

**Enrolled Minutes of the Seventieth Regular Meeting or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Business Meeting (Electronic/In person Hybrid)
Monday, July 11, 2022**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, June 27, 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. Councilor Schocke was absent.

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 Bernie Zemen 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, Thomas Black, Roger Sheeman and Clerk-Treasurer, Mark Herak were present. Councilor Schocke was absent. A quorum was attained.

Additional Officials Present: Pete Hojnicky, Metropolitan Police Chief; Edward Dabrowski, Director of Information Technology; Kenneth J. Mika, Building Commissioner and Kathy DeGuilio-Fox, Redevelopment Director; were present. Dave Byers, Recreation Director, Parks and Recreation; Mark Knesek, Public Works Director; John Reed, Attorney with Abrahamson, Reed & Bilse were remote.

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

Minutes of the Previous Meetings: The minutes of the June 27, 2022 Plenary meeting were approved by general consent.

Special Orders: None

Comments from the Public or Visitors:

Larry Kondrat, Highland, began by asking if the Council was going to retroactively pay for some of the entertainment that appeared at the 4th of July celebration for the Council of Community Events. The Clerk-Treasurer responded in the positive, explaining that Works Board Order No. 2022-16 addressed that issue. The problem was that the Council never approved the contracts for the 3 groups and without an approved contract, the Clerk-Treasurer could not pay them. Mr. Kondrat asked Councilor Zemen where he parked during the festival. Councilor Zemen said he parked on Jewett and walked. Mr. Kondrat said so you didn't park on the grass off of 5th Street.

Communications: None

Staff Reports:

Building Report June, 2022

PERMIT TYPE	#	Res.	Comm	Est. Cost	Fee Collected
Commercial Buildings	2	0	2	\$ 1,897,970.00	\$ 32,415.00
Comm. Additions/Remodel	3	0	3	\$ 968,550.00	\$ 16,854.00
Signs	5	0	5	\$ 71,101.00	\$ 2,752.50
Single Family	0	0	0	\$ -	\$ -
Duplex/Condo	0	0	0	\$ -	\$ -
Residential Additions	0	0	0	\$ -	\$ -
Residential Remodeling	82	82	0	\$ 887,257.00	\$ 18,929.25
Garages	1	1	0	\$ 33,800.00	\$ 850.50
Sheds	4	4	0	\$ 155,028.00	\$ 1,164.00
Decks & Porches	8	8	0	\$ 31,949.00	\$ 1,869.00
Fences	30	30	0	\$ 162,698.00	\$ 5,819.25
Above/In ground pools	13	13	0	\$ -	\$ 702.00
Drain Tile/Waterproofing	4	4	0	\$ 101,780.00	\$ 2,340.00
Concrete/Asphalt/Flatwork	13	13	0	\$ 88,851.00	\$ 3,001.50
Misc:Demo, R. Cuts, Pergola & Storage Tanks	12	12	0	\$ 133,525.00	\$ 7,106.25
Total Building Permits	177	167	10	\$ 4,532,509.00	\$ 93,803.25
Electrical Permits	24	19	5	\$ -	\$ 5,771.00
Mechanical Permits	21	11	10	\$ -	\$ 2,705.50
Plumbing Permits	13	8	5	\$ -	\$ 3,214.85
Water Meters	0	0	0	\$ -	\$ -
Water taps	5	2	3	\$ -	\$ 4,130.00
Sewer/Storm Taps	0	0	0	\$ -	\$ -
Total Plumbing Permits	18	10	8	\$ -	\$ 7,344.85

June 2022 Code Enforcement: 64 Investigations and 6 Citations were Issued & 3 Warnings were given. Inspections done for the month of June 2022 were as follows: 45 Building Inspections, 20 Plumbing Inspections, 7 HVAC and 23 Electrical Inspections. There were 3 Electrical Exams given.

