

Agenda
Eighty-ninth Regular or Special Meeting
of the Twenty-Ninth Town Council of Highland
Regular Plenary Meeting of Monday, March 13, 2023 at 6:30 p.m.
Agenda organized pursuant to Section 2.05.090 of the Highland Municipal Code

This meeting will be broadcast as an electronic meeting, pursuant to
Town of Highland Ordinance 1765

Topic: Town of Highland, IN - Town Council Plenary Meeting
Time: Mar 13, 2023 06:30 PM Central Time (US and Canada)

Join Zoom Meeting

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

Prayer: Mark Schocke

Pledge of Allegiance: Mark Schocke

Roll Call: Bernie Zemen



Toya Smith

A GREAT PLACE
TO CALL HOME

Mark J. Schocke

Thomas (Tom) Black

Roger Sheeman

Minutes of Previous Session: Minutes of the Regular Meeting of 27 February 2023.

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- Special Orders:
1. **Executive Proclamation:** A Proclamation in Recognition of Disability Awareness Month in the Town of Highland.
Reading and Execution of Proclamation.
 2. **Executive Proclamation:** A Proclamation of the Municipal Executive Recognizing Friday, April 28, 2023 as Arbor Day in Highland.
Reading and Execution of Proclamation.
 3. **Executive Proclamation:** A Proclamation in Recognition of Tim Ferguson in the feeding of needy Northwest Indiana families.
Reading and Execution of Proclamation.
 4. **Advisory Board of Zoning Appeals Docket:** Petition for a Use Variance for property located 8141 Indianapolis Boulevard, **Highland**, to allow the petitioner to develop the property as a mixed-use retail/climate-controlled storage facility. HMC Section 18.55.050 prohibits this activity without a use variance. The property is currently zoned as B-3 General Business District/Indianapolis Boulevard overlay district in which climate-controlled facilities are not permitted. A use variance is being sought under HMC Section 18.115.050. Petitioner: **Mitch Feldman**, 3323 NE 163rd Street. Ste. 506, North Miami Beach, FL The Advisory Board of Zoning Appeals by a vote of

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four (4) in favor and zero (0) opposed acted to **UNFAVORABLY recommend the request for the use variance** for the property. The ABZA acted at its meeting of 25 January, 2023. The findings of fact were memorialized and were approved by the Advisory Board of Zoning Appeals at its Meeting of February 22, 2023. (90 days ends 10 June 2023). This tolls from the making of the recommendation which could be the meeting at which the ABZA acts not when filed.

Pursuant to IC 36-7-4-918.6, the Town Council may either accept the unfavorable recommendation and DENY the requested use variance or it may reject (over rule) the Unfavorable recommendation and GRANT the use variance. If not acted upon by the Town Council within 90 days after the ABZA certifies its recommendation, the action of the Advisory Board of Zoning Appeals stands.

(A) Opportunity for Comment

(B) Action on the Recommendation

COMMENTS FROM THE PUBLIC or VISITORS

This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council regarding matters on the agenda. Persons addressing the Town Council are requested to limit their presentations to **two (2) minutes** and encouraged to avoid repetitious comments.

Staff Reports:

- Building & Inspection Report for February.
- Fire Department Report for February.
- Workplace Safety Report for February.

Communications:

Lake County Election Board requests the use the Town Hall for the May 2, 2023 primary election. (It would then be in order for the Town Council President to cancel the May 1st Town Council Study session.)

Promotions in the Police Department:

Sgt. Jason Hildenbrand was appointed to Commander of Criminal Investigations.

Sgt. Shawn Anderson was appointed to Deputy Commander Patrol Division.

Sgt. Glenn Cox was appointed to Deputy Commander Patrol Division.

Appointments:

- Statutory Boards and Commissions

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

Regional Statutory Commissions or Boards

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1. **Economic Development Commission.** (1) Appointment to be made by the municipal executive, but requiring nomination from the Town Council. Term ends just before February 1st. (*Currently vacant*)
 - a. Nomination by the Town Council. (*The council would pass a motion to nominate.*)
 - b. Appointment by executive. (*If nominee is acceptable, the Town Council President may appoint.*)

Home Rule Boards and Commissions

2. **Community Events Commission** *Multi-Year position: (1) appointment to be made by the Town Council President. Term: 4 years. (Positions currently held by Jacqui Herrera and Sandy McKnight)*
3. **Tree Board:** (1) appointments, to be made by the municipal executive, but requiring nomination from the Town Council. (*Positions currently held by Natalie Stromberg.*)
 - a. Nomination by the Town Council. (*The council would pass a motion to nominate.*)
 - b. Appointment by executive. (*If nominee is acceptable, the Town Council President may appoint.*)

Legislative Appointments

Regional Statutory Commissions or Boards

Home Rule Commissions

1. **Main Street Bureau Board:** (17) appointments to be made by the Town Council. Term: Two years ending 1 Jan 2025. *There are currently 8 of the 17 in place and serving. Currently serving are Rhonda Bloch, Teri Yovkovich, Renee Reinhart, Alex Robertson, Diane Barr-Roumbus, James Roumbus Sandy McKnight and Al Simmons.*

