

**Enrolled Minutes of the Eighty-Eighth Regular Meeting or Special Meeting  
For the Twenty-Ninth Highland Town Council  
Regular Plenary Business Meeting (Electronic/In person Hybrid)  
Monday, February 27, 2023**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, February 27, 2023 at 6:30 O'clock P.M. in the regular place, the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana.

\*This meeting was convened as both an in person and an electronic meeting. Some persons were participating remotely on a Zoom platform that allowed for real time interaction, and supported the public's ability to observe and record the proceedings. People were able to participate in person and remotely. When the agenda item provided for public comment, this was supported as well. Councilor Zemen, Councilor Toya Smith, Councilor Tom Black, Councilor Schocke, Councilor Roger Sheeman all participated in person.

Pursuant to HMC Section 2.05.130(A)(2), the Town Council considered and reviewed the agenda in an informal proceeding in the plenary meeting room before the president called the meeting to order.

The Town Council President Tom Black presided. The Town Clerk-Treasurer, Mark Herak, was present to memorialize the proceedings. The meeting was opened with Councilor Toya Smith reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

**Roll Call:** Present on roll call were Councilors Bernie Zemen, Toya Smith, Mark J. Schocke, Thomas Black and Roger Sheeman were present. Clerk-Treasurer, Mark Herak was also present. A quorum was attained.

**Additional Officials Present:** Alex Brown, CPRP, Superintendent of Parks and Recreation was remote. John Reed, Attorney with Abrahamson, Reed & Bilse, Mark Knesek, Public Works Director, Metropolitan Police Chief Ralph Potesta; Assistant Metropolitan Police Chief, Pat Vassar; Edward Dabrowski, Director of Information Technology; Maria Becerra, Redevelopment Director; William R. Timmer, Jr., CFOD, Fire Chief were present and Kenneth J. Mika, Building Commissioner was absent.

*Guests:* Theresa Badovich (remotely) and Robin Carlascio (remotely) of the Idea Factory were also present.

**Minutes of the Previous Meetings:** The minutes of the February 13, 2023 Plenary meeting were approved by general consent.

**Special Orders:** None

**Comments from the Public or Visitors:**

Larry Kondrat, Highland, started by saying we're going to be doing some Redevelopment shuffling of money. We're going to do some landscaping for \$13,500. This would be for the removal, pruning, of some trees, etc.

Councilor Black answered yes. There's going to be some removal of trees around the downtown depot parking lot and the entrance to Town.

Larry asked if the project was bid out or did you get an estimate from the person that provides tree services for the Town. Did you get more than one estimate? How many estimates did you get?

Councilor Black responded that there was only one estimate.

Larry continued that you are going to spend \$35,000 to \$40,000 on wayfinding signs because we still don't know that we are in the metropolitan downtown area of Highland, Indiana.

Councilor Black responded that many of the communities in the area use these types of signs. Even if we help one business, it's probably worth it. With more people using the bike trail and unfamiliar with downtown Highland by looking at the sign they may realize there is a coffee shop or bookstore in downtown Highland. Anything we can do that can help our businesses.

Larry said we shouldn't be using the \$35,000 to \$40,000 of tax payer dollars to advertise for private businesses. You are going to advertise their locations but are they going to be chipping in anything to cover the expenses? It's funny, because I have a business in Griffith and nobody from Griffith has ever offered to pay for my advertising. And, in fact, when I even tried to advertise in this fine Town, Councilor Schocke and I had to jump through hoops. Taxpayers dollars shouldn't be used from private advertising.

Rick Volbrecht, Highland, began by saying he was not familiar with the format of these meeting but he wanted to talk about the wayfinding signs. I understand the concept that the signs are intended to increase foot traffic in downtown Highland with the hopes of increasing business for those businesses that advertise. I know this is too late to bring this to anybody's attention but it's seems like the businesses ought to be contributing towards the expense of the signs. Do the businesses contribute toward the signs?

Councilor Black said there is no direct contribution from the businesses planned at this time to cover the expenses and the money is coming from the Redevelopment Capital.

Terry Yovkovich, owner of 2 Chicks and a board member of the Main Street Bureau, said the Main Street Bureau have gone back and forth on the benefits of the way finder signs, knowing that it would be a great advantage to our businesses if the Council proceeds with the signs. We do all of our social media on our own. We do our own advertising. We have

a lot of people who now come in from Chicago and other towns and we want a way to tell or show them what Highland looks like. We get them here via Google or based on our own advertising. It would nice to see the signs on various corners and when a visitor goes up to a sign and reads what businesses are in Town and located on what street like the Sip Coffee House or 2 Chicks or Miles Bookstore or when on Highway the Ya Ya Sisters or the Greenwich. In many cases the person is not going to pull out their phone or look at Facebook to see what businesses are on that particular street. Its easier for them to simply read the sign. The sign will show all the businesses not just a few. I can say that those members who are on the Main Street Bureau are all in favor. We've been trying to fight for it for very long time.

Councilor Schocke asked Terry if she would be willing to contribute anything toward the cost of the signs or any other member of the Main Street Bureau?

Terry said we have discussed contributing and I can't speak for everyone. I know that I would be in favor of it.

Councilor Schocke asked Terry how much would she be willing to contribute?

Terry responded that she didn't know. I can't say. I can't really say right off the top of my head. I'm a very small business. I'm not like a Toyota.

Councilor Schocke then asked Terry if she owned an I-phone and she responded yes. He then asked her if she was familiar with Siri? And she said yes. He then asked her how hard was it to use and she responded it wasn't too difficult.

Terry Steagall, Highland commented on the wayfinding signs as he thought they would be a positive investment for the downtown. He said the downtown businesses are small and it is important that the Council shows they're support. These signs will bring traffic to those businesses which is important because if they don't have the traffic, they won't be in business. Also, there has been a lot of rattling back and forth regarding the Gazebo, whether it should be 2 or 4 pages. I think that you know we need to resolve that and move forward and keep it at 4 pages. The Idea Factory has said they have plenty of text to keep it at 4 pages. It's an important tool to communicate with people as not everyone has an I-phone and not everyone looks on their I-phone for businesses but everyone gets a utility bill. He said something should be written in the Gazebo regarding the consent decree with Hammond and how are we going to pay the projected \$70M. The Little Cal was polluted and the people need to understand what's going on with that and how are we going to pay for it. What we need to do to move forward. These are things that people need to know about in town. It could take up a lot of space and because it's the Council's responsible to be transparent. I don't think everybody in Town realizes that we're on the hook for \$70 million dollars in a consent decree and that number is going to do nothing but go up over time because you know that construction costs never go down. The Town needs to look at the other infrastructure needs and how are they going to be funded. The Town needs to look at the Indiana Finance Authority and apply for these grants.

