

**Enrolled Minutes of the Fifty-Ninth Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Business Meeting (Electronic/In person Hybrid)
Monday, January 24, 2022**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, January 24, 2022 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. 21-33. 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 all participated in person.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding in the plenary meeting room before the president called the meeting to order.

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

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

Additional Officials Present: Scott Bilse, Attorney with Abrahamson, Reed & Bilse (remotely); Mark Knesek, Public Works Director (remotely); Peter Hojnicky, Metropolitan Police Chief; William R. Timmer, Jr., CFOD, Fire Chief (remotely); Alex M. Brown, CPRP, Superintendent of Parks and Recreation (remotely); Kathy DeGuilio-Fox, Redevelopment Director (remotely); Edward Dabrowski, Director of Information Technology; and Kenneth J. Mika, Building Commissioner; were present.

Also present: Larry Kondrat of the Board of Waterworks Directors was present.

Guests: Theresa Badovich (remotely) and Robin Carlascio (remotely) of the Idea Factory were also present.

Minutes of the Previous Meetings: The minutes of the January 10, 2022 meeting were approved by general consent.

Special Orders:

Encomium for an Official

1. *Service as Town Executive.* Presentation of Plaque of Appreciation to the 70th Town Council President, Roger Sheeman.

The Town Council President read aloud an inscription on a plaque acknowledging Councilor Roger Sheeman and his service as 70th town council president.

On behalf of the people of Highland, the Town Council and the Town Clerk-Treasurer present this special expression of appreciation to

Roger Sheeman

In recognition of his service to the Town of Highland, Indiana serving as the Sixty-Ninth President of the Highland Town Council , for a term commencing January 1, 2020 through January 11, 2021.

Presented on the 24th Day of January 2022 in the Town of Highland, Lake County, Indiana, by its Town Council and Clerk-Treasurer.

2. Consideration of Proposed Additional Appropriations: (non-controlled funds) Proposed Additional Appropriations in Excess of the 2022 Budget for the Unsafe Building Fund, the General Improvement Fund, the Hazardous Materials Response Fund, and the Public Safety Local Income Tax (LIT) Fund.

(a) Attorney verification of Proof of Publication: The TIMES 13 Jan 2022. Mr. Bilse verified the proof of publication was in order.

(b) **Public Hearing.** The Town Council President opened public hearing.

1. Mr. Larry Kondrat, Highland, objected to the language in the enactment that used the wording "...and for the purposes herein *specified*, subject to the laws governing the same:". Mr. Kondrat did not believe that the use of *specified* was correct as he opined there was nothing *specified* in the enactment. With leave from the Town Council, the Town Clerk-Treasurer indicated that the terms were used as terms of art in these enactments and that the *specified* was used to show that both a category of expense and an account naming a purpose were being referenced.

There was no further comment, and the public hearing was closed.

(c) Action on Appropriation **Enactment No. 2022-05:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for •the Unsafe Building Fund, the General Improvement Fund, the Hazardous Materials Response Fund, and the Public Safety Local Income Tax (LIT) Fund all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced and moved the consideration of Appropriation Enactment No. 2022-05 at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Appropriation Enactment No. 2022-05 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. The enactment was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction.

**Town of Highland
Appropriation Enactment
Enactment No. 2022-05**

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>\$ 142,727.00</u>
<i>Total Series:</i>	\$ 142,727.00
Fund Total:	\$ 142,727.00

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>\$ 10,000.00</u>
<i>Total Series:</i>	\$ 10,000.00
Fund Total:	\$ 10,000.00

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>\$ 3,304.00</u>
<i>Total Supplies:</i>	<u>\$ 3,304.00</u>
Acct. 20-0000-44050 Haz Mat Equipment:	<u>\$ 1,000.00</u>
<i>Total Equipment:</i>	<u>\$ 1,000.00</u>
Fund Total:	<u>\$ 4,304.00</u>

Section 4. 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 5. 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 24th Day of January 24, 2022. 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 24th Day of January 2022, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

/s/ Bernie Zemen, President (IC 36-5-2-10)

ATTEST:

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

Comments from the Public or Visitors:

1. Larry Kondrat, Highland, expressed his opposition to the passage of the proposed sense of the Town Council Resolution regarding the business personal property elimination without a corresponding replacement.

