
27	\$ 1.24	\$ 99.20
28	\$ 1.26	\$ 100.80
29	\$ 1.28	\$ 102.40
30	\$ 1.30	\$ 104.00