Councilor Black asked if there were any other comments. Hearing none, he closed comments from the public and began reading communications.

**Communications: None**

**Staff Reports: None**

**Appointments:**

• **Statutory Boards and Commissions**

*Executive Appointments*

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 1<sup>st</sup>. (*Currently the position is 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.*)

The Town Council President, as municipal executive, said he would delay this appointment until a later date.

**Home Rule Boards and Commissions**

2. • **Tree Board Chairperson.** The Town Council President also appoints the Chairperson to be selected from the membership of the board. (See HMC Section 8.25.030 (C)) (*Currently held by James Colias.*)

*Action.* The Town Council President as municipal executive announced the continuing appointment of **James Colias**, 2215 Ridgewood, Highland as *Chairperson of the Board*. It was noted that the term is co-extensive with the member's term and at the pleasure of the Town Council President. The Town Council President wished to affirm the continuing appointment.

**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 Yookovich, Renee Reinhart, Alex Robertson, Diane Barr-Roumbus, James Roumbus, Sandy McKnight.*

Councilor Smith moved the appointment of the following person to a new two-year terms on the Main Street Board of Directors, seconded by Councilor Zemen. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The following person was appointed to the Main Street Board of Directors:

- (1) Allan Simmons, 3840 Jewett 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.** *(Note: There are currently 6 of the 8 in place and serving, Jack Rowe, Carol Parker, Maria Armagast, Michelle Coon, Linda Carter, Rachael Carter )*

3. **Traffic Safety Commission:** (5) appointments, which must be comprised of 1 representative from the Fire Department, (1) representative from the Public Works Department (Agency), (1) member from the Town Board of Metropolitan Police Commissioners, and (2) members from the Police Department. Also note, HMC Chapter 10.45 provides that the Police Chief serves as Chief of the Commission regardless of being a member of the commission. *(Currently serving, William Timmer, CFO, Fire Department Representative; Mark Knesek, Public Works Department (Agency) representative; Steve Jurczak, Town Board of Metropolitan Police Commissioners representative; Commander John Banasiak, Police Department representative; and Chief Ralph J. Potesta, Police Department representative.)*

Councilor Sheeman moved to reappoint to the Traffic Safety Commission **Mark Knesek**, from the Public Works to fill the unexpired term of retired Public Works Director John Bach and **Ralph Potesta**, from the Police Department replacing the unexpired term of retired Metropolitan Police Chief Pete Hojnicky; Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The persons named were appointed for the remaining unexpired terms.

#### General Orders and Unfinished Business:

1. Proposed Ordinance No. 1780: An Ordinance to Make a Technical Updating Amendment to the Current Code of Ordinances for the Town of Highland,

Particularly Amending Section 4.00 Hours of Work and Compensation Policies, All Pursuant to I.C. 36-5-6 ET SEQ.

*Councilor Zemen introduced and filed the ordinance at the meeting of the Town Council of Monday, February 13, 2023. There was no further action pursuant to IC 36-5-2-9.8.*

Councilor Schocke moved the passage and adoption of Ordinance No. 1780. Councilor Sheeman seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Ordinance No. 1780 was adopted.

**ORDINANCE No. 1780  
of the  
TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE TO MAKE A TECHNICAL UPDATING AMENDMENT TO THE CURRENT CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, PARTICULARLY AMENDING SECTION 4.00 HOURS OF WORK AND COMPENSATION POLICES, ALL PURSUANT TO IC 36-5-6 ET SEQ.**

**WHEREAS**, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

**WHEREAS**, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

**WHEREAS**, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications not confined to any particular Title, Article or Chapter but nevertheless desirable to further improve and perfect the Code; and,

**WHEREAS**, The Town Council, is persuaded that it is necessary and desirable to adopt the several technical and substantive modifications necessary to carry out this requirement and to further improve and perfect the Code,

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

**Section 1.** That the Highland Municipal Employee Handbook of the Compensation and Benefit Ordinance, be hereby amended by adding Section 4.03.13, which shall read as follows:

**4.03.13 Residency Stipend pay for Officers residing in the Town of Highland.** Effective January 1, 2024, a Highland Police Officer who is a resident of the Town of Highland will receive \$200.00 a month for each complete month that they are a resident of the Town of Highland or a maximum of \$2400.00 in a calendar year. In order to qualify for this stipend, the Officer needs to provide a copy of

his/her Homestead Exemption or a copy of their current lease accompanied by a sworn statement of residency. Officers will be paid in one (1) lump sum, up to \$2400.00, in January of the following year. If an Officer moves out of the Town of Highland or leaves their employment with the Town of the Highland prior to the conclusion of the calendar year they will not be entitled to any residency stipend.

**Section 2.** The provisions of this Ordinance shall be effective from and after January 1, 2024.

**Section 3.** That this ordinance shall be effective from and after its passage and adoption, as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 13th day of February 2023. 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 27th Day of February 2023, 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

---

Tom Black, President (IC 36-5-2-10)

Attest:

---

Mark Herak,  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

- 2. Appropriation Enactment No. 2023-04A (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 introduced and filed the appropriation enactment at the meeting of the Town Council of Monday, February 13, 2023. There was no further action pursuant to IC 36-5-2-9.8.*

Councilor Sheeman moved the passage and adoption of Appropriation Enactment No. 2023-04A (as amended). Councilor Zemen seconded.

Discussion:

Councilor Schocke began by asking Councilor Black how many contractors bid on the project?

Councilor Black responded that no bids were solicited but they asked the contractor who handles the Town's service to submit a price.

Councilor Schocke asked Councilor Black if it was Dave's Tree Service and Councilor Black responded that he didn't know but would have to check.

Councilor Schocke asked Councilor Black if he actually saw a proposal as he had never received a copy of the proposal.

Councilor Black said the Town did not receive an actual proposal but members from Public Works met the contractor at the site to review the scope of the project.

