

**Enrolled Minutes of the Eightieth Regular Meeting or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Business Meeting (Electronic/In person Hybrid)
Monday, November 14, 2022**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, November 14, 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 Schocke, Councilor Tom Black, Councilor Roger Sheeman all participated in person.

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

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

Roll Call: Present on roll call were Councilors Bernie Zemen, Toya Smith, Mark J. Schocke, Thomas Black, Roger Sheeman and Clerk-Treasurer, Mark Herak were present. A quorum was attained.

Additional Officials Present: Mark Knesek, Public Works Director, Pat Vassar, Assistant Metropolitan Police Chief; Pete Hojnicky, Metropolitan Police Chief, William R. Timmer, Jr., CFOD, Fire Chief; Edward Dabrowski, Director of Information Technology; Kenneth J. Mika, Building Commissioner and Maria Becerra, Redevelopment Director were all present. Alex Brown, CPRP, Superintendent of Parks and Recreation was remote and John Reed, Attorney with Abrahamson, Reed & Bilse was absent.

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

Minutes of the Previous Meetings: The minutes of the October 24, 2022 Plenary meeting were approved by general consent.

Comments from the Public or Visitors: None

Special Orders: None

Communications: The Town Council will meet in study session immediately following the Regular Plenary Meeting.

Staff Reports:

Building Report October, 2022

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	1	0	1	\$ 2,100,000.00	\$ 35,172.00
Comm. Additions/Remodel	3	0	3	\$ 477,870.00	\$ 9,021.00
Signs	6	0	6	\$ 84,193.00	\$ 1,857.00
Single Family	0	0	0	\$ -	\$ -
Duplex/Condo	0	0	0	\$ -	\$ -
Residential Additions	0	0	0	\$ -	\$ -
Residential Remodeling	55	55	0	\$ 676,595.00	\$ 15,114.00
Garages	2	2	0	\$ 75,000.00	\$ 1,816.50
Sheds	1	1	0	\$ 6,364.00	\$ 297.00
Decks & Porches	3	3	0	\$ 55,170.00	\$ 1,576.50
Fences	11	10	1	\$ 33,030.00	\$ 1,600.50
Above/In ground pools	2	2	0	\$ -	\$ 108.00
Drain Tile/Waterproofing	3	3	0	\$ 39,243.00	\$ 951.00
Misc. (Concrete, Demo, Road Cuts, Solar Panels)	33	33	0	\$ 145,726.00	\$ 6,656.75
Total Building Permits	120	109	11	\$ 3,693,191.00	\$ 74,170.25
Electrical Permits	22	20	2	\$ -	\$ 2,900.00
Mechanical Permits	18	16	2	\$ -	\$ 2,152.00
Plumbing Permits	19	4	15	\$ -	\$ 3,970.65
Water Meters	2	1	1	\$ -	\$ 647.50
Water taps	1	1	0	\$ -	\$ 200.00
Sewer/Storm Taps	0	0	0	\$ -	\$ -
Total Plumbing Permits	22	6	16	\$ -	\$ 4,818.15

October 2022 Code Enforcement: 64 Investigations and 7 Citations were issued & No Warnings were given. Inspections done for the month of October 2022 were as follows: 43 Building Inspections, 22 Plumbing Inspections, 18 HVAC and 26 Electrical Inspections. There were 4 Electrical Exam given.

Submitted By:


 Kenneth J. Milka

Types of Calls	October 2022	YTD
General Alarms	12	110
Paid Still Alarms	32	281
Still Alarms	3	29
Total calls in 2022	47	432

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

2022
TOWN OF HIGHLAND INJURIES FOR THE MONTH
OCTOBER

CASE	DATE OF INJURY	DEPARTMENT	DESCRIPTION	Record Only	OSHA	Not OSHA	Filed with
				No Med Treatment	Recordable	Recordable	WC Insurance
RO-14	10/6/22	PARK	EE Lifted garbage can onto truck and injured RT shoulder	X		X	X
RO-15	10/14/22	Public Works	EE Overexerted Left Forearm while attempting to turn a valve.	X		X	X
RO-16	10/26/22	Police	EE was restraining subject and attempting to handcuff subject when subject resisted and struck EE in the nose	X		X	X
RO-17	10/30/22	Police	Injured EE was transporting combative subject when subject kicked open the door and fled. EE was kicked in the head/ face and arm trying to control the subject.	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	3					
FIRE			1				
POLICE	2	7	4		67		10
STREET		1			44		
WATER SEWER		1	2			32	
MAINTENAN	1	5	2		77		
OTHER							
TOTALS	4	17	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. Advisory Board of Zoning Appeals Extension:** The Advisory Board of Zoning Appeals met in regular session on Wednesday, October 26, 2022. As part of their agenda, by a vote of two (2) in favor and one (1) opposed, the Board voted to send a No Vote Recommendation to the Town Council in granting the petitioner's request, Highland Osborn Partners, LLC a 180-day (6 month) extension for a use variance that the Highland Town Council granted the petitioner on December 13, 2021 for an outdoor climate-controlled storage facility, to be located at 8621 Osborn Street. This request is being made for relief from HMC Sec. 18.115.050 Use Variances G. A use variance approved under subsection (B) of this section or authorized under subsection (E) of this section ceases to be authorized and is void if that use is not established within a twelve (12 month) period.

Councilor Black moved to grant the petitioner's request for a 180-day (6 month) extension. Councilor Sheeman seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed and the petitioner was granted a 180-day extension.



TOWN OF HIGHLAND

Highland Municipal Building • 3333 Ridge Road

Highland, Indiana 46322

219-838-1080 • Fax 219-972-5097



Population 23,696

Incorporated in 1910

October 31, 2022

Mr. Bernie Zemen
Highland Town Council
3333 Ridge Road
Highland, IN 46322

Dear Mr. Zemen,

Highland Osborn Partners, LLC is requesting a -180- day (6 month) extension for a use variance that the Highland Town Council granted the petitioner on December 13, 2021 for an outdoor climate-controlled storage facility, to be located at 8621 Osborn Street. This request is being made for relief from HMC Sec. 18.115.050 Use Variances G. A use variance approved under subsection (B) of this section or authorized under subsection (E) of this section ceases to be authorized and is void if that use is not established within a -12- (twelve month) period.

The petitioner's reasons for the request are stated in the attached e-mail.

The Advisory Board of Zoning Appeals at their Wednesday, October 26, 2022 regular meeting had motioned to send a favorable recommendation to the Town Council for this request; however, by a vote of 2 -1, this resulted in a no vote.