Submitted By:


 Kenneth J. Milka

Types of Calls	June 2022	YTD
General Alarms	10	74
Paid Still Alarms	37	156
Still Alarms	2	17
Total calls in 2022		247

2022
 TOWN OF HIGHLAND INJURIES FOR THE MONTH
JUNE

CASE	DATE OF INJURY	DEPARTMENT	DESCRIPTION	Record Only	OSHA	Not OSHA	Filed with
				No Med Treatment	Recordable	Recordable	WC Insurance
RO10	6/21/22	POLICE	While moving a cabinet it fell on employee's hand.	X		X	X

RO = Record Only

DEPT	2022		TOTAL	2022			
	INJURIES	YEAR TO		RESTRICTED	LOST DAYS	RESTRICTED	LOST DAYS
	THIS MONTH	DATE		2021	DAYS THIS YEAR	THIS YEAR	DAYS 2021
PARK & REC		1					
FIRE			1				
POLICE	1	4	4		67		10
STREET WATER SEWER		1			44		
MAINTENANCE			2			32	
OTHER		4	2		77		
TOTALS	1	10	9	0	188	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: None

General Orders and Unfinished Business: None

New Business:

- 1. WORKS BOARD ORDER NO. 2022-16:** An Order of the Works Board Accepting the Performance Agreements for Professional Entertainment and Stage Services for the Town of Highland, Associated with Independence Day Festivities, and to Comply with the Provisions of IC 22-5-1.7 et seq.

Councilor Sheeman questioned at to the total outlay for the 3 groups as he didn't see a total breakdown. The Clerk-Treasurer pointed out the aggregate totals within Works Board Order No. 2022-16.

Councilor Black moved the passage and adoption of Works Board Order No. 2022-16. Councilor Smith seconded. Upon a roll call vote of the elected officials, there were four (4) affirmatives and 0 negatives, with Councilors Smith, Black, Sheeman and Zemen voting in the affirmative. Councilor Schocke was absent. The motion passed. Works Board Order No. 2022-16 was adopted.

**Town of Highland
Board of Works**

Order of the Works Board 2022-16

AN ORDER OF THE WORKS BOARD ACCEPTING THE PERFORMANCE AGREEMENTS FOR PROFESSIONAL ENTERTAINMENT AND STAGE SERVICES FOR THE TOWN OF HIGHLAND, ASSOCIATED WITH INDEPENDENCE DAY FESTIVITIES, AND TO COMPLY WITH THE PROVISIONS OF IC 22-5-1.7 ET SEQ.

WHEREAS, THE TOWN OF HIGHLAND, AS PART OF ITS EXERCISE OF PUBLIC POWERS RELATED TO CULTURE AND RECREATION, GENERALLY CONFERRED IN IC 36-10-2, ANNUALLY MARKS THE ANNIVERSARY OF THE NATION'S DECLARATION OF INDEPENDENCE WITH APPROPRIATE FESTIVALS INCLUDING LIVE MUSICAL PERFORMANCE AS ENTERTAINMENT;

WHEREAS, THE COMMUNITY EVENTS COMMISSION HAS RECEIVED PERFORMANCE AGREEMENTS FOR PROFESSIONAL ENTERTAINMENT AND STAGE SERVICES FOR THE TOWN OF HIGHLAND TO BE CONDUCTED DURING THE 2022 INDEPENDENCE DAY FESTIVAL;

WHEREAS, THE COMMUNITY EVENTS COMMISSION FAVORABLY RECOMMENDS TO THE PURCHASING AGENCY, THE APPROVAL OF THE PERFORMANCE AGREEMENTS FOR PROFESSIONAL ENTERTAINMENT AND STAGE SERVICES FOR THE TOWN OF HIGHLAND TO BE CONDUCTED DURING THE 2022 INDEPENDENCE DAY FESTIVAL;

WHEREAS, THESE PROFESSIONAL SERVICES OWING TO THEIR UNIQUE REQUIREMENTS AND CHARACTER, AS A SERVICE, MAY BE PURCHASED IN A MANNER THAT IS DETERMINED TO BE REASONABLE, PURSUANT TO SECTION 3.05.090 OF THE HMC AND IC 5-22-6;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1) of the HMC serves as purchasing agency for the Municipality and its

executive departments except those executive departments which are expressly subject to the purchasing authority of a relevant governing board of jurisdiction; and

Whereas, The purchase of services will be supported by the several funds of the Town and there is sufficient appropriation or resources in order to support the purchase of services; and

Whereas, The Town Council now desires to approve, authorize and allow the purchase of services pursuant to the terms stated herein,

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, as follows:

Section 1. That the Performance Agreements for professional entertainment and stage services as set forth in the agreements: for Saturday, July 2, 2022, Matt Kalita of Kalita, Master of Magic & Escape at a cost of \$500; for Monday, July 4, 2022, John Measner of Measner Magic Productions, Inc. at a cost of \$725; for Sunday, July 3, 2022, John of Silly Safari Show, at a cost of \$500; Brian Wynn of Sounds Cool Live Audio, LLC; is hereby accepted, approved and adopted;

