

**Enrolled Memorandum of the Meeting  
Study Session/Meeting Convened Electronically  
Twenty-Ninth Town Council of Highland  
Monday, October 3, 2022**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a study session on **Monday, October 3, 2022** at 7:00 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 between and among all of the Town Council and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely, allowing for all councilors to be simultaneously seen and heard. When the agenda item provided for public comment, this was supported as well. Councilor Toya Smith, Councilor Mark Schocke, Councilor Tom Black, Councilor Roger Sheeman, Councilor Zemen all participated in person.

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

**Silent Roll Call:** Councilors Bernie Zemen, Toya Smith, Mark J. Schocke, Tom Black and Roger Sheeman were present. The Clerk-Treasurer, Mark Herak was present to memorialize the proceedings. A quorum was attained.

**Officials Present:** Scott Bilse, Town Attorney; Pat Vassar, Assistant Police Chief; Mark Knesek, Public Works Director; George Smith, President of the Highland Water Board; Larry Kondrat, member of the Highland Water Board; Derek Snyder, Prinicipal with Nies Engineering were also present.

**Guests:** Theresa Badovich of the Idea Factory was also present.

**General Substance of Matters Discussed.**

- 1. Discussion: X. Discussion: 5-year Water Capital Plan & Water Rate Increase Scenarios.** Councilor Black asked this be placed on the agenda.

Attached for your review are two key aspects of the Water Cost of Service Study.

The first PDF is the 5-Year Capital and Improvement Plan, which details the various construction projects and equipment replacements needed over the next 5 years.

The second PDF provides 3 Rate Increase Scenarios.

- The first two scenarios generate the revenue required to fully fund the capital needs. The first is a single increase of 58.6% in the first year that is then held constant for the remaining four years. The second starts with a 40% increase in the first year, with 9.3% increases in each of the remaining four years to generate the same 5-year amount of revenue. The last scenario does not generate enough revenue to fully fund the capital needs. This scenario starts with the lesser 40% increase in the first year, but with 4.65% increases in each of the remaining years to arrive at the same 58.6% overall increase in the fifth year.

Schedule F-1

Highland Municipal Water Utility Highland, Indiana						
Capital and Replacement Plan						
Line No.	Amounts per Year					Total
	2023 (Year 1)	2024 (Year 2)	2025 (Year 3)	2026 (Year 4)	2027 (Year 5)	
3	<b>Capital:</b>					
4	\$ 20,000	\$ 20,000	\$ 30,000	\$ 30,000	\$ 40,000	\$ 140,000
5						-
6					378,389	378,389
7	65,637	67,607	69,646	71,758	63,944	338,592
8	992,471					992,471
9		345,061				345,061
10		757,415				757,415
11			514,670			514,670
12			617,335			617,335
13					889,370	889,370
14				1,365,585		1,365,585
15	<b>\$ 1,078,108</b>	<b>\$ 1,190,083</b>	<b>\$ 1,231,651</b>	<b>\$ 1,467,343</b>	<b>\$ 1,371,703</b>	<b>\$ 6,338,888</b>
16	<b>Replacements:</b>					
17	\$ 280,000	\$ 288,400	\$ 297,052	\$ 305,964	\$ 315,143	\$ 1,486,559
18	15,000	15,450	15,914	16,391	16,882	79,638
19	32,000	32,960	33,949	34,967	36,016	169,892
20	32,000	32,960	33,949	34,967	36,016	169,892
21	85,000	87,550	90,177	92,882	95,668	451,277
22	33,000	33,000	33,000	33,000	33,000	165,000
23	<b>Vehicle Replacements:</b>					
24	9,850	9,850				19,700
25	40,000					40,000
26	91,500	91,500	91,500	91,500	91,500	457,500
27	21,600	21,600	21,600	21,600	21,600	108,000
28	19,800	19,800	19,800	19,800	19,800	99,000
29	21,600	21,600	21,600	21,600	21,600	108,000
30	42,500	42,500	42,500	42,500	42,500	212,500
31	<b>\$ 723,850</b>	<b>\$ 769,170</b>	<b>\$ 701,041</b>	<b>\$ 715,171</b>	<b>\$ 729,726</b>	<b>\$ 3,638,958</b>
32	<b>\$ 1,801,958</b>	<b>\$ 1,959,253</b>	<b>\$ 1,932,692</b>	<b>\$ 2,182,514</b>	<b>\$ 2,101,429</b>	<b>\$ 9,977,846</b>
33	Average Over 5 Years (Annual Needs)					1,995,569
34	Additional Revenue Requirement					\$ 1,995,569
35	Needed to Fund Plan					\$ 1,995,569

**HIGHLAND MUNICIPAL WATER UTILITY**  
Highland, Indiana  
Estimated Rate Schedule Based on Percentage Increase

CURRENT RATES				Cost of Service Results - Single Increase - Full 5-Year Funding																				
Meter Size	Total Base	Public Fire Surcharge		YEAR 1 - (\$8.60% From Current)				YEAR 2 - (\$8.60% From Current)				YEAR 3 - (\$8.60% From Current)				YEAR 4 - (\$8.60% From Current)				YEAR 5 - (\$8.60% From Current)				
Meter Size	Total Base	Public Fire Surcharge		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		
5/8"	\$11.50	\$2.64		5/8"	\$18.24	\$4.19		5/8"	\$18.24	\$4.19		5/8"	\$18.24	\$4.19		5/8"	\$18.24	\$4.19		5/8"	\$18.24	\$4.19		
1"	26.14	6.60		1"	41.46	10.47		1"	41.46	10.47		1"	41.46	10.47		1"	41.46	10.47		1"	41.46	10.47		
1 1/4"	38.83	10.03		1 1/4"	61.58	15.91		1 1/4"	61.58	15.91		1 1/4"	61.58	15.91		1 1/4"	61.58	15.91		1 1/4"	61.58	15.91		
1 1/2"	50.54	13.20		1 1/2"	80.16	20.94		1 1/2"	80.16	20.94		1 1/2"	80.16	20.94		1 1/2"	80.16	20.94		1 1/2"	80.16	20.94		
2"	79.82	21.12		2"	126.59	33.50		2"	126.59	33.50		2"	126.59	33.50		2"	126.59	33.50		2"	126.59	33.50		
3"	148.14	39.60		3"	224.95	62.81		3"	224.95	62.81		3"	224.95	62.81		3"	224.95	62.81		3"	224.95	62.81		
4"	245.74	66.00		4"	389.74	104.68		4"	389.74	104.68		4"	389.74	104.68		4"	389.74	104.68		4"	389.74	104.68		
6"	489.74	132.00		6"	776.73	209.35		6"	776.73	209.35		6"	776.73	209.35		6"	776.73	209.35		6"	776.73	209.35		
8"	782.54	211.20		8"	1,241.11	334.96		8"	1,241.11	334.96		8"	1,241.11	334.96		8"	1,241.11	334.96		8"	1,241.11	334.96		
Treatment Rate	\$1.11			Treatment Rate	\$1.76			Treatment Rate	\$1.76			Treatment Rate	\$1.76			Treatment Rate	\$1.76			Treatment Rate	\$1.76			
Tracker Rate	1.05			Tracker Rate	1.35			Tracker Rate	1.35			Tracker Rate	1.35			Tracker Rate	1.35			Tracker Rate	1.35			
Rate Per 1,000 Gallons	\$2.16			Rate Per 1,000 Gallons	\$2.81			Rate Per 1,000 Gallons	\$2.81			Rate Per 1,000 Gallons	\$2.81			Rate Per 1,000 Gallons	\$2.81			Rate Per 1,000 Gallons	\$2.81			