Should you have any questions please do not hesitate to contact me.

Sincerely,

Kenneth J. Mika
Zoning Administrator

Cc: Town Council
Mark Herak
John Reed

Attached: E-mail request

Ken Mika

From: Jim Lyons <jrl144@yahoo.com>
Sent: Tuesday, October 18, 2022 10:09 AM
To: Ken Mika
Subject: Fw: Use Variance climate control storage facility

Good Morning Ken

Highland Osborn Partners LLC is requesting a 6 month extension of the use variance approved by the Town Council on December 13, 2021. The reason for the request is multi fold. First the availability of vendors, supplies and contractors was the worst I have seen in over thirty years of building. Secondly, runaway inflation skyrocketed the costs of materials as well as the labor involved in the construction of the project. Such costs and supplies have since greatly improved and we are ready to proceed. And lastly, we needed to have no objection from NIPSCO gas and electric departments regarding our detention pond and flow leveler. It took months but we finally have it. Given the the listed unforeseen hardships and circumstances, I ask the Town council to approve a 6 month extension.

Thank You

Jim Lyons, member
Highland Osborn Partners LLC
219-408-0203

1

2. PROPOSED ORDINANCE NO. 1772: AN ORDINANCE TO AMEND CHAPTER 12 OF THE HIGHLAND MUNICIPAL CODE REGARDING THE DEPARTMENT OF WATER WORKS BY AMENDING SECTION §12.05.120 (B) REGARDING RATES AND CHARGES, ALL PURSUANT TO I.C. 36-1-4, IC 36-1-5, IC 8-1.5-3-8.1 AND IC 8-1.5-4 ET SEQUITUR. (CANNOT BE ACTED UPON BEFORE A PUBLIC HEARING)

WATERWORKS BOARD OF DIRECTORS RECOMMENDS TO THE TOWN COUNCIL THESE REASONABLE, JUST, NON-DISCRIMINATORY AND REDESIGNED RATES AND CHARGES FOR THE OPERATION OF THE WATER UTILITY. AT ITS MEETING OF THURSDAY, OCTOBER 27, 2022, THE BOARD APPROVED THESE RATES AND CHARGES CONTAINED IN THE ORDINANCE AS PROPOSED. THESE WERE DETERMINED FOLLOWING A RATE AND COST OF SERVICE STUDY. THE LAST GENERAL RATE INCREASE WAS APPROVED NOVEMBER 1990.

COUNCILOR BLACK INTRODUCED AND FILED ORDINANCE NO. 1772. NO FURTHER ACTION ON THE ORDINANCE CAN BE TAKEN UNTIL AFTER THE DECEMBER 12, 2022 PUBLIC HEARING .

**ORDINANCE No. 1772
of the
TOWN of HIGHLAND, INDIANA**

AN ORDINANCE TO AMEND SECTION §12.05.120(B) OF THE HIGHLAND MUNICIPAL CODE REGARDING CHANGES TO THE RATES AND CHARGES OF THE WATER WORKS UTILITY, ALL PURSUANT TO I.C. 36-1-4, IC 36-1-5, IC 8-1.5-3-8.1 AND IC 8-1.5-4 ET SEQ.

Whereas, IC 36-1-3-2 confers upon all local units the powers that they need for the effective operation of government as to local affairs; and

Whereas, IC 36-1-3-6 (b)(1) prescribes that any such exercise of power shall be authorized through enactment of an ordinance passed by the legislative body; and

Whereas, The Town of Highland, is a Municipal Government which may pass and codify ordinances for the operation of the government, all pursuant to IC 36-1-4 and IC 36-1-5; and

Whereas, The Town of Highland, is a municipality located in Lake County, which operates a water utility, which has been governed by the provisions of IC 8-1.5-4; and

Whereas, The Town Council as Legislative Body of the Municipality passed an Ordinance adopting the provisions of IC 8-1.5-4 establishing a Department of Water Works controlled by a Board of Directors; and

Whereas, The Board of Water Works Directors has passed and adopted Water Works Board Resolution No. 2022-11 approving and recommending certain changes to recurrent rates and charges of the utility for adoption by the Town Council, all pursuant to IC 8-1.5-3-8.1 and Section § 12.05.080 of the Municipal Code; and

Whereas, The Town of Highland, through its Town Council now wishes to further perfect its own organization as well as that of the water utility and make modifications to the provisions of the municipal code establishing and governing the Department of Water Works, as approved and recommended by the Board of

Water Works Directors, all pursuant to IC 8-1.5-4, IC 8-1.5-3-8.1 and Section § 12.05.080 (I) of the Highland Municipal Code;

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

Section 1. The Highland Town Council, as the municipal fiscal and legislative body, makes the following findings and determinations:

(A) That the Board of Directors of the Highland Department of Water Works, at its regular meeting of October 27, 2022, did pass and adopt Water Works Board Resolution No. 2022-11 in which the Board approved changes to recurrent rates and charges and recommended its adoption by the Town Council as desirable, and urging the Town legislative body to take steps necessary to execute this recommendation; and

(B) That the recommendation for certain changes to rates and charges of the municipal water utility as approved by the Board of Water Works Directors in the form of this ordinance, was transmitted to and filed with the Clerk-Treasurer as clerk of the legislative body; and

(C) That the rates and charges as recommended are found and determined to be non-discriminatory, reasonable and just for services to the patrons of the water utility;

Section 2. The Highland Town Council accepts the recommendation of the Water Works Board of Directors and hereby adopts the changes to the recurrent rates and charges of the utility as described in Water Works Board Resolution No. 2022-11;

Section 3. Section §12.05.120(B) of the Highland Municipal Code is hereby amended by deleting existing Section §12.05.120(B) in its entirety, including all subsections, and adopting its replacement with a successor subdivision to be numbered as Section §12.05.120(B), which shall read as follows:

(B) For the use of and the service rendered by the water utility of the Town of Highland, Indiana, the following rates and charges are established based upon the amount of water supplied by said water utility. Recurrent monthly charges for metered connections shall include a fixed charge, a consumption charge and a hydrant maintenance fee. For users with private fire protection systems, a separate charge based on the fire sprinkler connection size shall be billed monthly. For users purchasing bulk water from the Town's bulk water

fill station, located at the south parking lot of 8001 Kennedy Avenue, monthly charges shall include a consumption charge.

