

**Enrolled Minutes of the Sixth Regular or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Meeting
Monday, March 09, 2020**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, March 09, 2020 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding.

The Town Council President, Mark J. Schocke presided. The Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings. The meeting was opened with Councilor Roger Sheeman offered a prayer.

The Highland Girl Scout Troop 15467 presented the colors and lead all in reciting the Pledge of Allegiance to the Flag of the United States of America. Adult Leader Deb Fiegle was joined by Laura Cosentino and Tiffany Dobyne. The Color Guard was comprised of Noemi Moreno, Katie Lazerus, Kailee Oliver, Gabby Dobyne, Aubrey Southard-Kloc, Natalia Garcia, Ava Hackbarth, and Emily Hackbarth.

Roll Call: Present on roll call were Councilors Bernie Zemen, Mark Herak, Mark J. Schocke, Thomas Black and Roger Sheeman. The Clerk-Treasurer, Michael W. Griffin was present to memorialize the proceedings. A quorum was attained.

Additional Officials Present: John P. Reed, Town Attorney; John M. Bach, Public Works Director; Pat Vassar, Assistant Police Chief; William R. Timmer, Jr., CFOD, Fire Chief; Alex M. Brown, CPRP, Parks and Recreation Superintendent; Kathy DeGuilio-Fox, Redevelopment Director; and Kenneth J. Mika, Building Commissioner, were present.

Also present: Larry Kondrat and Rick Volbrecht of the Board of Waterworks Directors; Richard Underkofler of the Tree Board; Dawn Diamantopolous of the Main Street Bureau; and Ed Dabrowski IT Director (Contract) were also present.

Guests: Robin Carlascio of the Idea Factory was also present.

Minutes of the Previous Meeting: The minutes of the regular meeting of February 24, 2020 was submitted for consideration. Councilor Black moved the approval of the minutes. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The minutes of 24 February 2020 were approved.

Special Orders:

- 1. Executive Proclamation:** A Proclamation in Recognition of Disability Awareness Month in the Town of Highland.
 - The Town Clerk-Treasurer read aloud the Proclamation. The Town Council President indicated that he approved the proclamation. He executed the proclamation with his signature.

**TOWN OF HIGHLAND
PROCLAMATION OF THE TOWN EXECUTIVE**

A PROCLAMATION IN RECOGNITION OF MARCH AS DISABILITY AWARENESS MONTH

Whereas, The month of March 2020 has been designated as "*Disability Awareness Month*" by the Governor of the State of Indiana in order to celebrate and recognize people with developmental disabilities; and,

Whereas, Disability is a natural part of the human experience and in no way diminishes the right of individuals with developmental disabilities to live independently, enjoy self-determination, make choices,

contribute to society and experience in full the economic, political, social, cultural and educational mainstream of American society; and

Whereas, Family members, friends and members of the community can play a central role in enhancing the lives of people with developmental disabilities especially when the family and community are provided with necessary support services and public and private employers are aware of the capabilities of people with developmental disabilities to be engaged in competitive work in inclusive settings; and,

Whereas, The goals of this municipality and state properly include providing individuals with developmental disabilities the opportunities and support to make informed choices and decisions, live in homes and communities where such individuals can exercise their full rights and responsibilities as citizens, pursue meaningful and productive lives, contribute to their family, community State and Nation, have interdependent friendships and relationships with others, and achieve full inclusion in society,

Now, Therefore, I, Mark Schocke, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim the month of March 2020, as

Disability Awareness Month

in the Town of Highland;

Be it Further Proclaimed, That the citizens of Highland are hereby called upon to observe the month with appropriate programs and activities; and,

Be it Still Further Proclaimed, That the citizens of Highland are hereby encouraged *to seek counsel and input from any person or group with knowledge and expertise in matters concerning disabilities.*

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 9th day of March in the year, 2020.

TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT

/s/Mark J. Schocke

Attest:

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

Comments from the Public or Visitors:

1. Larry Kondrat, Highland, expressed his impression that one of the petitioners on the agenda seeking to be found in compliance for the tax abatement did not meet the job and payroll targets. Mr. Kondrat asked whether the targets were strict objectives. It was noted that that the petitioners were required to be in substantial compliance and not necessarily exact compliance.

Mr. Kondrat noted that an agreement with Lounges Entertainment to provided entertainment for the Independence Day Festival was on the agenda for action by the Town Council in the amount of \$33,000. Mr. Kondrat asked whether the Canadian National Railroad Grant proceeds were committed to support this agreement and how such a dedication could be made without action by the Town Council.

It was noted that no definite commitment has been made with regard to the CN Railroad grant.

2. Rick Volbrecht, Highland, stated that in his experience as a former School Board member that grant proceeds could not be finally used without approval of the governing board.
3. Connie Wachala, Highland, asked for clarification regarding the actual start time of the Town Council meeting and the website stating the meeting begins at 7:00 p.m.
4. Army Colonel Anthony Daggett,(in uniform) Gary, joined by his wife introduced himself to the Town Council as a candidate for United States Congress and indicated

he was present to listen to the possible needs of the Town. He reported on the successes of his adult children and his interest in education.

The Town Council President thanked Col. Daggett for his remarks and his service.

Communications:

1. The Clerk-Treasurer read aloud a letter from J. Douglas Van Ramshorst regarding the Main Street Bureau of the Redevelopment Department and his recent departure and resignation from the Bureau.

With leave from the Town Council, the Town Council President recognized Mr. Van Ramshorst to offer any additional comments regarding his missive. He restated the sentiments of his letter regarding the meeting in which his resignation was acknowledged. In a colloquy between the Town Council President and Mr. Ram Van Ramshorst, Mr. Van Ramshorst indicated that he did not wish to reapply for membership on the Main Street Bureau.

With leave from the Town Council, Councilor Herak suggested that the Town Council should perhaps consider making the Main Street bureau be a separate non-profit or part of the Chamber of commerce rather than a bureau of the Redevelopment Department.

2. The Clerk-Treasurer noted and the Town Council acknowledged the communication from the Highland Census Complete Count Committee regarding its Implementation of the Action Plan for the March 9, 2020 Meeting.

