

**Enrolled Minutes of the Eighty-Third Regular or Special Meeting
For the Twenty-Eighth Highland Town Council
Regular Plenary Business Meeting
Monday, February 25, 2019**

Study Session. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in a study session preceding the regular meeting on Monday, February 25, 2019 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, Steven Wagner, 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 meeting.

The study session ended at 6:59 O'clock p.m.

Regular meeting. The Twenty-Eighth Town Council of the Town of Highland, Lake County, Indiana met in its regular session on Monday, February 25, 2019 at 7:00 O'clock P.M. in the regular place, the plenary meeting chambers of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Opening Ceremony:

The Town Council President, Steven Wagner presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with members of the *Highland Girl Scouts Troop 15467*, first presenting the flag, then reciting the Pledge of Allegiance to the Flag of the United States of America. Councilor Konnie Kuiper offered a prayer.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Dan Vassar, Steven Wagner, 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; Pete Hojnicky, Metropolitan Police Chief; John M. Bach, Public Works Director; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kenneth J. Mika, Building Commissioner; and Kathy DeGuilio-Fox, Redevelopment Director were present.

Also present: Larry Kondrat, Board of Waterworks Directors; and Ed Dabrowski, IT Consultant (Contract) were also present.

Guests present: Theresa Badovich and Robin Carlascio, principals of Idea Factory; • Debbie Fiegle, Highland Girl Scout Troop Leader; Murphy Palmer, Sara Vallejo-Villa, Noemi Moreno, Katerina Lazerus, Kailee Oliver, Gabrielle Dobyne, Addison Hornyak, Aubrey Southard-Kloc, Areag Subuh, Natalia Garcia, Ava Hackbarth, and Ahlina Flores of the Highland Girl Scout Troop 15467 were also present.

Minutes of the Previous Meetings: The minutes of the regular meeting of 11 February 2019, were approved by general consent.

Special Orders:

1. **Consideration of Proposed Additional Appropriations:** (controlled fund): Proposed Additional Appropriations in Excess of the 2019 Budget for the Redevelopment Capital Fund in the amount of \$2,047,125. *Funds to support these additional appropriations in the Redevelopment Capital Fund shall be from interest earnings, miscellaneous revenues, and unassigned fund balance on deposit to the credit of the Fund. This basically restores appropriations that lapsed at the end of 2018 and were not carried over by the budget process. (The FY 2019 starting appropriation is \$29,356 plus encumbrances of \$166,319.98 for a total of \$195,675.98)*
 - (a) **Attorney verification of Proofs of Publication:** The TIMES 14 Feb 2019. The Town Attorney indicated the proof of publication complied with IC 5-3-1.
 - (b) **Public Hearing.** The Town Council President called the hearing to order. There were no remonstrances or comments. The President closed the hearing.
 - (c) **Action on Appropriation Enactment No. 2019-12:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Herak introduced and moved the consideration of Enactment No. 2019-12 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Enactment No. 2019-12 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll vote, a two-third vote being necessary, there were five affirmatives and no negatives. The motion passed. The enactment was passed and adopted at the same meeting of its introduction.

**Town of Highland
 APPROPRIATION ENACTMENT
 Enactment No. 2019-12**

An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund, all pursuant to I.C. 6-1.1-18, I.C. 36-5-3-5, et seq.

WHEREAS, Following a public hearing advertised pursuant to I.C. 5-3-1, it has been determined that it is now necessary to appropriate more money than was appropriated in the annual budget for the **Redevelopment Capital Fund;**

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levy set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

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

Section 1. That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Redevelopment Capital Fund** and for the purposes herein specified, subject to the laws governing the same:

		Proposed	Adopted
Acct 096.0000.31005	Engineering & Architects	\$ 10,890.00	\$ 10,890.00
Acct 096.0000.31007	Maintenance / Repairs	\$ 3,328.00	\$ 3,328.00
Acct 096.0000.31008	Tree Replacement	\$ 4,889.00	\$ 4,889.00
Acct 096.0000.34002	Façade Improvement Grants	\$ 104,472.00	\$ 100,577.00
Acct 096.0000.39012	Land Acquisition Legal Services	\$ 32,500.00	\$ 32,500.00
Acct 096.0000.39025	Property Appraisal Services	\$ 15,000.00	\$ 15,000.00
Acct 096.0000.39026	Demolition Services	\$ 76,270.00	\$ 76,270.00
	Total Series:	\$ 247,349.00	\$ 243,454.00
Acct 096.0000.40000	Purchase of Realty	\$ 1,723,961.00	\$ 1,723,961.00
Acct 096.0000.42001	Wayfinding & Decorative Signs	\$ 75,815.00	\$ 75,815.00
		\$ 1,799,776.00	\$ 1,799,776.00
	Total for the Fund:	\$ 2,047,125.00	\$ 2,043,230.00

Section 2. That the Clerk-Treasurer is hereby authorized and instructed to inform the Indiana Department of Local Government Finance of this action and that these moneys be made available for expenditure **subject to an order** of the Commissioner, pursuant to IC 6-1.1-18.

Section 3. 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 25th Day of February 2019. Consideration on the 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 ORDAINED AND ADOPTED this 25th Day of February 2019, 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.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

/s/ Steve Wagner, President (IC 36-5-2-10)

ATTEST:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

General Orders and Unfinished Business:

- 1. Introduced Ordinance No. 1696:** An Ordinance to Amend the Compensation, Benefits and Personnel Program of the Municipality, known as the Compensation and Benefits Ordinance, Commonly Called the Municipal Employee Handbook Particularly Regarding Modifying Jury Duty Leave to Comport with Guidance from the State Board of Accounts and Repealing Prior Ordinances and Enactments in Conflict Therewith, Pursuant to IC 36-1-3 and other relevant Statutes. *Councilor Zemen introduced and filed Ordinance No. 16965, at the Town Council meeting of February 11, 2019. There was no further action to permit the Clerk-Treasurer to review models from other municipalities.*

With leave from the Town Council, the Clerk-Treasurer presented the mark-up of the ordinance, noting the modifications that reflected the gathering of the several examples from municipalities in Indiana.

Councilor Zemen moved the passage and adoption of Ordinance No. 1696. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

ORDINANCE NO. 1696 OF THE TOWN OF HIGHLAND, INDIANA

AN ORDINANCE TO AMEND THE COMPENSATION, BENEFITS AND PERSONNEL PROGRAM OF THE MUNICIPALITY, KNOWN AS THE COMPENSATION AND BENEFITS ORDINANCE, COMMONLY CALLED THE MUNICIPAL EMPLOYEE HANDBOOK PARTICULARLY REGARDING MODIFYING JURY DUTY LEAVE TO COMPORT WITH GUIDANCE FROM THE STATE BOARD OF ACCOUNTS AND REPEALING PRIOR ORDINANCES AND ENACTMENTS IN CONFLICT THEREWITH, PURSUANT TO IC 36-1-3 AND OTHER RELEVANT STATUTES.

WHEREAS, The Town Council is the fiscal and legislative body of the Town of Highland;

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;

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, IC 36-1-4, sections 14 and 15 provide in pertinent parts for the establishment of a system of employment for any class of employee and for fixing the level of compensation of its officers and employees;

WHEREAS, IC 5-10 in several pertinent chapters further authorizes Indiana political subdivisions to participate in and provide for certain compensation plans, and group benefits for its public workforce and officers, some of which have been duly adopted and established by ordinance of the Town; and

WHEREAS, IC 36-5, Chapters 3 and 4 provide additional authority and guidelines for fixing the level of compensation of officers and employees in towns;

WHEREAS, The State Board of Accounts provides written guidance pursuant to its authority under IC 5-11 et seq., with such written guidance being authoritative and these written guidance sources include *Cities and Towns Accounting Manual*, *Quarterly Cities and towns Bulletins*, *State Examiner Directives* and *Audit Opinions or Positions*;

WHEREAS, In the *Cities and Town Bulletin*, dated September 2018, new guidance related to Employee Time off and Compensation for Jury Duty was provided, which would inform its audit position for external audits of municipalities;

Whereas, The current provision regarding *Jury Duty Leave* in the Compensation and Benefits Ordinance, commonly called the Employee Handbook, does not comport with the guidance set forth in the *Cities and Town Bulletin*, dated September 2018;