Section 2. That the Town Council finds and determines that the manner of purchase for these professional services owing to their unique requirements and character as a service, are both reasonable and appropriate, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Section 3. That the Clerk-Treasurer is hereby authorized to issue and to execute all documents necessary to implement the purchase of services thereof;

SECTION 4. THAT THE PROPER OFFICERS OF THE MUNICIPALITY ARE HEREBY AUTHORIZED TO IDENTIFY THE PROPER FUNDS OF THE MUNICIPALITY THAT MAY BE LAWFULLY EXPENDED IN ORDER TO SUPPORT AND IMPLEMENT THE PURCHASE OF THESE SERVICES.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of July 2022 having passed by a vote of 4 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)

12106 Southeastern Avenue
 Indianapolis, IN 46259
 Phone: 317.862.9003

www.sillysafaris.com



The leader in conservation education
 LIVE ANIMAL SHOWS

CONTACT INFORMATION:	
Highland 4th of July Festival Jacqui Herrera Main Square Park 3001 Ridge Rd Highland, IN 46322	
PHONE	c)708-825-6229

DATE	INVOICE #	OFFICIAL USE ONLY:
5/24/2022	26400	

Program Confirmation

PROGRAM DATE	TIME	AUDIENCE
7/3/2022	2:00PM CT	Family
REFERRED BY	Library	

Additional Comments

Special Repeat Visit!
 CENTRAL TIME

PROGRAM	DESCRIPTION	QTY	RATE	AMOUNT
Animal Show	Silly Safari Show starring AMAZON JOHN! ALL AMERICAN FAMILY FUN SHOW!	1	500.00	500.00
NOTE	FOR CANCELLATION OR WEATHER RELATED ISSUES CALL DIRECT: Amazon John's cell phone) 317-281-6064			

DIRECTIONS TO YOU:

- 1) Please return this form AND include directions to your location above...
- 2) Silly Safaris reserves the right to reassign performers as necessary
- 3) Please circle your choice: PAYMENT INCLUDED WILL PAY LATER

Signature [Signature] Date 26 MAY 22 Total: \$500.00
 Please Make Payable To SILLY SAFARIS



STANDARD CONTRACT FOR LIVE ENTERTAINMENT PERFORMANCES

This Contract is between the *Highland Council of Community Events*, event coordinators for the Town of Highland under the Town Council, hereinafter referred to as HCCE, located at 3333 Ridge Road, Highland, IN 46322, and Matt Kalita of *KALITA, Master of Magic and Escape*, hereinafter referred to as the Performer.

HCCE agrees to engage Matt Kalita on the terms of this agreement:

1 (a) Appearing as *KALITA, Master of Magic and Escape*

1 (b) To Perform a 45-minute magic show incorporating an escape element such as strait jacket or ropes

2 (a) At Highland's 4th of July Festival, at Main Square Park, 3001 Ridge Road, Highland, IN 46322

2 (b) On Saturday, July 2nd, 2022, for a performance from 2:15pm to 3:00 pm

Engagement: Booking shall be confirmed upon completion of this contract by both parties. The Performer and personnel will follow all reasonable instructions relating to the proper and lawful conduct of HCCE's events.

This Agreement is to be binding upon the Performer and HCCE and is not subject to cancellation except by acts of God (not to include rain), proven sickness, accident to means of transportation, riots, strikes, or other legal condition beyond the control of the performer and HCCE.

Payment: The total due for the performance is **\$500 (Five Hundred Dollars)**. Unless agreed otherwise, payment of the full balance will be made to the Performer at the conclusion of the performance. The above performer is an independent contractor and assumes all responsibility for withholding tax, social security, and state tax. HCCE will be solely responsible for obtaining any and all federal, state and local licenses or permits as may be required and paying all federal, state local amusement taxes as may be applicable.

Set Up and Load Out: HCCE will provide the Performer and personnel with reasonable access to the venue before the performance to load in, set up, do sound checks and load out after the performance. HCCE will provide on site parking for the Performer and personnel.

Artistic Control: The Performer will have control of the artistic content of the performance and their personnel. If the Performer is not available for any reason, then the Performer will use all reasonable efforts within its means to substitute a Performer of equal or greater ability to perform under the terms of this Contract. Said substitute performer will be approved by HCCE in advance.

Breach: In the event of a breach of this agreement, any and all reasonable attorney's fees and court costs will be recoverable by the prevailing party in the event litigation is necessary.