Staff Reports: The following staff reports were received and filed.

• **Building & Inspection Report for February 2020**

Permit Type	Number	Residential	Commercial	Est. Cost	Fees
Commercial Buildings:	3	0	3	\$117,205.00	\$2,510.50
Commercial Additions or Remodeling:	0	0	0	\$0.00	\$0.00
Signs:	5	0	5	\$38,903.00	\$1,368.50
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:	41	41	0	\$440,192.00	\$9,475.00
Garages:	0	0	0	\$0.00	\$0.00
Sheds:	0	0	0	\$0.00	\$0.00
Decks & Porches:	0	0	0	\$0.00	\$0.00
Fences:	5	5	0	\$25,716.00	\$803.50
Swimming Pools:	0	0	0	\$0.00	\$0.00
DrainTile/ Waterproofing:	4	4	0	\$39,018.00	\$959.50
Miscellaneous	0	0	0	\$0.00	\$0.00
TOTAL:	58	50	8	\$661,034.00	\$15,117.00
Electrical Permits	17	14	3		\$2,061.00
Mechanical Permits	16	11	05		\$1,538.00
Plumbing Permits	8	6	2		\$1,078.90
Water Meters	2	1	1		\$1,175.50
Water Taps	0	0	0		\$0.00
Sewer/Storm Taps	0	0	0		\$0.00
TOTAL Plumbing:	10	7	3		\$2,254.40

February Code Enforcement:

Investigations: 161
Citations: 009
Warnings: 000

February Inspections:

Building: 39 Electrical: 25 Plumbing: 14 HVAC: 15
Electrical Exams: 2

• **Fire Department Report for February 2020**

<u>Type of Call</u>	<u>Month</u>	<u>1st half of year</u>	
General Alarms	09	17	
Paid Still Alarms	30	54	
Still Alarms	05	12	
Total Alarms:	44	83	Calls YTD: 83 calls

• **Workplace Safety Report for February 2020**

There were no workplace incidents to report in February. The following report was filed.

Department	Injuries this Month	Year to Date 2020	Total in 2019	Restricted Days 2020	Lost Workdays This Year (2020)	Restricted Days Last Year (2019)	Lost Workdays Last Year (2019)
Parks	0	0	0	0	0	0	0
Fire	0	0	1	0	0	0	0
Police	0	0	4	0	0	0	0
Street	0	0	1	0	0	0	0
Water & Sewer	0	0	5	31	0	0	46
Maint.	0	0	1	0	0	14	2
Other	0	0	1	0	0	0	0
TOTALS	0	0	13	31	0	14	48

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

- 1. Advisory Board of Zoning Appeals** (1) appointment to be made by Town Council President. Citizen member (*Filling unexpired term of Bill Leep, who received an appointment to the Redevelopment Commission, extends to First Monday in January 2022*)

The Town Council President as municipal executive announced his appointment of **Matthew A. Thomas, 8605 Liable Road, Highland**, to the unexpired term on the Advisory Board of Zoning Appeals.

Home Rule Commissions

1. Community Events Commission:

(1) appointments to be made by the Town Council President. **Term: 4 years.** (Note: Vacancy from unexpired term of Late E. Parlor of which term expires January 2021)

The Town Council President announced his appointment of **Jacqueline Herrera, 8112 Wicker Park Drive, Highland** to the unexpired term in a multi-year position on the Community Events Commission. This appointment created a vacancy in the annual legislative appointments.

Legislative Appointments

Home Rule Commissions

1. Community Events Commission:

Councilor Black moved to appoint **Stan M. Allen, 3510 Laverne Drive, Highland**, to the unexpired term in the position just vacated by the appointment of Jacqueline Herrera to the multi-year position. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Mr. Allan was appointed.

Unfinished Business and General Orders:

- 1. Introduced Ordinance No. 1712:** An Ordinance to Amend and the Compensation, Benefits and Personnel Program of the Municipality, known as the Compensation and Benefits Ordinance, Commonly Called the Municipal Employee Handbook All Particularly Regarding the Flexible Spending Account as part of the Section 125 Plan and Repealing Prior Ordinances and Enactments in Conflict Therewith, Pursuant to IC 36-1-3 and other relevant Statutes. *Councilor Black introduced and filed Ordinance No. 1712, at the Town Council meeting of January 27, 2020. There was no further action.*

Councilor Zemen moved to pass and adopt Ordinance No. 1712. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The ordinance was adopted.

**ORDINANCE NO. 1712
OF THE
TOWN OF HIGHLAND, INDIANA**

AN ORDINANCE TO AMEND AND THE COMPENSATION, BENEFITS AND PERSONNEL PROGRAM OF THE MUNICIPALITY, KNOWN AS THE COMPENSATION AND BENEFITS ORDINANCE, COMMONLY CALLED THE MUNICIPAL EMPLOYEE HANDBOOK ALL PARTICULARLY REGARDING THE FLEXIBLE SPENDING ACCOUNT AS PART OF THE SECTION 125 PLAN 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; and

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; and

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 of the Town of Highland, as the town legislative body also desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2019 and thereafter as amended;

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

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 § 4.09** to read as follows:

§ 6.03.02 IRC Section 125 "Flex Plan"

The Town of Highland will provide a "~~full flex~~" **limited cafeteria** plan pursuant to and as outlined in § 125 of the Internal Revenue Code. The plan will provide for conversion of employee premiums for group health insurance provided by the Town as employer. **It will provide for a dependent care reimbursement account.** ~~It will further provide for election by covered employees and officials to convert a medical reimbursement account and a dependent care reimbursement account.~~ The governing body may from time to time adopt third party services agreements to carry out portions of the plan. Details of the plan shall be maintained as a plan document and retained on file.

Section 3. The flexible spending medical reimbursement account provisions in full force and effect at the time of this ordinances introduction, passage and adoption, will remain in force through January 31, 2021. Following this date the plan will no longer offer the medical reimbursement feature, subject to any lawful grace period provided in the IRC Section 125.