Appointments:

Executive Appointments

1. **Municipal Plan Commission** (1) (vacancy) appointment to be made by Town Council President. *(Note: Unexpired term of the Late Dr. Mark Kendra, term ending 1st Monday January 2024)) No more than two of any party. Current composition is 2 Republicans, 1 Democrat.)*

The Town Council President indicated that he was still deliberating on this appointment.

2. **Redevelopment Commission Non-voting School Town Advisor.** (1) appointment to be made by the Town Council President. Must be a member of the School Board or a representative of the School town but is appointed by the Town Council President. Term does not expire until 06.30.2022. (See IC 36-7-14-6.1(a)(d)). *(Note: Currently held by Patrick Krull.)*

The Town Council President announce his re-appointment of **Patrick Krull**, 8811 Idlewild Avenue, Highland, to a two-term beginning at the end of this current term as the non-voting advisor to the Redevelopment Commission.

3. **Lake County Convention and Visitors Bureau Board of Directors** (1) appointment to be made by the Town Council President. Must be involved in hotel or hospitality industry. Term does not expire until 06.30.2022. (See IC 6-9-2-3) *(Note: Currently held by Christine Cash.)*

The Town Council President announce his re-appointment of **Christine Cash**, 9515 Kennedy Avenue, Highland, to a three-year term beginning at the end of the current term as the representative from Highland to the Lake County Convention and Visitors Bureau Board of Directors, doing business as the South Shore Visitors and Convention Authority.

4. **Economic Development Commission** (1) appointment to be made by the Town Council President. Term does not expire until 01.30.2022. *(Note: Currently held by Matthew Reardon.)*

The Town Council President indicated that he was still deliberating on this appointment.

5. **Tree Board** (2) appointments to be made by the Town Council president BUT nominated by the Town Council. See HMC Section 8.25.030 (B). *(Note: Currently serving Michael Burns, Jr. and a vacancy from Terry Krooswyk)*

Councilor Black moved to nominate **Elizabeth Herrejon**, 8505 Juniper Trail, Highland for appointment to the Tree Board. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. *Elizabeth Herrejon* was nominated by the Town Council for appointment to the Tree board.

The Town Council President accepted the nomination and announced his appointment of *Elizabeth Herrejon* to the Tree Board to a term ending 1st Monday I January 2025.

6. **Community Events Commission** *Multi-year positions:* (2) appointments to be made by the Town Council Executive. **Term: 4 years.**
 - *One vacancy of term expiring on 1 Jan 2026.*
 - *One vacant post the term of which expires 1 January 2023*

The Town Council President announced his appointment of **Sandra McKnight**, 3237 Ridge Road, Highland to the multi-year vacancy for term ending on 1 January 2026.

Legislative Appointments

1. **Redevelopment Commission** (2) appointments to be made by Town Council. (*Note: Currently held by Cyril Huerter and Robyn Radford. Ms. Radford does not seek reappointment*)

Councilor Sheeman nominated Cy Huerter for reappointment to the Commission. The Town Council President asked if this nomination could be delayed for further review and deliberation by the Town Council. The Town Council President noted that there were other applicants, and it was believed that these should be interviewed by the Town Council prior to acting on this. (*Pursuant to IC 36-1-8-10(d)(1), it was noted that the current appointee could hold over in the position up to 90 days after the end of the term of appointment.*)

Councilor Schocke moved to appoint **Alex Robertson**, 9343 Wildwood, Highland to the redevelopment commission for the position being vacated by Robyn Radford, LCSW. Councilor Herak seconded. Upon a roll call vote, there five affirmatives and no negatives. The motion passed. Mr. *Alex Robertson* was appointed to the Redevelopment Commission for a term ending on the first Monday in January 2023 and until a successor was appointed and qualified.

It was noted that the Town Council would schedule interviews with some of the newest applicants.