  

CURRENT RATES				Cost of Service Results - Stepped Increase - Full 5-Year Funding																				
Meter Size	Total Base	Public Fire Surcharge		YEAR 1 - (40.00% From Current)				YEAR 2 - (45.30% From Current)				YEAR 3 - (58.00% From Current)				YEAR 4 - (67.90% From Current)				YEAR 5 - (72.20% From Current)				
Meter Size	Total Base	Public Fire Surcharge		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		
5/8"	\$11.50	\$2.64		5/8"	\$16.10	\$3.70		5/8"	\$17.17	\$3.84		5/8"	\$18.24	\$4.19		5/8"	\$19.31	\$4.43		5/8"	\$20.38	\$4.68		
1"	26.14	6.60		1"	36.60	9.24		1"	39.03	9.85		1"	41.46	10.47		1"	43.89	11.08		1"	46.32	11.70		
1 1/4"	38.83	10.03		1 1/4"	54.36	14.04		1 1/4"	57.97	14.97		1 1/4"	61.58	15.91		1 1/4"	65.20	16.84		1 1/4"	68.81	17.77		
1 1/2"	50.54	13.20		1 1/2"	70.76	18.48		1 1/2"	75.46	19.71		1 1/2"	80.16	20.94		1 1/2"	84.86	22.16		1 1/2"	89.56	23.39		
2"	79.82	21.12		2"	111.75	29.57		2"	118.17	31.53		2"	126.59	33.50		2"	133.02	35.46		2"	141.44	37.42		
3"	148.14	39.60		3"	207.40	55.44		3"	221.17	59.12		3"	234.95	62.81		3"	248.73	66.49		3"	262.50	70.17		
4"	245.74	66.00		4"	344.04	92.40		4"	356.89	98.54		4"	389.74	104.68		4"	412.60	110.81		4"	435.45	116.95		
6"	489.74	132.00		6"	685.64	184.80		6"	731.18	197.08		6"	776.73	209.35		6"	822.27	221.63		6"	867.82	234.90		
8"	782.54	211.20		8"	1,095.56	295.68		8"	1,168.33	315.93		8"	1,241.11	334.96		8"	1,313.88	354.60		8"	1,386.66	374.25		
Treatment Rate	\$1.11			Treatment Rate	1.55			Treatment Rate	\$1.66			Treatment Rate	\$1.76			Treatment Rate	\$1.86			Treatment Rate	\$1.97			
Tracker Rate	1.05			Tracker Rate	1.10			Tracker Rate	1.15			Tracker Rate	1.25			Tracker Rate	1.35			Tracker Rate	1.45			
Rate Per 1,000 Gallons	\$2.16			Rate Per 1,000 Gallons	\$2.65			Rate Per 1,000 Gallons	\$2.81			Rate Per 1,000 Gallons	\$3.01			Rate Per 1,000 Gallons	\$3.21			Rate Per 1,000 Gallons	\$3.42			

  

CURRENT RATES				Cost of Service Results - Stepped Increase - Reduced 5-Year Funding																				
Meter Size	Total Base	Public Fire Surcharge		YEAR 1 - (40.00% From Current)				YEAR 2 - (44.65% From Current)				YEAR 3 - (49.30% From Current)				YEAR 4 - (53.95% From Current)				YEAR 5 - (58.60% From Current)				
Meter Size	Total Base	Public Fire Surcharge		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		Meter Size	Total Base	Hydrant Maint. Fee		
5/8"	\$11.50	\$2.64		5/8"	\$16.10	\$3.70		5/8"	\$16.83	\$3.82		5/8"	\$17.17	\$3.84		5/8"	\$17.70	\$4.06		5/8"	\$18.24	\$4.19		
1"	26.14	6.60		1"	36.60	9.24		1"	37.81	9.55		1"	39.03	9.85		1"	40.24	10.16		1"	41.46	10.47		
1 1/4"	38.83	10.03		1 1/4"	54.36	14.04		1 1/4"	56.17	14.51		1 1/4"	57.97	14.97		1 1/4"	59.78	15.44		1 1/4"	61.58	15.91		
1 1/2"	50.54	13.20		1 1/2"	70.76	18.48		1 1/2"	73.11	19.09		1 1/2"	75.46	19.71		1 1/2"	77.81	20.33		1 1/2"	80.16	20.94		
2"	79.82	21.12		2"	111.75	29.57		2"	115.46	30.55		2"	119.17	31.53		2"	122.88	32.51		2"	126.59	33.50		
3"	148.14	39.60		3"	207.40	55.44		3"	214.28	57.28		3"	221.17	59.12		3"	228.06	60.96		3"	234.95	62.81		
4"	245.74	66.00		4"	344.04	92.40		4"	355.46	95.47		4"	366.89	98.54		4"	378.32	101.61		4"	389.74	104.68		
6"	489.74	132.00		6"	685.64	184.80		6"	708.41	190.94		6"	731.18	197.08		6"	753.95	203.21		6"	776.73	209.35		
8"	782.54	211.20		8"	1,095.56	295.68		8"	1,131.94	305.50		8"	1,168.33	315.93		8"	1,204.72	325.14		8"	1,241.11	334.96		
Treatment Rate	\$1.11			Treatment Rate	\$1.55			Treatment Rate	\$1.61			Treatment Rate	\$1.66			Treatment Rate	\$1.71			Treatment Rate	\$1.76			
Tracker Rate	1.05			Tracker Rate	1.10			Tracker Rate	1.15			Tracker Rate	1.25			Tracker Rate	1.35			Tracker Rate	1.45			
Rate Per 1,000 Gallons	\$2.16			Rate Per 1,000 Gallons	\$2.65			Rate Per 1,000 Gallons	\$2.76			Rate Per 1,000 Gallons	\$2.91			Rate Per 1,000 Gallons	\$3.06			Rate Per 1,000 Gallons	\$3.21			