Section 4. That amendments 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 *Employee Handbook*;

Section 5. 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 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 27th day of January 2020. Consideration on same day or at same meeting of introduction was not sought, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 9th Day March 2020 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/Mark J. Schocke, 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. **Proposed Ordinance No. 1714:** An Ordinance to Amend Chapters 10.30 and 10.35 of the Highland Municipal Code Relating to Motor Vehicles and Traffic, Providing for the Enforcement Thereof, Repealing All Ordinances in Conflict Therewith, and Declaring an Emergency. *(The ordinance if adopted would amend the Traffic Code adding additional locations for traffic control signals, parking for persons with disabilities, and parking prohibited at all times.)*

Councilor Herak introduced and moved the consideration of Ordinance No. 1714 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance could be considered at the same meeting of its introduction.

Councilor Herak moved the passage and adoption of Ordinance No. 1714 at the same meeting of its introduction. Councilor Zemen seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five affirmatives and no negatives. The motion passed. The ordinance was passed and adopted at the same meeting of its introduction.

ORDINANCE No. 1714
of the
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to AMEND CHAPTERS 10.30 AND 10.35 of the HIGHLAND MUNICIPAL CODE RELATING to MOTOR VEHICLES and TRAFFIC, PROVIDING for the ENFORCEMENT THEREOF, REPEALING ALL ORDINANCES in CONFLICT THEREWITH, and DECLARING an EMERGENCY

WHEREAS, The Traffic Safety Commission has conducted a study and investigation as to the amendments to Chapter 10.30, and Chapter 10.35 of the Highland Municipal Code within the Town of Highland;

WHEREAS, The Traffic Safety Commission at meetings convened on February 6, 2018, November 6, 2018, April 2, 2019 and August 7, 2019 considered and then did vote to recommend certain amendments to the Highland Municipal Code particularly regarding additions to the Traffic Schedules, and the Parking Schedules;

WHEREAS, I.C. 9-21-1 *et sequitur* authorizes the Town of Highland, through its Town Council as a local authority to adopt local regulations regarding traffic; and

WHEREAS, I.C. the Town Council is interested in amending the appropriate Traffic and Parking Schedules to protect the public health, safety and welfare with regard to traffic and parking control; and

WHEREAS, It would be and is in the best interest of the Town of Highland, and in the best interest of the public health and safety to amend the following section 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. That Section 10.30.010, Schedule I "Traffic Control Signals at intersections" of the Highland Municipal Code be amended by **adding to the existing schedule the** following:

Intersection	Ord. No.	Date Passed
Prairie Avenue and Main Street	1714	03.09.2020

Main Street at the Target Retail Store Enter/exit access point	1714	
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Section 2. That Section 10.35.020 Schedule II "Parking for persons with disabilities" of the Highland Municipal Code be amended by **adding to the existing schedule the** following:

Street or place	Location	Ord. No.	Date Passed
Duluth Street	7927 Duluth Street	1714	03.09.2020

Section 3. That Section 10.35.040, Schedule III "Parking Prohibited at all Times" of the Highland Municipal Code be amended by **adding to the existing schedule the** following:

Street	Location	Side	Ord. No.	Date Passed
Prairie Avenue	200 feet north of Whispering Oaks Court on Prairie Avenue running to Main Street	West side	1714	03.09.2020

Section 4. That the proper officer be hereby directed to erect appropriate signs, properly citing the traffic or parking regulation herein, to support the enforcement of the provisions herein and to further remove those signs where appropriate as well;

Section 5. That all provisions of ordinances in conflict with the provisions hereof are hereby repealed;

Section 6. That this ordinance shall become and be in full force and effect from and after its adoption, passage and **two (2) weeks** following its publication in the manner prescribed by law and until its subsequent amendment or repeal by proper ordinance, all pursuant to IC 36-5-2-10(c).

Introduced and Filed on the 9th Day of March 2020. 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 ORDAINED AND ADOPTED this 9th Day of March 2020, 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/Mark J. Schocke, 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)

3. Works Board Order No. 2020-07: An Order of the Works Board Offering, Authorizing and Approving an Extension to the Contract between the Town of Highland and Walsh & Kelly, Incorporated for Materials and Services – Asphalt Work through December 31, 2020, all Pursuant to Indiana Code 5-22 *et Seq.* and §31.18 of the Highland Purchase Code.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2020-07. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative and Councilor Black voting in the negative, the motion passed. The Works Board Order was adopted.

**TOWN of HIGHLAND
BOARD OF WORKS
ORDER of WORKS BOARD NO. 2020-07**

AN ORDER OF THE WORKS BOARD OFFERING, AUTHORIZING AND APPROVING AN EXTENSION TO THE CONTRACT BETWEEN THE TOWN OF HIGHLAND AND WALSH & KELLY, INCORPORATED FOR MATERIALS AND SERVICES – ASPHALT WORK THROUGH DECEMBER 31, 2020, ALL PURSUANT TO INDIANA CODE 5-22 ET SEQ. AND §31.18 OF THE HIGHLAND PURCHASE CODE

Whereas, Pursuant to IC 36-1-2-24 (3), the Town Council serves as the works board for the Town of Highland;

Whereas, The Town of Highland did receive bids on March 22, 2019 for Road Materials and Services, which included asphaltting work and associated services, pursuant to IC 5-22 *et seq.* and on April 08, 2019, the Town Council for the Town of Highland accepted and awarded a bid for several items of asphalt work and associated services to Walsh & Kelly, Incorporated, as the lowest responsible and responsive bid; and

Whereas, Walsh & Kelly, Incorporated has expressed interest, through a letter dated October 29, 2019, attached hereto, to extend the current contract for an additional year at the same terms and conditions for Road Materials and Services, Asphalt Paving;

Whereas, Walsh & Kelly, Incorporated has demonstrated professional competence and qualifications to perform the particular concrete work for the Town of Highland and it has been determined that extending the current contract will realize a cost and time savings for mutual benefit of the both parties; and,

Whereas, The Town Council for the Town of Highland, pursuant to IC 5-22-17-4, now wishes to offer a contract extension to Walsh & Kelly, Incorporated, through December 31, 2020, for Road Materials and Services – Asphalt Paving, under the original terms, conditions and prices as the original contract (1-year),

Now Therefore Be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the works board:

Section 1. That the Director of Public Works is hereby ordered to offer contract an extension to Walsh & Kelly, Inc. for Road Materials and Services – Asphalt Paving under the same terms, conditions, and prices for the period January 1, 2020 through December 31, 2020;

Section 2. That, if accepted, the Director of Public Works be authorized to execute the Contract Extension with his signature as attested thereto by the Clerk Treasurer.