Councilor Schocke then passed out information he obtained from the local newspaper and other sources and asked the Council to review before voting on Appropriation Enactment 2023-04A. One of the articles was dated February 7, 2014. He also provided information from the Department of Justice dated October of 2012. He wanted the Council to be fully informed before voting. He asked that the information provided would be placed in the official record of the February 27<sup>th</sup> meeting. I just want you to know that this business owner pled guilty to bribing an agent of a local government to attain work for his company.

Councilor Black thanked Councilor Schocke for the information but this topic was thoroughly discussed 3 years ago prior to selecting him as the contractor for the Town.

Councilor Schocke said with all this information and still, nonetheless were taking a vote because the Redevelopment Commission is asking for an additional appropriation without actually seeing a proposal or seeking other bids. And person who is doing the work is the same person who was sentenced for bribing a public official. He asked the Redevelopment Director if she could answer any of these questions.

Maria said she could not answer Councilor Schocke questions as she wasn't prepared to answer your questions as presented. She did add that it was her understanding that this vendor is the same vendor the Town uses and he met the Public Works Director at both locations to determine the scope of the work and then provided a quote.

Councilor Sheeman said this subject was brought up before. The information Councilor Schocke provided is from 2014, almost 9 years ago. I think we've been doing business with this gentleman for the last few years between public works and other departments. I don't think we've had any issue with any work that he



has done. You know everyone makes mistakes in life and I guessing he hasn't made any mistakes since then so I don't see any reason why we should hold it against him. He then asked Public Works Director, Mark Knesek if he has had any problems with Dave's Tree Service?

Mark Knesek said the last time the Town went out for bids; Dave's Tree Service was the only contractor who bid. His price was pretty low and he gives the residents the same price as he gives to the Town. We had Russell Tree Service for the previous 3 years. I'm not sure if Russell is going to bid when we rebid the project. That's one of the topics I wanted to discuss with the Council during my Committee report. I'm gonna put all of our service and supplies back out for bid and to public advertise with the Council's approval.

Councilor Sheeman reminded Councilor Schocke that he did appoint a felon to the Redevelopment Commission and we never questioned that.

Councilor Schocke asked Public Works Director Knesek what exactly is entailed in the bid process? Are you soliciting companies? Are they responding to an advertisement in the newspaper?

Mark Knesek said he was planning on advertising on the seventh and fourteenth of March and we'll open bids on the 23<sup>rd</sup> of March. Included in the bids, is a list of tree sizes, stump grinding and tree trimming. Last year, I emailed probably 8 different tree companies and I only received one response. The nice thing about Dave's is the emergency call out service he provides. We can call to him in the middle of the night and he or one of his crews responds. If there's a tree on top of a broken water main, he comes out and takes care of it whereas a lot of these companies will not do that. Again, were going to put it out for bids and hopefully we'll get more responses. A lot of the no response has to do with the emergency services. Dave's doesn't charge but the others want to get paid extra and when they put those fees in their bids, it makes their bids higher. I know the quality of work he does.

Councilor Zemen added that he thought part of the problem that so few contractors bid is the problem with getting help. He talked with Ken Angotti and Ken said he is having a very difficult time finding and hiring workers.

Councilor Schocke consulted Town Attorney Reed as the owner of Dave's was convicted of making a bribe on a public official.

Attorney Reed said the person in question has done his time and there's no legal prohibition against it.

Councilor Schocke said the crime was alleged bribery of an elected official which rings crazy to me as to why we would use him and for especially for the many years that we have used him. He then handed Public Works Director Knesek the same information he provided to the Council.

There being no further discussion Councilor Black called for the question.

Upon a roll call vote, there were three (3) affirmative votes and two (2) negative votes with Councilors Zemen, Sheeman and Black voting in the affirmative and Councilors Smith and Schocke voting in the negative. The motion passed. Appropriation Enactment 2023-04A as amended was adopted pending the signature of the Municipal Executive.

BUSINESS INFORMATION  
 DIEGO MORALES  
 INDIANA SECRETARY OF STATE  
 02/27/2023 05:57 PM

Business Details	
Business Name:	A-1 DAVE'S TREE SERVICE, INC.
Entity Type:	Domestic For-Profit Corporation
Creation Date:	07/24/1989
Principal Office Address:	1555 PARK WEST CIRCLE, MUNSTER, IN, 46321, USA
Jurisdiction of Formation:	Indiana
Business ID:	1989071041
Business Status:	Active
Inactive Date:	
Expiration Date:	Perpetual
Business Entity Report Due Date:	07/31/2023
Years Due:	

Governing Person Information		
Title	Name	Address
Secretary	Patricia A. Johnson	1555 PARK WEST CIRCLE, Munster, IN, 46321, USA
President	David L. Johnson	1555 PARK WEST CIRCLE, MUNSTER, IN, 46321, USA

Registered Agent Information	
Type:	Individual
Name:	DAVID L JOHNSON
Address:	1555 PARK WEST CIRCLE, MUNSTER, IN, 46321 - 0000, USA

2/27/23, 4:53 PM

Munster business owner sentenced in bribery case

/news/local/lake/hammond/munster-business-owner-sentenced-in-bribery-case/article\_273370a9-de66-5469-9e54-1a57e2cef22d.html

URGENT

## Munster business owner sentenced in bribery case

Marc Chase , (219) 662-5330  
Feb 7, 2014

**H**AMMOND | The owner of a Munster tree-trimming business will spend a year in federal prison for paying kickbacks to a former Hammond councilman in exchange for city work, court records show.

David Johnson, 58, of Munster, was sentenced during a Friday hearing in Hammond federal court to one year and one day of prison, one year of supervised release and a fine of \$6,000.

Johnson pleaded guilty last year to bribing an agent of local government to curry work for his company, Dave's Tree Service.

Johnson was accused of paying more than \$10,000 in kickbacks to former Hammond City Councilman Al Salinas, who later resigned from office and was convicted in the same scheme. Salinas was sentenced last year to serve 42 months in federal prison.

Salinas, 52, authorized at least \$310,000 in contracts to Dave's Tree Service from 2009 to 2011, court records state. Dave's Tree Service made 11 payments to Salinas during that period, in amounts ranging from \$500 to \$1,500, to obtain the work, according to the court files.