Signed by: [Signature] on 26 MAY 22
HCCE, Town Council or Representative

Signed by: [Signature] on 7-2-22
Matt Kalita

15-May-22

Measner Magic Productions, Inc.
 P.O. Box 1972 Bridgeview, IL 60455
 p. 708.425.4558 f. 708.425.4656
 John@JMMagic.com / www.JMMagic.com

Contract / Invoice #			
2362			
Client		Contact and Email Address	
HCCE		Jacqui Herrera mailto:highlandcce@highland.in.gov	
Mailing Address			
Cell Phone		Home / Work Phone	
708-825-6229			
Date(s) of Performanc	Show Time	Age of Audienc	Occasion
July 4th, 2022	2:15pm	All	4th of July Festival
Show Location			
Main Square Park, 3001 Ridge Road, Highland, IN			
Show Description			
One 45 minute magic and solo illusion show with live animals, audience participation and solo illusions. Will drive in and set up show truck with stage and sound.			
Total Fee	Deposit	Balance due on date of performance	
\$725.00	\$0.00	\$725.00	
<p>1. Such an Agreement to be binding upon the Performer and the Client not subject to cancellation except by acts of God (not to include rain), proven sickness, accident to means of transportation, riots, strikes, or other legal condition beyond the control of the performer.</p> <p>2. The above performer is an independent contractor and assumes all responsibility for withholding tax, social security, and state tax.</p> <p>3. The client will be solely responsible for obtaining any and all federal, state and local licenses or permits as may be required and paying all federal, state local amusement taxes as may be applicable.</p> <p>4. No part of the Performer's performance(s), will be reproduced, including but not limited to reproduction by broadcasting, videotaping, or other means of recording, except with the consent of the Performer.</p> <p>5. If the Performer is not available for any reason, then the Performer will use all reasonable efforts within its means to substitute a Performer of equal or greater ability to perform under the terms of this Contract. Said substitute performer will be approved by the Client in advance.</p> <p>6. If Balance due is not paid on Date of Performance, then 20% of the total fee will be added as a late fee.</p> <p>7. In the event of a breach of this agreement, any and all reasonable attorney's fees and court costs will be recoverable by the prevailing party in the event litigation is necessary.</p> <p>8. For outdoor shows, Performer shall be released from any obligation to complete the balance of the engagement prior to or after the performance has commenced if the temperature drops below 59 degrees Fahrenheit or rain and/or other climatic conditions occur which in the judgment of the Performer would endanger their equipment and/or personal safety.</p> <p>9. If it is the desire of the client to cancel the performance, for any reason, the Performer shall be paid the full contracted amount. The Balance Due shall be due at the time of the cancellation notice.</p> <p>10. Performer reserves the right to leave the performance premises immediately following the completion of the engagement. 25% of the Total Fee will added if the performer is detained unless prior agreement by performer and client.</p>			
Special Instructions			
Please let me know if there is electricity near where I pull my show truck. Otherwise I will use my generator.			
Please email, fax or mail ONE signed copy plus deposit befor		Friday, May 20, 2022	



Client Signature

Officially electronically signed and accepted by:
 John Measner / Measner Magic Productions, In

2. **Works Board Order No. 2022-17:** AN ORDER AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE HONORARIA TO THE MUNICIPAL DEPARTMENTS AND SELECT EVENT PARTICIPANTS IN RECOGNITION OF AND IN GOODWILL FOR THEIR ASSISTANCE AND SUPPORT OF THE EVENTS UNDER THE AEGIS OF THE COMMUNITY EVENTS COMMISSION AND AUTHORIZING THE PAYMENT OF ELECTIVE HONORARIA FOR THEIR PARTICIPATION IN THE ANNUAL HIGHLAND INDEPENDENCE DAY FESTIVAL.

Councilor Black moved the passage and adoption of Works Board Order No. 2022-17). Councilor Smith seconded. Upon a roll call vote of the elected officials, there were four (4) affirmatives and no negatives, with Councilors Smith, Black, Sheeman and Zemen voting in the affirmative and Councilor Schocke being absent. The motion passed. Works Board Order No. 2022-17 was adopted.