George Smith began by explaining the 2 PDF's, the Highland Municipal Water Utility Capital and Replacement Plan and Highland Municipal Water Utility Estimated Rate Schedule. We have been in a lengthy process to determine exactly what the cost of service is and what the cost of service ought to be. We engaged the consulting firm of LWG to determine what all our costs are and what those costs might be in the future. Subsequently, the Town Council, during their budget process informed the Water Board what rate of return they were looking for and the suggested pay raises for the Town's

employees, many of whom are paid out of Water Operating. We were told to estimate a 10% increase in health costs. LWG put all of these costs into a formula to come up with a rate. Next, they added in the Capital Plan which projects out the next 5 years. All these calculations were then compiled to come up the 58.60% increase as reported to the Council. Councilor Black, the Water Board Liaison, reported that he felt the Council would never approve a 58.60% increase. Rather than proceeding and passing along the recommendation of 58.60% to the Town Council, only to have the Council reject or reduce the recommendation, we thought it best to meet with the Council to explain our rationale but also hear what the Council has to say. We need to maintain our system as we don't want to become like the City of Dixmoor, who neglected maintaining their system and then had a catastrophic occurrence and the residents were out of water for several weeks or what happened to Merriville, where a whole subdivision was flooded out because they didn't maintain their system. If you look at the estimated rate schedule, the 1<sup>st</sup> row delineates the cost of service results with a single increase for five years. The second row delineates the cost of service results with a stepped increase and the third is the reduced funding. As mentioned, the dilemma of the Board is that we could pass a recommendation to the Council and if the Council is not on board, they could reject or reduce, which is why we are before you tonight. The Water Board is inclined to go with the cost of service results, single increase, which is basically the 58.60% increase. People are going to say, "my God, a 58.60% increase." If the Council feels that it is too high, tell us where you want to cut. We can't cut the portion of raises to our employees or the health care costs or the return on investment the Council is looking for to help fund their budget. We can remove some of the capital projects. Maybe remove one of the trucks or the water mains. If you look at the PDF again, our current rate to the consumer is \$2.16 per 1,000 gallons. At a 58.60% increase, the new rate would be \$3.21 per 1,000 gallons or a \$1.05 per 1,000 gallons. Our consultant said, the average household in Highland, uses 3,000 gallons per month or a \$3 increase on the water portion of their utility bill. Some will consider outrageous but keep in mind the new rate is less than what the residents of Schererville, Munster, St. John and Griffith pay.

The Clerk-Treasurer reminded the Council that the Water Board only recommends but the final decision rests with the Council. And keep in mind that I've built a rate of return into the 2023 budget to the tune of \$450,000.

Councilor Schocke asked George Smith about the various sections of the utility bill. You have the water section, the sewage section and the garbage fee. In my estimation, the actual water portion of the Water bill is actually less than all those other fees. If I do quick math, for an average citizen, it will cost him roughly \$36 to \$40 per year. So, your average water bill goes up \$3 bucks a month. If you're a heavy user maybe \$5 bucks.

Derek Snyder clarified the rate increase to Councilor Schocke's question. The rate is actually 2 components. You have the base of \$11.50 and the hydrant rental surcharge of \$2.64. Those rates would increase in all 3 scenarios. For the base, it would increase to \$18.24 and the hydrant fee would increase to \$4.19. The total increase would be \$8.29 for

the average resident of Highland. By choosing the 1<sup>st</sup> option, those costs remain steady throughout the five years. If you choose the 3<sup>rd</sup> option, the Water Board actually loses money the first 2 years. If you look at the 2<sup>nd</sup> option, by the 5<sup>th</sup> year, the rate is actually higher than the 1<sup>st</sup> option because you have to play catch up.

Board Member Kondrat encourage the Council to adopt option 1. If you adopt option 1, you will hear negativity from the community but it will subside after the 1<sup>st</sup> year. Remember option 1 is the stable rate. If you adopt either options 2 or 3, the rates will continue to rise every year for the next 5 years. You'll hear the grumblings every year for the next 5 years.

Councilor Schocke said the \$3 a month doesn't seem that crazy but he has the same concerns as George Smith. If we don't properly maintain our system, we could have another Dixmoor on our hands.

George Smith commented that for the last couple of weeks, the residents of Dixmoor have been living on bottled water from Walmart because they used bailing wire to fix their system.

Councilor Sheeman said he has a great love for 5-year plans or capital plans that tell us what we need instead of trying to do a patch job every year. I thank the Water Board for putting the plan together. The question I have are the rates that Hammond is going to charge over the next several years incorporated in the 3 scenarios. He was told they were. He next asked about the cost of a water meter. He was advised around \$300 and the price goes up every year. He then asked about the number of meters in Town and advised around 9,500. He was told they change out roughly 100 meters a month. He asked if the Town changes out that many every year and was advised no. He then asked why in the capital plan were they budgeting \$280,000 and do you really need to budget that amount.

Public Works Knesek responded that a lot of meters were installed over a short period of time, maybe 3 or 4 years which translated to fewer meters having to be replaced the last couple of years. But we're coming to the of time where the batteries are starting to wear out on these meters and you cannot change out the battery. The head is an integral part and is sealed. We are finding out that we are having to replace a lot of them at the same time. With the new State mandate about inventorying the lead service lines, every time we change out a meter, we make a notation. When a battery quits, the meter doesn't read and the Town loses revenue. When the meter stops, until we can replace it, the resident receives an estimated bill. Conversely, when we aggressively changed out meters several years ago, there was a spike in revenue as the meters were reading properly. We are pretty good at getting the non-working meters changed out relatively quickly. Once the residents receive a letter about changing out their meter, they are very responsive.

Councilor Sheeman asked where Public Works stood with the budget regarding actual meters changed out. Are you going to go over your budget? Do we need to step up change?

Mr. Knesek responded, it's already October and we'll use all of budget. Making matters worse, is the price of meters goes up every 3 to 6 months.

