

**Enrolled Minutes of the Fifty-fourth Regular or Special Meeting
For the Twenty-Seventh Highland Town Council
Regular Meeting
Monday, February 10, 2014 START**

Study Session. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, February 10, 2014 at 6:40 O'clock P.M. in the regular place, the meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Silent Roll Call: Councilors Mark Herak, Dan Vassar, Brian Novak, Konnie Kuiper and Bernie Zemen were present. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

General Substance of Matters Discussed.

1. The Town Council discussed the agenda of the imminent regular meeting.
2. The Town Council discussed informally issues associated with the county economic income tax, and the need to file a capital improvement plan as a predicate to receive the Town's distribution.
3. The Town Council discussed the status of payments to vendors associated with the police facility financing. It was noted that a meeting with the architect was conducted earlier in the day. Wilson-Estes expressed concerns about the Town's ability to pay according to his schedule, which would involve up to 80% of his contract value all due before the sale of the bonds. It was further noted that there had been regular communications between the clerk-treasurer and Mr. Estes. All invoices were paid in full to his firm. There were two other vendors who were also engaged, one of whom was paid, with the other whose accounts payable voucher was slated for this meeting.
4. The Town Council and the Town Attorney discussed suggested candidates to be appointed to the board of the Building Corporation, which would be necessary to finance the construction of the police building.
5. The Town Council discussed having the Idea Factory, the consulting group currently engaged to produced a monthly newsletter, discuss a possible proposal to refurbish the municipal website.

The study session ended at 7:00 O'clock p.m.

Regular meeting. The Twenty-Seventh Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, February 10, 2014 at 7:01 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

The Town Council President, Bernie Zemen, presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Mark A. Herak 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 Mark Herak, Dan Vassar, Dennis Adams, Konnie Kuiper and Bernie Zemen. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: Rhett L. Tauber, Town Attorney; John M. Bach, Public Works Director; Peter Hojnicky, Metropolitan Police Chief; Kenneth Mika, Building Commissioner; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; and Cecile Petro, Redevelopment Director were present.

Also present: Ed Dabrowski IT Director (Contract); and Randy Bowman, Assistant Inspector for Electrical, were also present.

Minutes of the Previous Meetings:

The minutes of the regular (rescheduled) meeting of January 27, 2014 were approved by general consent.

Staff Reports:

- **Building & Inspection Report for December 2013**

The December report would be filed at a future time.

- **Building & Inspection Report for November 2013**

Permit	Number.	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	0	0	0	\$0.00	\$0.00
Commercial Additions or Remodeling:	7	0	7	\$232,138.00	\$4,181.00
Signs:	6	0	6	\$20,480.00	\$1,750.50
Single Family:	0	0	0	\$0.00	\$0.00
Duplex/Condo:	0	0	0	\$0.00	\$0.00
Residential Additions:	0	0	0	\$0.00	\$0.00
Residential Remodeling:	131	131	0	\$676,335.00	\$12,073.00
Garages:	2	2	0	\$29,662.00	\$732.00
Sheds:	1	0	1	\$2,500.00	\$276.50
Decks & Porches:	1	1	0	\$1,800.00	\$181.00
Fences:	5	5	0	\$20,730.00	\$563.00
Swimming Pools:	0	0	0	0	\$0.00
DrainTile/ Waterproofing:	1	1	0	\$7,262.00	\$150.00
Misc.	2	2	0		\$230.50
TOTAL:	156	142	14	\$990,907.00	\$20,137.50
Electrical Permits	12	9	3		\$1,050.00
Mechanical Permits	6	5	1		\$477.00
Plumbing Permits	7	5	2		\$715.75
Water Meters	1	1	0		\$230.00
Water Taps	0	0	0		\$0.00

Sewer/Storm Taps	0	0	0	0	\$0.00
TOTAL Plumbing:	8	6	2	0	\$945.75

November Code Enforcement:

Investigations: 162
Citations: 16

November Inspections:

Building: 34 Electrical: 28 Plumbing: 10 HVAC: 6
Electrical Exam: 1

• **Fire Department Report for December 2013**

	Month	2nd half of yr.
General Alarms	15	61
Still Alarms	3	44
Paid still alarms	4	30
Total:	<u>22</u>	<u>165</u>

• **Workplace Safety Report for December 2013**

There was one incident. The following incident summary was filed:

Department	Injuries this Month	Year to Date 2013	Total in 2012	Restricted Days 2012	Lost Workdays This Year (2013)	Restricted Days Last Year (2012)	Lost Workdays Last Year (2012)
Parks	0	2	0	0	0	0	0
Fire	1	1	0	0	0	0	0
Police	0	8	10	0	0	0	0
Street	0	4	7	43	0	0	0
Water & Sewer	0	3	4	106	0	2	0
Maint.	0	0	1	0	0	0	0
Other	0	4	0	0	0	0	0
TOTALS	<u>1</u>	<u>22</u>	<u>22</u>	<u>14</u>	<u>0</u>	<u>2</u>	<u>0</u>

Effective January 1, 2002, OSHA changed the record keeping guidelines. The municipality now counts the number of days lost from the day after the injury until the employee returns to work. Weekend, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days.