WHEREAS, The Town Council has determined that an amendment of a program for compensation, benefits and personnel management for its public workforce, particularly regarding group insurance premiums paid by workers would be of benefit to support and carryout the public purposes of the municipality; and

WHEREAS, The Town Council now desires to make such an amendment,

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

Section 1. That the established compensation, benefits and personnel program of the municipality pursuant to and consistent with the provisions of the relevant governing law, is found and determined to require certain modification;

Section 2. That the ordinance, with the short title styled as styled as the "Compensation and Benefits Ordinance" and commonly called Municipal Employee Handbook is hereby amended revising **Section § 5.06** to read as follows:

§ 5.06 Jury Duty/Witness Leave

§ 5.06.01 ~~You~~ Full-time employees will be granted paid time off, to perform ~~you're the worker's~~ civic duty of serving on a jury or responding to compulsory process. Any full-time employee ~~after 30 calendar days of employment~~ is eligible for jury duty when ~~he/she the employee~~ is summoned to serve on a jury. The pay for ~~your the employee's~~ service will be the lesser of your actual time lost from work due to jury service up to eight hours of the employee's regular pay for each day served, **subject to one of the following:** ~~The worker may retain any fee or pay received from the court for such service. No subrogation of municipal pay is required.~~

(A) The employee shall sign over the check or warrant received for service as a juror or witness, provided the check or warrant does not also include reimbursement for mileage to the Office of the Clerk-Treasurer. The Clerk-Treasurer shall receipt the check or warrant into the fund or funds from which the employee's regular pay was drawn. The amount is not subject to re-appropriation. If the payment includes mileage then subdivision (B) shall apply.

(B) If the employee's jury duty check includes mileage, this subdivision shall apply. The amount of compensation received by the employee as a juror or witness shall be reported to the Town. The amount of the compensation received excluding any portion representing mileage reimbursement, will be deducted from the employee's regular pay;

§ 5.06.02 ~~However,~~ In order to protect the leave time as Jury/Witness leave, ~~the paid time off for this service, the worker employee should~~ shall present any proof of attendance or process documents to the ~~worker's~~ employee's supervisor and the office of the Clerk-Treasurer. ~~You~~ The employee is ~~are~~ expected to return to work if ~~you the employee is do not have~~ required to report for jury or other compulsory duty on a scheduled day, or if two or more hours of ~~you're the employee's~~ regular workday remain before or after jury service. If called for jury duty or are presented with notice of compulsory process, the employee shall immediately present the summons to your supervisor. Paid time off for jury duty is not counted as hours worked for purposes of determining overtime.

§ 5.06.03 Appearances for testimony, investigation, and court preparations as a result of official duties as a Town employee are compensated as actual hours worked and are not classified as paid leave under this section.

§ 5.06.04 Jury or Witness leave shall not apply when the employee is appearing in court for criminal or civil cases being heard in connection with the employee's personal matters.

Section 3. That amendments or revisions adopted by the passage of this ordinance, in its substantive parts shall be compiled into a complete and simplified version, excluding its preambles or formal recitals, featuring a cover and brief narratives regarding the municipality and inserted in to a presented in handbook or similar form, to be distributed to employees and officers of the municipality and may be referred to as the *Municipal Employee Handbook*;

Section 4. That this ordinance is to be construed as a companion ordinance complimentary to any ordinance passed from time to time establishing wages and rates of pay and known as the salary ordinance;

- (a) That this ordinance shall be effective to the extent that it is not in conflict with Federal or State law;
- (b) That all other ordinances and resolutions related to the subject matter of this ordinance and not in conflict with its provisions, and the enabling instruments dealing with wellness programs, remain in full force and effect;
- (c) That all other ordinances and resolutions in conflict with the provisions of this ordinance are hereby repealed and have no further force or effect;

Section 5. That any actions made lawful by this amendment carried-out consistent with its provisions but exercised before its adoption, are hereby approved, authorized and ratified pursuant to I.C. 36-1-4-16;

Section 6. That this ordinance shall become and remain in full force and effect from and after the date of its passage and adoption upon its signature by the executive as attested thereto by the clerk-treasurer, in the manner prescribed by IC 36-5-2-10(a).

Introduced and Filed on the 11th day of February 2019. Consideration on same day or at same meeting of introduction was not undertaken pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 11th Day of March 2019 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.