2. **Community Events Commission** *Multi-year terms positions:* (4) appointments to be made by the Town Council Term: 4 years.
 - *Two (2) vacancies with terms expiring 01.01.2026*
 - *Two (2) vacancies with terms expiring 01.01.2025.*
3. **Community Events Commission** *Annual terms positions:* (9) appointments to be made by the Town Council terms ending on 01.01.2023. (*Note: Currently serving Allencia Ballard, Stan Allen, Deborah Trevino, Christine Gonzalez, Linda Carter, Jeffery Pena, Sandra McKnight, Elizabeth Alakel (who does not wish to be reappointed)*)
4. **Traffic Safety Commission:** Councilor Black is currently serving a term coextensive with his term of office. HMC Section 10.45.030 (A)(4) reads in pertinent part: *"The member(s) ... shall be appointed for a term coextensive with the member's or members' term of office on the town council, unless the town council at its first regular meeting in any year appoints another to serve as its representative(s)."*

The Town Council and the Town Clerk-Treasurer discussed whether the possible appointment of Roger Sheeman as a liaison to the Traffic Safety Commission was done to create a new liaison assignment or if the intention was to make this be an appointment to the commission as the Town Council appointee replacing Councilor Black. If it was the latter, it was noted that the appointment was vested in the full town council and that since the action did not take place at the first plenary meeting of the year, Councilor Black would need to resign in order to create the vacancy and then the Town Council could fill it.

Resignation. Councilor Black resigned his appointment to the Traffic Safety Commission. No further action was necessary.

Councilor Herak moved to appoint Councilor **Roger Sheeman** to the Traffic Safety Commission as the Town Council appointee to fill the vacancy. Councilor Black seconded. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Herak, Black and Zemen voting in the affirmative and Councilors Schocke and Sheeman voting in the negative, the motion passed. Councilor **Roger Sheeman** was appointed to the vacancy on the Traffic Safety Commission.

Scriveners note: Main Street Town Council Representative. With leave from the Town Council, it was noted that The Town Council President also appointed **Councilor Thomas Black** to the Main Street Board as the Town Council Representative, pursuant to HMC Section 14.15.020. With this appointment he succeeds Roger Sheeman who held the position until this step. This was undertaken as executive appointment but not in a meeting. This was clarified as initially the appointment was instead treated as a liaison assignment.

General Orders and Unfinished Business:

1. **PROPOSED ORDINANCE No. 1764.1760-A:** An Ordinance To Amend Ordinance No. 1760 To Establish The Wage And Salary Rates Of The Elected Officers, The Non-Elected Officers, And The Employees Of The Town Of Highland, Indiana Particularly Authorizing Modification To The Compensation Associated With Positions In The Police Department and Adjusting One Classification of Longevity.

Councilor Herak introduced and moved the consideration of Ordinance No. 1764.1760-A at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1764.1760-A 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. The ordinance was passed and adopted upon the signature of the municipal executive at the same meeting of introduction.

ORDINANCE No. 1764.1760-A
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to AMEND ORDINANCE No. 1760 to ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA PARTICULARLY AUTHORIZING MODIFICATION to the COMPENSATION ASSOCIATED With POSITIONS In THE POLICE DEPARTMENT and ADJUSTING ONE CLASSIFICATION of LONGEVITY

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees;

WHEREAS, I.C. 36-5-3-2 provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, I.C. 36-5-3-2(b), further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

WHEREAS, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2022 and thereafter as amended;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, has been advised that it is desirable to further modify the position of Lead Support Services Training Coordinator and fix rate for the position based upon the needs of the Police Department as well as to acknowledge a change made by an amendment to the wage and salary ordinance with Ordinance No. 1738.1726-C, adopted June 28, 2021;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, has been further advised that it is desirable to further modify the starting longevity pay in order to align the hourly with the salaried value; and,

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to further modify the position of Lead Support Services Training Coordinator and fix the rate for the position based upon the needs of the Police Department as well as to acknowledge a change made by an amendment to the wage and salary ordinance

with Ordinance No. 1738.1726-C, adopted June 28, 2021, as well as to further modify the starting longevity pay in order to align the hourly with the salaried value,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the Wages, Salaries, and special detail levels of the Officers and Employees of the Town of Highland, are hereby established, modified and fixed, pursuant to the provisions indicated herein and as follows:

Section 1. That subdivision (F) in Section 10 of Ordinance No. 1760 be amended by repealing it in its entirety and replacing with a successor subdivision, to be styled as Section 10 subdivision (F) which shall read as follows:

Section 10. *Metropolitan Police Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its Metropolitan Police Department as follows:

(F) Other Associate Staff and Public Safety Employees

		Starting Rate	Incumbent Rate
(1) Support Services Administrator	(1)	\$ 2,090.77	\$ 2,137.82
(2) Systems Administrator/ IT & Training Officer (part-time)		\$23.39 hr.	\$32.31 hr*.
		Starting Rate	Incumbent Rate
(3) Secretary	(1)	\$ 19.99	\$ 23.15 per hr.
(4) Lead Support Services Clerk	(1)	\$ 17.75	\$ 19.33 per hr.
(5) Lead Support Services Training Coordinator	(1)	\$ 17.23 \$17.75	\$ 18.77 \$19.33
(6) Support Services Clerk	(2)	\$ 16.59	\$ 18.14
Support Services Clerk (part-time)		\$ 16.59 - \$ 18.14 hr.	
Animal Warden (part-time)		\$ 12.48 hr. - \$16.07 hr.	
Crossing Guard (part-time)		\$ 10.35 hr. - \$ 11.52 hr.	
Sub Crossing Guard (part-time)		\$ 10.35 hr. - \$ 11.52 hr.	
Secretary (part-time)		\$ 19.99 hr. - \$ 23.15 hr.	
Metropolitan Police Chaplain (4)		no pay	
Matron or Clerk Duty (call-out) hourly rate - 2 hour minimum			
Off-Duty Court Time (2 hour minimum) hourly rate			

* That if the incumbent in the position of Systems Administrator/IT & Training Officer as of the date of the passage and adoption of this ordinance, is appointed to the position or performs in the position as a part-time worker, that person shall be paid at the rate denoted for an incumbent based upon composite pay that person earned when holding the position previously.

Section 2. That notwithstanding the provisions set forth in Section 2 subdivisions (A) and (D) of the Wage and Salary Ordinance as amended, the current worker whose promotion was approved by the Town Board of Metropolitan Police Commissioners at its meeting of January 13, 2022, shall be hereby authorized to begin the assignment to Lead Support Services Training Coordinator at the *incumbent rate* approved in this amendment;

Section 3. That Section 4.04 of the Compensation and Benefits Ordinance commonly called the Employees Handbook be hereby further amended to modify the employee longevity schedule for workers who completed one year to read as follows:

§ 4.04 Longevity Pay

Years of Service Completed	NEW RATES	
	HOURLY	BI- WEEKLY
1	\$ 0.09	\$ 7.20

Section 4. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 5. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the Clerk-Treasurer shall be as set forth in the Compensation and Benefits Ordinance, commonly called the Employee Handbook as amended from time to time;

Section 6. (A) That this ordinance shall become effective and shall remain in full force and effect from and after the date of its passage and adoption, subject to any express provisions of this ordinance, in all other

instances not sooner than January 9, 2022, and except to any express effective dates herein described to the contrary and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed on 24th day of January 2022. Consideration on 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 24th Day of January 2022, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

/s/ Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

2. **PROPOSED ORDINANCE No. 1765.1743-B:** An Ordinance To Further Amend The Ordinance Adopted To Authorize And Approve Certain Additional Payments To Employees Of The Town Of Highland, Indiana To Acknowledge And Express Appreciation For Services During The Period Of The Novel Corona Virus Pandemic And To Affirm Or Incent Vaccination Against The Virus, Granting An Exception For A Worker In The Parks And Recreation Department.

Councilor Schocke introduced and moved the consideration of Ordinance No. 1765.1743-B at the same meeting of its introduction. Councilor Black seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of introduction.

Councilor Schocke moved the passage and adoption of Ordinance No. 1765.1743-B 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. The ordinance was passed and adopted upon the signature of the municipal executive at the same meeting of introduction.

**ORDINANCE No. 1765.1743-B
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE to FURTHER AMEND THE ORDINANCE ADOPTED TO AUTHORIZE AND APPROVE CERTAIN ADDITIONAL PAYMENTS TO EMPLOYEES of the TOWN of HIGHLAND, INDIANA TO ACKNOWLEDGE AND EXPRESS APPRECIATION for SERVICES DURING THE PERIOD of the NOVEL CORONA VIRUS PANDEMIC and TO AFFIRM OR INCENT VACCINATION AGAINST THE VIRUS, GRANTING AN EXCEPTION FOR A WORKER IN THE PARKS and RECREATION DEPARTMENT.

