

**Topics Tentatively Scheduled for Study Session Discussion  
and  
Topics Requested for Action at Future Business Meetings of the  
Twenty-Ninth Town Council of Highland**

**This meeting will be convened as a Hybrid in person and electronic meeting.**

Topic: Town of Highland, IN - Town Council Plenary Meeting

Time: Dec 12, 2022 06:30 PM Central Time (US and Canada)

Join Zoom Meeting

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Meeting ID: 893 2188 2724

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*The Town of Highland acknowledges its responsibility to comply with the American with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to Municipal sponsored public programs, services and or meetings, the Town of Highland requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and or meeting. To make arrangements, contact the ADA Coordinator for the Town of Highland at (219) 972-7595.*

*This meeting contributes to Agenda building for the plenary meeting. Please, also be aware of the running enrolled list of matters that are likely for the plenary meeting, subject to review by the municipal executive. By practice and local ordinance, study sessions are distinguished from plenary (regular business) meetings of the Town Council “as they shall be conducted with less formality and with no votes or final actions of a dispositive nature unless provided otherwise by proper notice, pursuant to IC [5-14-1.5](#) et seq.” (Confer HMC Section 2.05.130(3))*

**x. Discussion:** Thomas Brown of the Brown Insurance Agency, to discuss Property & Casualty insurance Program renewal.

My approach will be to provide background about where the industry is experiencing pressure and where we see that headed, provide a concise activity report including claims, along with a concise coverage / premium summary broken down by coverage area. I'll provide a much more detailed, tabbed document for reference as well.

I hope is for the meeting to be somewhat interactive. There are so many areas to cover that may or may not be of interest to the council. I'll be prepared to pivot as directed.

**x. Discussion:** Revisit the Town's policy regarding municipal employees and their compensation as well as the current sufficiency of existing policies for paid time off and care for workers who may test positively for the virus, those who have tested positively and dealing with (full-time) worker who is not symptomatic but has been possibly exposed. It is desirable to have the worker quarantine outside the workplace. A provision in the Compensation and Benefits Ordinance commonly called the Employee Handbook provides for an administrative leave of 10 days that is renewable (Confer Section 5.11.02). The predicate for it is relatively broad. It was suggested that this could be used in such a case if a worker had no other paid time off.

### § 5.11.02 Special Administrative Leave

A municipal employee may be granted administrative leave with pay and continuation of benefits in limited circumstances, where deemed necessary and appropriate. The leave shall not exceed ten (10) days but may be renewed or extended with the same approval needed for the initial grant of leave. The leave may not be initiated by the employee for whom the leave is granted. Before administrative leave with pay and continuation of benefits may be granted, documentation of and rationale for the leave must be made on a form approved by and filed with the Clerk-Treasurer, and carrying the signatures of the following persons for the accompanying purposes:

1. The appropriate department head, evidencing approval; if the employee is a department head, only the signatures of the following officers will be required;
2. Chairman, of the relevant Board or Commission; and
3. The Municipal Executive (Town Council President), evidencing notice of the action.

### § 5.04 Use of Donated Leave

§ 5.04.01 An employee may volunteer to share accumulated vacation leave or personal leave hours with another employee. Leave may only be donated to an employee for the beneficiary employee's own illness or injury when the beneficiary employee does not have enough time in his or her own accumulated leave accounts. Donated leave may not be used for the care or support of the employee's family.

§ 5.04.02 Donated leave time must be in increments of at least eight (8) hours.

§ 5.04.03 Both employees must receive approval from their departmental director and document the exchange of time with the Office of the Clerk-Treasurer. An employee must exhaust all sick leave, vacation leave, personal and overtime compensatory leave to be eligible to receive donated hours from other employees. The maximum amount of leave time an employee may accept is 1,040 hours. The employee will receive the time on an as needed basis and not in one lump sum.

§ 5.04.04 If donated time exceeds the amount of leave needed by the ill or injured employee, the leave balance will be restored for use by the donor employee.