Be it So Ordered

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9th day of March 2020 having passed by a vote of 4 in favor and 1 opposed.

**WORKS BOARD of the TOWN of
HIGHLAND, INDIANA**

/s/ Mark J. Schocke, 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)

EXHIBIT:



October 29, 2019

Mr. John Bach
Town of Highland
3333 Ridge Road
Highland, IN 46322

Re: Extension of existing Yearly Asphalt Paving
Contract from 2019 through 2020

Dear Mr. Bach:

Walsh & Kelly, Inc. is offering to the Town of Highland an extension of our current pricing for work to be completed in 2020.

We do so by the detail explained under Indiana Code 5-22-17-4. I have enclosed a copy of the code for your convenience and reference.

If the Town is in agreement, please indicate your approval with signatures below.

If you have any questions, please feel free to contact me.

Respectfully,
WALSH & KELLY, INC.

Jeffrey L. Swan
Executive Vice President


JLS:ml

Enclosure

Town of Highland, Board or Public Works & Safety

Date

Date

4. **Works Board Order No. 2020-08:** An Order of the Works Board Accepting the Proposal of Lounges Entertainment LLC for Professional Entertainment and Stage Services for the Town of Highland, Associated with Independence Day Festivities, and to Comply with the Provisions of IC 22-5-1.7 et seq.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2020-08. There was no second. The matter did not pass owing to no seconding on the motion.

5. **Works Board Order No. 2020-09:** An Order Finding And Determining Certain Personal Property of the Municipality As No Longer Needed For The Purposes For Which Originally Acquired or Have Been Left In The Custody Of An Officer Or Employee Of The Town Of Highland And Have Remained Unclaimed For More Than One (1) Year or Have Been Deemed Worthless and of No Market Value, And Further Authorizing And Approving Disposal Or Transfer of Said Property to a Municipality.

Councilor Herak moved the passage and adoption of Works Board Order No. 2020-09. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

THE TOWN of HIGHLAND
BOARD of WORKS ORDER NO. 2020-09

AN ORDER FINDING And DETERMINING CERTAIN PERSONAL PROPERTY OF THE MUNICIPALITY AS NO LONGER NEEDED FOR THE PURPOSES FOR WHICH ORIGINALLY ACQUIRED OR HAVE BEEN LEFT IN THE CUSTODY OF AN OFFICER OR EMPLOYEE OF THE TOWN OF HIGHLAND AND HAVE REMAINED UNCLAIMED FOR MORE THAN ONE (1) YEAR OR HAVE BEEN DEEMED WORTHLESS AND OF NO MARKET VALUE, AND FURTHER AUTHORIZING AND APPROVING DISPOSAL OR TRANSFER OF SAID PROPERTY TO A MUNICIPALITY.

WHEREAS, The Town Council for the Town of Highland is the Works Board of the Municipality pursuant to IC 36-1-2-24(3) and

WHEREAS, The Town Council has been advised by the Metropolitan Police Department that several items of personal property particularly, several non-lethal stun weapons whose conditions, and which all owned by the municipality are no longer needed for the purposes for which it was originally acquired, pursuant to IC 5-22-22; and

WHEREAS, The Metropolitan Police Chief in consultation with the Winfield Police Chief has recommended that disposal of the personal property be authorized, all pursuant to the provisions of IC 5-22-22 et seq.;

WHEREAS, The Metropolitan Police Chief has further recommended that disposal of the personal property be executed by the purchasing agent and authorize the transfer to the Winfield Police Department, by way of private sale, all pursuant to the provisions of IC 5-22-22, sections 3, 6 and 10;

WHEREAS The Town Council now desires to favor the recommendation and take those steps necessary to authorize and approve a disposal of personal property of the municipality pursuant to the applicable law,

NOW, THEREFORE, BE IT ORDERED by the Town Council of the Town of Highland, Lake County, Indiana:

Section 1. That the Town Council of the Town of Highland acting as the works board, hereby finds and determines the following:

(A) That there are certain articles of personal property possessed or owned by the municipality, that are no longer needed, unfit for the purposes for which they were acquired, pursuant to IC 5-22-22-3; or,

(B) That these same articles of personal property possessed or owned by the municipality, that have been left in the custody of an officer or employee of the Town of Highland and have remained unclaimed for more than one (1) year, pursuant to IC 5-22-22-3; or,

(C) That these same articles of personal property possessed or owned by the municipality, that may be deemed worthless or no market value as the estimated costs the sale and transportation of the property exceed the property value, pursuant to IC 5-22-22-8;

(D) That they these items of personal property are more particularly described in an exhibit attached to and incorporated in this works board order;

(E) That the value of any single item of personal property is less than one thousand dollars (\$1,000), and that all the items of personal property together are less than \$5,000, all pursuant to IC 5-22-22; and,

(F) That the transfer by private sale without resort to notice of those items of personal property of the Highland Police Department to the Winfield Police Department be hereby found to be authorized and lawful;

Section 2. That the Metropolitan Police Chief is hereby authorized and instructed to cause a lawful disposal or transfer of the personal property identified in this Works Board Order by public or private sale or transfer without advertising pursuant to IC 5-22-22-6;

Section 3. That a Transfer agreement between the Town of Highland, Police Department and the Town of Winfield, Police Department, made a part of this order by incorporation as an exhibit, is hereby approved in each and every respect;

Section 4. That no proceeds are expected but should proceeds arise, any and all proceeds yielded from the lawful disposal or transfer authorized by this order shall be deposited with the Office of the Clerk-Treasurer, where such proceeds shall be deposited to the credit of the proper fund.

Be It So Ordered.

DULY ADOPTED and ORDERED BY the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9th day of March 2020 having passed by a vote of 5 in favor and 0 opposed.

