

**Enrolled Minutes of the Sixty-Eighth Regular Meeting or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Business Meeting (Electronic/In person Hybrid)
Monday, June 13, 2022**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, June 13, 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 both an in person and an electronic meeting. 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 Zemen, Councilor Toya Smith, Councilor Tom Black, Councilor Roger Sheeman all participated in person and Councilor Schocke participated remotely.

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, Mark Herak, was present to memorialize the proceedings. The meeting was opened with Councilor Tom Black 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, Toya Smith, Mark J. Schocke, Thomas Black, Roger Sheeman and Clerk-Treasurer, Mark Herak were present. A quorum was attained.

Additional Officials Present: John Reed, Attorney with Abrahamson, Reed & Bilse, Alex Brown, CPRP, Superintendent of Parks and Recreation, Mark Knesek, Public Works Director were remote; Pat Vassar, Metropolitan Assistant Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Edward Dabrowski, Director of Information Technology; Kenneth J. Mika, Building Commissioner and Kathy DeGuilio-Fox, Redevelopment Director; Danny Stombaugh, Town Board of Metropolitan Police Commissioner were 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 May 23, 2022 Plenary meeting were approved by general consent.

Special Orders:

1. **Administration of Oath of Office** for Police Officer Candidate **Tyler J. Knotts** was appointed by the Town Board of Metropolitan Police Commissioners at its meeting of

June 9 2022, with the appointment to be effective June 13, 2022, but not earlier than approval by Indiana Public Retirement System (INPRS).

- (a) *Instruction and Administration of Oath.* The Town Clerk-Treasurer offered the outline, rationale and instruction related to the oath of office for the police officer candidate. The clerk-treasurer then administered the oath of office to the officer.
- (b) *Presentation of Badge by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief.* The Assistant Police Chief Pat Vassar and the Town Board of Metropolitan Police Commissioner Dan Stombaugh presented police badges to Police Officer Knotts.

The Town Council President and members of the Town Council welcomed the new officer, who then introduced members of his friends and family who were in attendance.

Councilor Black moved that the Town Council of Highland hereby determines that the herein named candidate meets the qualifications for such position, as determined by the Town Board of Metropolitan Police Commissioners and as now approved by the Highland Town Council which is the Town Legislative Body on this 13th day of June, 2022. Councilor Sheeman seconded the motion. Upon a roll call vote of the elected officials, there five (5) affirmatives and no negatives. The motion passed.

2. Consideration of Proposed Additional Appropriations: (Controlled funds) Proposed Additional Appropriations in Excess of the 2022 Budget in the Corporation General Fund and Local Road & Street Fund in the amount of \$73,149.65.

- (a) **Attorney verification of Proofs of Publication:** The TIMES 02 June 2022. The Town Attorney stated that the proof of publication complied with the requirements of the law.
- (b) **Public Hearing.** The Town Council President called the public hearing to order.

1. Larry Kondrat, Highland, said that normally prior to a public hearing there is a bit of discussion about what the public hearing is about, to enlighten the public. The Town Council President asked the Clerk-Treasurer to explain the purpose of the public hearing and which funds would be affected. The Clerk-Treasurer did explain the reason for the public hearing and what funds would be affected and concluded that the additional appropriations will be supported by unobligated fund balances. Mr. Kondrat wanted to know if the \$10,000 being allocated for Festival Security would be used exclusively for the 4th of July Celebration or would any be allocated for use for the Park & Recreation Department's 75th Anniversary Celebration. The Clerk-

Treasurer confirmed that the additional appropriation would be used for both events. He also supported the Building Commissioner's request to increase the salary of the Building & Inspection Department's Secretary as it would take months to find and train a replacement. That concluded Mr. Kondrat's questions. Town Council President then closed the public hearing.

- (c) Action on **Proposed Appropriation Enactment No. 2022-11: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Corporation General Fund and Local Road & Street Fund**, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

Councilor Black introduced and moved for the consideration of Enactment No. 2022-11 at the same meeting of its introduction. Councilor Smith 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 Black moved for the passage adoption of Enactment No. 2022-11 at the same meeting of its introduction. Councilor Sheeman 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.

*** Proof of Publication ***

State of Indiana)
) ss:
Lake County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Muscari who, being duly sworn, says that She/he is Legal Clerk of the Northwest Indiana Times newspaper of general circulation printed and published in the English language in the Town of Munster in state and county afore-said, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the date(s) of publication being as follows:
Jun 2, 2022

TOWN OF HIGHLAND, CLERK TREASURER - LEGALS
CHAD, ACCTS PAYABLE
3333 RIDGE ROAD
HIGHLAND IN 46322

ORDER NUMBER 96458

The undersigned further states that the Northwest Indiana Times newspaper maintains an Internet website, which is located at www.nwi.com website and that a copy of the above referenced printed matter was posted on such website on the date(s) of publication set forth above.

Nicole Muscari, Legal Clerk
By: [Signature]

Subscribed and sworn to before me this 2nd day of June, 2022
[Signature]
Notary Public

My commission expires: 2/1/25

Section: Legals
Category: 198 Legal - Lake County
PUBLISHED ON: 06/02/2022

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, 3335 Ridge Road, at 6:30 p.m. on the 13th day of June 2022, will consider the following additional appropriations in excess of the budget for the current year in the following funds:
CORPORATION GENERAL FUND
Police Department
Acct. 001-0009-11145 Festival Detail Overtime \$ 10,000.00
Total 100 Series: \$ 10,000.00
Total for the Department: \$ 10,000.00
Building and Inspection Department
Acct. 001-0006-11116 Building Inspection Clerk \$2,995.20
Acct. 001-0006-11201 General FICA & Medicare \$229.13
Acct. 001-0006-11209 Building & Inspection Perf Pension \$335.46
Acct. 001-0006-11210 Sal Perf Annually to PD by Employee \$69.86
Total 100 Series: \$3,649.65
Total for the Department: \$3,649.65
TOTAL for the FUND: \$13,649.65
Local Road and Street FUND
Acct. 004-0000-31026 Local Road & Street Engineering: \$59,500.00
Total 300 Series: \$ 59,500.00
TOTAL for the FUND: \$ 59,500.00
Funds to support these additional appropriations in the Corporation General Fund and Local and Road Street Fund shall be supported by miscellaneous revenue, unreserved 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 as the meeting is still being conducted as an Electronic/In Person Hybrid. You may also write to the Office of the Clerk-Treasurer if you have concerns. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken.