(1) **Monthly Charges for Metered Users**

(a) **Fixed Charge.** Each user shall pay a monthly fixed charge in accordance with the following applicable size of meter installed:

<u>Size of Meter</u>	<u>Monthly Fixed Charge</u>
5/8"	\$ 23.09
1"	48.32
1-1/4"	70.19
1-1/2"	90.37
2"	140.83
3"	258.57
4"	426.77
6"	847.27
8"	1,351.87

(b) **Consumption Charge.** Each user shall pay the following metered rates for water consumption, which includes a Cost of Supply Tracker Charge:

<i>Charge</i>	<i>Consumption ChargeCost of Supply Tracker</i>		
	<u>Year</u>	<u>(Per 1,000 Gallons)</u>	<u>(Per 1,000 Gallons)</u>
	2023	\$ 2.26	\$ 1.10*
	2024	2.31	1.15*
	2025	2.41	1.25*
	2026	2.51	1.35*
	2027	2.61	1.45*

* The Cost of Supply Tracker Charge is included in the listed Consumption Charge as a direct pass-through of wholesale purchased water supply costs. The Cost of Supply Tracker Charge may be adjusted to reflect the change in cost of supply upon notice of one billing cycle and without additional procedures.

(c) **Hydrant Maintenance Fee.** Each user shall pay a hydrant maintenance fee, except as otherwise provided in IC 8-1.5-4-14(b), in accordance with the following applicable size of meter installed:

<u>Size of Meter</u>	<u>Hydrant Maintenance Fee*</u>
5/8"	\$ 3.43
1"	8.58
1-1/4"	13.03
1-1/2"	17.15
2"	27.44
3"	51.45
4"	85.75
6"	171.50
8"	274.40

* Non-metered users shall pay a hydrant maintenance fee equivalent to that of a 5/8" size meter as listed in the above rate table.

(2) **Monthly Charges for Private Fire Protection Systems**

- (a) Private fire protection systems shall be billed the following monthly charge in accordance with the following applicable size of the connection:

<u>Size of Connection</u>	<u>Private Fire Protection Charge</u>
<=2"	\$ 5.84
4"	23.40
6"	52.73
8"	70.37
10"	105.47
12"	175.65

(3) **Monthly Charges for Bulk Water Fill Station Usage**

- (a) **Consumption Charge.** Each bulk water user shall pay the following metered rates for water consumption, which includes a Cost of Supply Tracker Charge:

<i>Charge</i>	<i>Consumption ChargeCost of Supply Tracker</i>	
	<i>(Per 1,000 Gallons)</i>	<i>(Per 1,000 Gallons)</i>
Year		
2023	\$ 10.20	\$ 1.10*
2024	10.25	1.15*
2025	10.35	1.25*
2026	10.45	1.35*

2027

10.55

* The Cost of Supply Tracker Charge is included in the listed Consumption Charge as a direct pass-through of wholesale purchased water supply costs. The Cost of Supply Tracker Charge may be adjusted to reflect the change in cost of supply upon notice of one billing cycle and without additional procedures.

Section 4. Schedule of Implementation. The provisions of this Ordinance shall become and be in full force and effect on the first day of the month first following from and after the date of its passage and adoption upon the signature by the executive in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 14th day of November 2022. Consideration on same day or at same meeting of introduction was not permitted, pursuant to the terms of IC 8-1.5-3-8.1 and Section § 12.05.080 (I).

Duly Ordained and Adopted this 12th Day of December 2022 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of ____ in favor and _____ opposed.

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

Bernie Zemen, President

Attest:

Mark Herak, Clerk-Treasurer

- 3. AUTHORIZE THE PROPER OFFICER TO PUBLISH A NOTICE FOR PROPOSED CHANGES TO CERTAIN RATES AND CHARGES OF THE WATERWORKS UTILITY TO BE HELD ON DECEMBER 12, 2022, AT 6:30 P.M. O'CLOCK IN THE MUNICIPAL BUILDING, 3333 ROAD, HIGHLAND.**

Councilor Black moved to authorize the publication of a legal notice of a public hearing to consider proposed changes to certain rates and charges of the Waterworks Utility. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication and hearing were approved. The meeting will take place on the 12th day of December. The meeting is scheduled to begin at 6:30.

4. Action to approve appointment or employment of full-time employee, pursuant to Section §3.03 of the Compensation and Benefits Ordinance. Public Works Director recommends the following:

(A) The hiring of Ronald Bellamy, Jr, to the full-time position of Utility Worker/Driver C in Public Works Department (Agency) at a rate of pay of \$18.45 per hour. This will not increase the full-time workforce greater than the authorized work force strength.

Councilor Sheeman moved to approve the hiring of Ronald Bellamy to the full-time position of Utility Worker/Driver C as indicated. Councilor Smith seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Ronal Bellamy was hired.

**TOWN OF HIGHLAND
 PERSONNEL-EMPLOYMENT NOTICE**

Name: Ronald Bellamy Employee Payroll # _____
 Address: 3118 Duluth St Phone #: 708-431-5885
 Department: Public Works Account #: _____
 Email address: rbellamy3@gmail.com

NEW HIRE (Not currently on the payroll in any status) Date Effective: 11-15-22
 Remind new hires they will need to show their original social security card when they complete their employment forms.
***NEW HIRE PERSONNEL NOTICE MUST BE FILED WITH THE CLERK-TREASURER'S OFFICE
 *BEFORE EMPLOYEE STARTS WORKING/HIRE DATE!**

For EEOC purposes, please indicate: Caucasian Black Hispanic Native American
 Multi-racial Other: _____ Male Female

Job Title: Utility Worker/Driver C Bi-weekly Salary/Hourly Rate: 18.45

Characterize the Employment:
 Full-Time Part-Time Summer Temporary/Seasonal: _____
 Minor (under age 18) Work Permit Received (Date Season Ends)

Full-Time Only:
 This position succeeds: Kevin Crossman (if applicable)
 The current workforce level is 2 as of the date of this notice.
 This position will increase authorized full-time work force levels.