WHEREAS, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

WHEREAS, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees;

WHEREAS, I.C. 36-5-3-2 further provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

WHEREAS, The people of the United States of America, the State of Indiana and the Town of Highland, are enduring a public health emergency, that first began in March 2020, related to the risk of airborne infection from the Novel Corona Virus 19 and its continuing mutations including most recently the Delta Variant;

WHEREAS, The risk to the public health has been combated by sheltering in place, closures of businesses, undertaking personal protective measures including the wearing of face masks, the emergency approval and dissemination of vaccines, and the continuing delivery of critical governmental services by the several workers of the municipal government of Highland;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, did pass Ordinance No. 1743 to fix the compensation of the employees of the Town providing a *one-time appreciation stipend*, in appreciation for

and in recognition of the commendable service of the municipal workforce during the Novel Corona Virus 19 pandemic, maintaining governmental services without interruption;

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, has been reliably advised that certain refinements and modifications are now desirable in order to further perfect the program for stipends set forth in Ordinance No. 1743; and,

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to adopt a particular refinement and modification to its program set forth in Ordinance No. 1743, as amended by 1748.1743-A, to still further fix the compensation of the employees of the Town providing a *one-time appreciation stipend*, in appreciation for and in recognition of the commendable service of the municipal workforce during the Novel Corona Virus 19 pandemic, maintaining governmental services without interruption,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, Lake County, Indiana, that the wages, salaries, and special detail levels of the officers and employees of the Town of Highland, are hereby further established and fixed, pursuant to the provisions indicated herein and as follows:

Section 1. That the second section styled as 2 of Ordinance No. 1748.1743-A is hereby repealed in its entirety and amended by adding the following section to be styled as Section 2.1, which shall read as follows:

Section 2.1 (A) That, to further affirm and encourage the health and welfare of the public workforce, all full-time employees, eligible employees as defined by Section 6.03.06(A)(3) of the compensation and benefits ordinance, certain additional identified workers from the departments described in *exhibits* to this ordinance, and paid on call firefighters of the Town of Highland, shall be paid a vaccination stipend in the amount of one thousand dollars (\$1,000);

(B) That the vaccination stipend shall not be paid without proof of vaccination to be filed with the worker's department head;

(C) That the proof of vaccination must evidence that the vaccinated worker has received the full course of the vaccine as stipulated by the vaccine manufacturer, meaning the two (2) inoculations for the Pfizer and Moderna vaccines and one (1) for the Johnson and Johnson vaccine and such eligibility will not require any booster;

(D) That all full-time employees, eligible employees as defined by Section 6.03.06(A)(3) of the compensation and benefits ordinance, certain additional identified workers from the departments described in *exhibits* to this ordinance, and paid on call firefighters of the Town of Highland, will have the period beginning from the passage and adoption of this ordinance and until December 31, 2021 to apply for the covid vaccine stipend;

(E) That notwithstanding subdivision (D), for the worker *Robert Kirk*, who was listed on roster of eligible workers provided by the parks and recreation superintendent, who received his first of two doses of a COVID vaccine, on December 22, 2021, the deadline to apply for the vaccine stipend is **March 1, 2022**;

Section 2. That the adoption of this ordinance and amendment shall in no way be construed as a precedent for the subject department or any other department of the municipality, nor shall it be construed as creating an entitlement for any other workers in any other department, but rather the provisions in this enactment are specific, unique and particularly conferred for the worker named and that worker's unique circumstances;

Section 3. That the payment authorized by this amendment to the ordinance shall be subject to an additional appropriation of *unreserved, undesignated* fund balance on deposit to the credit of the Corporation General Fund, or from the Parks and Recreation Special Operating Fund and be paid from this approved appropriation provided it is approved and authorized by the Town Council, or from an existing appropriation that can be identified for this purpose;

Section 4. That this ordinance is intended to be complementary and a companion to and in support of the existing ordinances governing wages, salaries and compensation and shall not be construed as abridging those provisions;

Section 5. (A) That this ordinance, shall become effective and shall remain in full force and effect after the date of its passage and adoption, upon the signature of the municipal executive as attested thereto by the clerk-treasurer;

(B) That the clerk-treasurer's authority to implement the provisions of this ordinance pursuant to the provisions expressly set forth in IC 36-5-6-6 (a) (3) & (4) is hereby acknowledged.

Introduced and Filed on the 24th day of January 2022. Consideration on 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 24th Day of January 2022, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

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

/s/ Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

3. Resolution No. 2022-03: A Resolution Determining an Exigency and authorizing an Extension for a Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4.

Councilor Herak moved the passage and adoption of the resolution. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted upon the signature of the municipal executive.