THE TOWN of HIGHLAND
 WORKS BOARD ORDER NO. 2022-17

AN ORDER AUTHORIZING, AND APPROVING THE PAYMENT OF ELECTIVE HONORARIA TO THE MUNICIPAL DEPARTMENTS AND SELECT EVENT PARTICIPANTS IN RECOGNITION OF AND IN GOODWILL FOR THEIR ASSISTANCE AND SUPPORT OF THE EVENTS UNDER THE AEGIS OF THE COMMUNITY EVENTS COMMISSION AND AUTHORIZING THE PAYMENT OF ELECTIVE HONORARIA FOR THEIR PARTICIPATION IN THE ANNUAL HIGHLAND INDEPENDENCE DAY FESTIVAL.

Whereas, The Town Council for the Town of Highland is the Legislative and Fiscal Body of the Municipality as well as the works board pursuant to IC 36-1-2 et seq.,

Whereas, The Highland Community Events Commission and the Town Council of Highland did rely on the support and special services of the Highland Parks and Recreation Department, the Public Works Department (Agency) and many volunteers from community groups in carrying out its programming for the year;

Whereas, The Town Council has been reliably advised that it has been customary and is highly desirable for the payment of an honorarium or stipend to some of the participating municipal departments and community groups in recognition of their laudable support and contribution to the special event programming during the recent festival;

Whereas, The Town Council has been further reliably advised that many employees of the Highland Parks and Recreation Department and the Public Works Department (Agency) and many volunteers from community groups did expend time, labor and creative process to support the Town of Highland's community programming during the Independence Day Festival;

Whereas, Under its authority of IC 36-1-3, the Town Council passed and adopted Section §2.35.030 of the Highland Municipal Code which provides in pertinent part that the Town Council is authorized to budget and appropriate funds from the general fund of the town to pay the expenses incurred in promoting the best interests of the town and that such expenses may include, but not necessarily be limited to those incurred in developing relations with other units of government or any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the Town; and,

Whereas, The Town Council has reviewed the matter, and now desires to make findings and determinations related to the support and authorization of the awarding of honoraria to certain groups,

Now Therefore Be it hereby Ordered by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the following named municipal department be paid an elective honorarium in the amount specified, in appreciation and recognition of their contribution and support for the year's Independence Day Festival, as follows:

(A)	Parks and Recreation Department	\$1,000.00
(B)	Public Works Department	\$1,000.00

Section 2. That the following named groups or bands, which participated in the most recent **Independence Day**, as identified be paid an elective honorarium in the amount specified, in appreciation and recognition of this participation as follows:

(A)	Highland Athletic Booster Club	\$2,200.00
(B)	Highland Wrestling Club	\$1,875.00
(C)	Highland Football Mom's	\$1,875.00
(D)	Highland Volunteers Firefighters Association	\$1,000.00
(E)	Highland FOP Lodge 122	\$1,000.00

Section 3. That the Town Council hereby finds and determines that the forgoing activities and items of expense are lawful and proper expenses incurred in promoting the best interests of the Town as set forth in Section §2.23.030 of the Highland Municipal Code which reads as follows:

§ 2.35.030 AUTHORITY OF TOWN COUNCIL TO REIMBURSE
TOWN OFFICIALS FOR CERTAIN EXPENSES.

The Town Council is hereby authorized to budget and appropriate funds from the general fund of the town to pay the expenses of, and to reimburse, town officials for expenses incurred in promoting the best interests of the town. Such expenses may include, but not necessarily be limited to meals, decorations, memorabilia, awards, expenses incurred in interviewing job applicants, expenses incurred in promoting industrial, commercial, and residential development, expenses incurred in developing relations with other units of government, and any other expenses of civic or governmental nature deemed by the Town Council to be in the interests of the town.

Section 4. That the Town Council further finds and determines that the activities and expenses as described herein, if not paid from the Corporation General Fund, are uses and expenditures consistent with the purposes of the Special Events Non Reverting Fund, when proper appropriations are accordingly approved;

Section 5. That the Clerk-Treasurer is hereby authorized and instructed to prepare sufficient accounts payable vouchers against the appropriate fund and accounts for the benefit of each of the several identified groups, depicting the expense as an Honorarium, in the amount herein fixed, to be paid to the proper donation fund for the Parks and Recreation Department, for its benefit, to pay all other groups as indicated and to take such other measures to carry-out the purposes and objects of this order;

Section 6. That the Clerk-Treasurer is hereby authorized and instructed to prepare sufficient accounts payable vouchers against the appropriate fund or funds and accounts for the benefit of each of the several named parties herein identified, depicting the expense as an Honorarium or Stipend, in the amount herein fixed, to be paid according to law;

Section 7. That any actions taken by public officers in advance and in anticipation of the passage and adoption of this order, are hereby ratified, all pursuant to IC 36-1-4-16.