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

/s/Mark Schocke, 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)

Exhibit of Personal Property for Disposal

- 1: Yellow X26 Taser, Serial # 00-352030
- 2: Yellow X26 Taser, Serial # 00-503909
- 3: Yellow X26 Taser, Serial # 00-504407
- 4: Yellow X26 Taser, Serial # 00-504413
- 5: Yellow X26 Taser, Serial # 00-528283
- 6: Yellow X26 Taser, Serial # 00-569192
- 7: Yellow X26 Taser, Serial # 00-707596

END of PERSONAL PROPERTY EXHIBIT

Exhibit of Transfer Resolution Agreement

Resolution and Agreement to Transfer Personal Property

This Agreement also to be construed as a Resolution for the purposes of IC 5-22-22-10(a), approved, made and entered into this ____ day of _____, 2020, by and between the Town of Highland, Lake County, Indiana, by and through its Town Council, ("Highland"), and the Town of Winfield, Indiana Police Department ("Winfield")

Resolution and Agreement

Whereas, Highland is the owner of certain personal property specifically identified and set forth in an Exhibit attached hereto and incorporated herein by reference (hereinafter referred to as the "Property"); and

Whereas, Pursuant to Indiana Code 5-22-22-10 both Highland and Winfield mutually agree that it would be to the beneficial interests of Highland and Winfield and their respective users, citizens and taxpayers of Highland to

transfer the personal property from the Town of Highland by its Police Department to the Town of Winfield through its Police Department for no consideration;

Whereas, IC 5-22-22-10(a) states that "a purchasing agency may exchange property with another governmental body upon terms and conditions agreed upon by the governmental bodies as evidenced by adoption of a substantially identical resolution by each entity;"

Whereas, The Town of Winfield Police Department agrees to further evidence this exchange by the adoption of a substantially identical resolution, which for the purposes of this transfer shall be this Resolution and Agreement,

Now, Therefore, be it hereby resolved and in consideration of the covenants and conditions herein contained to be observed and performed by each of the parties hereto, and for good and other valuable consideration, the receipt of which is hereby mutually acknowledged, IT IS AGREED and RESOLVED AS FOLLOWS:

Section 1. Transfer of Personal Property. That subject to the provisions herein contained, Highland agrees to convey the Property by Bill of Sale to Winfield;

Section 2. Consideration. That pursuant to the provisions of I.C. 5-22-22-10, the transfer of the property from Highland to Winfield shall be made for no consideration and shall be evidenced by the adoption of substantially identical resolution by each entity;

Section 3. Authorization. That this resolution and agreement shall not be binding upon either party until appropriate resolutions authorizing the execution of this Agreement have been fully adopted and in accordance with the law by the Town of Highland and the Town of Winfield's appropriate governing body.

Section 4. Survival of Representations, Covenants, Warranties, and Agreements. That all representations, covenants and warranties made herein shall survive the execution of this Agreement.

Section 5. Binding Effect. That this resolution and agreement shall be binding upon the successors and assigns of the parties.

Section 6. Governing Law. That this instrument shall be governed by the Laws of the State of Indiana.

In witness whereof, the parties have caused this resolution and agreement is approved to be executed this ____ day of _____, 2020.

Highland:

Town of Highland, Lake County, Indiana
By and through its Town Council

By _____
Mark J. Schocke, President

Attest:

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

Winfield:

Town of Winfield, Lake County, Indiana
By and through its Town Council

By _____
Gerald T. Steiner, President

Attest:

By _____
Richard C. Anderson, Jr.
Clerk-Treasurer

6. **Works Board Order No. 2020-10:** An Order Approving and Authorizing the Metropolitan Police Chief to Purchase and Purchase from Thomas Dodge of Highland, IN (3) three 2020 Dodge Charger Police vehicles pursuant to I.C. 5-22-7.

Councilor Black moved the passage and adoption of Works Board Order No. 2020-10. Councilor Herak 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 2020-10

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase and Purchase from Thomas Dodge of Highland, IN (3) three 2020 Dodge Charger Police vehicles pursuant to I.C. 5-22-7.

Whereas, The Town of Highland Metropolitan Police Department, as part of its public duties, has a responsibility for patrol, public safety and protection of life and property throughout the Town of Highland and, from time to time, it is necessary to purchase and or lease materials and supplies in order to carry out the functions of the department;

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be no more than \$150,000.00;

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (E) as well as Section 3.05.050 (B) of the Highland Municipal Code, such purchase requires the express approval of the purchasing agency;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(2) of the Highland Municipal Code serves as the purchasing agency for the Metropolitan Police Department;

Whereas, The Metropolitan Police Chief, pursuant to Section 3.05.050 (D)(2) of the Highland Municipal Code, serves as the Purchasing Agent for the Metropolitan Police Department;

Whereas, The Purchasing Agent, pursuant to Section 3.050.060 (H) of the Highland Municipal Code, elected to use the bidding provisions of the public purchase code, reports bids were solicited, opened and read aloud on March 2, 2020 in the Community Room of the Highland Police Department and the following response(s) were noted;

1. Thomas Dodge - 9604 Indianapolis Blvd., Highland, IN
\$25,813 per white vehicle (2) and \$25,825 per red (1)

Whereas, The Purchasing Agent, elected to purchase pursuant to Section 3.05.060 (H) of the Highland Municipal Code, receiving only a single bid as follows:

Thomas Dodge 9604 Indianapolis Blvd., Highland Indiana at a unit price of \$25,813.00 and \$25,825.00. The purchase of three (3) vehicles at \$77,451.00 minus the trade-ins totaling \$11,000.00 for a total purchase price of \$66,451.00.