TOWN COUNCIL OF HIGHLAND
Bernie Zeman, President
By: Mark Herak Clerk-Treasurer
6/2 - 96458 HSPAXLP



TOTAL AD COST: 33.86
FILED ON: 6/2/2022

Town of Highland
Appropriation Enactment
Enactment No. 2022-11

AN ENACTMENT APPROPRIATING ADDITIONAL MONEYS IN EXCESS OF THE ANNUAL BUDGET for the CORPORATION GENERAL FUND, LOCAL ROAD & 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 Corporation General Fund, the Local Road & 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 Corporation General Fund, herein named and for the purposes herein specified, subject to the laws governing the same:

POLICE DEPARTMENT

FESTIVAL DETAIL OVERTIME

Acct. No. 001-0009-11145:	\$ 10,000.00
<i>Total Series:</i>	\$ 10,000.00

Building and Inspection Department

Building Inspection Clerk

Acct. No. 001-0006-11116	\$ 2,995.20
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General FICA & Medicare

Acct. No. 001-0006-11201	\$ 229.13
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Building & Inspection Perf Pension

Acct. No. 001-0006-11209	\$ 335.46
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Building Inspection Perf Annuity PD by Employee

Acct. No. 001-0006-11210	\$ 89.86
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<i>Total Series:</i>	\$ 3,649.65
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Fund Total: \$ 13,659.55

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 **Local Road & Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

LOCAL ROAD & STREET FUND

Acct. No. 004-0000-31026 Local Road & Street Engineering: \$ 59,500.00

Total Series: \$ 59,500.00

Fund Total: \$ 59,500.00

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 3. 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 13th Day of June 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 13th Day of June 2022, 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

ATTEST:

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

Comments from the Public or Visitors:

Dominic Vasili, Highland, was curious as to what's going on with the River Drive project. The Clerk-Treasurer explained that Work Board Orders 2022-15 and 2022-16, which have already been passed by the Water Board is on tonight's agenda for adoption by the Council. Mark Knesek, Public Works Director, who was remote for tonight's meeting, explained that the water main will be ordered today contingent upon passage by the Town Council. Mr. Knesek estimated the project would start the first week of August and hopefully they will start taking trees down before August. Mr. Knesek said the project should be completed later this year.

Dominic wanted to know if the sidewalks and parkway restoration would also be completed in September. Mr. Knesek responded yes.

Communications:

1. The Highland Park and Recreation Department is holding its 75th Anniversary Celebration, June 18th from noon until 11:00 p.m., with speeches beginning at 4:30.

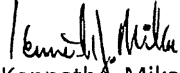
Staff Reports:

Building Report May, 2022

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0	0	0	\$ -	\$ -
Comm. Additions/Remodel	2	0	2	\$ 24,793.00	\$ 649.50
Signs	5	0	5	\$ 45,945.00	\$ 2,187.00
Single Family	0	0	0	\$ -	\$ -
Duplex/Condo	0	0	0	\$ -	\$ -
Residential Additions	0	0	0	\$ -	\$ -
Residential Remodeling	74	74	0	\$ 790,972.00	\$ 17,364.00
Garages	1	1	0	\$ 20,750.00	\$ 636.00
Sheds/Pergolas	1	1	0	\$ 10,000.00	\$ 400.50
Decks & Porches	3	3	0	\$ 23,504.00	\$ 958.50
Fences	22	22	0	\$ 79,528.00	\$ 3,465.00
Above/In ground pools	5	5	0	\$ -	\$ 270.00
Drain Tile/Waterproofing	2	2	0	\$ 14,106.00	\$ 430.50
Misc: Concrete, Solar Panels, Road Cuts	19	17	2	\$ 220,700.00	\$ 6,046.50
Total Building Permits	134	125	9	\$ 1,230,298.00	\$ 32,407.50
Electrical Permits	16	13	3	\$ -	\$ 1,968.00
					\$ -
Mechanical Permits	14	13	1	\$ -	\$ 1,638.00
Plumbing Permits	10	7	3	\$ 1,436.65,	
Water Meters	1	0	0		
Water taps		1			200.00
Sewer/Storm Taps					
Total Plumbing Permits	11	8	3	\$	1,636.35

May 2022 Code Enforcement: 92 Investigations and 14 Citations were issued & 9 Warnings were given, Inspections done for the month of May 2022 were as follows: 38 Building Inspections, 13 Plumbing Inspections, 6 HVAC and 25 Electrical Inspections. There was 1 Electrical Exam given.

