

**Enrolled Memorandum of the Meeting
Study Session/Meeting Convened Electronically
Twenty-Ninth Town Council of Highland
Monday, July 06, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met *electronically* in a study session on **Monday, July 06, 2020** at 6:35 O'clock P.M., in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.*

**Special note:* This meeting was convened allowing members of the Town Council to participate electronically without being physically present, to be counted in the quorum and able to simultaneously listen and respond to matters taken up in the meeting, all pursuant to Governor Holcomb's Executive Orders 20-04 and 20-09 extended by Executive Order No. 20-34 allowing meetings to be convened pursuant to IC 5-14-1.5-3.6 for the duration of the Corona Virus COVID 19 emergency.

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 (participating electronically), Mark Herak (participating electronically but on the premises), Mark J. Schocke (participating electronically) Thomas Black (participating electronically) and Roger Sheeman (participating electronically) were present as indicated. The Clerk-Treasurer, Michael W. Griffin was present (participating electronically but on the premises) to memorialize the proceedings. A quorum was attained.

Officials Present: (all participating electronically), Scott Bipse, Attorney, Abrahamson, Reed & Bipse; Pete Hojnicky, Police Chief; Kathy DeGuilio-Fox, Redevelopment Director; and William R. Timmer, Jr., CFOD, Fire Chief were present.

Additional Officials Present: Larry Kondrat and Rick Volbrecht of the Board of Waterworks Directors; and Ed Dabrowski, IT Consultant (Contract); was present.

General Substance of Matters Discussed.

1. **Mark-up of Ordinance No. 1717 to amend the municipal code establishing an honorific display policy for the Town.** The Town Council discussed the issues of whether to include a user charge, whether to include an application fee, and managing the volume of the requests for the banners.

It was noted that Councilor Herak noted that he had intended to further discuss the matter of the status of business sponsored banners with the Redevelopment Director but had not owing to his own schedule demands. He indicated that he would follow-up regarding the matter.

The discussion included considering the merits of having a calendar that gets established to govern the poles and what might be displayed. It was further noted that the use of the light poles at the Main Square Park were challenged by an unexpected delay in the expected arrival of the needed hardware to support the honorific banners. Councilor Herak reminded that he would remain the contact person regarding the banner.

Consideration of the introduced ordinance continues.

2. *Mark-up of Ordinance No. 1716 to amend the municipal code establishing a Non Discrimination Plan for the Town.* The Clerk-Treasurer joined by the Town Attorney that the existing language of the policy should be approved except for changes where positions were identified by name of position and name of person holding the position, and the change to the organizational chart.

After discussion it was determined to make the changes noted and if ready, place it on the agenda of the plenary meeting of the Town Council for July 13, 2020.

3. *Discussion of request to create the position of administrative assistant for the Public Works (Agency)Department, amending the Wage and Salary Ordinance at an hourly rate of \$22.87.* The Town Council discussed the merits and desirability of creating the position of Administrative Assistant for the Public Works Department, with the understanding that the incumbent department secretary be promoted to hold that position.

There was a discussion about the comparison of positions of secretary in other departments. It was noted that the starting pay is the same but in many cases the incumbent pay is different in each department.

The following was provided after the meeting:

			Starting Rate	Incumbent	
Office of Clerk-Treasurer					
Police Department	Secretary		\$ 18.66	\$ 21.61 *	\$ 44,948.80
	Secretary	(part-time)	\$ 18.66	\$ 21.61 *	
Public Works Department	Secretary	(full-time)	\$ 18.66	\$ 19.20 *	\$ 39,936.00
	Secretary	(part-time)	\$ 18.66	\$ 18.66	
	Administrative Assistant	(full-time)	\$ 22.87	\$ 22.87	\$ 47,569.60
Parks and Recreation	Secretary	(full-time)	\$ 18.66	\$ 19.20	\$ 39,936.00
Building & Inspection	Secretary	(full-time)	\$ 18.66	\$ 18.66	\$ 38,812.80
Fire Department	Secretary	(part-time)		\$ 18.66	

The Town Council also discussed the readiness to name a successor to John Bach to the position of Public Works Director. It was noted that the position has been posted pursuant to the requirements of the Compensation and Benefits Ordinance, **Section 3.21** styled as *Promotions*. The Town Council President noted that he was identified as the contact person to whom interested persons should submit a letter stating interest and a resume. The Town Council President did explain that the deadline for responses was today. He had not checked to see if any further applications were submitted. He did reveal that the only applicant who had submitted a letter of interest and a resume was Mark Knesek, the Operations Director.