**TOWN of HIGHLAND
RESOLUTION NO. 2022-03**

A RESOLUTION DETERMINING AN EXIGENCY AND AUTHORIZING AN EXTENSION FOR A TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4.

Whereas, The Clerk-Treasurer previously advised the Town Council that the cash balance in the **Waterworks District Bond & Interest Fund**, was not sufficient to meet regular operating expenses of the funds prior to the receipt of the semi-annual distribution of ad-valorem revenues so it was necessary to temporarily borrow money to enhance the fund for which the Town Council adopted **Resolution No. 2021-03** on January 25, 2021;

Whereas, The Clerk-Treasurer has advised that after a reviewing of revenue forecasts for all funds, there will be insufficient funds on deposit to the credit of the **Waterworks District Bond & Interest Fund** by December 31, 2021 to repay the temporary loan made from the **Corporation General Fund**, under the authority of HMC Section 3.20.040 and IC 36-1-8-4;

Whereas, The Clerk-Treasurer has still further advised that there is an exigent circumstance for this fund in consequence of the undue impact of the circuit breaker on the debt service funds of the special taxing districts so as to require an extension of the loan repayment from December 31, 2021 to not later than June 30, 2022, pursuant to the provisions of IC 36-1-8-4(b);

Whereas, The Clerk-Treasurer has further advised that it shall be necessary to declare an exigency and extend these loan repayments from December 31, 2021 to not later than June 30, 2022, pursuant to the provisions of IC 36-1-8-4(b); and

Whereas, The Town Council desires to act according to the advice of the Clerk-Treasurer and declare an exigency and extend this loan repayment from December 31, 2021 to not later than June 30, 2022, pursuant to the provisions of IC 36-1-8-4(b),

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That owing to the review of revenue forecasts for all funds, the Town Council finds and determines that circumstances exist related to the temporary loan in the **Waterworks District Bond & Interest Fund** such that an exigency is declared, according to terms of IC 36-1-8-4(b)(1) and IC 36-1-2-4.5;

Section 2. That the amount of **\$71,567.00** already borrowed for the **Waterworks District Bond & Interest Fund** with the amount of **\$71,567.00** loaned by the General Fund, is re-authorized and extended;

Section 3. That said loan repayment be extended for up to six months from the end of FY 2021 and that repayment be made to the **General Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the borrowing funds herein named, with such loan likely to be repaid by January 31, 2022 but **no later than** June 30, 22, subject to IC 36-1-8-4(b);

Section 4. That actions related to the making and extension of a temporary interfund loan for this fund, pursuant to IC 36-1-8-4(b), be further affirmed, ratified and authorized, pursuant to IC 36-1-4-16;

Section 5. That the proper officer be further instructed to Immediately forward an original executed version of this resolution to the **State Board of Accounts** and the **Department of Local Government Finance**, and make such changes to the affected budget documents already filed for FY 2021, if necessary, all pursuant to IC 36-1-8-4(b)(2);

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 24th day of January 2022. Having been passed by a vote of 5 in favor and 0 opposed.

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

/s/ Bernie Zemen, President IC 36-5-2-10

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO

Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

4. **Resolution No. 2022-04:** A Resolution Authorizing Temporary Interfund Loan or Transfer Pursuant to IC 36-1-8-4 of the Indiana Code and Section 3.20.040 of the Highland Municipal Code for the Corporation Bond and Interest Fund, The Park District Bond and Interest Fund, the Sanitary District Bond and Interest Fund, and the Water District Bond and Interest Fund.

Councilor Black moved the passage and adoption of the resolution. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The resolution was adopted upon the signature of the municipal executive.

TOWN of HIGHLAND
RESOLUTION NO. 2022-04

A RESOLUTION AUTHORIZING TEMPORARY INTERFUND LOAN or TRANSFER PURSUANT to IC 36-1-8-4 OF THE INDIANA CODE AND SECTION 3.20.040 OF THE HIGHLAND MUNICIPAL CODE FOR, THE CORPORATION BOND AND INTEREST FUND, THE PARK DISTRICT BOND AND INTEREST FUND, THE SANITARY DISTRICT BOND AND INTEREST FUND, AND THE WATER DISTRICT BOND AND INTEREST FUND.