Submitted By:


Kenneth S. Mika

Type of Calls	May 2022	YTD
General Alarms	16	64
Paid Still Alarms	34	119
Still Alarms	2	15
	Month 52	
Total Calls in 2022		198

Denise Beck
 Highland Fire Dept.
 219-923-9876
d.beck@highland.in.gov

2022
 TOWN OF HIGHLAND INJURIES
 FOR THE MONTH
 MAY

CASE	DATE OF INJURY	DEPARTMENT	DESCRIPTION	Record Only No Med Treatment	OSHA Recorda ble	NotC HA Recor le
R0-8	5/3/22	Police	Dog bit left hand	X		X
R0-9	5/16/22	Public Works	EE was power washing PW truck bed EE foot caught something causing EE to fall to the pavement hitting his head	X		X

RO = Record Only

2022	2022
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DEPARTMENT	INJURIE S	YEAR TO	TOT AL	RESTRICTED	LOST DAYS	RESTRIC TED	LOST DAYS
	THIS MONTH	DATE	2021	DAYS THIS YEAR	THIS YEAR	DAYS 2021	2021
PARK& REC		1					
FIRE			1				
POLICE	1	3	4		67		10
STREET	1	1					
WATER/SEWER			2			32	
MAINTENANCE		4	2		47		
OTHER							
TOTALS	2	9	9	0	114	32	10

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

Appointments:

• **Statutory Boards and Commissions**
Executive Appointments

1. **Sanitary Board:**

Action. The Town Council President, as municipal executive announced the appointment of *Kathy DeGuilio-Fox to the unexpired term of Laura Corpus*. The term runs until December 31, 2025. The Clerk-Treasurer noted he would prepare the proper certificate of appointment to be executed by the Town Council President.

General Orders and Unfinished Business:

New Business:

1. ACTION TO APPROVE PAY FOR EMPLOYEE WHO IS TEMPORARILY REPLACING ANOTHER EMPLOYEE AT A HIGHER GRADE LEVEL, AFTER THIRTY FULL DAYS IN THE POSITION, PURSUANT TO SECTION § 4.01 OF THE COMPENSATION AND BENEFITS ORDINANCE. THE CLERK-TREASURER IS REPORTING HE HAD ASSIGNED CHAD KINLEY TO ACTING DEPUTY CLERK TREASURER.

THE CLERK TREASURER MADE THE ASSIGNMENT EFFECTIVE MAY 7, 2022 AND MR. KINLEY HELD THE POSITION FROM THAT DATE FORWARD UNTIL A FULL TIME DEPUTY

CLERK HAS BEEN APPOINTED. CHAD KINLEY WILL BE CONSTRUED AS ELIGIBLE FOR THE PAY OF ACTING DEPUTY CLERK EFFECTIVE JUNE 7, 2022, PROVIDED IT IS APPROVED BY THE COUNCIL.

COUNCILOR BLACK MOVED TO APPROVE THE TEMPORARY ASSIGNMENT AND THE HIGHER PAY FOR THE PERIOD FOLLOWING THIRTY DAYS IN THE POSITION. COUNCILOR SHEEMAN SECONDED. UPON A ROLL CALL VOTE, THERE WERE FIVE (5) AFFIRMATIVES AND NO NEGATIVES. THE MOTION PASSED. THE TEMPORARY ASSIGNMENT AND THE HIGHER PAY WERE APPROVED.

2. **Works Board Order No. 2022-14(a):** An Order of the Works Board Amending Works Board Order No. 2022-14, which was passed by the Council at its May 23rd Meeting by a vote of the elected officials with 5 in favor and 0 opposed, to include the required documents in accepting the 2022 Community Crossings Matching Grant:

Councilor Black moved the passage and adoption of Works Board Order No. 2022-14(a). Councilor Smith seconded. Upon a roll call vote of the elected officials, there were five (5) affirmatives and no negatives. The motion passed. Works Board Order No. 2022-14(a) was adopted.

**THE TOWN OF HIGHLAND
ORDER OF THE WORKS BOARD NO. 2022-14A**

AN ORDER OF THE WORKS BOARD APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL DESIGN ENGINEERING SERVICES FOR THE 2022 COMMUNITY CROSSINGS MATCHING GRANT (CCMG) STREET IMPROVEMENT AND RESURFACING PROJECT IN THE AMOUNT NOT-TO-EXCEED \$59,500.00

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined to improve certain streets (Project) in the Town of Highland and had applied and been approved for a Community Crossings Matching Grant in the amount of \$705,950.45, which represents one-half the of the estimated total amount of the Project; and

Whereas, NIES Engineering, Incorporated has offered and presented an agreement to provide and furnish Professional Design Engineering Services in consideration for fees to be charged and billed monthly based upon a not-to-exceed amount of Thirty-nine Thousand Five Hundred Dollars (\$59,500.00); and

Whereas, The Project includes the following streets as listed in the proposal as table 1; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council now desires to approve the project and to accept and approve the agreement for services as herein described.

Now Therefore Be it Resolved by the Town Council of the Town of Highland, Lake County, Indiana;

Section 1. That the Professional Design Engineering Services proposal, (incorporated by reference and made a part of this Order) between NIES Engineering, Incorporated and the Town of Highland, is hereby approved, adopted and ratified in each and every respect;

Section 2. That the terms and charges under the agreement for design engineering services in the not to exceed fee amount of Fifty-nine Thousand Five Hundred Dollars (\$59,500.00) is found to be reasonable and fair;

Section 3. That the Town of Highland, through its Board of Works, believes that NIES Engineering, Incorporated has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;

Section 4. That the Director of Public Works be authorized to execute the Agreement with his signature as attested thereto by the Clerk-Treasurer.

DULY, PASSED AND ADOPTED by the Town Council of the Town of Highland, Lake County, Indiana this 13th day of June, 2022 having passed by a vote of 5 in favor and 0 opposed.

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

Bernie Zemen, President

Attest:

Mark Herak, Clerk-Treasurer

- 3. Works Board Order No. 2022-15:** An Order of the Works Board awarding a bid to Gatlin Plumbing & Heating, Inc. for the River Drive Water Main Replacement and Street Improvement Project in the total amount of \$825,000 as the Lowest Responsive and Responsible Bid.