George Smith commented again on the maintenance issue. I don't want somebody to say, you were on the water board and you should have done something about that or did you look at the Hammond report on the analysis of the water that says there is lead in the water and what are you going to do about it? I tell them that we are allowed to have 5 parts per billion and we are at .05 parts per billion. However, I can remove the lead from the water but it will increase your bill by \$250 per month. The resident then quits complaining about the led.

Councilor Sheeman then asked about the 3 replacement vehicles listed on the capital plan. The price seems far to low to be able to replace. He was told those are the lease payments remaining till the trucks are paid off.

President Zemen asked Councilor Black his feelings as he is Liaison to the Water Board. Council Black said he would really like to have the increase phased in over the next 5 years but I realize we need enough revenue to cover the increase from Hammond and to fund the 5-year plan.

Councilor Sheeman said he favored the middle plan.

Derek Snyder explained to Councilor Sheeman that in the middle plan, the rate goes up the highest (77.20% vs 58.6%) because you have the inflationary factor built in and you are always playing catch up and the loss compounds each year. You are actually operating the system in a deficit for the first two years under the middle option.

There was some discussion afterward but the consensus of the Council, whereas no one wants to raise rates and the middle option raises the rates the most and option 3 doesn't cover all the capital costs, then option 1 is the best option and for the Water Board to proceed with option 1. The Water Board should create the Ordinance using option 1 and then forward to the Council for their thumbs up vote.

**X. Discussion: Reminder: JOINT EXECUTIVE SESSION OF THE HIGHLAND TOWN COUNCIL AND THE HIGHLAND SANITARY BOARD OF COMMISSIONERS**

**X. Discussion: Medical Insurance for former Police Officer John Swisher.**  
The Town Council has approved to extend his insurance through December 31, 2022. The council would need to act if they wish to extend beyond 12/31/2022.

General consensus from the Council was for the Clerk-Treasurer to draw up an enactment and place the item on the October 10, 2022 Town Council Plenary Meeting and it will be taken up.

**X. Discussion: Amending Section 5.02 (effective January 1, 2023)**

Amending Section 5.02.02 of the Highland Compensation and Benefits Ordinance, commonly known as the Employees Handbook.

As it currently reads:

§ 5.02.02 All full-time employees beginning with January 1 in the calendar year in which you celebrate five (5) years of continuous service you will receive fifteen (15) days-vacation. Beginning with January 1 in the calendar year in which you celebrate ten (10) years of continuous service you will receive twenty (20) days - vacation. Beginning with January 1 in the calendar year in which you celebrate twenty (20) years of continuous service you will receive twenty-five (25) days - vacation.

The proposed change reduces twenty (20) years of continuous service in order to receive twenty-five (25) days-vacation and reduces it to fifteen (15) years of continuous service you received twenty-five (25) days-vacation and should read:

General consensus from the Council was for the Clerk-Treasurer to draw up the above changes to the employee handbook and place it on a future agenda and the Council will take it up. This will not take place until January 1, 2023..

**X. Discussion: Amending Section 5.02 or Section 3.20 – Bridging of Service (effective January 1, 2023)**

Adding Section 5.02.11 to the Highland Compensation and Benefits Ordinance, commonly known as the Employees Handbook or Employee Handbook Section 3.20- Bridging of Service.

Currently the SOP for the Metropolitan Police Department reads:

In an effort to hire Certified Police Officers through the Highland Police Department's Lateral Entry Program, police officers already in the Indiana Public Employment Retirement Fund for Police Officers (PERF) or in other state public pension systems have the opportunity to obtain accelerated employment benefits recognizing their "on the job" experience levels as part of our Lateral Entry Program. This program recognizes time spent as full-time certified police officers but does not recognize part-time or reserve duty experience.

Lateral Vacation benefit just for first year:

One (1) year of experience: 4 days of vacation  
 Three (3) years of experience: 8 days of vacation  
 Five (5) years of experience: 10 days of vacation

After the first year, reverts to the Town’s current vacation benefit program as per the Town of Highland Employee Handbook.

The State Board of Accounts said the police department cannot have a benefit package different from the benefit package of the Town, unless it was approved by the Legislative Body. The police department’s lateral policy was not approved by the Council.

General consensus from the Council was for the Clerk-Treasurer to draw up the above changes to the employee handbook and to incorporate it for all of the Town’s employees. Place it on a future agenda and the Council will take it up. This will not take place until January 1, 2023..

**X. Discussion: Wheel Tax.**

Below is an example used by almost every town in the area that has implemented a wheel tax. Some charge \$12.50 for Motorcycles (like Munster) and others charge the \$25.00. The Council can choose any amount up to \$25 but cannot go over. We will have to establish 2 separate funds, like what was done for ARPA or Opiod

***Surtax / Wheel Tax Rate***

**City/Town Name:** Highland

**I. SURTAX**

A. PASSENGER VEHICLES	\$ 25.00
B. MOTORCYCLES	\$ 25.00
C. MOTOR DRIVEN CYCLES	\$ 25.00
D. TRUCKS	
1 - 11,000 lbs	\$ 25.00

**II. WHEEL TAX**

**A. TRUCKS**



*(includes Farm Trucks) 11,001 lbs and over*

11,001 - > 78,000 lbs	<u>\$ 40.00</u>
Recovery Vehicle 16,000 lbs	<u>\$ 40.00</u>
Recovery Vehicle >16,000 lbs	<u>\$ 40.00</u>

**B. TRAILERS used with motor vehicles**

*(includes Farm Trailers)*

1 - >22,000 lbs	<u>\$ 40.00</u>
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**C. RVs**

<u>\$ 40.00</u>
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**D. SEMITRAILERS**

<i>Semitrailers</i>	<u>\$ 40.00</u>
<i>Farm Semitrailers</i>	<u>\$ 40.00</u>

**E. SEMI TRACTORS**

*(used in combination with a Semitrailer to form "Semitrailer and Tractor")*

1 - >78,000 lbs	<u>\$ 40.00</u>
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*(used in combination with a Semitrailer to form "Semitrailer and Tractor" Farm Semitrailer and Tractor)*

1 - >78,000 lbs	<u>\$ 40.00</u>
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**F. BUSES**

**FOR-HIRE BUS**

1 - >78,000 lbs	<u>\$ 40.00</u>
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The Clerk-Treasurer began by asking the Council to review the worksheet. The Ordinance establishing the wheel tax and fund, which is standard to all communities who have adopted a wheel tax, uses the worksheet to fill in the blanks that carries over to from the worksheet to the Ordinance. The dollar figures in the worksheet are not

cast in stone and if the Council decides to adopt a Wheel Tax, those numbers can be changed. Most communities have adopted the maximum allowable which are reflected in the numbers listed. As for the Ordinance, as I mentioned before, I did not write it but used the standard format that all the other communities used. But there is a clause that I want to direct the Council's attention to. Its each town's purpose for establishing a wheel tax. The fact that the State has reduced the distribution of funds to communities for street maintenance making it impossible to maintain their streets, forcing them to look for alternative sources. If the Council were to adopt a wheel tax this year, it would take a year before it could be implemented.