Whereas, The Clerk-Treasurer has advised the Town Council that cash balances in the **Corporation Bond and Interest Fund, Park District Bond and Interest Fund, Sanitary District Bond & Interest Fund,** and the **Waterworks District Bond and Interest Fund** are not sufficient to meet their regular expenses prior to the receipt of the semi-annual distribution of ad-valorem revenues so it has become necessary to temporarily borrow money to enhance the debt service funds;

Whereas, The Clerk-Treasurer has further advised that there is sufficient money on deposit to the credit of the **Municipal Cumulative Capital Development Fund** and the **Economic Development Local Income Tax Fund** that can be temporarily transferred, pursuant to IC 36-1-8-4 and HMC Section 3,20.040;

Now, Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana as follows:

Section 1. That the amount of **\$547,511.00** be borrowed for the **Sanitary District Bond and Interest Exempt Fund** with the amount of **\$547,511.00** to be loaned by the **Municipal Cumulative Capital Development Fund**, as authorized by HMC Section 3.20.040 and IC 36-1-8-4;

Section 2. That said loan in the amount **\$547,511.00** be repaid to the **Municipal Cumulative Capital Development Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Fund** with such loan to be repaid no later than December 31, 2022, subject to IC 36-1-8-4(b).

Section 3. That the amount of **\$261,007.00** be borrowed for the **Park District Bond & Interest Fund** with the amount of **\$261,007.00** to be loaned by the **Economic Development Local Income Tax Fund**;

Section 4. That said loan in the amount of **\$261,007.00** be repaid to the **Economic Development Local Income Tax Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Park District Bond & Interest Fund** with such loan to be repaid no later than December 31, 2022, subject to IC 36-1-8-4(b).

Section 5. That the amount of **\$120,600.00** be borrowed for the **Waterworks District Bond & Interest Fund** with the amount of **\$120,600.00** to be loaned by the **Economic Development Local Income Tax Fund**;

Section 6. That said loan in the amount of **\$120,600.00** be repaid to the **Economic Development Local Income Tax Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Waterworks District Bond & Interest Fund** with such loan to be repaid no later than December 31, 2022, subject to IC 36-1-8-4(b);

Section 7. That the amount of **\$135,118.00** be borrowed for the **Corporation Bond & Interest Fund** with the amount of **\$135,118.00** to be loaned by the **Economic Development Local Income Tax Fund**;

Section 8. That said loan in the amount of **\$135,118.00** be repaid to the **Economic Development Local Income Tax Fund** of the Town of Highland upon receipt of sufficient tax or other monies in the **Corporation Bond & Interest Fund** with such loan to be repaid no later than December 31, 2022, subject to IC 36-1-8-4(b);

Section 9. That for the temporary loans made by the Town of Highland to the Sanitary District Bond and Interest Fund, and to the Waterworks District Bond and Interest Fund, for the purposes of HMC Section 3.20.040(B)(1), this resolution shall serve as evidence of the obligation and that under Section 3.20.040(B)(4) no interest will attain.

Duly Adopted by the Town Council of the Town of Highland, Lake County, Indiana, this 24th day of January 2022. Having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/ Bernie Zemen, President (IC 36-5-2-10)

Attest:

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

5. **Resolution No. 2022-06:** A Resolution Articulating The “Sense Of The Town Council” Regarding The Indiana General Assembly’s Proposed Elimination Of Business Personal Property from the Tax Base and Its Undue Impact On The Ability Of Cities And Towns To Provide Public Services through A Variety Of Economic Cycles and Proposing an Alternative that will Achieve its Objects and Purposes. (*Aim has suggested a preparing resolutions like this as part of the AIC, Aim, School Board Association Replace don’t Erase Initiative.*)

Councilor Herak moved the passage and adoption of the resolution. Councilor Sheeman seconded. Upon debate and discussion several members of the Town Council indicated that they wanted to review the text. Councilor Herak withdrew his motion to allow the matter to be considered further.

It will be placed on the study session.

Comments from the Town Council:

(*Good of the order*)

- **Councilor Mark Herak:** •*Budget and Finance Chair • Economic Development Commission Liaison • Public Works Liaison • Building and Inspection Department liaison • Advisory Board of Zoning Appeals Liaison • and Board of Sanitary Commissioners liaison.*

Councilor Herak acknowledged the Building Commissioner, who reported on code enforcement matters and activities related to the Advisory Board of Zoning Appeals.

Councilor Herak acknowledged the Public Works Director who reported on snow removal activities.