Councilor Black moved the passage and adoption of Works Board Order No. 2022-15. Councilor Schocke seconded. Upon a roll call vote of the elected

officials, there were five (5) affirmatives and no negatives. The motion passed.
Works Board Order No. 2022-15 was adopted.

TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2022-15

WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2022-08

A JOINT RESOLUTION OF THE BOARD OF WORKS AND THE WATER
WORKS BOARD OF DIRECTORS AWARING A BID TO GATLIN PLUMBING
& HEATING, INC. FOR THE RIVER DRIVE WATER MAIN REPLACEMENT
AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT OF
\$825,000.00 AS THE
LOWEST RESPONSIVE AND RESPONSIBLE BID

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on River Drive including the replacement of defective curb and sidewalk, pavement, and tree removal and replacement and have hereto approved a project to be described as the River Drive Water Main Replacement and Street Improvement Project (Project); and

Whereas, The Town of Highland has procured a Community Development Block Grant, from the U.S. Department of Housing and Urban Development through an application filing with the Lake County Community Development Department in the amount of \$102,130.00, which will offset the costs for the roadway improvements described herein; and

Whereas, the Water Works District of Highland (WW District) is governed by its Board of Water Works Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Water Works Directors shall manage and control all works of the water works and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

Whereas, The WW District, through its Board of Directors, has determined the need to replace and upsize the existing water lines within the Project boundaries, as described herein, in order to improve water flow and water quality; and has determined that it would be in the best interest of the utility to coordinate the work with the Project; and have

agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, NIES Engineering, Inc. had prepared plans and specifications for the Project on behalf of the Board of Works and Water Works District and the Project was bid in accordance with IC 36-1-12 et seq.; and notice was published in accordance with IC 5-3-1; and

Whereas, the following bids were received at 10:00 a.m. on May 26, 2022:

<u>Bidder</u>	<u>Total Base Bid</u>	<u>TBB w/ Optional Deduct</u>
Gatlin Plumbing & Heating, Inc.	\$825,000.00	\$825,000.00
Dyer Construction Co., Inc.	\$884,237.33	\$834,237.33
Grimmer Construction, Inc.	\$1,241,074.00	\$1,121,074.00
Gough, Inc.	\$1,261,065.76	\$1,161,065.76
Engineer's Estimate	\$713,948.00	\$713,948.00

Whereas, NIES Engineering, Inc. has reviewed the bids and determined that the bid from Gatlin Plumbing & Heating, Inc. in the Total Base Bid amount of Eight Hundred Twenty-five Thousand Dollars and No Cents (\$825,000.00) is the lowest responsive and responsible bid between the two project award scenarios (Total Base Bid or Total Base Bid with Optional Deduct).

Whereas, there are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Board of Works, now desires to accept the recommendation of the Public Works Director and Town Engineer to award the bid for the River Drive Water Main Replacement and Street Improvement Project (Town's CDBG Project for FY 2022) to Gatlin Plumbing & Heating, Inc. in the amount of \$353,068.00 for street and right-of-way improvements; and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to accept the recommendation of the Water Works Superintendent and Water Works Engineer to award the bid for the River Drive Water Main Replacement and Street Improvement Project to Gatlin Plumbing & Heating, Inc. in the amount of \$471,932.00 for water works improvements.

Now, Therefore Be it Resolved by the Board of Works for the Town of Highland and the Board of Directors of the Highland Water Works, Lake County, Indiana, as follows:

1. That the Bid of Gatlin Plumbing & Heating, Inc. in the amount of Eight Hundred Twenty five Thousand Dollars and No Cents (\$825,000.00) for the River Drive Water

Main Replacement and Street Improvement Project is hereby accepted as the lowest responsive and responsible bid.

2. That the Town of Highland, through its Board of Works, acknowledges and approves its share of the work for the River Drive Water Main Replacement and Street Improvement Project in the amount of Three Hundred Fifty-three Thousand Sixty-eight Dollars and No Cents \$353,068.00;
3. That the Water Works District of Highland, through its Board of Directors, acknowledges and approves its share of the work for the River Drive Water Main Replacement and Street Improvement Project in the amount of Four Hundred Seventy-one Thousand Nine Hundred Thirty-two Dollars and No Cents \$471,932.00;
4. That the Water Works District Superintendent/Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 13th day of June, 2022. Having been passed by a vote of __5__ in favor and 0__ opposed.

BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA

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

Attest:

Mark Herak, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 26th day of May, 2022. Having been passed by a vote of ____ in favor and ____ opposed.

HIGHLAND
WATER WORKS BY
ITS BOARD OF
DIRECTORS:

George A. Smith, President

Attest:

Richard E. Volbrecht Jr., Secretary

4. **WORKS BOARD ORDER NO. 2022-16:** AN ORDER OF THE WORKS BOARD ACCEPTING AND APPROVING THE PROPOSAL OF NIES ENGINEERING, INC. FOR PROFESSIONAL ENGINEERING SERVICES DURING CONSTRUCTION FOR THE RIVER DRIVE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT NOT TO EXCEED \$61,500.

Councilor Black moved the passage and adoption of Works Board Order No. 2022-16. Councilor Smith seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. Works Board Order No. 2022-16 was adopted.