Councilor Black said he is fundamentally opposed to a wheel tax. I feel there are a number of inequities which I brought up at the last meeting. For example, the ordinance charges \$25 per vehicle and RV's are charged \$40. An RV may be used 6 months out of the year. The same with motorcycles being charged \$25 but are only used 6 months out of the year. The same with trailers. I think a better option and I've heard this brought up before, a penny a gallon tax on gasoline sold in Highland. The money would be generated in Highland and would stay in Highland.

Councilor Sheeman said that generally he has not been in favor of a wheel tax. I understand we have to pay for our roads. We are paving a lot of roads this year. We pave roads every year. People like nice roads but there are a lot of people that are struggling out there. Inflation is killing especially when it comes to buying groceries or gasoline. I just don't feel this is a good time to add a tax to the people of our Town. I think it will hurt the businesses in Town who require vehicles to operate their business. As for the economy, with interest rates on the rise, the economy will slow down. People will not go out to eat as much.

Councilor Zemen asked Councilor Sheeman, when is the right time. We talked about this 10 years ago and it wasn't the right time then.

Councilor Sheeman said there really isn't a right time as he's opposed to it. We just met with the Water Board and they are wanting to pass along a 58.6% increase to the residents. We've got an executive session with the Sanitary Board tomorrow night and they are talking about an increase.

Public Works Director said if you don't pass the wheel tax, to secure additional revenue, you will not get the matching grant funds next year.

Councilor Sheeman responded by saying you'll still get the matching funds, you just won't get as much but you'll still get the matching funds.

Public Works Director Knesek said, I didn't say we aren't going to do any streets next year but we aren't going to be able to attain the \$1M matching grant. The longer a street goes without maintenance, the more it is going to cost.

Councilor Schocke said he hates taxes. I hate them but I hate having our streets deteriorating. You would not believe the number of emails I receive from residents, which I pass along to Mr. Knesek, regarding the condition of their street or other streets in town. I have a bunch of folks that are saying my road sucks and I have to tell them we don't have the money to repave.

Councilor Sheeman said the roads are not that bad. He's travelled most of them. A crack in the road doesn't make the road bad. I don't see any street which is like pothole city. I don't want our citizens paying another tax. I'm not in favor of it at the moment.

Councilor Zemen asked how we paved roads previously. He was advised that the Town bonded.

Councilor Sheeman said Highland has one of the lowest debt of any town around. We provide services to our residents at the lowest rate of money of any town around, except maybe Lowell and New Chicago. He read where the assessed valuations are starting to come down so money won't be as available when preparing next year Town budget.

Councilor Schocke said he is opposed to bonding to pave the streets. When you bond, you are using tomorrow's dollars today. You pay a premium to bond. It's the time value of money. Griffith bonded for their sidewalks. It looks great. The residents are going to be paying that bond for the next 20 years. He asked for the projection of money generated by the wheel tax. The Clerk-Treasurer said the BMV hasn't gotten back to him yet with those figures.

Councilor Smith said she is in favor of a wheel tax as she is seeing more and more sink holes appearing and are streets in general have some serious issues.

Hearing Councilors Zemen, Schocke and Smith are inclined to vote in favor and Councilors Black and Sheeman, Ordinance 1771 will be placed on the meeting agenda for the October 10, 2022 meeting as introduction only.

**Ordinance No. 1771  
of the  
TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE CREATING A WHEEL TAX FUND AND IMPOSING AN EXCISE SURTAX  
AND A MUNICIPAL MOTOR VEHICLE LICENSE TAX AND MUNICIPAL WHEEL TAX ON  
MOTOR VEHICLES IN THE TOWN OF HIGHLAND; AND**

**WHEREAS**, Indiana Code 6-3.5-11 *et seq.* (the Wheel Tax Act) authorizes the Town Council of any municipality having a population of at least ten thousand (10,000) to impose by ordinance, an annual wheel tax (the Municipal Wheel Tax) at a rate of

not less than \$5.00 nor more than \$40 on certain classifications of vehicles not exempted from the wheel tax and registered in the municipality; and

**Whereas**, Indiana Code 6-3.5-10 *et seq.* (the Excise Tax Act) authorizes the Town Council of any municipality having a population of at least ten thousand (10,000) to impose by ordinance, an annual license excise surtax (the Municipal Motor Vehicle License Excise Surtax) at a rate of at least \$7.50 not more than \$25 on certain vehicle registered in the municipality; and

**Whereas**, the Act prohibits the Town Council from adopting an ordinance imposing a Wheel Tax unless the Town Council concurrently adopts an ordinance under Indiana Code 6-3.5-10 *et seq.* to impose an annual Motor Vehicle License Excise Surtax; and

**Whereas**, the Excise Tax Act and the Wheel Tax Act (collectively, the "Act") each require that the Municipal Motor License Excise Surtax and the Municipal Wheel Tax be imposed concurrently;

**Whereas**, Over the course of recent years, Town of Highland has experienced a substantial reduction in funding from the State of Indiana for use in maintaining Town roads and highways; and

**Whereas**, the Town of Highland has experienced a decline in revenue necessary to support the safe, all weather operation of the road and street system in the Town; and

**Whereas**, As a result of the dramatic decrease in State funding, Town of Highland has experienced great difficulties in paying for the costs of properly maintaining the Town's roads and highways; and

**Whereas**, State statutes now allow towns with populations greater than 10,000 that are in a county that currently does not levy a county motor vehicle surtax tax and wheel tax the authority to impose a local motor vehicle excise surtax and wheel tax to serve as an exclusive local funding source to help cover the costs of maintaining county roads and highways; and

**Whereas**, The County of Lake, Indiana does not currently levy a motor vehicle surtax or wheel tax and wheel tax and Town of Highland has a population of 24,000 according to the U.S. Census Bureau; and

**Whereas**, the Town Council may not adopt an ordinance to impose the Wheel Tax unless the Town uses a transportation asset management plan approved by the Indiana Department of Transportation ("INDOT"); and

**Whereas**, the Town utilizes a transportation asset management plan approved by INDOT, as more specifically described in Exhibit A attached here to and incorporated herein; and

**Whereas**, the Town may use the Wheel Tax revenues for one or more of the following:

- (1) to construct, reconstruct, repair or maintain streets and roads under the Town's jurisdiction;
- (2) as a contribution to an authority established under Indiana Code 36-7-23;
- (3) for the Town's contribution toward a grant from the local road and bridge matching grant fund under Indiana Code 8-23-30.