Be it so ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of July 2022, having passed by a vote of 4 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)

Comments from the Town Council:
(Good of the order)

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

Councilor Smith began by thanking everyone who made the 4th of July activities such a success. She then acknowledged the Building Commissioner, Ken Mika asking about what's on the agenda for the upcoming BZA meeting. He said he hopes to have the finding of facts from the June 22nd public hearing on the proposed climate control and personal storage facility at the former Ultra site on Indianapolis Blvd. As reported at an earlier meeting, the vote ended in a tie, with only 4 members present. 2 members voting in favor and 2 members voting against. Originally it was reported that the project would be

sent to the Council as no action. After conferring with the petitioner's attorney, the recommendation of the Town Attorney is to forward as a no recommendation. If it had come to the Council from the BZA as no action, certain time requirements apply. It is his hope at the next BZA meeting the finding of facts will be done so they can be forwarded to the Council. At the same meeting, Price Point Builders received approval for a variance for the 2600 block of 41st street. It is probably the last remaining lot in that subdivision. Also at the meeting a variance was granted for a setback requirement for the corner house at the 3100 block of Grand Blvd. Also, at the upcoming meeting, a major car dealership is looking for a zoning variance to make the lot at 9227 Indianapolis Blvd into an overflow parking lot.

She then acknowledged Public Works Director Mark Knesek, who said the River Drive project began today with the removing of all the trees designated for removal. He hoped to have the trees removed by this afternoon. He didn't know how long the contractor stayed cutting trees. The project is scheduled to begin the 1st week of August. He reiterated by Council Black had said regarding July 23rd as hazardous waste collection at the Public Works Facility from 9am to 2pm.

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

In Councilor Schocke's absence, Councilor Zemen acknowledged Dave Byers, Recreation Director, who was filling in for Alex Brown who is on vacation started by recapping the 38th running of the All- American Mile which was held on July 3rd prior to the start of the twi-light parade. He said we had a record number of runners, numbering 352 people signed up so it was great turnout. 's a great turnout great event. There was a polka concert held on Sunday, July 10th at Main Square which always has a great turnout. The next concert will be on August 14, with the concert series running through the second Sunday of September. The August 14 concert is one of classic rock. Our summer camps are always successful but it's especially successful this summer as we have between 60 and 70 kids per day, causing us to add a couple of Camp counselors along the way, to accommodate the high demand of the kids so that's going very well. Summer softball at Sharp Athletic Complex ends this month with Highland hosting the NSA girls fast pitch World Series next week. It a huge event that's been happening pretty much every year over the last few years. We are gearing up for a kid's fishing contest at Meadows Park this Saturday as well as a nerf war at the Lincoln Center. Joseph and the Amazing Technicolor Dreamcoat will be performed live at Main Square later this month, July 21 to the 23rd and then again on the 28th through the 30th. We are working on our fall program brochure, set for an August 24 distribution. The bike trail is scheduled for repaving later this month and the Lincoln Center parking lot is getting resealed in the next month or two.

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

Councilor Black began by reminding residents of the upcoming household hazardous waste collection set for July 23rd at the Highland Public Works Facility. He reminded them that paint, new oil, used gasoline and like things will not be accepted. The same applies for construction material. He asked the Redevelopment Director to clarify her earlier email regarding some vegetation that needs to be removed by the embankment by the new parking lot and Richard Underkofler wanting the Redevelopment Commission to pick up part of the cost. She said the actual request came from the Parks Department and they wanted the Redevelopment Commission to pick up \$9,000 of the total cost to remove unwanted vegetation on the side of the embankment. She said Redevelopment does not have that kind of money in their budget. They gave \$6,000 to Public Works for the removal of trees in the downtown area. She also elaborated on the new downtown Highland sign. The welcome to downtown Highland sign is back in place, although it is not currently lit. She noticed the sign was unlit upon her return from vacation and noticed the sign was not lit. She had a conversation with the sign company earlier today and my question for anybody who might know this is the sign on the same circuit as the streetlights. She asked Mark Knesek, Public Works Director if he was on the zoom call which he was and she asked him if the new sign was on the same circuit as the street lights. He responded that he thought the sign was on a separate breaker from the street lights. He would check with Jeff Siple in the morning. He would have Jeff check to see if maybe the breakers are off but you'd think when they installed the sign, the manufacturer would have checked for the power. Kathy said the fellow they worked with from Legacy Sign had asked Kathy if she knew where the breaker was located. Since she is not an electrician so couldn't tell him. So, I sent them back out there, but if somebody could give me some direction that would be helpful. She added it's just me upstairs these days and I'm continuing to do what I can.