Whereas, The purchase of the vehicle will be supported duly approved appropriations in the Municipal Capital Cumulative Fund (MCCD) and in the Public Safety LIT Fund; and,

Whereas, The Town Council now desires to approve and authorize the Police Chief to complete the purchase pursuant to the terms and stated herein,

Now, Therefore Be It Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board of Municipality:

Section 1. That the Works Board hereby authorizes and approves the purchase from Thomas Dodge of Highland for the purchase of three (3) 2020 Dodge Chargers at the price of \$77,451.00 minus the trade-ins of \$11,000.00 for a total of \$66,451.00;

Section 2. That the Works Board hereby finds and determines that the offer from Thomas Dodge of Highland to be the lowest responsive and responsible bidder offered at the total price of \$66,451.00, all pursuant to IC 5-22-7-8 and Section 3.05.060 (H)(8) of the Highland Municipal Code;

Section 3. That the Metropolitan Police Chief is now authorized and approved as follows:

(A) To execute the purchase agreement and any additional documents in order to implement this purchase;

(B) To file with the Sr. Chancery/Bursar Clerk in the Office of the Clerk-Treasurer a proper list with serial numbers of the vehicles traded-in to support the recording of these disposals;

(C) To file with the Sr. Chancery/Bursar Clerk in the Office of the Clerk-Treasurer a proper list with serial numbers of the vehicles purchased to support the recording of these acquisitions and then file all other associated documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14;

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9th day of March 2020 having passed by a vote of 5 in favor and 0 opposed.

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

Mark J. Schocke, President (IC 36-5-2-10)

Attest:

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

- 7. Works Board Order No. 2020-11:** An Order of the Works Board Accepting a Proposal from Red Bud Landscape Services, Inc. for Certain Landscape Maintenance Services to Furnish, Install, Mulch and Water fifty Trees Identified by the Tree Board in the amount of Thirty-Nine Thousand Eighty-Three Dollars and no Cents (\$39,083).

Councilor Black moved the passage and adoption of Works Board Order No. 2020-11. Councilor Sheeman 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. 2020-11**

AN ORDER OF THE WORKS BOARD ACCEPTING A PROPOSAL FROM RED BUD LANDSCAPE SERVICES, INC. FOR CERTAIN LANDSCAPE MAINTENANCE SERVICES TO FURNISH, INSTALL, MULCH AND WATER FIFTY TREES IDENTIFIED BY THE TREE BOARD IN THE AMOUNT OF THIRTY-NINE THOUSAND EIGHTY-THREE DOLLARS AND NO CENTS (\$39,083)

Whereas, The Department of Public Works working with the Tree Board had determined to request a special tree grant from the Little Calumet River Basin Development Commission;

Whereas, The Public Works Director, pursuant to § 3.05.050(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department, which includes executing the Urban Forestry Plan for the Town of Highland;

Whereas, The Tree Board had prepared specifications and schedule of services to be performed associated with the planting specified tree species, and continuing care for and had solicited proposals from landscape services contractors, pursuant to the specifications and schedule of services; and

Whereas, Pursuant to Section 03.05.060 (F) of the Highland Municipal Purchasing Code, on January 27, 2020, the Tree Board Secretary, the Parks and Recreation Superintendent and the Public Works Director received the following proposals from its solicitation:

Item / Service	Matt's	Redbud	Hubinger
	Landscaping	Landscape Services	Landscaping
Lump Sum Bids			
Planting: Furnish, install, mulch and initially water 50 trees per attached list.	\$ 23,750	\$ 29,083	\$ 27,957
Watering Base Bid: Water 50 Trees once weekly from May 31 to Oct 31, 2020 (22 Weeks)	\$ 8,800	\$ 5,000	\$ 9,900
Alternative Watering Bid: Water 50 Trees once weekly from May 31, 2020 to Oct 31, 2022 (44 Weeks)	\$ 17,600	\$ 10,000	\$ 19,800
Total Base Bid (22 weeks watering)	\$ 32,550	\$ 34,083	\$ 37,857
Total Alternative Bid (44 weeks watering)	\$ 41,350	\$ 39,083	\$ 47,757

Whereas, The Executive Director of the Little Calumet River Basin Development Commission communicated that the Town of Highland was awarded a reimbursement grant in the amount of thirty-thousand dollars (\$30,000) for the planting of 50 trees according to the application filed by the Town;

Whereas, The Public Works Director believes that Red Bud Landscape Services, Incorporated has demonstrated professional competence and qualifications in performing the particular professional landscape maintenance services called for in the request for proposals fully in compliance with the specifications and recommends that the Town of Highland, find Red Bud as the lowest, most responsible and responsive respondent and award the service agreement accordingly;

Whereas, The Town Council, pursuant to §3.05.030(A)(1) of the HMC, serves as purchasing agency for the Public Works Department;

Whereas, The purchase price exceeds \$15,000.00 and pursuant to §3.05.040 (C) and Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency; and

Whereas, There are expected to be sufficient and available appropriations balances on hand following a properly enacted additional appropriation, to support the payments under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council acting as the Works Board, now desires to accept the recommendation of the Public Works Director to accept the proposal and award a contract to Red Bud Landscape Services, Inc. to furnish, install, mulch and water 50 trees as specified by the Town, and associated landscape maintenance services,

Now, Therefore, Be It Ordered, by the Town Council, acting as the Works Board of the Town of Highland, Indiana:

Section 1. That subject to the provisions of Section 2 of this Order, the proposal of Red Bud Landscape Services, Inc. to furnish, install, mulch and water 50 trees as specified by the Town, and associated landscape maintenance services in the amount of Thirty-nine Thousand eighty-three Dollars (\$39,083.00) be hereby accepted as the lowest responsive and responsible quote;

Section 2. That the final award is contingent on the approval of an additional appropriation in the proper amount in a lawful fund of the Town;

Section 3. That the following are further authorized and ordered:

- (A) That the reimbursement grant application and award is accepted and ratified;
- (B) That the Tree planting project identified by the Tree Board and supported by the Little Calumet River Basin Development Commission is authorized and approved; and,
- (C) That the Public Works Director is hereby authorized to execute the agreement and all documents necessary to implement and execute the project.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9th day of March 2020 having passed by a vote of 5 in favor and 0 opposed.

My commission expires: _____.

County of Residence: _____.

(seal)

NOTARY

Affidavit pursuant to IC 22-5-1.7-11

8. Action to approve pay for employee who is temporarily replacing another employee at a higher grade level, after thirty full days in the position, pursuant to Section § 4.01 of the Compensation and Benefits Ordinance. Public Works Director is reporting he had assigned Aaron Krestel to *acting Water/Sewer Supervisor*.