<https://www.nwitimes.com/news/local/lake/hammond/munster-business-owner-sen>

Go

Get unlimited Free VPN

Download now

https://nl.hideprox.me/go.php?u=E9vhaEopaFnio7HHn5dMIR8DclR7X0H4RXzORV7ll n%2E10%2B5rWvnpOQlyEpsaEFQ7mI43kbi7P10dlnKcTD 1/4

2/27/23, 4:52 PM

[https://www.justice.gov/archive/usao/inn/press\\_release/documents/2012/Oct\\_12/oct\\_4\\_12\\_irs-crenshaw\\_et\\_al\\_gj.htm](https://www.justice.gov/archive/usao/inn/press_release/documents/2012/Oct_12/oct_4_12_irs-crenshaw_et_al_gj.htm)



## Department of Justice

United States Attorney David Capp  
Northern District of Indiana  
5400 Federal Plaza, Suite 1500  
Hammond, Indiana 46320

Hammond  
South  
Bend Fort  
Wayne

FOR IMMEDIATE RELEASE  
October 4, 2012  
[www.usdoj.gov/usao/inn/](http://www.usdoj.gov/usao/inn/)

CONTACT: Mary Hatton  
PHONE: (219) 937-5603  
FAX (219) 852-2770

### PUBLIC OFFICIALS INDICTED FOR TAX FRAUD AND OTHER OFFENSES

Hammond, Indiana - United States Attorney David Capp announced that six individuals have been indicted as a result of investigations conducted by the Northern District of Indiana's Public Corruption Task Force. The Public Corruption Task Force is a multi-agency effort whose primary participants are the Federal Bureau of Investigation, the Indiana State Police and the Internal Revenue Service.

#### Indictments announced today:

- Virlissa Crenshaw, 42, of East Chicago, Indiana, was charged in an Indictment with theft from a local government entity and with filing a false tax return for the 2009 tax year. Crenshaw was a clerk with the Merrillville Town Court at the time of the alleged offenses. The offense conduct relates to Crenshaw's theft of cash bonds while working for the Merrillville Town Court.

Crenshaw signed a plea agreement that was filed in conjunction with the Indictment admitting her guilt to all charges. The loss to the Town of Merrillville is \$176,763 and the tax loss to the United States is \$55,203.

- Marilyn Krusas, 69, of Gary, Indiana, was charged by Indictment with one count of tax evasion. Krusas is a Gary City Councilwoman and has held that office since 2000. Specifically, the indictment alleges that Krusas has failed to file tax returns since 1991. In addition to her failure to file, Krusas allegedly committed a number of acts of evasion in connection with an inheritance of \$230,000 she received in 2009-2010.

Krusas is scheduled for her Initial Appearance before Magistrate Judge Andrew Rodovich at 12:45 this afternoon.

2/27/23, 4:52 PM

[https://www.justice.gov/archive/usaofinn/press\\_release/documents/2012/Oct\\_12/oct\\_4\\_12\\_irs-crenshaw\\_et\\_al\\_gj.htm](https://www.justice.gov/archive/usaofinn/press_release/documents/2012/Oct_12/oct_4_12_irs-crenshaw_et_al_gj.htm)

➤ Manuel Montalvo, 38, of East Chicago, Indiana, was charged in an Indictment with two counts of filing false tax returns for the tax years 2009 and 2010. The Indictment alleges that Montalvo, the former Director of the East Chicago Public Library, overstated unreimbursed business expenses and medical/dental expenses that he knew were substantially less than reported.

➤ Juda Parks, 40, of East Chicago, Indiana, was charged by Indictment with two counts of failure to file income tax returns for the tax years 2008 and 2009. Parks is an East Chicago city councilman since 2008 as well as an East Chicago police officer.

Parks signed a plea agreement that was filed in conjunction with the Indictment admitting his guilt to all charges and agreeing to cooperate with the government.

➤ Alfonso Salinas, 52, of Hammond, Indiana, is the Second District Councilman for Hammond and has held that office since 1995. Salinas was charged with receipt of a bribe by an agent of a local government receiving federal funds. David Johnson, 56, of Munster, Indiana, owner of Dave's Tree Service, was charged with payment of a bribe to an agent of a local government receiving federal funds.

The Indictment alleges that Salinas, using his allotment of funds derived from casino revenue received by the City of Hammond, accepted at least \$10,500 from David Johnson as payment for hiring Dave's Tree Service to work in Hammond's Second District.

Salinas is also charged with four counts of willful failure to file tax returns for tax years 2006 through 2009.

"The individuals charged today hold positions of public trust. Failure to file tax returns and the filing of false tax returns by public officials will not be tolerated. Those who disobey the tax laws will be held accountable," said Richard Weber, Chief, IRS Criminal Investigation.

United States Attorney Capp stated, "The indictments today represent the excellent, ongoing work by the Federal Bureau of Investigation, the Indiana State Police and the Internal Revenue Service in public corruption. All of these indictments allege tax offenses and the Internal Revenue Service was the key agency driving these investigations. The Internal Revenue Service is, and has been, an integral part of our public corruption team. We will continue to aggressively investigate allegations of public corruption and, where warranted, seek appropriate federal charges, including tax offenses."

These cases have been assigned to and will be prosecuted by Assistant United States Attorneys Gary Bell and Philip Benson.

The United States Attorney's Office emphasized that an Indictment is merely an allegation and that all persons charged are presumed innocent until and unless proven guilty in court.

If convicted in court, any specific sentence to be imposed will be determined by the judge after a consideration of federal sentencing statutes and the Federal Sentencing Guidelines.

[https://www.justice.gov/archive/usaofinn/press\\_release/documents/2012/Oct\\_12/oct\\_4\\_12\\_irs-crenshaw\\_et\\_al\\_gj.htm](https://www.justice.gov/archive/usaofinn/press_release/documents/2012/Oct_12/oct_4_12_irs-crenshaw_et_al_gj.htm)

**Town of Highland  
Appropriation Enactment  
Enactment No. 2023-04A ( as amended)**

**AN ENACTMENT APPROPRIATING ADDITIONAL MONIES 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.**

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 levies 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** herein named and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT CAPITAL FUND

Acct. No. 4406-0000-31019 Landscape Services	\$13,500.00
Total 300 Series:	\$13,500.00
<b>Fund Total:</b>	<b>\$13,500.00</b>

**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 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 13th day of February 2023. 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 27th Day of February 2023, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 2 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

---

ATTEST:

---

Mark Herak  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

3. **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 introduced and filed the appropriation enactment at the meeting of the Town Council of Monday, February 13, 2023. There was no further action pursuant to IC 36-5-2-9.8.*

Councilor Sheeman moved the passage and adoption of Appropriation Enactment No. 2023-04B (as amended). Councilor Zemen seconded.