- **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 wanted to reiterate my feelings about Chief Timmer. I was speaking with him the other day and he seems to be in good spirits. I know with all his health issues being resolved, it will make him feel better and 20 years younger. And, we all wish him a speedy recovery. Kudos again to the festival organizers especially the Highland Council Community Events. He acknowledged Mr. Herak for running the beer garden and arranging the entertainment. We thought last year was great, it was even better this year. I think we need a bigger park as there were some nights that you couldn't hardly even walk through it. You know it's a testament to what we can do by working together as a town. I don't want to hear anything more about Griffith. I'm so tired of hearing about Griffith. The entertainment, the beer, the whole festival atmosphere, was fantastic. Jacqui Herrera and her group did a fantastic job again and kudos Pete and the Police Department. Councilor Sheeman acknowledged Pete Hojnicky, Metropolitan Police Chief, who said the security at the festival went smoothly, considering the record amounts of people. We have some great drone footage that we have available, some of it we have already posted online. He added that there was already a debriefing and determined there are things we need to tweak for next year's event. Chief Hojnicky complimented Jacqui and her crew for the outstanding work they did and they were really exceptional to work

with. He said the fence area seemed to work nicely. He said he received many comments from people who said the perimeter fence made them feel safer.

Councilor Sheeman again thanked Chief Hojnicky and his staff as they did a great job manning the entrances and exists. He then acknowledged Ed Dabrowski, IT Director and asked him if he had anything. He said as you are aware, we have been using a firm to assist in our cyber security awareness. We had to pay for it. At a recent conference, Mr. Herak had reported that the State of Indiana entered into an agreement with the same company and we can now get their services free. Not only is it free but it comes with more bells and whistles. a conference that Mark mentioned recently he found a better deal for all the same, deal with no cost for some of the testing that we did when it came to. He commented that the Town Hall lost power last Saturday and the generator did not get on. It turns out, the service company is waiting on part. The cost to repair is more than buying a new unit.

Councilor Sheeman concluded that he was speaking with the local representative to Senator Braum and the Senator is trying to get the Town of Highland some federal training and its free.

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

Councilor Zemen too wished Fire Chief Bill Timmer a speedy recovery. He also wished Town Attorney a speedy recovery as John also had surgery to correct a broken collar bone. John commented that he'll miss this year's golf season and Councilor Zemen commented that he could always go to Florida. Councilor Zemen said he can't say enough about Council of Community Events, for how everything went. He acknowledged that he will probably skip some who deserves accolades and it isn't intentional. He wanted to thank them because he had the time of his life. Everyday, I was out there it just got better and better and Mother Nature cooperated as we had some great weather. He asked Chief Hojnicky if the drone captured the crowd especially when Dick Diamond was playing. He said there had to be over 200 people dancing on the concrete stage and the seats were filled to capacity leaving no place to walk. The place was rocking. That was the most I've ever see dance. And all the band were great, especially the headliners. He thanked the Clerk-Treasurer for getting some really great bands and for the running of the beer garden which went very well. He said he has never seen a festival anywhere running better than this one was. So again, thank you to Council of Community Events. The parade was wonderful I don't think there was any glitches.

He then acknowledged Ken Mika, Building and Inspection Commissioner asking him what was on the agenda for the Plan Commission. Ken responded that next week there will be a public hearing for a proposed major modification to an existing PUD, Nevers Cove. There will also be a preliminary hearing for the Car Spa, located on the old Nine restaurant property as they have their engineering complete. The preliminary hearing

includes a one lot subdivision. The property is located in an overlay district development plan.

Attorney Reed interjected at this point commenting on the proposed temperature controlled storage facility located on the old Ultra property. The vote at the BZA was 2 in favor and 2 opposed. Only 4 members were present for the vote. At the last Town Council meeting it was described as a no action. But technically, since the BZA is only a recommending body, their action is not final. I talked with the attorney representing the petitioner and we agreed that once the finding facts are complete, it will come to the Council as a neutral recommendation as no action has other implications. If it was no action taken, no action put certain time frames into play. I just wanted to make sure it was clear in the minutes.