PAY RATE CHANGE OR CHANGE IN STATUS Date Effective: _____
 Current:
 Job Title: _____ Account: _____
 Base Bi-weekly/Hourly Rate: _____ Longevity: _____
 Proposed:
 Job Title: _____ Account: _____
 Base Bi-weekly/Hourly Rate: _____ Longevity: _____
 This position succeeds: _____

Characterize the Increase or Status Change:
 Merit Promotion Returning Summer Brevet/Acting Appt. Per Ordinance
 Administrative Leave (department head requesting must detail rationale on reverse of form)

SEPARATION Last Day Worked: _____ Effective Last Day: _____
 Resignation Discharge Retirement Other _____
 (Details for Discharge may be found in personnel file of the department)

To be paid last direct deposit or payroll check (Detail on back of this page if necessary):
 Vacation Pay: _____ Comp Pay: _____ Personal Day Pay: _____
 Severance Pay: _____ Holiday Pay: _____ Other Pay Allowed: _____

SUPERVISOR SIGNATURE: _____ Date: 11-9-22

TOWN COUNCIL/BOARD OF JURISDICTION ACTION: APPROVED DISAPPROVED
 (If applicable)

[Signature]
 Date: 11/14/22

Date of Revision: 4/2020
 Approved by Clerk-Treasurer pursuant to IC36-5-6-6(a)(3)

5. Works Board Order No. 2022-34: A Joint Order/ Resolution of the Board of Works and the Water Works Board of Directors Approving and Authorizing Change Order No. 1 to the Construction Contract between the Highland Water

Works Board of Directors and Gatlin Plumbing & Heating, Inc. for the River Drive Water Main Replacement & Street Improvement Project.

Councilor Schocke moved the passage and adoption of Works Board Order No. 2022-34. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2022-34**

**WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2022-16**

A JOINT RESOLUTION OF THE BOARD OF WORKS AND THE WATER WORKS BOARD OF DIRECTORS APPROVING AND AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN THE HIGHLAND WATER WORKS BOARD OF DIRECTORS AND GATLIN PLUMBING & HEATING, INC. FOR THE RIVER DRIVE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT

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

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

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

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

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

Whereas, On May 26, 2022, the Water Works District adopted Joint Resolution No. 2022-08 and on June 13, 2022, the Town Council through its Board of Works, adopted Order of the Works Board 2022-15, awarding a Project to Gatlin Plumbing & Heating, Inc. in the total amount of Eight Hundred Twenty-five Thousand Dollars and No Cents (\$825,000.00), to be the lowest responsive and responsible bid, of which Four Hundred Seventy-one Thousand Nine Hundred Thirty-two Dollars and No Cents (\$471,932.00) was for water works improvements and Three Hundred Fifty-three Thousand Sixty-eight Dollars and No Cents (\$353,068.00) was for roadway improvements; and

Whereas, During the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities; and

Whereas, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which have a net decrease in the total contract amount of Thirty-three Thousand Four Hundred Sixty-three Dollars and Twenty Cents (\$33,463.20); and

Whereas, The decrease in cost, as determined by NIES, is allocated to the Board of Works in the amount of Thirty-three Thousand Twenty-five Dollars and Forty Cents (\$33,025.40) and to the Water Works Board in the amount of Four Hundred Thirty-seven Dollars and Eighty Cents (\$437.80); and

Whereas, The Town of Highland, through its Board of Works, now desires to approve and authorize the Change Order as described; and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described; and

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

Section 1. That the First Addendum to the Construction Contract with Gatlin Plumbing & Heating, Inc. for the River Drive Water Main Replacement & Street Improvement Project, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect; and

Section 2. That this addendum is hereby ordered to be known as Change Order No. 1, issued to decrease net changes to the original agreement in the amount of Thirty-three Thousand Four Hundred Sixty-three Dollars and Twenty Cents (\$33,463.20), bringing the total value of the entire agreement with any and all change orders approved to date to Seven Hundred Ninety-one Thousand, Five Hundred Thirty-six Dollars and Eighty Cents (\$791,536.80) allocated as follows:

Board of Works	\$33,025.40
<u>Water Works District</u>	<u>\$437.80</u>
Total Change Order Amount	\$33,463.20

; and

Section 4. That the total of all change orders issued that increases the scope of this Project may not exceed twenty percent (20%) of the amount of the original contract, that not-to-exceed amount being Nine Hundred Ninety Thousand Dollars and No Cents (\$990,000.00), pursuant to IC 36-1-12-18(d); and

Section 5. That the Public Works Director is hereby authorized to execute the necessary documents with his signatures.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 14th day of November, 2022. Having been passed by a vote of ____ in favor and ____ opposed.

BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA

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

Attest:

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

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 10th day of November, 2022. Having been passed by a vote of ____ in favor and ____ opposed.

**HIGHLAND WATER WORKS
BY ITS BOARD OF DIRECTORS:**

George A. Smith, President

Attest:

-
6. **Works Board Order No. 2022-35:** A Joint Order/ Resolution of the Board of Works and the Water Works Board of Directors Approving and Authorizing Change Order No. 1 to the Construction Contract between the Highland Water Works Board of Directors and Milestone Contractors, Inc. for the pavement resurfacing work for the 2600-2700 blocks of Martha Street.

Councilor Schocke moved the passage and adoption of Works Board Order No. 2022-35. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Works Board Order No. 2022-35 was adopted.

TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2022-35

WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2022-17

**A JOINT RESOLUTION OF THE BOARD OF WORKS AND THE WATER WORKS
BOARD OF DIRECTORS AUTHORIZING AND APPROVING CHANGE ORDER
NO. 1 FOR THE PAVEMENT RESURFACING WORK FOR THE 2600-2700
BLOCKS OF MARTHA STREET**

WHEREAS, THE TOWN OF HIGHLAND, DEPARTMENT OF PUBLIC WORKS, AS PART OF ITS PUBLIC DUTIES, HAS RESPONSIBILITY FOR THE MAINTENANCE AND REPAIR OF PUBLIC STREETS THROUGHOUT THE TOWN OF HIGHLAND; AND

WHEREAS, THE TOWN COUNCIL FOR THE TOWN OF HIGHLAND, ON MARCH 28, 2022 ADOPTED ORDER OF THE WORKS BOARD NO. 2022-04, ACCEPTING CERTAIN BIDS FOR ROAD MATERIALS AND SUPPLIES (ASPHALT AND MILLINGS) FOR THE YEAR 2022; AND

WHEREAS, MILESTONE CONTRACTORS NORTH, INC. WAS AWARDED THE BID FOR HMA INTERMEDIATE (DELIVERED, PLACED, AND COMPACTED) FOR THE UNIT COST OF \$112.00 PER TON, HMA SURFACE (DELIVERED, PLACED, AND COMPACTED) FOR THE UNIT COST OF \$98.00 PER TON, TACK COAT FOR THE UNIT COST OF \$9.50 PER GALLON, AND SURFACE MILLING (3" -6") FOR THE UNIT COST OF \$9.75 PER SQUARE YARD; AND

WHEREAS, THE PUBLIC WORKS DIRECTOR HAS DETERMINED THE QUANTITIES OF THE VARIOUS BID ITEMS REQUIRED TO RESURFACE THE PAVEMENT ALONG THE 2600-2700 BLOCKS OF MARTHA STREET FOLLOWING THE WATER MAIN REPLACEMENT PROJECT ALONG SAID STREET IN 2021; AND