Discussion:

Councilor Schocke began the discussion by asking Redevelopment Director Maria Becerra how many bids were there for the signs.

Maria said the file is fairly thick and goes back to 2004. She said the contractor has been to so many meetings and in June of last year, the Redevelopment Commission approved the resolution to move forward with the way finding signs. With the transition of staffing and the Council taking away the appropriations, the project was delayed until now. I looked through the file and found the original proposal but I could not find other proposals. She continued that the way finding signs are basically a huge map. It's going to be right by the bike and by the Municipal parking lot, outlining what businesses are available, as well as, places like the Town Hall, Police and Fire Stations. You see similar signs in Chesterton and Valparaiso. The signs are designed for foot traffic and not for cars driving by. I understand Councilor Schocke's comments about using your phone but not everyone uses their phone or has their phone accessible. For example, people who are on the bike trail and stop at the municipal lot to use the bathrooms or in Town for various events and you see a sign in front of you, it sorts of entices you to visit one of the businesses on the map. And I believe the map is supporting our small businesses. How many times have you seen main streets abandoned with no foot traffic and the business begin to shut down. You're supporting the small businesses that don't have the money for marketing budgets. They're not the big box stores or national franchises. They're small businesses trying to survive. We're here to support them and like I said the sign could point the police department or Town Hall. Maria said there will be large maps on the bike trail, at the intersection

of Highway and Kennedy, another at LaPorte and Kennedy. All of the details have not been worked out. All the slots have not been worked out.

Councilor Zemen asked if the Main Street Bureau has given their blessings to the way finding signs?

Maria said they have given their blessings to the way finding signs. They're a good group. They're a very solid, good group of people, very dedicated every month. They have something planned for the businesses, to draw people to the businesses. They had a very successful valentine event. The restaurant crawl continues to be successful. We need to support the local businesses and that's all the Redevelopment is doing. You see what's happening in Gary or Chicago and all those small businesses are gone.

Councilor Schocke directed Maria back to the original question regarding how many bids and she responded she could only find 1 bid. He then asked about a list of priorities that determine who gets on the signs and who doesn't? Are we treating businesses fairly? How does one get on the sign? Are non-downtown businesses going to be able to participate and be on the sign? What are the rules? Councilor Schocke asked if businesses like Target or Meijer's wanted to be on the signs are they eligible?

Maria said they would not, only businesses located in the downtown are eligible.

Councilor Black said the signs are designed that if a business leaves their name is removed and if moves into Town, their name is added.

Councilor Schocke asked Maria that in early dialog with Terry Yovkovich he asked her whether she was interested in throwing in and contributing to the cost. She said she would, do you know if any other businesses willing to throw in and pay a portion of this? Do you know if any other businesses would be willing to contribute?

Maria said that is something she would bring up at the next Main Street Meeting which will be next week but as it is proposed now there was no discussion on a contribution from the businesses. That could be considered down the road.

Councilor Sheeman said that when he was Liaison to Redevelopment and worked with Kathy on this project and this goes back several years, whereas there was only 1 bid, I thought we had 2 or 3 proposals. I think this was a process of elimination, selecting the sign that best fit our budget. He went on to say that none of the downtown businesses paid for the new parking lot downtown or for the new led lights on Highway and Jewett. Some three (3) years ago we have maybe nine (9) or ten (10) empty slots and today we may have 2. We have made a lot of progress in the downtown over the last year. I've visited other towns who have similar signs and they are really nice. I'm in favor of them. It isn't something we just came up



with. He then asked, since the downtown is in the allocation zone or area, can't money from the allocation area be used to purchase the sign?

Maria said that they are being told that the money exists in cash and simply needs to be allocated.

The Clerk-Treasurer interjected saying Maria I don't think you understood Councilor Sheeman's question. He pointed out that several months ago, Dan Botich of SEH had advised the Council that proceeds from the Highland Downtown Allocation area could be used to make purchases like new doors for the Central Fire Station. He said to use caution but the proceeds could be used for purchases that benefitted the downtown area. He further advised that the Redevelopment Director should reach out to Mr. Botich to determine the next steps but in the meantime proceed with the additional appropriation.

Maria said because she knew she would there would be questions regarding the bidding of the project, I did reach out to a sign company here in Highland but they never responded.

Councilor Zemen asked Maria when the next Main Street Meeting was as he would like to attend and talk with them. She responded, the second Wednesday of the month at 6:30 which would make it next Wednesday. He then added, this has been going on since 2004 which makes this project 19 years old so I am probably going to vote no unless we can delay as I don't see another two (2) weeks hurting anything. I'm 100% behind the signs but I can't vote for this until I talk to the Main Street Bureau first. It's my fault for not talking to them earlier. He asked that he would like to see the vote delay or even tabled. He was advised that if he removed his second and if another Council member did not second, the motion would die for a lack of a second or the maker of the motion and the seconder could withdraw their motions. Councilor Zemen withdrew his motion.

Councilor Black asked if there was a second. He asked a third and final time if there was a second. Hearing none, the original motion died for a lack of a second.

Councilor Black then asked if anyone else would like to make a motion.

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.

**Town of Highland  
Appropriation Enactment  
Enactment No. 2023-04B (as amended)**

**AN ENACTMENT APPROPRIATING ADDITIONAL MONIES 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.**

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 levies 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** herein named and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT CAPITAL FUND

Acct. No. 4406-0000-42001 Wayfinding Signs	\$36,700.00
<i>Total 400 Series:</i>	\$36,700.00
<b>Fund Total:</b>	<b>\$36,700.00</b>

**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 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 13th day of February 2023. 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 27th Day of February 2023, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 2 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

---

Tom Black, President (IC 36-5-2-10)

ATTEST:

---

Mark Herak  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

4. **Appropriation Enactment No. 2023-04C (as amended):** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Municipal Cumulative Street Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

*Councilor Zemen introduced and filed the appropriation enactment at the meeting of the Town Council of Monday, February 13, 2023. There was no further action pursuant to IC 36-5-2-9.8.*

Councilor Schocke moved the passage and adoption of Appropriation Enactment No. 2023-04C (as amended). Councilor Smith seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Appropriation Enactment No. 2023-04C was adopted pending the signature of the Municipal Executive.