TOWN OF HIGHLAND BOARD OF WORKS ORDER OF THE WORKS BOARD NO. 2022-16

WATER WORKS DISTRICT OF HIGHLAND BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2022-09

A JOINT RESOLUTION OF THE BOARD OF WORKS AND THE WATER
WORKS BOARD OF DIRECTORS ACCEPTING AND APPROVING A
PROPOSAL FROM NIES ENGINEERING, INC. FOR PROFESSIONAL
ENGINEERING SERVICES DURING CONSTRUCTION FOR THE RIVER DRIVE
WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN
THE TOTAL AMOUNT NOT-TO-EXCEED
\$61,500.00

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to make certain public improvements and repairs to roadway infrastructure on River Drive, including the removal and replacement of defective curb and sidewalk, pavement and parkway trees; and

Whereas, The Town of Highland has filed an application for Community Development Block Grant funding (FY 2022), with the Lake County Community Development Department, which will offset the costs for the improvements in the amount of \$102,130.00; and

Whereas, the Water Works District of Highland (District) is governed by its Board of Water Works Directors, pursuant to the provisions of IC 8-1.5-4 et seq.; and

Whereas, IC 8-1.5-4-4 specifically provides that the Board of Directors shall manage and control all works of the Water Works and may purchase, acquire, construct, reconstruct, operate, repair and maintain all water works; and

Whereas, The Water Works District of Highland (District), through its Board of Directors, has determined the need to replace and upsize the existing water main within the project boundaries, as described herein, in order to improve water flow and water quality and has determined that it would be in the best interest of the utility to coordinate the work with the street improvement project; and

Whereas, The Works Board and Water Works District Board of Directors has heretofore determined a need to engage the professional engineering services during construction in order to implement the Project, and

Whereas, NIES Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish Professional Engineering Services during Construction in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in an amount not to exceed Sixty-one Thousand Five Hundred Dollars (\$61,500.00) allocated in the amount of Twenty-four Thousand Six Hundred Dollars and no Cents (\$24,600.00) to the Board of Works and Thirty-six Thousand Nine Hundred Dollars and no Cents (\$36,900.00) to the Water Works District; and

Whereas, There are sufficient and available appropriations balances on hand to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Board of Works, now desires to accept and approve the agreement for services as herein described; and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to accept and approve the agreement for services as herein described.

Now, Therefore Be it Resolved by the Board of Works for the Town of Highland and the Board of Directors of the Highland Water Works District, Lake County, Indiana, as follows:

1. That the Professional Engineering Services proposal during construction of the River Drive Water Main Replacement and Street Improvement Project (incorporated by reference and made a part of this resolution) from NIES Engineering, Incorporated, be adopted and ratified in each and every respect;
2. That the terms and charges under the agreement for Construction Engineering services in the not to exceed amount of Sixty-one Thousand Five Hundred Dollars (\$61,500.00) allocated in the amount of Twenty-four Thousand Six Hundred Dollars and no Cents (\$24,600.00) to the Board of Works and Thirty-six Thousand Nine Hundred Dollars and no Cents (\$36,900.00) to the Water Works District is found to be reasonable and fair;

3. That the Town Council, which is the Works Board of the municipality, and the Water Works District of Highland, through its Board of Directors, believes that NIES Engineering, Incorporated has demonstrated professional competence and has qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;
4. That the Water Works District Superintendent / Public Works Director is authorized to execute the agreement and all documents necessary to implement the Project.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 13th day of June, 2022. Having been passed by a vote of _5 in favor and 0 opposed.

BOARD OF WORKS OF THE TOWN OF HIGHLAND, INDIANA

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

Attest:

Mark Herak, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 26th day of May, 2022. Having been passed by a vote of ____ in favor and ____ opposed.

HIGHLAND
WATER WORKS BY
ITS BOARD OF
DIRECTORS:

George

A. Smith, President Attest:

Richard E.
Volbrecht Jr.,
Secretary

5. **ORDINANCE NUMBER 1764.1760-E(1):** AN ORDINANCE TO AMEND ORDINANCE No. 1764.1760-E WHICH WAS PASSED BY THE COUNCIL AT ITS MAY 23RD MEETING BY A VOTE OF 5 IN FAVOR AND 0 OPPOSED, TO INCLUDE THE START DATE WHEN ORDINANCE NUMBER 1764.1760-(E) WILL TAKE EFFECT. THE EFFECTIVE DATE SHOULD CORRESPOND WITH A START OF A PAY PERIOD.

Councilor Black introduced and moved the consideration of Ordinance No. 1764-1760-E(l) at the same meeting of introduction. Councilor Sheeman seconded. Upon a roll call vote, a unanimous vote being necessary to consider the Ordinance on the same night of introduction, there were five (5) affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Black moved the passage and adoption of Ordinance 1764-1760-E(i) at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmative votes and no negatives. The motion passed. The Ordinance was passed and adopted at the same meeting of its introduction.

**ORDINANCE No. 1764.1760-E (1)
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 LAW ENFORCEMENT CERTIFICATION AND EXPERIENCE CERTIFIED/ LATERAL HIRE POSITIONS In THE POLICE 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 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 LAW ENFORCEMENT CERTIFICATION AND EXPERIENCE CERTIFIED/LATERAL HIRES; and fix rate for the position based upon the needs of the Police Department; and

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 and fix the rates of the LAW ENFORCEMENT CERTIFICATION AND EXPERIENCE CERTIFIED/LATERAL HIRES based upon the needs of the Police Department; and,

WHEREAS, The Town Council of the Town of Highland, as the town legislative body, now desires to further modify the LAW ENFORCEMENT CERTIFICATION AND EXPERIENCE CERTIFIED/LATERAL HIRE positions within the Police Department and fix the rates for the LAW ENFORCEMENT CERTIFICATION AND EXPERIENCE CERTIFIED/LATERAL HIRES positions based upon the needs of the Police Department,

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 (E)(6) 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 (E)(6) which shall read as follows: That subdivision (E)(6) 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 (E)(6) which shall read as follows:

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 June 12, 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).