**Whereas**, After due consideration, Town of Highland Council believes that it is reasonable and necessary to adopt this Ordinance to establish the Town of Highland Motor Vehicle Excise Surtax and the Town of Highland Wheel Tax to generate additional monies to help cover the cost of maintaining Town of Highland roads and highways;

**NOW, THEREFORE, BE IT HEREBY ORDAINED BY** the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** Municipal Motor Vehicle License Excise Wheel Surtax:

- (1) *Creation of fund.* There is hereby created a municipal surtax fund, which shall be a non-reverting fund. Revenues received from the Department of Motor Vehicles from taxes imposed under this section shall be desposited into the fund.

- (2) Town of Highland hereby ADOPTS and IMPOSES the motor vehicle excise surtax, which shall apply to the following vehicles;
- a. Passenger Vehicles
  - b. Motorcycles
  - c. Trucks and tractors with a declared gross weight that does not exceed eleven thousand (11,000) pounds
  - d. Motor driven cycles.

(3) **Tax Rates.** Effective January 1, 2024, and in accordance with the provisions of IC 6-3-10-2 (c) *et seq.* the surtax shall be imposed at the following rates:

- a. Passenger vehicles; \$25 per year;
- b. Motorcycles; \$25 per year;
- c. Trucks and tractors with a declared gross weight that does not exceed 11,000 pounds; \$25 per year;
- d. Motor driven cycles; \$25 per year;

**Section 2.** Municipal Wheel Tax:

- (1) **Creation of fund.** There is hereby created a municipal wheel tax fund, which shall be a non-reverting fund. Revenues received from the Department of

Motor Vehicles from taxes imposed under this section shall be deposited into the fund.

(4) Town of Highland further ADOPTS and IMPOSES the municipal wheel tax,

which shall apply to the following vehicles;

- a. Buses;
- b. Recreational Vehicles;
- c. Semitrailers;
- d. Trailers with a declared gross weight of more than nine thousand (9,000) pounds;
- e. Trucks and tractors with a declared gross weight of more than eleven thousand (11,000) pounds

(5) **Tax Rates.** Effective January 1, 2024, and in accordance with the provisions of IC 6-3-5-11 et seq. The Wheel Tax shall surtax shall be imposed at the following rates:

- a. Buses; \$40 per year;
- b. Recreational Vehicles; \$40 per year
- c. Semitrailers; \$40 per year
- d. Trailers with a declared gross weight of more than nine thousand (9,000) pounds; \$40 per year
- e. Trucks and tractors with a declared gross weight of more than eleven thousand (11,000) pounds; \$40 per year

**Section 3.** Vehicles exempt from the Wheel Tax are vehicles (1) owned by the State of Indiana, (2) owned by a state agency of the State of Indiana, (3) owned by a political subdivision of the State of Indiana, (4) subject to the municipal excise tax imposed under Indiana Code 6-3.5-10, (5) a bus owned or operated by a religious or nonprofit youth organization and used to transport persons to religious services or for the benefit of its members, (6) a school bus, (7) a motor vehicle that is in funeral equipment and that is used in the operation of funeral services ( as defined in Indiana Code 25-15-2-17), or (8) any other vehicle exempt pursuant to Indiana Code 6-3.5-11-4.

**Section 4.** The Indiana Bureau of Motor Vehicles shall collect the municipal motor vehicle excise surtax and the municipal wheel tax by and through its established procedures on behalf of Town of Highland. The

Indiana Bureau of Motor Vehicles shall be entitled to assess a service fee for assisting Town of Highland in collection of these

**Section 5.** The Highland Town Council shall review the rates hereby established for the Town of Highland Motor Vehicle Excise Surtax and the Town of Highland Wheel Tax within five (5) years from the date of passage.

**Section 6** Upon passage, the Clerk-Treasurer of Town of Highland is directed to send a copy of the final version of the Ordinance to the Commissioner of the Indiana Bureau of Motor Vehicles, 100 N. Senate Avenue, Indianapolis, Indiana 46204.

**Section 7.** On or before October 1 of each year, the Clerk-Treasurer shall provide the Town Council with an estimate of the Wheel Tax Revenues to be received by the Town during the next calendar year. The Town shall include the estimated Wheel Tax Revenues in the Town's budget estimate for the calendar year.

**Section 8.** This ordinance shall become and be in full force and effect from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by IC 36-5-2-10(a).

**Section 9.** That any and all such ordinances in conflict with the provisions of this ordinance, are hereby repealed and are of no further force or effect. The Clerk-Treasurer shall be authorized to assign appropriate section numbers in support of the **codification** of the particular provisions of this ordinance, where necessary.

**Section 10.** Severability. The invalidity of any section, clause, sentence or provision of this Ordinance shall not affect the validity of any other part of this Ordinance which can be given effect without such invalid part or parts.

Introduced and Filed on the 24<sup>th</sup> day of October 2022. Consideration on same day or at same meeting of introduction attained 5 votes in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 24<sup>th</sup> day of October 2022 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of in favor opposed.

**DULY ORDAINED AND ADOPTED** this 23<sup>rd</sup> Day of March 2020, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of in favor and opposed, as amended.

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



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

Attest:

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

**X. Discussion: Schererville FRA Application – Letter of Support.**

The Town of Schererville is applying for a grant from the Federal Rail Road Administration for a RR bridge on Kennedy Ave in Schererville. We respectively are asking for letters in support of this project from neighboring communities. I have included a sample of the appropriate text for review and reference and ask for your consideration in providing the Town with a letter supporting this endeavor. If you should have any questions please contact me directly.

Sincerely,  
Bob Volkmann

The Public Works Director advised the Council that he already responded in the favorable for this project to the Town of Schererville's Public Works Director.

**X. Discussion: Re-establish the Assistant Public Works Director Position.**

This was placed on the agenda at the request by Public Works Director Mark Knesek. Attached is the memo to re-establish the Assistant Public Works Director position. This will not increase the current number of personnel. Salary to be paid from Water/Sewer operating.