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

/s/ Steve Wagner, President (IC 36-5-2-10)

Attest:

/s/ Michael W. Griffin, IAMC/MMC/CPFA/CPFIM/CMO
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

2. **Selection or renewal of Group Dental Plan.** At its meeting of December 10, 2018, the Town Council authorized renewing with its *Current group dental provider, United Health Care (UHC) rates at Employee only at \$37.04; Employee and Spouse at \$76.46; Employee plus children \$73.49 and for Employee and family at \$125.66 per month; The proposed rates from United Health care represent a 0% increase over the 2018 rates. However, as part of due diligence, the Brown Insurance Group obtained a quote from MetLife Group Dental Plan with the following rates: Employee only at \$33.34; Employee and Spouse at \$68.61; Employee plus children \$66.14 and for Employee and family at \$113.09 per month; Further, these rates would be locked in for two years.*

If approved, Brown Insurance Group would be agent of record. In addition, renewal is currently March 1, 2019

- (a) Act to rescind the Town Council action of December 10, 2018 and cancel the Group Dental Plan with United Health Care effective March 1, 2019, ratify any notifications or actions taken to carry-out this measure pursuant to IC 36-1-4-16.

Councilor Herak moved to rescind the authorization for renewal of the United Health Care group dental plan, granted at the Town Council meeting of December 10, 2018, and to ratify any notifications made pursuant to this measure. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The earlier action was rescinded.

- (b) Act to approve a group dental benefit plan with MetLife at the rates indicated above, for a two-year lock-in of rates with the policy to be effective March 1, 2019.

Councilor Herak moved to approve the group dental benefit with MetLife at the rates indicated for the two-year period indicated, all effective March 1. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The MetLife group Dental Plan was approved.

3. **Authorization and Instruction to the Town Attorney.** Act to authorize the Town Attorney to take necessary steps to perfect a property swap and boundary alignment (Ox-Bow Section) between the Town of Highland and the City of Hammond, near the Homestead Park, first authorized in 1987.

Councilor Herak moved that the Town Attorney be authorized to take the necessary steps to perfect the property swap as described. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The Town Attorney was authorized to take steps to perfect the property swap involving the boundary alignment as described.

4. **Consideration of the Compliance with the Statement of Benefits as filed and represented by People's Bank S.B. 3915, 3919 & 3927 Ridge Road, Highland.** *At its meeting of September 14, 2015, the Highland Town Council passed Resolution No. 2015-37 approving this application and its terms for **property tax abatement** upon the increase in assessed value of \$667,800 as well as a new job and retention of five existing jobs all in consequence of construction of a new building, a People's Bank SB Branch at 3915, 3919 and 3927 Ridge Road, 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. The Town Council conducted its first review at its meeting of November 13, 2017 and its second at the Town Council meeting of 26 February 2018. The Town Council found the applicant in compliance at each meeting. This is **the third review** for compliance by the petitioner of its terms in the application **but the second one** that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, eight years remain on the 10 year abatement.*

Councilor Herak moved that as recommended by the Redevelopment Director, **People's Bank** be found in compliance and the Economic Revitalization be approved until its next review. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

5. **Consideration of the Compliance with the Statement of Benefits as filed and represented by High RE 3940, LLC d.b.a., Culver's 3950 Ridge Road, Highland.** *At its meeting of January 30, 2012, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of construction of a new building a Culver's Restaurant 3940 and 3950 Ridge Road, 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. The Town Council conducted its first review at its meeting of March 9, 2015, its second at its meeting of February 08, 2016, its third review at its meeting of February 27, 2017 and its fourth review at its meeting of 26 February 2018. The Town Council found the applicant in compliance at each meeting. This represents **the fifth** review of compliance for this property and the fifth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, five years remain on the 10 year abatement.*

Councilor Herak moved that as recommended by the Redevelopment Director, *Culver's Restaurant* be found in compliance and the Economic Revitalization be approved until its next review. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

6. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Baldi-Hoobyar Equities Indiana LLC d.b.a., Highland Volkswagen, 9601 Indianapolis Boulevard, Highland.** *At its meeting of October 10, 2012 and confirmed at its meeting of December 10, 2012, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of construction of a new building a Volkswagen Retail Dealership, 9601,9553 and 9545 Indianapolis Boulevard, Highland, 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. The Town Council conducted its first review at its meeting of March 9, 2015, its second at its meeting of February 08, 2016, its third at its meeting of February 27, 2017, and its fourth at its meeting of 26 February 2018. The Town Council found the applicant in compliance at each meeting. This represents **the fifth** review of compliance for this property and the fifth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, five years remain on the 10 year abatement.*

Councilor Kuiper moved that as recommended by the Redevelopment Director, *Highland Volkswagen* be found in compliance and the Economic Revitalization be approved until its next review. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

7. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Reliable Parts (formerly 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. The Town Council conducted its first review at its meeting of February 28, 2011, its second at its meeting of February 27, 2012, its third on February 25, 2013, its fourth on February 10, 2014 its fifth on April 13, 2015, its sixth on February 8, 2016, its seventh at its meeting of February 27, 2017, and its eighth at its meeting of 26 February 2018. The Town Council found the applicant in compliance at each meeting. This represents **the ninth** review of compliance for this property and the ninth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, one year remains on the 10 year abatement.*

Councilor Herak moved that as recommended by the Redevelopment Director, *Reliable Parts* be found in compliance and the Economic Revitalization be approved until its next review. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

8. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Indiana GROCERY GROUP (formerly known as SVT, LLC.), 2244-45th Avenue, Highland.** *At its meeting of March 26, 2012, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of construction of a new building SVT, LLC Headquarters, 2244 45th Avenue, Highland, 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. The Town Council conducted its first review at its meeting of April 13, 2015, its second at its meeting of February 08, 2016, its Third review at its meeting of February 27, 2017 and its fourth at its meeting of 26 February 2018. The Town Council found the applicant in compliance at each meeting. This represents **the Fifth** review of compliance for this property and the fifth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, five years remain on the 10 year abatement.*

Councilor Kuiper moved that as recommended by the Redevelopment Director, **Indiana Grocery Group Strack and Van Tils** be found in compliance and the Economic Revitalization be approved until its next review. Councilor Vassar seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

- 9. Consideration of the Compliance with the Statement of Benefits as filed and represented by Druktenis Realty, LP dba CIRCLE GMC/BUICK, 2440-45th Avenue, Highland.** *At its meeting of July 19, 2010, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of conversion of existing building Circle GMC/Buick, 2404 45th Avenue, Highland, 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. The Town Council conducted its first review at its meeting of April 13, 2015, its second at its meeting of February 08, 2016, its Third at its meeting of February 27, 2017 and its fourth at its meeting of 26 February 2018. The Town Council found the applicant in compliance at each meeting. This represents **the fifth** review of compliance for this property and the fifth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, five years remain on the 10 year abatement.*

Councilor Herak moved that as recommended by the Redevelopment Director, **Circle GMC Buick** be found in compliance and the Economic Revitalization be approved until its next review. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

- 10. Consideration of the Compliance with the Statement of Benefits as filed and represented by Demand Real Results, LLC, dba SAFETY TRAINING SERVICES, INC., 8516 Henry Street, Highland.** *At its meeting of September 8, 2014, the Highland Town Council approved this application for **property tax abatement** upon the increase in assessed value in consequence of conversion of existing vacant building located at 8516 Henry Street, Highland, 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. The Town Council conducted its first review at its meeting of February 8, 2016, its second at its meeting of February 27, 2017 and its third at its meeting of 26 February 2018. The Town Council found the applicant in compliance at each meeting. This represents **the Fourth** review of compliance for this property and the fourth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, six years remain on the 10 year abatement.*

Councilor Zemen moved that as recommended by the Redevelopment Director, **Safety Training Services** be found in compliance and the Economic Revitalization be approved until its next review. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