(C) That the provisions eliminating the position of 4th Class and modifying the starting position of for Class3, Class 2 and Class 1 rate of pay based upon the level of LAW ENFORCEMENT CERTIFICATION AND EXPERIENCE CERTIFIED shall be effective from and after June 12, 2022;

Section 2. That all portions of ordinances in conflict with this ordinance are

hereby repealed and are of no further force nor effect;

Section 3. 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 June 12, 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).

(C) That the provisions eliminating the position of 4th Class and modifying the starting position of for Class3, Class 2 and Class 1 rate of pay based upon the level of LAW ENFORCEMENT CERTIFICATION AND EXPERIENCE CERTIFIED shall be effective from and after June 12, 2022;

Introduced and Filed on 13th day of June 2022. Consideration on same day or at same meeting of introduction sustained a vote of in favor and opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 13th Day of June 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**

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

Attest:

Mark Herak
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

- 6. ORDINANCE NUMBER 1764.1760-F: AN ORDINANCE TO AMEND ORDINANCE NO. 1760 WHICH ESTABLISHED 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**

INCUMBENT RATE FOR THE POSITION OF INSPECTION SECRETARY IN THE BUILDING AND INSPECTION DEPARTMENT. THE EFFECTIVE DATE SHOULD CORRESPOND WITH A START OF A PAY PERIOD.

Councilor Black introduced and moved the consideration of Ordinance No. 1764-1760-F at the same meeting of introduction. Councilor Smith seconded. Upon a roll call vote, a unanimous vote being necessary to consider the Ordinance on the same night of introduction, there were five (5) affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Black moved the passage and adoption of Ordinance 1764-1760-F at the same meeting of its introduction. Councilor Smith seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmative votes and no negatives. The motion passed. Ordinance No. 1764-1760-F was passed and adopted at the same meeting of its introduction.

**ORDINANCE No. 1764.1760-F
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 INCUMBENT RATE FOR THE POSITION OF INSPECTION SECRETARY IN THE BUILDING AND INSPECTION 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 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 STARTING AND INCUMBANT RATE FOR THE POSITON INSPECTION SECRETARY IN THE BUILDING AND INSPECTION DEPARTMENT; and fix rate for the position based upon the needs of the Building and Inspection Department; and

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 and fix the rates of the INSPECTION SECRETARY based upon the needs of the Building and Inspection Department; and,

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 in Section 8(C) of Ordinance No. 1760 be amended by repealing it in its entirety and replacing with a successor subdivision, to be styled as Section 8 subdivision (C) which shall read as follows: That subdivision (C) in Section 8 of Ordinance No. 1760 be amended by repealing it in its entirety and replacing with a successor subdivision, to be styled as Section 8 subdivision (C) which shall read as follows:

Section 8. *Building and Inspection 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 Building and Inspection Department as follows:

(C) ASSOCIATE EMPLOYEES AND STAFF

		Starting Rate	Incumbent Rate
(1) Inspection Clerk	(1)	\$16.59	\$19.47
(2) Inspection Secretary	(1)	\$19.99	\$19.99

Section 2. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 3. 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 4. (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 June 12, 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).

(C) That the provisions of increasing the starting and incumbent for the position of INSPECTION SECRETARY shall be effective from and after June 12, 2022;

Introduced and Filed on 13th day of June 2022. Consideration on same day or at same meeting of introduction sustained a vote of in favor and opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 13th Day of June 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**

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

Attest:

Mark Herak
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

- 7. Proposed Appropriation Enactment No. 2022-13: An Enactment** Appropriating Additional Moneys in Excess of the Annual Budget from Monies received as a Grant from the State or Federal Government, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5 ET SEQ.

Councilor Black introduced and moved the consideration of Appropriation Enactment No. 2022-13 at the same meeting of introduction. Councilor Sheeman seconded. Upon a roll call vote, a unanimous vote being necessary to

consider the Ordinance on the same night of introduction, there were five (5) affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Black moved the passage and adoption of Appropriation Enactment No. 2022-13 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmative votes and no negatives. The motion passed. Appropriation Enactment No. 2022-13 was passed and adopted at the same meeting of its introduction.

Town of Highland
APPROPRIATION ENACTMENT
ENACTMENT NO. 2022-13

An Enactment Appropriating Additional Monies in Excess of the Annual Budget From Monies Received as a Grant from the State or Federal Government, pursuant to I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 et seq.

WHEREAS, IC 6-1.1-18-7.5 provides that notwithstanding any other law, the appropriating body of a political subdivision may appropriate any funds received as a grant from the state or the federal government without using the additional appropriation procedures under IC 6-1.1-18-5, if the funds are provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

WHEREAS, The Town Council has been informed of the receipt of funds from a grant of the **OPO Click-It Ticket (CITLI)**, representing services for the month of March 2022, particularly represented on Clerk-Treasurer's receipt numbers 784639 and 784640 in the total amount of **\$1,237.50**, and receipt of funds from a grant of the **Lake County OWI Grant (DUI)** representing services for the month of March 2022, particularly represented on Clerk-Treasurer's receipt number 784643 in the total amount of **\$538.20** as reimbursement in support of overtime costs for detailed personnel;

WHEREAS, The Town Council has been further informed that these funds were provided or designated by the state or the federal government as a reimbursement of an expenditure made by the political subdivision;

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

Section 1. That for the actual overtime personnel expenses of said municipality related to the **OPO Click-It Ticket (CITLI)** and the **Lake County OWI Grant (DUI)** Initiative to reimburse the municipality for its actual over time expenses incurred by the assigned person, or for equipment maintenance, the following additional sums of money, received as a grant from the state or the federal government and designated as a

reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

CORPORATION GENERAL FUND

Metropolitan Police Department

Increase Account:	#111.32 PD OPO Seat Belt/OWI	\$ 1,237.50
Increase Account:	#111.36 PD Lake CO. Task Force	<u>\$ 538.20</u>

Total 300 Series Increases **\$ 1,775.70**

Total of All Fund Increases: \$ 1,775.70

Section 2. 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 13th day of June 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 ENACTED AND ADOPTED this 13th Day of June 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**

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

Attest:

Mark Herak
Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

8. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$40,000 in the **Municipal Cumulative Street Fund.**

Councilor Black moved to authorize the publication of a legal notice of a public hearing to consider proposed additional appropriations as indicated. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication and hearing were approved.