Memorandum

September 23, 2022

To: Bernie Zemen  
Cc: Tom Black, Mark Schocke, Roger Sheeman, Toya Smith, Mark Herak  
From: Mark Knesek, Public Works Director  
Re: Assistant Public Works Director Position

Prior to final adoption of the 2023 Budget, I am requesting the Town Council's consideration to re-establish the position of Assistant Public Works Director in the Salary Ordinance for the Department of Public Works as an exempt position at the salaried rate of \$3,131.39 bi-weekly without an employer provided vehicle (equivalent to that of the Operations Director). The attached Job Description lists all the duties and responsibilities of the position. Subject to your approval to re-establish the position, I recommend that Kimberly Webb, current Administrative Assistant for Public Works, be promoted to the position. The resulting vacancy in the Administrative Assistant position would not be filled.

Kimberly Webb has been employed with the Town of Highland since April 2018 in the Department of Public Works. During her tenure with the Town, Kimberly has been promoted from Dispatch Clerk to Secretary in 2019 and from Secretary to Administrative Assistant in 2020. In each instance, she has demonstrated her ability to perform and excel at the tasks/duties/responsibilities of the higher-level position prior to promotion.

As Administrative Assistant, Kimberly has leveraged her 18 years of experience as a Financial Controller in the private sector to streamline and improve many department functions and processes. Several of the areas in which Kimberly has made significant contributions are payroll processing, budgeting, annual reporting, management of invoicing/claims/appropriations, complaint/call log tracking, water meter replacement/inventory tracking, and preparation of Resolutions for the various Boards associated with Public Works department. She has consistently taken on additional responsibilities and interactions with other Town departments that are commensurate of the Assistant Public Works Director position.

With her unique skill set in accounting, budgeting, personnel management and program tracking, Kimberly Webb is a vital asset to the Department of Public Works and would serve the Town of Highland well as Assistant Public Works Director.

Public Works Director Mark Knesek began by describing that there was at one time an assistant public works position. The position was done away with and never re-established. I sent a letter of support for Kim Webb who is essentially doing the job right now. Another factor is when I get ready to retire, she's gonna have the knowledge, so when you bring someone in, she can show them the ropes.

Councilor Sheeman said that when the time comes, it could very well be her.

Mark Knesek continued that by re-establishing the assistant position, her position would be eliminated. She schedules the meter replacement and handles the fuel system. She handles the insurance and the time cards. She sits in on interviews. I really would like to bring that position back and give her what she deserves. She never takes time off.

Councilor Sheeman asked what Kim's current salary and what would be her new salary as he was looking at the bi-weekly rate and commented that it was quite a jump. He was

told, she currently is non-exempt and making around \$52,000. She would become exempt and be making \$81,000. So, we're talking roughly a \$30,000 increase. He asked if the money was budgeted for? He was advised it was not but the salary would come out of water and sewer operating.

There was no clear direction given to the Public Works Director by the Council as to whether to proceed with the re-establishing of the Assistant Public Works Director position.

**X. Discussion: Establish the position of Human Resource Manager.**

This was placed on the agenda at the request by Councilor Smith

Councilor Smith began by saying, I realize we haven't allocated money for this position but I was kind of shocked to learn that Highland does not have a Human Resource Specialist. I just wanted to bring it up to see what the rest of the Council felt.

Councilor Schocke added that he thought the payroll supervisor also served as the Human Resource Specialist. I remember her going to school and receiving some sort of certification.

The Clerk-Treasurer said does do some of the human resource work when it comes to new hires but her certification was in payroll. She is not a true human resource specialist. He said that if Town Attorney Reed was on the phone, as Munster tried the same thing a few years ago and it didn't turn out well. As he will tell the Council, you get what you pay for.

Councilor Schocke said I'm not saying there isn't a need but I don't really understand what happens in that position or what the expectations are. I get that when an employee hires in, they are given the appropriate paperwork to fill out and fill out things like direct deposit. I don't know what other things need to be done, as I'm not an expert at this.

Councilor Sheeman asked about salary and what did Councilor Smith anticipate paying this person.

Councilor Smith said she really hadn't given that much thought. She just brought it up, as with 110 employees, there definitely is a need.

Councilor Zemen asked if the salary would be comparable to a Town Manager.

Councilor Sheeman said the salary should be closer to the \$70,000 range.

The Clerk-Treasurer brought up the fact as to where might this person sit. There really is no room in the Town Hall and a human resource person really needs an office for confidentiality.

Councilor Smith was going to talk to the human resource manager at the county and get an idea of a salary range, education levels, expectations.

Other than asking Councilor Smith to speak with the human resource manager at the county, there was no clear-cut direction on establishing a human resource position.

**X. Discussion: Proposed Ordinance to Make TC Meetings more Efficient.**

This was placed on the agenda at the request by Councilor Schocke  
Please add the attached proposed ordinance to the agenda of an upcoming study session. This ordinance is geared towards attempting to cut out some red tape and make our Council meetings more efficient/productive. Here is a brief overview of the proposed changes to our meeting structure as drafted in the ordinance:

- Reduces the number of study sessions from every 1<sup>st</sup> and 3<sup>rd</sup> Monday of the month to only the 1<sup>st</sup> Monday
- Reduces the number of council meetings from every 2<sup>nd</sup> and 4<sup>th</sup> Monday of the month to only the 2<sup>nd</sup> Monday
- Meetings and study sessions begin at 6:30 and automatically adjourn at 7:30
- Roll call at the beginning of the meeting is now silent
- All matters listed on the agenda shall be passed by unanimous consent unless any member objects - if there is an objection, debate will occur, and a roll call vote.
- No motions will require a second
- Roberts Rules of Order are abolished

Councilor Schocke began that I went through and I just looked at the ordinance as it currently reads and came up with some ideas. You know, I've got some ideas and I know that maybe not all of the ideas are popular but I thought, what the heck I'm going to throw everything out there and see what we can do. There is this theory in psychology, when you set a deadline for yourself, you tend to be more productive and more efficient and getting to your task. And I noticed this about myself when I have to write a brief for one of my cases. When I'm under the gun or if I have a nearing deadline, I can actually focus better and get it done. I am way more efficient if I have a time line. That was my thinking behind the ordinance. We currently have 4 meetings a month. By reducing the meetings to 1, it would force the Council to become more efficient. If you go on You tube and look at the meetings in Griffith. They have similar length agendas and they usually get the meeting done is less than an hour. Its amazing how quickly they cut through the red tape. So, I thought, hey, it would be worth a try. If you look at the research, they found when you set deadlines for yourself, you get things done more efficient and faster. That's what I'm trying to do here. That's why I set the automatic adjournment time. If we

do not complete the agenda within an hour, then the unfinished business gets moved to the next meeting. I given the Council a draft ordinance. Please read it over and make changes. You might like certain section and dislike others. I don't like using arcane Robert's Rules. I think we could get things done quicker.