11. Consideration of the Compliance with the Statement of Benefits as filed and represented by Nathan Damasius d.b.a. VYTO's Pharmacy 8845 Kennedy Avenue, Highland. At its meeting of March 28, 2016, the Highland Town Council passed Resolution No. 2016-14 approving this application and its terms for *property tax abatement* upon the increase in assessed value of \$1,070,900, as well as four new jobs and retention of six existing jobs all in consequence of construction of a new building, a Corporate HQ for VYTO's, for Medical Specialty and pharmacy on Kennedy Avenue for a period of time **not to exceed five (5) 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 the terms of the approving resolution. The Town Council conducted its first review for compliance at its meeting of February 26, 2018. The Town Council found the applicant in compliance at that meeting. This is **the second review** for compliance by the petitioner of its terms in the application but the **first one** that applies after filing with the Lake County Auditor. This review is for Taxing period 2019 pay 2020. If approved, four years remain on the 10 year abatement

Councilor Zemen moved that as recommended by the Redevelopment Director, **VYTO's Pharmacy** be found in compliance and the Economic Revitalization be approved until its next review. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The economic revitalization area was approved until its next review.

Comments from the Town Council:

- **Councilor Bernie Zemen:** *Chamber of Commerce Co-Liaison • IT Liaison • Liaison to the Board of Waterworks Directors • Liaison to the Community Events Commission.*

Councilor Zemen had no comments.

- **Councilor Dan Vassar:** *Liaison to the Park and Recreation Board.*

Councilor Vassar acknowledged the Parks and Recreation Superintendent who reported on the programs of the Department, noting the Community Band Concert to be held at Monbeck Auditorium, Tuesday, March 5, 2019.

Councilor Vassar acknowledged the several students from Munster High School who were attending to satisfy an assignment from their Government Class.

Councilor Vassar further acknowledged Ethan Churilla who is an exemplary swimmer in Highland High School, who recently competed 50/100 yard free style and came in 2nd in the State.

- **Councilor Mark Herak:** *Budget and Finance Chair • Liaison to the Board of Sanitary Commissioners • Liaison to the Community Events Commission • Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Herak acknowledged the Public Works Director, welcoming him back from a recent trip to Europe. The Public Works Director reported that the Board of Sanitary Commissioners was reviewing the bid of Allied/Republic Waste Services for certain recycling and solid waste services. It was noted that the current contract expires March 31.

- **Councilor Konnie Kuiper:** *Fire Department, Liaison • Chamber of Commerce Co-Liaison.*

Councilor Kuiper acknowledged the Fire Chief, who reported on a fire incident at Hope Cemetery located on Kleinman Road, Highland.

- **Council President Steve Wagner:** *Town Executive • Chair of the Board of Police Pension Trustees • Advisory Board of Zoning Appeals Liaison.*

The Town Council President welcomed the Munster High School students present in satisfaction of a High School government assignment.

The Town Council President acknowledged the Building Commissioner who offered a brief survey of matters before the Advisory Board of Zoning Appeals.

Comments from Visitors or Residents:

1. Elijah Aurand, 9315 Farmer Drive, Highland, inquired about the timetable for the scheduled demolition of the remaining building at Condit and Kennedy Avenue, which housed Maria's Restaurant.

Mr. Aurand further inquired about plans for the site once the building is removed.

With leave from the Town Council, the Redevelopment Director indicated that the demolition would occur soon after the Maria is able to vacate the site. She further indicated that there are no formal specific plans for the site at this time. The Redevelopment Department is still considering a developer that might be interested.

Payment of Accounts Payable Vouchers. There being no further comments from visitors or residents, Councilor Vassar moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **February 12, 2019 through February 25, 2019**. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

Vendors Accounts Payable Docket:

General Fund, \$196,651.54; Motor Vehicle Highway and Street (MVH) Fund, \$66,651.54; Law Enforcement Continuing Education, Training, and Supply Fund, \$627.72; Gasoline Payment Agency Fund, \$17,202.75; Information and Communications Technology Fund, \$10,993.81; Civil Donation Fund, \$136.80; Special Events Non Reverting Fund, \$50.00; Police Pension Fund (1925 Law), \$69,655.68; Municipal Cumulative Capital Development Fund, \$1,019.92; Traffic Violations and Law Enforcement Agency Fund, \$5,500.00; Gaming Revenue Sharing Fund, \$61,683.80; Economic Development Local Income Tax Fund, \$6,737.47; Total: \$437,218.57.

Adjournment of Plenary Meeting. Councilor Vassar moved that the plenary meeting be adjourned. Councilor Kuiper seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, February 25, 2019 was adjourned at 7:41 O'clock p.m.

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