Councilor Herak reported on concerns he and the Board of Sanitary Commissioners expressed regarding a general mailing under the apparent authority or sponsorship of North Township offering sewer repair or connection insurance to cover repairs for the portion of the sewer that runs from the public connection to the building or house.

- **Councilor Mark Schocke:** • *Park and Recreation Liaison • and Community Events Commission Liaison.*

Councilor Schocke acknowledged the Parks and Recreation Superintendent who reported on recreation programming. He also reported on the resurfacing of the bike trail and some parking lots in the park that is being scheduled when the weather allows.

- **Councilor Tom Black:** *Liaison to the Board of Waterworks Directors • Redevelopment Commission Liaison.*

Councilor Black thanked the public works snow plow drivers for their work on getting the streets passable during the recent immoderate snows and weather.

Councilor Black noted that the Lake County Solid Waste Management District is working to relocate to a new building it will own.

Councilor Black also noted the post card that would be soon in the mail for all residents regarding the new impact of the wholesale rates on the consumption rate for the next ten years.

- **Councilor Roger Sheeman:** *Town Board of Metropolitan Police Commissioners Liaison • Fire Department, Liaison • Chamber of Commerce Liaison • • Information Communications and Technology Department Liaison.*

Councilor Sheeman acknowledged the Redevelopment Director who reviewed the menu and venues for the restaurant crawl on Tuesday, January 25, 2022.

Councilor Sheeman acknowledged the Police Chief who reported on the ways and means used by the police to send special messages to resident that enroll, such a RAVE alert and Smart 911.

Councilor Sheeman acknowledged the Fire Chief who thanked all those who complied with the no street parking regulations imposed during a snow of 2" or more.

- **Council President Bernie Zemen:** *Town Executive • Chair of the Board of Police Pension Trustees • Liaison to the Tree Board.*

The Town Council President acknowledged the Building Commissioner who offered a survey of the matters involving the Plan Commission.

Comments from Visitors or Residents:

1. Lydia Shotts, Highland, also noted the letter from the North Township Trustee regarding a sewer line repair insurance. She also noted this with NIPSCO.
2. Larry Kondrat, Highland, expressed concerns regarding the North Township mailer promoting a sewer maintenance or repair insurance.

Mr. Kondrat also expressed concerns regarding the renewed appointment of Mr. Huerter to the Redevelopment Commission. Mr. Kondrat expressed concerns related to press accounts earlier in the year regarding a business dealing involving Lake County that had difficulty.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Schocke moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **January 11, 2022 through January 24, 2022** and the **payroll dockets for December 31, 2021, and January 14th, 2022.** 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, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$440,762.26; Motor Vehicle Highway and Street (MVH) Fund, \$60,683.08; Local Road and Street Fund, \$3,514.36; Law Enforcement Continuing Education, Training, and Supply Fund, \$2,041.60; Corporation Bond & Interest Fund, \$404,000.00; Information and Communications Technology Fund, \$28,412.46; Solid Waste District Grant Fund, \$146.53; Special Events Non Reverting Fund, \$5,000.00; Municipal Cumulative Capital Development Fund, \$17,098.00; Traffic Violations and Law Enforcement Agency Fund, \$250.00; Gaming Revenue Sharing Fund, \$4,184.14; Community Crossings Grant Fund, \$72,087.58; Total: \$1,038,180.01.

Payroll Docket for payday of December 31, 2021:

Council, Boards and Commissions, \$10,485.27; Office of Clerk-Treasurer, \$15,175.01; Building and Inspection Department, \$8,938.48; Metropolitan Police Department, \$122,428.70; Public Works Department (Agency), \$65,192.07; Fire Department, \$3,524.04; Information Communications and Technology Department, \$3,538.47; and 1925 Police Pension Plan Pension Fund, \$68,421.82; Total Payroll: \$297,703.86.

Payroll Docket for payday of January 14, 2022:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$14,684.70; Building and Inspection Department, \$9,487.88; Metropolitan Police Department, \$35,314.78; Public Works Department (Agency), \$79,932.03; Fire Department, \$11,040.56; Information Communications and Technology Department, \$3,538.47 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$253,998.42.

Adjournment of Plenary Meeting. There being no further items of business on the agenda, Councilor Schocke moved that the meeting be adjourned. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Plenary meeting of the Highland Town Council of Monday, January 24, 2022 was adjourned at 8:34 O'clock p.m.

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

Approved by the Town Council at its meeting of _____, 2022.

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