**Town of Highland  
Appropriation Enactment  
Enactment No. 2023-04C (as amended)**

**AN ENACTMENT APPROPRIATING ADDITIONAL MONIES 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.**

**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 **Municipal Cumulative Street Fund;**

**WHEREAS,** It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies 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 **Municipal Cumulative Street Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

MUNICIPAL CUMULATIVE STREET FUND

Acct. No. 4431-0000-44010 Sidewalk Replacement	\$40,000.00
<i>Total 400 Series:</i>	\$40,000.00
<b>Fund Total:</b>	<b>\$40,000.00</b>

**Section 2.** That the Clerk-Treasurer is hereby authorized and instructed to inform the Department of Local Government Finance of this action and that these monies be made available for expenditure pursuant to I.C. 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 13th day of February 2023. 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 27th Day of February 2023, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 3 in favor and 2 opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

\_\_\_\_\_  
Tom Black, President (IC 36-5-2-10)

ATTEST:

\_\_\_\_\_  
Mark Herak  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5)

5. **Works Board Order No. 2023-01A** An Order Authorizing and Approving An Extension of the Agreement between The Idea Factory and the Town of Highland to perform Professional Communications and Media Design and Development services for the Municipality for a Term of Twelve (12) Months.

Councilor Sheeman moved the passage and adoption of Works Board No. 2023-01A. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. Works Board Order No. 2023-01A was adopted.

**The Town of Highland**  
Board of Works  
**Order of the Works Board No. 2023-01A**

**AN ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE IDEA FACTORY AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL COMMUNICATIONS AND MEDIA DESIGN AND DEVELOPMENT SERVICES FOR THE MUNICIPALITY FOR A TERM OF TWELVE (12) MONTHS**

**Whereas,** The Town of Highland, through its Town Council, which is the Works Board of the Municipality has heretofore determined that a need exists to provide greater information to the public regarding the operations and services of the municipality;

**Whereas,** The Town has heretofore determined that a need exists to engage professional communications and media design and development services to assist and support the provision of greater information to the public regarding the operations and services of the municipality;

**Whereas,** Robin A. Carlascio and Theresa K. Badovich, d.b.a. The *Idea Factory*, a media development and design, communication consulting alliance, has proposed to provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter;

**Whereas,** As purchasing agency, the Town Council may purchase services using any procedure it considers appropriate, pursuant to IC 5-22-6-1; and

**Whereas,** The Highland Municipal Code provides that, the Town Council may make all contracts for professional services on the basis of competence and qualifications for the type of services to be performed, and negotiate compensation that the public agency determines to be reasonable, pursuant to Section 3.05.090; and

**Whereas,** There are now or will soon be sufficient and available appropriations balances on hand to support the payments for these services 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 and approve the agreement for services as herein described.

Now Therefore be it Ordered by the Town Council of the Town of Highland, Lake County, Indiana;

**Section 1.** That the agreement (incorporated by reference and made a part of this Order) between **Robin A. Carlascio** and **Theresa K. Badovich** doing business as the **Idea Factory**, and the Town of Highland, provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter for the period beginning **1 March 2023 through to 31 March 2023** as described herein is hereby approved, adopted and ratified in each and every respect;

**Section 2.** That the charges under the agreement for the services, in the amount of **\$1,969.46 per issue**, or **\$492.36** per page, which include publishing and coordinating a monthly newsletter to be distributed as an insert in the monthly utility invoice and other related services; stock images or illustrations at **\$52** per image or illustration, custom photography or graphics at **\$104** per image or graphic, and website maintenance/updates and services in the amount of **\$140.78 per week**, Web hosting in the amount of **\$25.99 per month** and Web security in the amount of **\$130 per month** are found to be reasonable and fair, all pursuant to IC 5-22-6-1 and Section 3.05.090 of the municipal code;

**Section 3.** That the charges under the terms of the agreement for all the services, will be paid to **The Idea Factory**, after presentation of an invoice for services, following their delivery;

**Section 4.** That the Town Council President be authorized to execute this agreement under the terms of this order with his signature as attested thereto by the Clerk-Treasurer;

**Section 5.** That the Town Council President must approve a preliminary edition of the newsletter at least two weeks prior to publication.

**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 27th day of February 2023 having passed by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

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

\_\_\_\_\_  
Tom Black, President (IC 36-5-2-10)

Attest:

\_\_\_\_\_

Mark Herak,  
Clerk-Treasurer (IC 33-42-4-1;IC 36-5-6-5)

**AGREEMENT**

This Transitional Agreement made and entered into this 27th day of February 2023, by and between the **TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter referred to as the "Town"), and **ROBIN CARLASCIO and THERESA BADOVICH d/b/a THE IDEA FACTORY** (hereinafter referred to as "Idea Factory").

**WITNESSETH THAT:**

**WHEREAS**, The Town is interested engaging the services of Idea Factory for publishing and coordinating a monthly newsletter (Gazebo Express) to be distributed throughout the Town; and

**WHEREAS**, Idea Factory is interested in entering into such an agreement and engaging its services to publish and coordinate a monthly newsletter within the Town; and

**WHEREAS**, The parties wish to reduce their agreement to writing;

**NOW, THEREFORE**, in consideration of the mutual promises and covenants contained herein, it is agreed as follows:

1. Idea Factory agrees to publish and coordinate a monthly newsletter (Gazebo Express) to be distributed in the Town of Highland.

2. The term of this Agreement shall be for one (1) month beginning **April 1, 2023**, through **March 31, 2024**. This Agreement may be extended or renewed by the Town of Highland from month to month or for a longer term based upon approval of the renewal term by the Town.

3. Idea Factory shall be paid for its services rendered pursuant to this Agreement, the sum of **\$1,946.46** per issue or **\$492.36** per page stock images or illustrations at **\$52** per image or illustration, custom photography or graphics at **\$104** per image or graphic, as well as the website maintenance/update fees of **\$140.78** per week, Web hosting fees of **\$25.99** per month, Web security fees of **\$130.00** per month. The weekly and monthly fees shall be payable to The Idea Factory at its business address, **1 Courthouse Square, Suite 207, Crown Point, Indiana 46307**.

4. This Agreement may be cancelled by either party upon such party providing the other party thirty (30) days written notice.