Appointments:

• **Statutory Boards and Commissions**

Executive Appointments (May be made in meeting or at another time)

(Appointments have been placed on agenda in case there is readiness to act)

- Waterworks Board of Directors:** (1) appointment to be made by Town Council President. (Note: The vacancy/unexpired term of Rachel Delaney (R)).

Regional Statutory Commissions or Boards

- Economic Development Commission:** (1) appointment to be made by Town Council President. (Note: The position is an appointee of the Town Council President and is not due until February. Currently serving, Matt Reardon.)

Home Rule Commissions

3. **Community Events Commission:** (3) appointments to be made by the Town Council President. **Term: 4 years.** (Note: currently one vacancy expiring 2018, one vacancy term will expired 2015, and one vacancy term to expire Jan 2017)

Legislative Appointments

1. **Park and Recreation Board (1)** appointment to be made by Town Council. (Note: currently serving James E. Stange (R))
2. **Town Board of Metropolitan Police Commissioners (2)** appointments to be made by Town Council. (Note: currently serving James Turoci (D) and vacancy/unexpired term of Dennis Adams (D))

Home Rule Commissions

3. **Main Street Bureau Board:** (6 of 17) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2015. (Note: 6 vacancies.)
7. **Traffic Safety Commission:**
 - (1) appointment to be made by the Town Council. **Term: 1 year.** (Note: Appointee must be from or represent the following: One from the Town Board of Metropolitan Police Commissioners.)
8. **Community Events Commission:**
 - (2) appointments to be made by the Town Council. **Term: 4 years.** (Note: Currently serving, John Breslin, Liz Breslin)
 - (8) appointments to be made by the Town Council. **Term: 1 year.** (Note: Currently serving, Maria Culbertson, Phillip Culbertson, Brandon Wolak, Ericka Rozenich Wolak, Kelly Bridges, Adam Nyiri, Fiona Culbertson, and one vacancy)

Unfinished Business and General Orders:

1. Consideration of the Compliance with the Statement of Benefits as filed and represented by Bell Parts Supply, Inc., 2609 45th Avenue, Highland. At its meeting of April 28, 2008, the Highland Town Council approved Bell Parts Supply's application for property tax abatement upon the increase in assessed value in consequence of construction of a new building addition and façade improvements at 2609 Forty Fifth Street, for a period of time not to exceed ten (10) calendar years, according to the schedule in IC 6-1.1-12.1-4(d)(10), subject to continuing compliance with the statement of benefits, IC 6-1.1-12.1 et seq., and terms of the approving resolution. This represents the fourth review of compliance for this property. The Town Council conducted its first review at its meeting of February 28, 2011, its second at its meeting of February 27, 2012 and its third on February 25, 2013. The Town Council found the applicant in compliance at each meeting.
2. **Resolution No. 2014-06:** A Resolution Authorizing a Temporary Interfund Loan or Transfer to the Corporation Bond and Interest Fund, Pursuant to IC 36-1-8-4.

3. **Resolution No. 2014-07:** A Resolution Expressing the Sense of the Town Council in Opposition to the Proposed Elimination of Business Personal Property from the Property Tax Base.

4. Action to approve overtime payments for Exempt Salaried Personnel, pursuant to Section 3 of Ordinance No. 1511 the Wage and Salary Ordinance, as amended and Section §4.03.01 of the Compensation and Benefits Ordinance. This waives the provisions of Section § 2.01 of the Compensation and Benefits Ordinance.

4.1 The Metropolitan Police Chief requests favorable action for R. Potesta, who is an exempt salaried employee, and investigations division commander, in the amount of \$400.00, for work associated with Highland Grove Mall Special Security, in month of January 2014.

Comments from the Town Council Members
(For the Good of the Order)

- **Councilor Bernie Zemen:** *Chamber of Commerce Liaison • Liaison to the Board of Waterworks Directors.*

Councilor Zemen expressed appreciation to the public workforce for its work during the recent heavy snows and blizzard-like conditions.

Councilor Zemen also commended his radio program broadcast on local radio station WJOB 1230 AM on Tuesday at 8:30 a.m.