Comments from the Town Council:

(Good of the order)

Councilor Toya Smith: • *Sanitary Board Liaison • and Public Works.*

Councilor Smith acknowledged the Building Commissioner, Ken Mika who commented that BZA, has two things on the agenda for next Wednesday or in two weeks. One being a setback fence on a residential property and the second being a use variance for the Ultra property. Mr. Mika thanked the Council for approving his request to increase the incumbent rate for the Building and Inspection Secretary.

She then acknowledged Public Works Director Mark Knesek. He wanted to remind Highland residents that this Saturday, June 18th from 8:00 a.m. to noon is Shred Day. He has arranged for 2 trucks to be present. He figures everyone will be lined up by 7:15 a.m. Residents must provide a photo ID. He also said July 23 will be Hazardous Waste Day. He'll remind everyone once the date gets closer.

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

Councilor Schocke commented that he, the Park Board, Alex Brown and Trever Kinley participated in the annual survey of parks. They all took stock of what needed to be done in terms of work needed at each park and are scheduling work accordingly. The new playground equipment is several parks is looking good. He then acknowledged Alex Brown, Park Superintendent who wanted to remind everyone of the Park's 75th anniversary celebration, June 18th, from noon to 11 o'clock in the evening. It recognizes when the Town Council created a separate Parks Department. The celebration will have a kid's zone, lots of food vendors, arts and craft vendors, a beer garden and live bands. He said that the speeches begin at 4:30 and he invited the Town Council to attend. Senator Michael Griffin is going to read a proclamation in honor of the 75 years. Alex further commented that the reconstruction project of the parking lot at the Sharp Athletic Complex is taking place right now. Because of league play at Sharp, they can only reconstruct in phases. He also wanted to let the residents know that because of the anticipated heat, park crews will be starting 6am, as they have to put up a lot of fencing and move picnic tables for the 75th Anniversary Celebration. Actual mowing won't begin until 8am so as not to disturb anyone.

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

Councilor Black first complimented Kathy DeGuilio-Fox on her appointment to the Sanitary Board, commenting it's great to have you back. Kathy responded she appreciated the appointment as she once served about 5 years ago and found it very interesting work.

Kathy went on to say that this Tuesday evening, June 14th, the Redevelopment Commission meets for their regularly schedule study session. It is a joint study session between the Economic Development Commission and the Redevelopment Commission with the primary purpose to hear a presentation from the representatives of Cardinal Campus can make a presentation as they want to begin the final phase of the project. The representative from Cardinal Campus will be giving the Town Council the same presentation on June 20th. Kathy reminded everyone, this is only a study session and no formal action can be taken. The Redevelopment Commission is also having a special meeting tomorrow and that is for the sole purpose to discuss and determine who the new Redevelopment Director will be.

Councilor Black the acknowledged Assistant Chief Vassar who said the police had met with representatives from St. James and Our Lady of Grace parishes who are planning a march on June 19th. The march will begin at Our Lady of Grace parish and end up at St. James, where a picnic is planned. Since people are marching/walking, they wanted to coordinate the route with the police department. He also commented that at the request of the park department, the police will be closing off Highway/5th because of the Park's 75th Anniversary Celebration. It will be similar to what the police do for the 4th of July. It will remain closed for the planned walk between Our Lady of Grace and St. James

Councilor Black then acknowledged Fire Chief Bill Timmer who said there was a very serious car crash last Monday night, with a car striking the center concrete medium on Cline Avenue. The driver of the car was pinned inside the car and required the Fire Department to extricate them. The Fire Chief said he had heard that the driver was well on her way to recovery. Chief Timmer reiterated the rules for shooting off fireworks. The way the rules work is you're allowed to shoot fireworks in the state of Indiana, thanks to legislation that's been passed, but what they neglect to tell anyone, is that the fireworks cannot leave your property. It is impossible to enforce but I will assure you that if a piece firework leaves your property and catches your next door neighbors garage roof or patio furniture or something else, we will prosecute to the fullest capacity, including calling in the State Fire Marshall's office. He cautioned those shooting off fireworks to be careful. Make sure you watch your fingers, eyes. In addition, please be considerate of your neighbors. Don't shoot off fireworks at 2am.

The Clerk-Treasurer brought up a question in which he has solicited the opinion of the Town Attorney. The first least payment is due on the Fire Department's new aerial unit. The problem is that because of covid and production delays, the unit is not expected to be delivered till March. The unit isn't even on the production line. It doesn't seem right to be making a payment for a unit the Town hasn't taken possession on. The other thinking, is

that the money for the unit is in escrow, so if the Town were to make a payment, if the manufacturer doesn't deliver, the bank would refund the 1st lease payment to the Town.

The concern the Fire Chief has with the delay in the delivery of the unit, is that the existing unit is starting to nickel and dime the department in repairs as the unit is 27 years old. They just spent \$1,000 on a battery charger.

Councilor Black asked Ed Dabrowski, IT Director if he had a report. Ed responded not at this time.