5. In the event the Town's appropriations are insufficient to pay the expenses of this Agreement, and upon thirty (30) days written notice being given by the Town to Idea Factory, this Agreement shall become null and void.

6. This Agreement shall be governed by the laws of the State of Indiana and shall be binding upon the parties' heirs, legal representatives, successors, and assigns.

7. That the Town Council President must approve a preliminary edition of the newsletter at least two weeks prior to publication.

**IN WITNESS WHEREOF**, this Agreement has been entered into between the parties this 27th day February 2023.

**TOWN OF HIGHLAND**

By: \_\_\_\_\_  
Tom Black, President

Attest: \_\_\_\_\_  
Mark Herak  
Clerk-Treasurer

**THE IDEA FACTORY**

\_\_\_\_\_  
Robin Carlascio

\_\_\_\_\_  
Theresa Badovich

This instrument prepared by:

Rhett L. Tauber, Esq.  
Tauber Westland & Bennett P.C.  
1415 Eagle Ridge Drive  
Schererville, Indiana 46375  
(219) 865-8400

**New Business:**



1. **Proposed Ordinance No. 1781: An Ordinance to Make a Technical** Updating Amendment to the Current Code of Ordinances for the Town of Highland, Particularly Amending Section 5.17 Authorized use of Town Owned and/or Leased Vehicles, All Pursuant to I.C. 36-5-6 ET SEQ.

Councilor Schocke introduced and moved for the consideration of Proposed Ordinance No. 1781 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a unanimous vote being necessary, there were five affirmatives and no negatives. The motion passed. Ordinance No. 1781 could be considered at the same meeting of its introduction.

Councilor Schocke moved for the passage of Ordinance No. 1781 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmatives and no negatives. The motion passed. Ordinance 1781 was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction

ORDINANCE No. 1781  
of the  
TOWN of HIGHLAND, INDIANA

AN ORDINANCE TO MAKE A TECHNICAL UPDATING AMENDMENT TO THE CURRENT CODE OF ORDINANCES FOR THE TOWN OF HIGHLAND, PARTICULARLY AMENDING SECTION 5.17 AUTHORIZED USE OF TOWN OWNED AND/OR LEASED VEHICLES, ALL PURSUANT TO IC 36-5-6 ET SEQ.

WHEREAS, Title 36, Article 1, Chapter 5 of the Indiana Code provides that the legislative body of a unit shall codify, revise, rearrange, or compile the ordinances of the unit into a complete, simplified code excluding formal parts of the ordinances;

WHEREAS, The legislative body of this unit, the Town of Highland, is the Town Council, pursuant to IC 36-1-2-9(5) and IC 36-5-2-2;

WHEREAS, The present general and permanent ordinances of the Town of Highland, formally codified in 2012, are in need of technical and substantive modifications not confined to any particular Title, Article or Chapter but nevertheless desirable to further improve and perfect the Code; and,

WHEREAS, The Town Council, is persuaded that it is necessary and desirable to adopt the several technical and substantive modifications necessary to carry out this requirement and to further improve and perfect the Code,

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

**Section 1.** That the Highland Municipal Employee Handbook of the Compensation

and Benefit Ordinance, be hereby amended by repealing Section 5.17.01, in its entirety, and replacing it with a new provision, to be styled as Section 5.17.01, which shall read as follows:

5.17 Authorized Use of Town Owned and/or leased Vehicles

5.17.01 The following individuals by title are permitted subject to the concurrence of the governing board of jurisdiction to utilize municipal leased and owned vehicles for the purpose of conducting public business, the providing of transportation to and from the work place and reasonable, limited personal business:

**Metropolitan Police Chief**  
**Metropolitan Assistant Police Chief**  
**Metropolitan Police Commanders**  
**Public Works Director**  
**Public Works Supervisors**  
**Pump Station Mechanic**  
**Superintendent of Parks and Recreation**  
**Fire Chief**

The persons identified by title and only those persons are authorized to use the vehicle for reasonable personal business. Except as otherwise restricted by rules of regulations of the Metropolitan Police Department, reasonable personal business is described as using the vehicle within Lake County, Indiana and the assigned worker could be expected to be called for duty. In all cases municipal vehicles may not be used for personal business beyond the boundaries of Lake County, Indiana. No other person but the municipal employee(s) as listed by title in this section is authorized to operate the vehicle for personal use. Pursuant to Federal and State income tax guidelines, employees using town owned or leased vehicles shall keep records of personal use.

**Section 2.** That the Highland Municipal Employee Handbook of the Compensation and Benefit Ordinance, be hereby amended by adding Section 5.17.04, which shall read as follows:

5.17 Authorized Use of Town Owned and/or leased Vehicles

5.17.04 The following individuals are permitted subject to the concurrence of the governing board of jurisdiction to utilize municipal leased and owned vehicles for the purpose of conducting public business, the providing of transportation to and from the work place and reasonable, limited personal business:

**Metropolitan Police Officers who reside within the corporate boundaries of the Town**

The persons identified above and only those persons are authorized to use the vehicle for reasonable personal business. Except as otherwise restricted by rules of regulations of the Metropolitan Police Department, reasonable personal business is described as using the

vehicle within Lake County, Indiana and the assigned worker could be expected to be called for duty. In all cases municipal vehicles may not be used for personal business beyond the boundaries of Lake County, Indiana. No other person but the municipal employee(s) as listed by title in this section is authorized to operate the vehicle for person use. Pursuant to Federal and State income tax guidelines, employees using town owned or leased vehicles shall keep records of personal use.

**Section 3.** That the Highland Municipal Employee Handbook of the Compensation and Benefit Ordinance, be hereby amended by adding Section 5.17.05, which shall read as follows:

5.17 Authorized Use of Town Owned and/or leased Vehicles

5.17.05 The following individuals are permitted subject to the concurrence of the governing board of jurisdiction to utilize municipal leased and owned vehicles for the purpose of conducting public business, the providing of transportation to and from the work place but no personal business:

**Metropolitan Police Officers who reside outside the corporate boundaries of the Town**

**Section 4.** That the Highland Municipal Employee Handbook of the Compensation and Benefit Ordinance, be hereby amended by adding Section 5.17.05, which shall read as follows:

5.17 Authorized Use of Town Owned and/or leased Vehicles

5.17.06 Officers who reside outside of the Town of Highland shall be responsible for a scheduled monetary Take-Home privilege fee to be deducted from the Officer's pay, each pay period. The rate of this contribution shall be based on the distance from which the assigned Officer resides from the Town of Highland. This fee will be deducted from each payroll check regardless if an Officer is on days off, on vacation, on disability, or their assigned squad is out of service for maintenance.