WHEREAS, THE PUBLIC WORKS DIRECTOR, PURSUANT TO CHAPTER 3.05.050(D)(1) & (6), SERVES AS THE PURCHASING AGENT FOR THE PUBLIC WORKS DEPARTMENT AND WATER WORKS DEPARTMENT, RESPECTIVELY; AND

WHEREAS, THE TOWN COUNCIL AS THE WORKS BOARD OF THE MUNICIPALITY, PURSUANT TO CHAPTER 3.05.030(A), SERVES AS THE PURCHASING AGENT FOR THE PUBLIC WORKS DEPARTMENT; AND

WHEREAS, THE BOARD OF WATER WORKS DIRECTORS, PURSUANT TO CHAPTER 3.05.030(D), SERVES AS THE PURCHASING AGENT FOR THE WATER WORKS DEPARTMENT; AND

WHEREAS, THE PUBLIC WORKS DIRECTOR HAS DETERMINED THE TOTAL AMOUNT OF THE PAVEMENT RESURFACING WORK TO BE \$134,443.00 AND SHOULD BE DIVIDED EQUALLY BETWEEN THE BOARD OF WORKS AND THE WATER WORKS BOARD; AND

Whereas, during the course of the pavement resurfacing, it has become necessary to change or alter the original specifications of the work and/or to increase or decrease the planned material quantities; and

Whereas, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the work which have a net decrease in the total contract amount of Two Thousand Seven Hundred Seventy-six Dollars and Four Cents (\$2,776.04); and

Whereas, The decrease in cost, as determined by NIES, is allocated to the Board of Works in the amount of One Thousand Three Hundred Eighty-eight Dollars and Two Cents (\$1,388.02) and to the Water Works Board in the amount of One Thousand Three Hundred Eighty-eight Dollars and Two Cents (\$1,388.02); and

Whereas, The Town of Highland, through its Board of Works, now desires to approve and authorize the Change Order as described; and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described; and

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

Section 1. That the First Addendum to the Construction Contract with Milestone Contractors North, Inc. for the resurfacing work for the 2600-2700 blocks of Martha Street, as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on the resurfacing work, is hereby determined to be directly related to the original contract and is hereby approved, adopted, and ratified in each and every respect;

Section 2. That this addendum is hereby ordered to be known as Change Order No. 1, issued to decrease net changes to the original agreement in the amount of Two Thousand Seven Hundred Seventy-six Dollars and Four Cents (\$2,776.04), bringing the total value of the entire agreement with any and all change orders approved to date to One Hundred Thirty-one Thousand, Six Hundred Sixty-six Dollars and Ninety-six Cents (\$131,666.96) allocated as follows:

Board of Works	\$1,388.02
<u>Water Works District</u>	<u>\$1,388.02</u>
Total Change Order Amount	\$2,776.04

; and

Section 3. That the total of all change orders issued that increases the scope of this resurfacing work may not exceed twenty percent (20%) of the amount of the original contract, that not-to-exceed amount being One Hundred Sixty-one Thousand, Three Hundred Thirty-one Dollars and Sixty Cents (\$161,331.60), pursuant to IC 36-1-12-18(d); and

Section 4. That the Public Works Director is hereby authorized to execute the necessary documents with his signatures.

Duly Adopted, Resolved and Ordered by the Board of Works of the Town of Highland, Lake County, Indiana, this 14th day of November, 2022. Having been passed by a vote of _____ in favor and _____ opposed.

**BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA**

Bernie Zemen, President

Attest:

Mark Herak, Clerk-Treasurer

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 10th day of November, 2022. Having been passed by a vote of _____ in favor and _____ opposed.

**HIGHLAND WATER WORKS
BY ITS BOARD OF DIRECTORS:**

George A. Smith, President

Attest:

Richard E. Volbrecht Jr., Secretary

7. WORKS BOARD ORDER NO. 2022-36: AN ORDER OF THE WORKS BOARD APPROVING AND AUTHORIZING AN AGREEMENT BETWEEN NIES ENGINEERING, INCORPORATED AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL DESIGN ENGINEERING SERVICES FOR THE PARKWAY DRIVE WATER MAIN REPLACEMENT AND STREET IMPROVEMENT PROJECT IN THE TOTAL AMOUNT NOT TO EXCEED \$99,500.

Councilor Black moved the passage and adoption of Works Board Order No. 2022-36. Councilor Schocke seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. Works Board Order No. 2022-36 was adopted.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2022-36**

**WATER WORKS DISTRICT OF HIGHLAND
BOARD OF WATER WORKS DIRECTORS
RESOLUTION NO. 2022-18**

**SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2022-09**

**A JOINT RESOLUTION OF THE BOARD OF WORKS, THE WATER
WORKS BOARD OF DIRECTORS AND THE BOARD OF SANITARY
COMMISSIONERS ACCEPTING AND APPROVING A PROPOSAL
FROM NIES ENGINEERING, INC. FOR PROFESSIONAL
ENGINEERING DESIGN SERVICES FOR THE PARKWAY DRIVE
WATER MAIN REPLACEMENT AND STREET IMPROVEMENT
PROJECT IN THE TOTAL AMOUNT NOT-TO-EXCEED \$99,500.00**

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has determined that a need exists to rehabilitate the asphalt pavement along the 8700-8800 blocks of Parkway Drive and 150-ft of Kenilworth Street, just east of Parkway Drive; and

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

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

Whereas, The WW District, through its Board of Directors, has determined the need to replace and upsize the existing water main within the project boundaries, in order to improve water flow and water quality, and has determined that it would be in the best interest of the utility to coordinate the work, including surface restoration along the water main corridor, with the street improvement project; and

Whereas, The Sanitary District of Highland (SD District) is governed by its Board of Sanitary Commissioners, pursuant to the provisions of IC 36-9-25 et seq.; and

Whereas, IC 36-9-25-9 specifically provides that the Board of Sanitary Commissioners shall manage and control all works of the sanitary district and may purchase, acquire, construct, reconstruct, operate, repair and maintain all sewage works; and

Whereas, The Project scope includes the repair and replacement of certain storm water infrastructure, which is the responsibility of SD District, and the SD District has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, The Works Board, Water Works Board and Sanitary Board have heretofore determined a need to engage professional design engineering services in order to implement the Project, and