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### § 5.03 Personal Leave

Regular full-time employees earn personal leave at the rate of 6 days per year. Unused personal leave may be accumulated to a maximum of 20 days. Accumulated personal leave is paid to employees upon separation of employment.

§ 5.03.01 Each regular full-time employee is entitled to six (6) personal days after employment of one (1) full calendar year with the Town, and six (6) personal days each year thereafter. These days may be used as personal business or sick days. These days are cumulative and if not used will be paid at the employee's current rate upon retirement or termination, subject to a maximum number. If a separation occurs while an employee is on a medical disability, the personal days will be paid at the rate immediately prior to the medical disability going into effect.

§ 5.03.02 The maximum number of personal days that may be cumulated and carried by any employee is fixed at twenty (20). Accumulations will be annually determined at the amount duly cumulated and credited to the worker as of December 31 of each year. At no time will any employee be paid for any more than twenty unused personal days at retirement or separation from service.

**X. Discussion: Meeting with the Highland Neighbors for Sustainability .** Councilor Zemen asked that this be placed on the agenda.

The Highland Neighbors for Sustainability are asking the Council to create a Sustainability Commission. Communities that already that have a Sustainability Commissions are: South Bend; Bloomington; Richmond; Michigan City.

Attorney Reed is preparing the Ordinance in conjunctions with representatives from the Neighbors for Sustainability.

No new revisions to the Ordinance have been submitted.

### Indiana Code 36-1-3-13

IC 36-1-3-13 Local units prohibited from requiring or prohibiting particular component, design, or type of material used in building construction based on energy saving or producing qualities; exemption for construction or design of buildings owned or used by unit

Sec. 13. (a) Unless required under [IC 36-7-2-9](#), a unit does not have the power to do the following:  
(1) Require that a particular component, design, or type of material be used in the construction of a building or other structure because of the energy saving or energy producing qualities of the component, design, or material.

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- (2) Prohibit the use of a particular component, design, or type of material in the construction of a building or other structure because the component, design, or material does not meet a standard for energy saving.
- (3) Require that a building or other structure be retrofitted with a particular device or type of material because of the energy saving or energy producing qualities of the device or material.
- (4) Prohibit or restrict the purchase or use of vehicles or other machines based upon the type of energy that powers the vehicle or machine.
- (5) Prohibit the sale, installation, or use of any of the following:
- (A) Natural gas powered home heating equipment.
  - (B) Natural gas powered home appliances.
  - (C) Grills, stoves, and other food preparation appliances designed to be used outdoors.
  - (D) Natural gas powered:
    - (i) heating appliances; and
    - (ii) torches, lamps, and other decorative features;
      - designed to be used outdoors.
- (6) Enact an ordinance, adopt a resolution, or enforce an ordinance or resolution that purports to exercise a power denied by subdivisions (1) through (5).
- (b) This section does not apply to requirements included in procurement documents used to procure goods and services, including the construction or design of buildings, to be owned or used by the unit. A unit may adopt bid specifications for a public works project that include energy savings or energy production provisions with respect to the components, design, or materials for the specific project.
- As added by P.L.180-2021, SEC.4.*

**X. Discussion: Works Board Order No. 2022-41:** An Order Authorizing the First Change Order for the Construction Contract with Milestone Contractors North, Inc. for the 2022 CCMG Street Improvement Project, DES#2200296, all pursuant to I.C. 36-1-12-18 and Accepting the Recommendation of Nies Engineering, Inc. for the partial release of Retainage in the Amount of Ninety-Nine Thousand and six hundred and eighty-six dollars and thirty-five cents (\$99,686.35) to Milestone Contractors North, Inc.

• **Plenary Business Meeting of Monday December 28, 2022**

- Minutes of the Meeting of Monday, December 12, 2022.
- Wage and Salary Ordinance Adoption (already introduced)
- Works Board Order 2022-41 (simple majority)
- Sustainability Ordinance (nothing introduced)
- Payroll Docket for the payday of December 16, 2022 in the amount: General: \$229,697.92; By Fund: \$273,750.27

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