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

There was bantering between Councilor Sheeman and Councilor Black, as Councilor Black called upon all of Councilor Sheeman's liaisons, leaving Councilor Sheeman with nothing to report on. Councilor Sheeman did comment that at last week's department head staff meeting, they had a healthy discussion on whether the members of the Fire Department Association should have access to the fitness center, the same as full-time employees. President Zeman asked the Clerk-Treasurer to place the item on the June 20th study session.

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

Councilor Zemen acknowledged Ken Mika, Building & Inspection Commissioner and inquired as to items on this week's Plan Commission. They have two (2) items on the docket, a preliminary hearing for a proposed substantial change to a residential PUD and the attorney for the Russell project requesting to be put on the agenda asking for a continuation or extension of 180 days. Per statute, the subdivision plat for the senior should have been filed by the end of June. The developer has run into some issues and is requesting an extension. Councilor Zeman said the Tree Board meets this Thursday at 7 pm.

That concluded comments from the Council and President Zemen then turned it over to comments from visitor's or residents, reminding them to limit it to 2 minutes.

Comments from Visitors or Residents:

LARRY KONDRAT, HIGHLAND, Recently, President Joe Biden say he wants to put in 10,000 electric vehicle charging stations. We've got a couple of them in our town ourselves, two or three. He wanted to know how much revenue the charging stations bring into the Town of Highland. Was it into the millions of dollars, Hundreds of thousands of dollars, 10's of thousands. He wanted to know how many dollars the charging stations generated? He then commented upon Attorney Wieser's letter requesting a 180 day

extension for the senior family living facility. They been pissing around here for going on three years and he doesn't have his act together. He then told Councilor Smith, stating I know you weren't here and I don't know how much up to you are up to speed, but the Town offered the developer \$4M, when the developer was asking for \$3M, which was for a \$40M project. Now offering them \$4M, the developer drops the project down to \$30M. We give them \$4M and they are still not ready. 95% of the residents who showed up at the Lincoln Center or at the Town Hall hearings were opposed. I believe only 2 people were in favor. Its time Mr. Zemen to rally the troops and cancel the project. Call the Plan Commission members and advise the to vote against the extension. This is beyond ridiculous. We had an election in which 3 seats changed parties. Some of you were lucky because you ran unopposed but you could be in for a bumpy ride next election. I personally don't care about the farm what I care about is the tax dollars at the town, and they are tax dollars. You had a guy a few weeks ago, come here and explain how giving away tax breaks. On \$30 million worth of AV removed from the tax rolls, the Town loses roughly \$20,000 a year. You had a guy two weeks ago that said, the effect on the Town if the floor on the depreciation of personal business property is removed, it will be \$.0001 per \$100 of assessed value. We aren't swimming in money and your giving away \$4M in incentives.

Lydia Shotts, Highland wanted to say she agreed with Larry. Mr. Wieser has tortured the town and enough is enough. How long and how many stalls are you going to give them when the town has pleaded with you don't let it happen, and he still keeps walking all over the public by continuing and continuing. That's all I have to say, please don't let him do it, thank you, thank you.

Councilor Zemen asked if there were any other comments. Hearing none, he closed comments from the public and brought it back to the Council. He then entered a motion to pay claims.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Black moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **May 25, 2022 through June 14, 2022.** Councilor Smith seconded. Upon a roll call vote, there were five (5) 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, \$211,038.15; Special Events, \$798.37; Law Enforcement Continuing Education, Training and Supply Fund, \$7,690.33; Gasoline Fund, \$34,236.80; Information and Communications Technology Fund, \$12,111.07; Special Events, \$376.00; Traffic Violations, \$1,000.00; INSURANCE PREMIUM, \$209,243.32; MCCD, \$961.00; Donation, \$1,196.14; Gaming Revenue, \$4,665.69; Public Safety Income Tax Fund; \$12,400.00
Total: \$1,143,546.04.**

PAYROLL DOCKET FOR PAYDAY OF MAY 20, 2022:

COUNCIL, BOARDS AND COMMISSIONS, \$10,169.88; OFFICE OF CLERK-TREASURER, \$15,868.28
BUILDING AND INSPECTION DEPARTMENT, \$10,000.24; METROPOLITAN POLICE DEPARTMENT,
\$110,270.17; PUBLIC WORKS DEPARTMENT (AGENCY), \$66,425.39; FIRE DEPARTMENT, \$34,386.42
AND 1925 POLICE PENSION PLAN PENSION FUND, \$68,757.11; INFORMATION AND TECHNOLOGY
DEPARTMENT, \$3,690.41; TOTAL PAYROLL: \$299,832.09.

PAYROLL DOCKET FOR PAYDAY OF JUNE 3, 2022:

COUNCIL, BOARDS AND COMMISSIONS, \$10,169.88; OFFICE OF CLERK-TREASURER, \$15,868.28
BUILDING AND INSPECTION DEPARTMENT, \$10,000.24; METROPOLITAN POLICE DEPARTMENT,
\$110,270.17; PUBLIC WORKS DEPARTMENT (AGENCY), \$66,425.39; FIRE DEPARTMENT, \$34,386.42
AND 1925 POLICE PENSION PLAN PENSION FUND, \$68,757.11; INFORMATION AND TECHNOLOGY
DEPARTMENT, \$3,690.41; TOTAL PAYROLL: \$238,533.86.

Adjournment of Plenary Meeting. THERE BEING NO FURTHER BUSINESS ON THE AGENDA, THE TOWN
COUNCIL PRESIDENT DECLARED THE REGULAR PLENARY MEETING OF THE TOWN COUNCIL OF MONDAY, JUNE
13, 2022, ADJOURNED AT 7:26 O'CLOCK P.M.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of June 27, 2022.