The Public Works Director made the assignment effective 12.02.2019 and Mr. Krestel held the position from that date through February 16, 2020. Aaron Krestel will be construed as eligible for the pay of a water/sewer supervisor effective January 2, 2020, provided it is approved.

Councilor Herak moved to approve the temporary assignment and the higher pay for the period following thirty days in the position. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The temporary assignment and the higher pay were approved.

Reviews for Economic Revitalization Area Compliance (Items 9 through 16)

The Redevelopment Director offered a brief overview regarding the compliance reviews before the Town Council. The Redevelopment Director noted that the Demand Real Results petitioner had appealed for a reduction to the property assessment after the tax abatement was granted. She noted that owing to that appeal, the petitioner has not yet really obtained the full benefit of the ERA. The Redevelopment Director indicated that she recommended that all be found in compliance.

The Redevelopment Director also introduced all the petitioners or their representatives who were present.

Motion to Table. Councilor Black moved to table the consideration of Items 9-16 to allow the Town Council further time to review. Councilor Sheeman seconded. Upon a roll call vote, there were three negatives and two affirmatives. With Councilors Zemen, Herak and Schocke voting in the negative, and Councilors Black and Sheeman voting in the affirmative, the motion did not pass. The motion to table was not adopted.

9. 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, its second at the Town Council meeting of 26 February 2018 and its third one at its meeting of 25 February 2019. The Town Council found the applicant in compliance at each meeting. This is **the fourth review** for compliance by the petitioner of its terms in the application **but the third one** that applies after*

filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, seven years remain on the 10 year abatement.

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Peoples Bank in compliance with the terms of its abatement. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

10. **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, its fourth review at its meeting of 26 February 2018 and its fifth review at its meeting of 25 February 2019. The Town Council found the applicant in compliance at each meeting. This represents **the sixth** review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

With leave from the Town Council, Mr. John Terpstra, representing Culvers, was permitted to speak on behalf of the petition for compliance.

Councilor Zemen moved to find the CF-1 in order, and to find the petitioner Culvers in compliance with the terms of its abatement. Councilor Herak seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

11. **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, its fourth at its meeting of 26 February 2018 and its fifth at its meeting of February 25, 2019. The Town Council found the applicant in compliance at each meeting. This represents **the sixth** review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

With leave from the Town Council, Mr. Joseph Hoobyar, representing Highland Volkswagen, was permitted to speak on behalf of the petition for compliance.

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Highland Volkswagen in compliance with the terms of its abatement. Councilor Sheeman seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and

Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

12. **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 its fourth at its meeting of 26 February 2018 and its fifth at its meeting of 25 February 2019. The Town Council found the applicant in compliance at each meeting. This represents **the sixth** review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

With leave from the Town Council, Phil Latchford Chief Financial Officer of Indiana Grocery Group, representing Strack and Van Til Headquarters, was permitted to speak on behalf of the petition for compliance.

Councilor Zemen moved to find the CF-1 in order, and to find the petitioner Indiana Grocery Group Strack and Van Til Retail Grocery, in compliance with the terms of its abatement. Councilor Herak seconded. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Herak, and Schocke voting in the affirmative, and Councilors Sheeman and Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

13. **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, its fourth at its meeting of 26 February 2018 and its fifth at its meeting 25 February 2019. The Town Council found the applicant in compliance at each meeting. This represents **the sixth** review of compliance for this property and the sixth one that applies after filing with the Lake County Auditor. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 10 year abatement.*

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Circle GMC/Buick in compliance with the terms of its abatement. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

14. **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, its third at its meeting of 26 February 2018 and its fourth at its meeting 25 February 2019. 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 2020 pay 2021. If approved, five years remain on the 10 year abatement.

With leave from the Town Council, Mr. Mark Fleishman, representing Demand Real Results Safety Training, was permitted to speak on behalf of the petition for compliance.

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Demand Real Results Safety Training in compliance with the terms of its abatement. Councilor Zemen seconded. Upon a roll call vote, there were four affirmatives and one negative. With Councilors Zemen, Herak, Sheeman and Schocke voting in the affirmative, and Councilor Black voting in the negative, the motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

15. **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 terms of the approving resolution. The Town Council conducted its first review for compliance at its meeting of February 26, 2018 and its second review at its meeting of 25 February 2019. 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 2020 pay 2021. If approved, three years remain on the 5 year abatement.

With leave from the Town Council, Virginia Speaks, representing VYTO's Pharmacy, was permitted to speak on behalf of the petition for compliance.

Councilor Zemen moved to find the CF-1 in order, and to find the petitioner VYTO's Pharmacy in compliance with the terms of its abatement. Councilor Herak seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

16. **Consideration of the Compliance with the Statement of Benefits as filed and represented by Evajo, L.L.C., d.b.a. Pramuk Dental Center, 2706 Highway Avenue, Highland.** At its meeting of June 24, 2019, the Highland Town Council passed Resolution No. 2019-24 approving this application and its terms for **property tax abatement** upon the estimated increase in assessed value of \$960,000 to be a net value of \$102,000 as well as a new job and retention of three existing jobs, all in consequence of construction of a new building, at 2706 Highway 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 terms of the approving resolution. The Town Council is conducted its first review at this meeting. This is **the first review** for compliance by the petitioner of its terms in the application. This review is for Taxing period 2020 pay 2021. If approved, four years remain on the 5 year abatement.

With leave from the Town Council, Dr. Kurt Pramuk, representing Pramuk's Dental Center, was permitted to speak on behalf of the petition for compliance.

Councilor Herak moved to find the CF-1 in order, and to find the petitioner Pramuk's Dental Center in compliance with the terms of its abatement. Councilor Black seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The CF-1 was found to be in order and the petitioner was found to be in compliance.

17. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of \$39,083 in the **Works Board Department of the Corporation General Fund** and in the amount of \$25,000 in the **Information Communications Technology Fund**.

Councilor Herak moved to authorize the proper officer to publish legal notice of a public hearing to consider proposed additional appropriations as indicated. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The proper officer was authorized to publish legal notice as indicated.