Councilor Zemen then complimented the Chief of Police on the police presence in the park. I know it was mentioned previously, but if I looked to my left, I saw security. I looked at my right, I saw security. No matter where I was I saw security.

Chief Hojnicky responded that everyone had a feeling of being safe. He was a little concerned about having four gates but it actually worked out fine with security. As officers finished, like the parade, they would come to Main Square. At one time we had 19 officers working the park detail. The Chief said parents were watching their children on the rides or walking the midway with their children while having a beer.

Councilor Zemen particularly liked when Assistant Chief Pat Vassar announced a missing Mom. The mother and child were reunited within minutes.

Comments from Visitors or Residents:

TERRY STEAGAL, HIGHLAND, I read in the newspaper that Lance Ryskamp resigned from the Redevelopment Commission staff. From the newspaper article, he's been a long-term employee, I think about 10 years in his current position. He spent time on the town council and county council. I guess that's a big gap, the loss of experience for the Redevelopment staff. We need to do something to shore that up, so it doesn't look like we're trying to dismantle Redevelopment Commission staff. That makes 2 positions that the Redevelopment Commission has to fill to get the staffing back up. I would think Ms. DeGuilio-Fox would want the Commission to find her replacement so she can enjoy retirement. The Council needs to pay attention to this and work at creating a different work environment so you don't lose people as the current environment appears hostile. It's hard enough to retain workers and when you have a hostile work environment it makes it more difficult to retain employees. I saw an ad for Merriville and they are offering their starting laborers \$20 per hour. And then you lose someone like Lance who had all this experience. We want to retain employees with experience not chasing them away and now you are going to bring someone in entirely new. You need to get things going in the right direction else the person hired will have second thoughts about coming

here in the first place. We need to create a more business friendly atmosphere for businesses in town.

Larry Kondrat, Highland, In speaking of Redevelopment, I have not talked to one person in this whole town that knew what Lance Ryskamp did for the town, even though he's held his current position for seven years. Turning to the Redevelopment Director he asked, I don't believe you could figure lay your finger on anything he did. He then pointed his finger at all of the Councilors who were present saying, I've asked each one of you, and every time I've asked somebody, you couldn't answer what he did. So good riddance. If you ever get serious about Redevelopment, you can hire somebody with a correct staff to do something with this town. I personally think you ought to disband the Redevelopment Commission because they are horrible.

Connie Wachala, Highland, I want to thank Lance Ryskamp for his service to the Town, as he was a long-time employee. I remember seeing him at Makers Market last year, working with the musicians trying to make sure that they could be heard, and that it wasn't too loud for the people in the booths, of which I was one of them. He served on the county council, as well as, the Highland Town Council. I worked with him last year, when our group offered to help weed the new rain gardens, so that they would look nice. Lance was the contact person. Speaking of Redevelopment, I also would like to express my appreciation and thanks to Kathy DeGuilio-Fox for the works that she has been doing on Redevelopment. Many people knew Lance and knew what he did, and I thank you for letting me express that.

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 **June 29, 2022 through July 12, 2022.** Councilor Sheeman seconded. Upon a roll call vote, there were four (4) affirmatives and no negatives, with Councilor Schocke being absent. 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, \$233,311.91; Special Events, \$19,174.00; Law Enforcement Continuing Education, Training and Supply Fund, \$773.75; Cardinal Campus Allocation, \$135,000.00; Information and Communications Technology Fund, \$4,491.22; Special Events, \$25,3773.13; General Improvement, \$75.00; Mun Cum Street Fund, \$3,219.00; MVH, \$7,114.77; LR&S, \$36,668.92; Cedit Econ. Dev. Income; \$100,000.00; Insurance Premium, \$211,794.57.

Total: \$748,222.27.

PAYROLL DOCKET FOR PAYDAY OF JULY 1, 2022:

COUNCIL, BOARDS AND COMMISSIONS, \$10,169.88; OFFICE OF CLERK-TREASURER, \$14,501.91 BUILDING AND INSPECTION DEPARTMENT, \$9,641.24; METROPOLITAN POLICE DEPARTMENT, \$120,729.96; PUBLIC WORKS DEPARTMENT (AGENCY), \$71,426.94; FIRE DEPARTMENT, \$4,856.07; INFORMATION AND TECHNOLOGY DEPARTMENT, \$3,690.41; TOTAL PAYROLL: \$234,033.06.

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, JULY 11, 2022, ADJOURNED AT 7:16 O' CLOCK P.M.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of July 25, 2022.