Whereas, NIES Engineering, Incorporated, (Consultant) has offered and presented an agreement to provide and furnish Professional Engineering Design Services in consideration for fees to be charged and billed monthly based upon a lump sum of the value of the services completed, in an amount not to exceed Ninety-nine Thousand Five Hundred Dollars and No Cents (\$99,500.00), allocated in the amounts of Twenty-eight Thousand Nine Hundred Dollars and No Cents (\$28,900.00) to the Board of Works, Sixty-five Thousand One Hundred Dollars and No Cents (\$65,100.00) to the Water Works Board and Five Thousand Five Hundred Dollars and No Cents (\$5,500.00) to the Sanitary Board; and

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

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

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

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

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

1. THAT THE PROFESSIONAL ENGINEERING DESIGN SERVICES PROPOSAL (INCORPORATED BY REFERENCE AND MADE A PART OF THIS RESOLUTION) FROM NIES ENGINEERING, INC. FOR THE PARKWAY DRIVE WATER MAIN AND STREET IMPROVEMENT PROJECT IS HEREBY APPROVED, ADOPTED AND RATIFIED IN EACH AND EVERY RESPECT;
2. That the terms and charges under the agreement for Design Engineering services in the not to exceed amount of Ninety-nine Thousand Five Hundred Dollars and No Cents (\$99,500.00), allocated in the amounts of Twenty-eight Thousand Nine Hundred Dollars and No Cents (\$28,900.00) to the Board of Works, Sixty-five Thousand One Hundred Dollars and No Cents (\$65,100.00) to the Water Works Board and Five Thousand Five Hundred Dollars and No Cents (\$5,500.00) to the Sanitary Board, is found to be reasonable and fair;
3. That the Town Council, which is the Works Board of the municipality, the Water Works District of Highland, through its Board of Directors, and the Sanitary District of Highland, through its Board of Commissioners, believes that NIES Engineering, Inc. has demonstrated professional competence and qualifications to perform the particular professional engineering services called for in the Agreement and associated project, pursuant to I.C. 5-16-11.1-5;
4. THAT THE PUBLIC WORKS DIRECTOR IS AUTHORIZED TO EXECUTE THE AGREEMENT AND ALL DOCUMENTS NECESSARY TO IMPLEMENT THE PROJECT.

Duly Adopted, Resolved and Ordered by the Highland Town Council, Lake County, Indiana, this 14th day of November, 2022. Having been passed by a vote of _____ in favor and _____ opposed.

**Board of Works of the Town of
HIGHLAND, INDIANA**

Bernie Zemen, President

Attest:

Mark Herak, Clerk-Treasurer

Duly Adopted, Resolved and Ordered by the Water Works Board of Directors of Highland, Lake County, Indiana, this 10th day of November, 2022. Having been passed by a vote of _____ in favor and _____ opposed.

**Highland Water Works
By Its Board of Directors:**

George A. Smith, President

Attest:

Richard E. Volbrecht Jr., Secretary

Duly Adopted, Resolved and Ordered by the Board of Sanitary Commissioners of Highland, Lake County, Indiana, this 15th day of November, 2022. Having been passed by a vote of ____ in favor and ____ opposed.

**Highland Sanitary District
By Its Board of Commissioners:**

Richard Garcia, President

Attest:

David Jones, Secretary

- 8. Proposed Appropriation Enactment No. 2022-24:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget from Monies received as a Grant from the State or Federal Government, all pursuant to I.c. 6-1.1-18, and I.c. 36-5-3-5 ET SEQ.

Councilor Schocke moved amend the agenda to include Proposed Appropriation Enactment No. 2022-24. Councilor Sheeman supported. Upon a roll call vote, a unanimous vote being necessary to amend the agenda and add Proposed Appropriation Enactment No. 2022-24, there were five (5) affirmatives and no negatives. The motion passed. The Ordinance was now added to the agenda and could be considered.

Councilor Schocke introduced and moved the consideration of Appropriation Enactment No. 2022-24 at the same meeting of introduction. Councilor Sheeman seconded. Upon a roll call vote, a unanimous vote being necessary to consider the Ordinance on the same night of introduction, there were five (5) affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Schocke moved the passage and adoption of Appropriation Enactment No. 2022-24 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a two-thirds vote being necessary, there were four affirmative votes and no negatives with Councilor Zemen being absent. The motion passed. Appropriation Enactment No. 2022-17 was passed and adopted at the same meeting of its introduction.

TOWN OF HIGHLAND
APPROPRIATION ENACTMENT
ENACTMENT No. 2022-24

AN ENACTMENT APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET FROM MONIES RECEIVED AS A GRANT FROM THE STATE OR FEDERAL GOVERNMENT, PURSUANT TO I.C. 6-1.1-18-7.5, I.C. 36-5-3-5 ET SEQ.

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

WHEREAS, The Town Council has been informed of the receipt of funds from a grant of the LC-RET/HIDTA Initiative, representing services from May through September 2022, particularly represented on Clerk-Treasurer's receipt number 807545 in the total amount of \$2,557.80 as reimbursement in support of overtime costs for detailed personnel;

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

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

Section 1. That for the actual overtime personnel expenses of said municipality related to the LC-RET/HIDTA Initiative to reimburse the municipality for its actual over time expenses incurred by the assigned person, or for equipment maintenance, the following additional sums of money, received as a grant from the state or the federal government and designated as a reimbursement of an expenditure made by the political subdivision, are hereby appropriated and ordered set apart out of the funds herein named:

CORPORATION GENERAL FUND

Metropolitan Police Department

Increase Account:	#111.30 Sworn Overtime	\$ 2,557.80
	<i>Total 100 Series Increases</i>	\$ 2,557.80


Total of All Fund Increases: \$ 2,557.80


Section 2. That in satisfaction and for the purposes of the provisions set out in I.C. 36-5-2-9.6, I.C. 36-5-3-5, I.C. 36-5-4-2, this enactment shall be deemed properly filed and introduced before the Town Council at a regular or special meeting, properly called and convened pursuant to I.C. 5-1.5-14 *et seq.*

Introduced and Filed on the 14th day of November 2022. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ENACTED AND ADOPTED this 14th Day of November, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.



Attest

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

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

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

Comments from the Town Council:

(Good of the order)

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

Councilor Smith began by acknowledging Building Commissioner, Ken Mika who commented on the several projects that are underway. He gave examples of the new gas station and car spa going in on Indianapolis Blvd. They are progressing accordingly. An occupancy permit was issued for the new veterinary clinic at the old

Johnny Rocket's building. They are going to be moving from their current location in the strip mall next to Jimmy John's. They have put a lot of money into the building. The Webb Hyundai expansion is trying to wrap up before winter.