There was an extended discussion about the establishment and organization of the Public works Department, noting that the position of public works director was created by ordinance in 1968, the Department of Public Sanitation was established in 1970 and the Waterworks Department as currently organized was 1984. It was further noted that the basic structure of a public works department was never established by ordinance. The street department was a function operating out of the proper road tax funds but was not formally established either.

The Town Council President determined that it would be desirable to place on the agenda action to appoint a public works director at the plenary meeting of July 13,

2020, all pursuant to Chapter 2.20 in the Municipal Code. There was no objection.

There was some discussion about the desirability to make an appointment to the position of the Operations Director. It was noted that there was some wisdom in reviewing it along with the other structural matters. It was discussed that perhaps an appointment as acting would be in order to allow for support to the Public Works Director but to allow flexibility.

4. ***Discussion regarding the Aim Board of Trustees of the Medical Trust vote for member.*** The matter of electing a member to the board of trustees of the Aim Medical Trust was discussed, noting that this is handled by a passage of a resolution and then submitting the necessary ballot to Aim. The unopposed candidate is Joe Thallemer, who is the current chair of the board of trustees and is Aim President as well. He is the mayor of Warsaw. It was noted that the ballot must be cast by July 15. The authorization would come just in time.
5. ***Discuss the placement of bid award for projects in the CCMG Project lists Walsh and Kelly is recommended by NIES at \$1,592,654.48. Interlocal Cooperation Agreement between Town of Highland and Town of Schererville for shared work on Main Street. Highland becomes an enhanced entity.*** The Town Council discussed that the bids were received and assembled and that Walsh and Kelly was the apparent low bidder.

It was noted that the apparent low bidder with within \$50,000 of the next nearest bidder and it was further noted that change orders were given to it on past projects.

There was an extended discussion about the ability of the Town Council to reject the lowest bid under the provisions of meeting the responsive and responsible bidder. The Town Attorney offered guidance on the matter as well.

It was determined to allow the matter to be placed on the agenda for the plenary meeting of July 13, 2020. It was further noted that the apparent successful bidder was under the estimate by nearly \$450,000.

Finally, it was discussed that an interlocal cooperation agreement with town of Schererville was also recommended to support the sharing of costs related to the resurfacing of Main Street, a shared street located on the border of Highland and Schererville.

6. ***Discussion of recent Emergency Proclamation of the Municipal Executive No. 2020-04, in which the executive ordered for three years that review of any expenditure over \$100,000 be immediately reviewed.*** Further, under its terms the discussion included the letter of the Town Council President to the Plan Commission reporting his determination that Russell Development was in breach of the terms of its agreement from September 2019 regarding the improvements to Ernie Strack Drive as a condition of the sale and the redevelopment of the property located between Kleinman avenue and Cline Avenue just north of Stracks.

Councilor Herak noted that he sought the opinion of the Town Attorney to obtain his opinion regarding the authority of the Town Council President to take those steps. The Town Attorney noted the call and apologized for his delay.

He further noted that he first saw the order of the executive in an email sent by the Clerk-Treasurer to the Town department heads regarding its import. The Town Attorney noted that he would need to do some research.

It was further noted that the authority of the Town Council President granted by the Town Council during the emergency expired on Sunday. There did not seem to be any clear indicated whether to extend the authority.

There being no further business necessary or desired to be discussed by the Town Council, the *electronically convened* regular study session of the Town Council of **Monday, July 06, 2020**, was adjourned by the Town Council President, at 7:54 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA/ACPFIM/CMO
Clerk-Treasurer