Remarks from the Town Council:
(For the Good of the Order)

- **Councilor Bernie Zemen:** • *Fire Department, Liaison* • *Liaison to the Plan Commission*

Councilor Zemen acknowledged the Fire Chief who reported on that he was monitoring the escalating challenge of the Corona Virus and COVID-19.

Councilor Zemen thanked the Girl Scouts for leaving a substantial sample of Girl Scout cookies.

- **Councilor Mark Herak:** • *Budget and Finance Chair* • *Liaison to the Advisory Board of Zoning Appeals* • *Town Board of Metropolitan Police Commissioners, Liaison.*

Councilor Herak acknowledged the passing of the father-in-law of the Police Chief and the Motor Vehicle Maintenance Supervisor.

Councilor Herak requested that at the next study session that the matter of authorizing an exchange of the three Dodge Chargers detailed to the Building and Inspection Department and the possibility to transfer those to the Police Department in exchange for three Dodge Durango sport utility vehicles.

Councilor Herak further asked that a discussion regarding applying the Redevelopment Façade Grant program to include no-profit groups be added to the next study session as well.

Councilor Herak acknowledged the Building Commissioner who offered a survey of the Advisory Board of Zoning Appeals.

- **Councilor Tom Black:** *Liaison to the Board of Sanitary Commissioners* • *Liaison to the Board of Waterworks Directors.*

Councilor Black acknowledged the Public Works Director and inquired about a water main break and repair he noticed on Highway Avenue.

- **Councilor Roger Sheeman:** *Chamber of Commerce Liaison • Liaison to the Community Events Commission • Information Technology Liaison • and Redevelopment Commission Liaison.*

Councilor Sheeman acknowledged and congratulated Dawn Diamantopolous who recently had her artwork selected by the Indiana First Lady to be displayed in the State Capital and in the Governor's residence.

- **Councilor President Mark Schocke:** *Town Executive • Chair of the Board of Police Pension Trustees • Park and Recreation Liaison.*

The Town Council President acknowledged the Parks and Recreation Superintendent who reported on parks and recreation generally and pending lighting improvements planned for the Lincoln Community Center Fieldhouse.

Comments from Visitors or Residents:

1. Kathryn Perrin, Highland, asked whether the Town Council was acquainted with reports from state universities regarding climate change and its impacts. Ms. Perrin asked whether the Town Council had any plans to protect property values that would be negatively impacted by climate change.

The Town Council President indicated that he was not aware of the reports to which she referred but thanked her for her remarks.

2. Terry Steagall, Highland, called the Town Council's attention to electronic mails that he sent regarding the importance of supporting renewal energy projects.

Mr. Steagall further remarked that the Little Calumet River Basin Development Commission was contemplating a sale of a certain parcel of property. Mr. Steagall stated he opposed the sale and encouraged the Town Council to consider opposing the sale as well.

3. Bandon Dothraeger, Highland, spoke in support of the speakers who supported renewable energy sources and taking steps slow or reverse climate change.
4. Larry Kondrat, Highland asked about the status of the pending United States EPA consent enforcement matter with the Sanitary District.

The Public Works Director indicated that an estimate had been developed for project responses but they have not been finalized.

5. Connie Wachala, Highland, thanked Councilor Sheeman for his remarks regarding his concerns regarding flooding that is now a concern in our area.
6. Rick Volbrecht, Highland, offered the recent history and context for development of a stormwater plan.

Payment of Accounts Payable Vouchers. There being no further comments from the public, Councilor Black moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period February 25, 2020 through March 09, 2020 as well as to ratify the payroll dockets for the payday January 31, 2020, February 14, 2020 and February 2, 2020. Councilor Zemen 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, payroll dockets and other 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, \$216,647.03; Motor Vehicle Highway and Street (MVH) Fund, \$56,777.07; Local Road and Streets Fund, \$11,112.75; Law Enforcement Continuing Education and Training and Supply Fund, \$1,029.10; Flexible Spending Accounts Agency Fund, \$619.20; Insurance Premium Agency Fund, \$200,624.02; Gasoline Agency Fund, \$2,043.48; Information Communications Technology Fund, \$5,038.94; Civil Donation Fund, \$723.80; Police Pension 1925 Fund, \$71,381.88; Municipal Cumulative Capital Development Fund, \$2,926.66; Traffic Violations and Law Enforcement Agency Fund, \$3,750.00; Total: \$572,673.93.

Payroll Docket for payday of January 31, 2020:

Council, Boards and Commissions, \$8,460.06; Office of Clerk-Treasurer, \$16,763.00; Building and Inspection Department, \$8,494.05; Metropolitan Police Department, \$116,062.50; Fire Department, \$35,397.39; Public Works Department (Agency), \$79,211.90 and 1925 Police Pension Plan Pension Fund, \$72,302.03; Total Payroll: \$336,690.93.

Payroll Docket for payday of February 14, 2020:

Council, Boards and Commissions, \$0.00; Office of Clerk-Treasurer, \$16,048.19; Building and Inspection Department, \$9,297.5139; Metropolitan Police Department, \$123,191.31; Fire Department, \$3,975.64; Public Works Department (Agency), \$72,819.34 and 1925 Police Pension Plan Pension Fund, \$0.00; Total Payroll: \$225,331.99.

Payroll Docket for payday of February 28, 2020:

Council, Boards and Commissions, \$8,482.81; Office of Clerk-Treasurer, \$16,179.87; Building and Inspection Department, \$8,329.01; Metropolitan Police Department, \$115,796.69; Fire Department, \$3,405.84; Public Works Department (Agency), \$73,282.44 and 1925 Police Pension Plan Pension Fund, \$70,514.23; Total Payroll: \$295,990.89.

Adjournment of Plenary Meeting. Councilor Zemen moved that the plenary meeting be adjourned. Councilor Sheeman seconded. Upon a vote *viva voce*, the motion passed. The regular plenary meeting of the Town Council of Monday, March 09, 2020 was adjourned at 9:02 O'clock p.m.

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

Approved by the Town Council at its meeting of _____, 2020.

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