- **Councilor Mark Herak:** *Park and Recreation Board Liaison • Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Liaison to the Park and Recreation Board.*

Councilor Herak congratulated the Town Council President on his election.

Councilor Herak congratulated Councilor Zemen for his newest grandchild named Penny

Councilor Herak recognized the Parks and Recreation Superintendent who provided a cursory survey of park programs conducted the prior year. He also reported on the Special Recreation Initiative that would be conducting an event at the Lincoln Community Center. These programs were a cooperative initiative of several parks and recreation departments to extend services to special needs persons.

Councilor Herak acknowledged the Public Works Director who reported on the activities of the Sanitary District, and related projects.

- **Councilor Dennis Adams:**

Councilor Adams commended Councilor Vassar on his election as Town Council President.

Councilor Adams commended the employees for their work during the recent severe winter weather and blizzard-like conditions.

Councilor Adams also expressed concern over the number of vehicles that do not observe the Snow Route Ordinance that requires cars to be removed from the major snow routes.

With leave from the Town Council, the Building Commissioner noted that there was a special emphasis by his department and the metropolitan police department to ticket cars that were parked in violation of the Snow Route rules.

- **Councilor Konnie Kuiper:** • *Fire Department, Liaison* • *Town Board of Metropolitan Police Commissioners Liaison* • *Chamber of Commerce Liaison.*

Councilor Kuiper thanked the Public Works Director for the work clearing streets during the snowstorm.

Councilor Kuiper acknowledged the Fire Chief who offered a brief report of Fire Department activities during New Year's Eve and during a recent home kitchen fire.

With leave from the Town Council, the Clerk-Treasurer inquired about a fallen awning associated with the Missions for Bible Store located on Highway Avenue.

- **Council President Dan Vassar:** • *Municipal Executive* • *Chairman of the Board of Trustees of the Police Pension Fund (1925 Law)* • *Redevelopment Commission Liaison.*

The Council President thanked the members for his election.

Councilor Vassar recognized the Redevelopment Director who offered a cursory overview of on-going redevelopment activities, and noted that the Council would soon be receiving the reports regarding the compliance by the several properties granted Tax abatement. It was noted that this is an annual matter.

Council President Vassar recognized the IT Contract Consultant who commented on a weather related incident that affected the SCADA monitoring the water station.

Council President Vassar inquired of the Building Commissioner regarding the status of the Unsafe Building enforcement for the site of the former Chela's on 45th Avenue. It was noted that bids for demolition would be received on January 23, 2014.

Comments from Visitors or Residents:

1. Rick Volbrecht, 9221 Parkway Avenue, Highland, expressed a concern whether the listed business address in the adopted agreement between the Town of Highland and the Idea Factory, was correct, as he noted that at the site there was no structure.

Mr. Volbrecht also suggested caution in some of the criticism of the parked cars and the Snow Route enforcement issue, based upon the volume of the snow.

Mr. Volbrecht also noted that there were some building enforcement actions on the property at 2743 40th Street, Highland. Mr. Volbrecht inquired about the status of those actions and the amount of fines finally imposed.

The Building Commissioner met with Mr. Volbrecht regarding this inquiry.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period December 24, 2013 through February 10, 2014. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for vendors were allowed and the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$686,958.18; Motor Vehicle Highway and Street (MVH) Fund, \$84,138.79; Law Enforcement Training and Supply Fund, \$3,243.92; Corporate Bond and Interest Fund (EXEMPT), \$5,000.00; FSA Agency Fund, \$1,129.38; Insurance Premium Fund, \$373,232.14; Information and Communications Technology Fund, \$5,783.21; Solid Waste District Grant Fund, \$102,857.95; Special Events Non Reverting Fund, \$50.00; Police Pension Fund, \$62,380.15; Municipal Cumulative Capital Development Fund, \$2,395.55; Traffic Violations and Law Enforcement Agency Fund, \$3,717.50; Gaming Revenue Sharing Fund, \$308.02; Total: \$1,331,206.79.

Payroll Docket for payday of _____ 29, 2013:

Council, Boards and Commissions, \$7,481.54; Office of Clerk-Treasurer, \$15,040.65; Building and Inspection Department, \$6,883.53; Metropolitan Police Department, \$95,208.53; Fire Department, \$2,822.95; Public Works Department (Agency), \$62,514.14; and 1925 Police Pension Plan Pension Fund, \$62,299.41 Total Payroll: \$252,250.75.

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Adjournment. Councilor Zemen moved that the plenary meeting be adjourned. Councilor Adams seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, February 10, 2014 was adjourned 7:48 O'clock p.m. No study session followed the plenary meeting.

Clerk-Treasurer