The Main Street Bureau recommends the appointment of the following persons to a new two- year terms on the Main Street Board of Directors:

(1) *Ben Reinhart, 3636-38th Street, Highland;*

2. **Community Events Commission** *Multi-year positions: (4) appointments to be made by the Town Council. Term: 4 years. (Note: Currently vacant)*

Single year positions: (8) appointments to be made by the Town Council. Term: 1 year. There are currently 6 of the 8 in place and serving. (Note:

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Currently serving, Jack Rowe, Carol Parker, Maria Armagast, Michelle Coon,
Linda Carter, Rachael Carter)

**Unfinished
Business &
General Orders:**

1. **Appropriation Enactment No. 2023-04B (as amended):** 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 Zemen moved to table Appropriation Enactment 2023-04B (as amended). Councilor Smith seconded. Upon a roll call vote to table, there were four (4) affirmative votes and one (1) negative vote with Councilors Zemen, Smith, Sheeman and Black voting in the affirmative and Councilors Schocke voting in the negative. The motion passed. Appropriation Enactment 2023-04B as amended was tabled.

NEW BUSINESS:

1. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of **\$1,993.68 in Redevelopment Capital Fund**. If approved, the public hearing will be held on March 27,2023, at 6:30 P.M. O'clock in the Municipal Building, 3333 Ridge Road, Highland.
2. **Authorizing the proper officer to publish legal notice of a public hearing:** Public Hearing to consider additional appropriations in the amount of **\$40,000.00 in Redevelopment Capital Fund**. If approved, the public hearing will be held on April 10, 2023, at 6:30 P.M. O'clock in the Municipal Building, 3333 Ridge Road, Highland.
3. **Commendation Letter for Day Off and Signature Authorization.** Action to approve Letters of Commendation for Exemplary Public service leading to the award of a single paid day off for several workers in the **Metropolitan Police Department**. Pursuant to **Section 4.13** of the Compensation and Benefits Ordinance, for the day off to be effective requires the approval of the board of jurisdiction and the Town Council. The Town Board of Metropolitan Police Commissioners has granted preliminary approval to several letters of commendation regarding several employees who have worked six months without calling off sick and without experiencing an "at fault accident".
 - Action should include approval for the members of the Town Council to sign the letters of commendation.

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The Police Chief and the Town Board of Metropolitan Police Commissioners are asking for approval of a letter of commendation for six months of work without calling off and not having an at-fault accident for the following:

*Chief Ralph Potesta
Assistant Chief Pat Vassar
Sergeant Glenn Cox
Det. Corp Brian Stanley
Corporal John Hinkel
Officer Devin Watkins
Officer Corey Anderson
Officer Kade Sapp
Officer Tiffany Perez*

*Officer Joel Sullivan
Detective Frank Peckler
Corporal Rick Hoffman
Det. Corp Lee Natelborg
Corporal Thomas Manyek
Corporal Michael Yonkman
Officer James Mullins
Officer John Freyek*

4. **Works Board Order No. 2023-02:** An Order of the Works Board Accepting the quote from Amazin Roofing, LLC as the lowest and most responsive quote, in the amount of \$26,600 for the roof replacement above the offices at the Public Works Facility.

Comments or Remarks from the Town Council: (Good of the Order)	Councilor Bernie Zemen
	Councilor Toya Smith
	Councilor Thomas Black
	Councilor Mark Schocke
	Councilor Roger Sheeman

COMMENTS FROM THE PUBLIC or VISITORS	This portion of the Town Council Meeting is reserved for persons who desire to address the Town Council. Depending on the nature of the comments, the Town Council may direct the staff to address the topic or follow-up on matters that may arise from public comments. If necessary, the matter may be set for action at a future meeting. Persons addressing the Town Council are requested to limit their presentations to two (2) minutes and encouraged to avoid repetitious comments.
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ACTION TO PAY Accounts Payable Vouchers	Accounts payable vouchers March 1, 2023 to March 14, 2023 in the amount of \$733,640.13 . General Fund, \$404,283.47; MVH Fund, \$269,141.28; LAW Enforcement Continuing Education, Training and Supply Fund, \$4,048.70; Information and Communications Technology Fund, \$13,443.39; MCCD, \$5,279.97; Police Pension, \$12,100.00; Solid Waste, 779.14; Insurance Premium, \$220,309.78; Special Events, \$2,200.00; Traffic Violations, \$500.00; LR&S, \$1,554.40.
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Payroll Docket for payday of March 10, 2023 by fund:

General, \$315,883.20

Payroll Docket for payday of March 10, 2023:

Office of Clerk-Treasurer, \$14,366.41; Building and Inspection Department, \$10,616.83; Metropolitan Police Department, \$156,385.40; Public Works Department (Agency), \$78,381.67; Fire Department, \$5,025.85 and Information and Technology Department, \$4,009.55; Total Payroll: \$268,785.71.

ADJOURNMENT

The Town Council may meet in study session immediately following the Regular Meeting.

Posted pursuant to IC 5-14-1.5-4(a)

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