Councilor Smith then acknowledged Public Works Director, Mark Knesek. Mr. Knesek had already commented that the River Drive project is complete and really looks nice. The residents are really happy with the outcome. He commented that that today alone they picked up twenty-two loads of leaves. He again advised residents not to put their leaves in the street as they are predicting snow and the plows will push the snow up into the resident's parkway while clearing the streets. Also, when it rains, if the leaves are on the street, they will plug the catch basins. Tomorrow, Dean's landscaping is going to be pulling the mums from the flower beds. The Park Department has first dibs and whatever left over, the public can take. Mark's under the impression that they do grow back. Dean's does not recycle them.

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

Councilor Schocke acknowledged Park Superintendent Alex Brown. Alex began by saying that they are preparing for some big events for next weekend. In particular, the Pumpkin Plod which is a week from this Thursday, which as of today already has 642 entrants pre-registered. He's opening that it doubles by race day. That following Saturday is the Santa March and tree lighting. The winter/spring brochure is going to the printer next week. After months of waiting, the Park Department finally got the approval from Nipsco to install the solar lights along the bike trail.

Councilor Schocke commented that he's excited as the youth basketball practices started last week and he thought the games begin in December. He also said his daughters have a dance recital sometime in December. Alex responded that the recital is scheduled for December 9th.

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

Councilor Black said he sent an email to the Council regarding pending projects that the Commission is considering and since their capital budget was depleted, they will need an additional appropriation. He hoped it would be resolved before the next meeting. He then asked the Redevelopment Director to elaborate. Maria said were several projects already approved by the Redevelopment Commission. In June of this year, the Commission adopted 2 resolutions, one for the Way Finding Signs and the other the Times Media program. The Way Finding Sign project has been in the works for several years but the final details are finally here and the Council needs to make a decision about funding the project. The approximate cost is \$36,000. The Times Media project is roughly \$10,000 and again, the Council must decide on funding. Dyer already uses it and Maria encouraged the Council to take a look at their website. She also offered to have the Times Media representative come to a Council meeting to discuss the benefits of the program.

She also commented on two other topics. The Redevelopment Commission normally allocates \$200,000 annually for Commercial Business Improvement Grants and that has also been zeroed out. The other is the Façade Improvement Program. She said there are currently 2 businesses that have applied. One is the building that houses the Parkinson's Society on Jewett and the other the tattoo parlor located off of Condit. The building that houses Parkinson's is looking for roughly \$3, 298 for signage and the tattoo parlor \$40,000 as they are putting \$400,000 into the building. But again, the façade line item has been reduced to \$33,000 and will require an additional appropriation from the Council.

Councilor Schocke asked Maria about the need to hire an Assistant Redevelopment Director. He said it seemed that because there existed the position prior, you feel the need to fill it. He would like to know more about her daily activities as there doesn't appear to be many projects ongoing to keep her busy or the need to hire an Assistant. He wanted to know why she felt she needed an Assistant. What aren't you able to get done because you don't have an assistant. He just wanted to know or better understand exactly why this is a necessary position.

Maria responded that she would be happy discuss at a later date when she would be better prepared but since the previously Redevelopment Director left and the assistant left to take a different position, the office has been in a pause.

Councilor Sheeman asked Councilor Schocke if he had received a copy of the job description for the Assistant Redevelopment Director. He said this person would, in addition to writing grants, be a resource to all departments. He pointed out that Councilor Schocke had previously complained he had no one to type his letters. This person would be that resource. The person would also handle web updates, the menus for the restaurant crawl, taking notes at meetings.

Councilor Schocke responded that it appears that from the description given by Councilor Sheeman that this person is doing more than Redevelopment, to which Councilor Sheeman responded yes. This person will be working 40% Redevelopment and the balance the Town. Councilor Schocke said that if that is the case, then the Council should be involved in the selection process.

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

Councilor Sheeman acknowledged Metropolitan Police Chief Pete Hojnicky. He told the Council about the upcoming, annual Shop with the Cops coming up in December. He said that last year they had sixty-two participants all from Highland. The event takes place at Meijer's and afterward they take the kids to a free breakfast donated by Blue Top. The program is funded in part by a donation from Meijer's and other donations received throughout the year. Proceeds from this year's beer garden, in the amount of \$1,000 went to Shop with the Cops. He said it is not a shopping trip for toys but many of the kids are looking for hats, gloves and coats. It is a very eye-opening experience. He said they were notified by Ford that the 4 Explores that have been on order since last were have been

manufactured and will be delivered shortly. He said last Thursday, he along with Redevelopment Director Maria Becerra and Redevelopment Commission member George Georgeff attended a seminar put on by Drive Clean Indiana. In an effort to use alternate fuels, they are offering an 80/20 grant to replace existing gasoline powered vehicles to electric vehicles. The grant also includes charging stations. He said it appears that the grant will run for the next 5 years. The vehicles being offered are the F-150, crew cab. The Police Department applied for 6 trucks but there is no guarantee they will receive the vehicles or grant. If they do receive the grant and vehicles, one of the conditions is the town has to scrap the equivalent of gasoline powered vehicles. Future plans are to put solar panels on the roof of the police station to use solar power to recharge the charging stations.

Councilor Sheeman then acknowledge Fire Chief Bill Timmer. He too commented on the upcoming Shop with the Fireman. He said they usually have it the Saturday before Christmas, followed by a breakfast at the Fire Station. He also said that the Marines have dropped off the Toys for Tots boxes at both the Police and Fire Stations. He said, they are picking up the boxes earlier than in the past and he believed the date is December 7th. He said they have been extremely busy with fire calls both in Highland and other communities. All departments seem to be in the same boat. He said they spent last Friday in Lake Ridge, who had 3 active fires going at one time. He said that last month, every grade school was visited by a fire crew, accompanied with an engine as part of their fire prevention program. He said the HCCE is going to decorate a fire truck for the upcoming Santa March.

Councilor Sheeman then recognized Ed Dabrowski, IT Director who advised that he had a busy last Saturday, as the Police Department generator was cut over to be able to power the entire Town Hall in case of a power outage. It took about 8 hours to cut over. He said he was working with Tom Brown on our cyber security. He advised the Council to expect a rather hefty increase in our cyber insurance. He said he would like to address the Council of this topic at a later study session. He would like to explore not having insurance and spending the money on fixing the problem. He said he has received a request from the Redevelopment Commission that the members be given Town email addresses so they don't have to use their own. They would be the only Board or Commission to have a Town supplied email address.