Councilor Black responded that I think in an effort to become more efficient, we need to focus on the things that we are not doing now. We need to improve our communication before meetings and during study sessions instead of at meetings where we drag it out, sometimes butting heads with each other instead of having actual conversation. Previous councils have been able to do it in an hour and a half. I think you know, a lot of us are new, and so we're learning things, but I see Councilors expounding on topics that isn't necessary. If we could keep our own comments down, maybe speaking privately on certain topics.

Councilor Zemen chided Larry Kondrat and said he should go to a Griffith Town Council Meeting so he can show them what a 2- hour meeting is like. He said he liked the idea of 1-hour meeting but it will require keeping on track and not get off track which the Council tends to do. He admitted he was guilty of it as well

Councilor Sheeman told Councilor Zemen that you are in charge of the meeting. You establish the agenda. Maybe if you see there are a lot of items on the agenda, you can take some items off. You are also in charge of the meetings. Limit people to 2 minutes and each Councilor 5 minutes on a topic. I'd like to see bringing back the study session prior to the plenary meeting, maybe starting at 5:30 p.m. or starting the meetings at 7:00 p.m. as it gives me time to get home and have supper. We took this job, not to worry how much time we put in. We took this job to do what's right for the Town of Highland. As far as eliminating Robert's Rules, the meeting would become chaotic. Maybe 1 study session a month can work. That's a possibility. You know how I feel about a town manager. The town manager would handle the day to day things that the Council has to address, making these meetings more efficient. The Council could then focus on the bigger picture.

Councilor Schocke asked for some clarification as he's getting mixed signals on his ordinance. I hearing some people like it, whereas others thought it sucked. Can I get some feed back and maybe we can tweak it.

None of the Council spoke up and there was no clear direction as how to proceed with the Ordinance.

Ordinance No. ^^^  
of the  
TOWN of HIGHLAND, INDIANA

AN ORDINANCE AMENDING TITLE 2 OF THE HIGHLAND MUNICIPAL CODE  
CONCERNING MEETINGS OF THE HIGHLAND TOWN COUNCIL

WHEREAS, the Town of Highland wishes to become more efficient regarding the manner in which Town Council Meetings are conducted;

WHEREAS, it is in the best interest of the Town to reduce red tape, including the procedural requirements for conducting proposed ordinances so that meetings may be conducted in an economical, efficient, and timely manner.

WHEREAS, under its broad Home Rule powers pursuant to 36-1-3-5 et seq., the Highland Town Council may adopt ordinances and resolutions to the extent the ordinance is not denied by the Indiana Constitution or statute and not expressly granted to another entity;

WHEREAS, the Highland Town Council finds that becoming more efficient in its meetings will result in organization and allow its members to serve as a good example of government efficiency to other towns and cities.

NOW, THEREFORE, BE IT ORDAINED by the Highland Town Council as follows:

Section 2.05.130 of the Highland Municipal Code shall be amended to read as follows:

**2.05.130 Meetings of the town council.**

(B) Except as otherwise provided herein, the town council shall hold regular plenary meetings on the second Monday of each month, which shall begin at 6:30 p.m. and automatically adjourn at 7:30 p.m. regardless of whether all matters on the agenda are completed.

(C) Except as otherwise provided herein, the town council shall hold study sessions on the first Monday of each month, which shall begin at 6:30 p.m. and automatically adjourn at 7:30 p.m. regardless of whether all matters on the agenda are completed.

Section 2.05.140 of the Highland Municipal Code shall be amended to read as follows:

**2.05.140 Presiding officer.**

The council president shall take the chair at the hour appointed, or to which the council shall have adjourned, and shall immediately call the members to order; whereupon, the clerk-treasurer shall proceed to silently call the roll of members. If a quorum is present, the clerk-treasurer shall so announce, and the council shall proceed with the order of business.

Section 2.05.190 of the Highland Municipal Code shall be amended to read as follows:

**2.05.190 Seconding of motions not required.**

It shall not be necessary for any member of the Town Council to second a motion prior to entertaining debate on the matter. When a motion is introduced, it shall be stated by the presiding officer and immediately available to debate.

Section 2.05.230 of the Highland Municipal Code shall be amended to read as follows:

**2.05.230 Vote.**

(A) Matters placed on the Agenda shall be first considered for passage by unanimous consent. The clerk-treasurer shall read each proposed agenda item. Once the agenda item has been read, the President shall ask whether there is any objection to approving said item by unanimous consent. If there is no objection, the matter shall be passed by unanimous consent, and no vote shall be required. If any member of the Town Council objects to passage of an agenda item by unanimous consent, then the President shall allow debate on the matter. Once debate is concluded, the clerk-treasurer shall take a roll call vote of the members present; the ayes and nays shall be taken upon the passage of all ordinances and on all propositions to create any liability against the town, or for the expenditure or appropriation of its money, and upon any question and in all other cases at the request of any member of the council.

When the clerk-treasurer has commenced to call the roll of the council for the taking of a vote by ayes and nays, all debate on the question before the council shall be deemed concluded, and during the taking of the vote a member shall be permitted to briefly explain his or her vote and shall respond to the calling of his or her name by the clerk-treasurer by answering "Aye" or "Nay," as the case may be.

Section 2.05.330 of the Highland Municipal Code shall be amended to read as follows:

**2.05.330 Repeal of Robert's Rules of Order, Revised.**

Motions, order, and debate shall not be governed by any rules of parliamentary procedure, and any requirement that Robert's Rules of Order or similar are hereby abolished.

Effective Date. This ordinance shall be in full force and effect on the date of its passage.

**DULY RESOLVED and ADOPTED**, this \_\_\_ day of \_\_\_\_\_, 2022 by the Town Council of Highland, Lake County, Indiana, having been passed by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

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

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Bernard Zemen, President (Ind. Code 36-5-2-10)

Attest:

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Mark Herak  
Clerk-Treasurer (Ind. Code 33-42-4-1; 36-5-6-5)

There being no further business necessary or desired to be discussed by the Town Council, the regular study session of the Town Council of **Monday, October 3, 2022**, was adjourned by the Town Council President, at 8:37 O'clock p.m.

Mark Herak,  
Clerk-Treasurer