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

Councilor Zemen began by wishing Councilor Sheeman a Happy Birthday. He then asked if any resident was interested in trees, the Tree Board has a lot of trees at their disposal. He then acknowledged Building Commissioner Ken Mika who said the Plan Commission meets this Wednesday, the study session beginning at 6:00 p.m. and the public meeting at 6:30 p.m. The only thing on the agenda is a request from the Russell Development for another 6-month extension for their project.

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

Comments from Visitors or Residents:

DAN TOFEL, HIGHLAND, expressed his concern over the ambulance service in Highland. Last week I received 2 bills from Superior for assisting my wife up when she fell he said. The first fall was around June 4th and I'm just now receiving a bill for \$900. I'm sorry, I was under the impression that when they come out to assist or help someone up after a fall, as it was a courtesy supplied by the ambulance company. I was shocked to receive a \$900 bill. My wife and I are both retired and both on social security. We have one small pension. I called Superior to inquire about the bills. The representative said there is a fee to respond, even if a transport isn't involved, to assist a fall victim. In my case, they came out twice. I told them I thought that was a service, helping the elderly up after a fall, as my wife is 80 years old and I am 80 as well and I couldn't pick her up. They were there no more than 30 minutes and I received a \$900 bill for each time. All they did was help her up each time and checked her vitals. This is only the second time he has been at a Council meeting. He expressed concern that if this is the case and it gets out, those on fixed incomes won't call Superior to help them get up. They'll just lie there. Making matters worse, I told the ambulance attendant that my wife has very thin skin and be careful when picking her up as her skin tears. He didn't listen and he ended up tearing her skin and I had to take her to the wound center to be treated. It took over 2 months to heal. I think this is a travesty.

Chief Timmer responded that this isn't the only time he has been advised that Superior has billed someone for a fall. He has spoken with Superior and they advised him that since covid, laws have been enacted to allow Superior to bill patients for a non-transport. He said he has reached out to Town Attorney Reed to determine if it violates their contract.

Mr. Tofel added that when he talked with the lady at Superior about the bill, as he doesn't have \$1,800, she advised that she could cut the bill in half if he paid the bill immediately. I was advised not to pay it.

Terry Steagal, Highland, wanted to about the redistricting or gerrymandering process. The Council needs to make that the process is transparent to the public. He relayed as to what the Valparaiso City Council did in their redistricting. There consultant came up with an overlay to the original redistricting map that was presented so the final map was in the best interest to the resident and not to certain individuals. He then began to discuss the Redevelopment Commission. He felt the Council needed to give the Redevelopment Commission direction as there is a lot of work to do. For example, with the Ultra property. At that meeting, Councilor Schocke said he the revitalization of the property would be a perfect example for a TIF project. That building needs to be demolished and redesigned in order to make the property functional. At is stand now, the building is obsolete. A quick comparison is what Munster did with the old Carpetland property and how nice that

development turned out. Parking is a little crowded which wouldn't be a problem with the Ultra property. Also, the Redevelopment Commission needs direction on the Town Theater property. Where does that project stand?

Councilor Zemen said the property has been sold to a developer.

Councilor Schocke said that after the Town's initial meeting with the Developer, the Town asked the Developer to provide a number on what kind of financial assistance he was looking for but he has never gotten back to the Town.

Mr. Steagal concluded that he feels the Town Council and Redevelopment Commission need to get in sync as they currently aren't.

Larry Kondrat, Highland, began by also wishing Councilor Sheeman a Happy Birthday. He then commented on the proposed Assistant Redevelopment Director. He pointed to each of the Council members and said not a single one of you knew what the previous Assistant Redevelopment Director did for the Town. I seriously doubt you need another one. On Wednesday of this week, at the Plan Commission will be voting on yet another request from the Russell group for a 6-month extension. They had to move forward on the project and they didn't. They asked for a 6-month extension from the Plan Commission and were granted it. They did nothing during that 6-month period. Now they are asking for another 6-month extension. He then pointed to Councilor Zemen and said you have a vote. It's a bad deal for the Town. Mr. Zemen you need to vote no. Its controversial to the Town. As for the person on the zoom call, gerrymandering is a very strong term. I've looked at the maps. They do not look like gerrymander but contiguous and as far as the ultra property, the dude owns this property and if he doesn't want to sell it, as long as he's not using public money, he can do with his property as he desires. The difference between this and the farm issue is that the farm issue involves tax dollars and the public has a say in how it is spent.

Rick Volbrecht, Highland wanted to know about the status of the redistricting map. He said he realized he came late to the meeting, thinking it started at 7:00 p.m. and not 6:30 p.m. so this question may have already been answered. He wanted to know the final date that the map had to be submitted to the county? He was advised by the Clerk-Treasurer the 31st of December. He then asked where did the Council feel they were in terms of completing the project.

Council Zemen responded that we are going to talk about that later in this meeting. After the plenary meeting was complete, the Council will go directly into study session and redistricting is one of the items on the agenda.

Mr. Volbrecht asked the Council if they felt they were at the end of the process. He gave an example of a baseball game. Does the Council feel they are at 3rd base or 10 feet from scoring?

Councilor Zemen said we will have a better feel after tonight's meeting as we have a couple of maps to review.

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 Schocke moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **October 26, 2022 through November 15, 2022.** Councilor Black seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$349,276.72; Special Events, \$612.92; LR&S, 230,956.16; MVH Fund, \$15,352.21; Donation, \$114.77; Law Enforce Continuing ED, \$3,458.44; Traffic Violations, \$3,000.00; Public Safety Income Tax, \$32,563.00; Information and Communications Technology Fund, \$24,959.46; MCCD, \$65,833.48; Insurance Premium, \$212,615.02; CEDIT Economic Dev. Income, \$65,833.48; Community Crossing Grant, \$47,051.42;
Total: \$1,087,053.48.

PAYROLL DOCKET FOR PAYDAY OF OCTOBER 10, 2022:

OFFICE OF CLERK-TREASURER, \$14,264.78 BUILDING AND INSPECTION DEPARTMENT, \$9,553.54; METROPOLITAN POLICE DEPARTMENT, \$118,154.85; PUBLIC WORKS DEPARTMENT (AGENCY), \$70,344.03; FIRE DEPARTMENT ADMINISTRATION, 4,846.07; INFORMATION AND TECHNOLOGY DEPARTMENT, \$3,745.61; TOTAL PAYROLL: \$220,908.88.

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, NOVEMBER 14, 2022, ADJOURNED AT 7:37 O'CLOCK P.M.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of November 28, 2022.