- |  |                 |
|--|-----------------|
| a: Resides within the Town of Highland | =\$0 bi-weekly  |
| b: Resides 0-10 miles from Highland    | =\$10 bi-weekly |
| c: Resides 11-20 miles from Highland   | =\$20 bi-weekly |
| d: Resides 21-30 miles from Highland   | =\$30 bi-weekly |

**Section 5.** That the Highland Municipal Employee Handbook of the Compensation and Benefit Ordinance, be hereby amended by adding Section 5.17.07, which shall read as follows:

5.17 Authorized Use of Town Owned and/or leased Vehicles

5.17.07 Officers who reside outside of the Town of Highland and choose to not have a take-home vehicle, they shall not be responsible for any Take-Home privilege fee. In addition, they shall not receive any additional compensation for choosing to not have a take-home vehicle.

**Section 7.** That the Highland Municipal Employee Handbook of the Compensation and Benefit Ordinance, be hereby amended by renumbering Section 5.17.04 to 5.17.08, which shall read as follows:

5.17.08 The Metropolitan Police Department may adopt regulations that are more restrictive than the general fifty-mile allowance for reasonable business contained in this section.

**Section 8.** That this ordinance shall be effective from and after its passage and adoption, as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10 and IC 36-5-2-10.2.

Introduced and Filed on the 27th day of February 2023. 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 27th Day of February 2023, 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**

\_\_\_\_\_  
Tom Black, President (IC 36-5-2-10)

Attest:

\_\_\_\_\_  
Mark Herak,  
Clerk-Treasurer (IC 33-42-4-1; IC 36-5-6-5; IC 36-5-2-10.2)

**Comments from the Town Council:**  
(Good of the order)

- **Councilor Bernie Zemen:** *Liaison to the Board of Water Works Directors • Liaison and Plan Commission Member • Liaison to the Tree Board • Liaison to the Highland Neighbors for Sustainability.*

Councilor Zemen began by wishing Ken Mika, Building Commissioner a speedy recovery as Mr. Mika was home sick and not in attendance. He said the Plan Commission has a public meeting this Wednesday, at 6:30. He believed there were 3 items on the agenda. The Water Board met last Tuesday in a lengthy meeting with the main topic being the transport fee with Dyer. It is a three (3) year agreement with the first 2 years agreed upon by both parties but the third year has not been worked out as an inflationary rate cannot be agreed upon. He said Sustainability met but he had a meeting at Haven House and was unable to attend but Susan Hale, Assistant Redevelopment Director, Susan Hale gave a report.

**HIGHLAND NEIGHBORS FOR SUSTAINABILITY**  
FEBRUARY 27<sup>TH</sup> 2023  
TOWN COUNCIL MEETING UPDATE:

1. Highland Neighbors for Sustainability grant finder Jean Bernius came across a grant offered by the Lake County Master Gardeners for garden-related projects. HNS informed Heather Oaks, who is the sponsor for the Highland High School Sustainability Club. She completed the grant application to get mulch, weed barrier and rocks for the school's courtyard garden. HNS has also volunteered to help the students wheelbarrow the mulch and rock into the garden, if needed.
2. Highland Neighbors for Sustainability members Mary Hackett and Jean Bernius led a Winter Sowing Workshop on Thursday, January 26<sup>th</sup>. There was a total of 15 participants, 13 of which were Highland Residents. Participants learned the process of planting seeds in recycled water jugs that will then stay outside to undergo the necessary freezing and thawing until the seedlings can be transplanted in the Spring.
3. 4 members of Highland Neighbors for Sustainability attended the 2023 Indiana Sustainability and Resilience Conference in Indianapolis at the IU campus. They gathered information on the Indiana Resilience Funding Hub (IRFH), which is a new program from the IU Environmental Resilience Institute that was designed to help Indiana municipalities through the grant process. Attendees also learned about another IU program called [climateportalprogram.org](http://climateportalprogram.org) that helps tailor and track grant opportunities with categories including Transportation, Climate, Electric, Agriculture, Water, Industry, Commercial, and Residential.
4. Lastly, the next HNS meeting will be Tuesday, March 21<sup>st</sup> at 6:30 pm.

He said the Tree Board already met once this month as they only meet once a month. I'll have a report at our next meeting.

**Councilor Toya Smith:** • *Sanitary Board Liaison • Public Works Liaison • Advisory Board of Zoning Appeals Liaison • Liaison to the Building and Inspections.*

Councilor Smith began by acknowledging Mark Knesek, Public Works Director who said he already gave part of his presentation during the discussion of Appropriation Enactment 2023-04A (trees). He said he is also going to be putting out bids for concrete services and the downtown maintenance services again this year, so those will all be advertised on the seventh and the fourteenth of March, and we'll open all the bids on the twenty-third of March. I actually have a company who keeps calling me regarding the downtown maintenance service. They said they are ready to place a bid this year. As you recall, last year was not very competitive. With all that mulch to remove and replace, it takes a rather large staffed company to perform the work. I'm hoping to get some good prices. I don't think we're going to be so lucky with good prices this year on concrete. Last year, the concrete companies put in a surcharge per load. Our contractor did not have that in his concrete bid and he ate the surcharges. I anticipate any bids this year will contain a surcharge provision. I have some important dates that I will be posting on the Town's website and also have it in the Gazebo express. May 9<sup>th</sup> will be Spring Clean-up, with June 3<sup>rd</sup> being Shred Day and Hazardous Day remains July 29. Fall Clean up will be October 10. These dates will appear on the website and in the Gazebo a couple of weeks before so residents won't forget.

Councilor Sheeman asked the Public Works Director if the downtown maintenance if that included the flower beds?

Mark responded that it included cleaning out the mulch and replacing with new mulch. They blow off the sidewalk and plant the mums in the fall. He said he found out that it wasn't included in the bid price but the contractor did not charge for the removal of the mulch, only installation of the new mulch was included in the bid price. Included also is the planting of the spring flowers. They coordinate with the Town the removal of the mulch. When they blow off the sidewalks, they blow it into the street and the next morning, around 3 am, our street sweeper comes along and sweeps the street and cleans up the downtown. .

In the absence of Ken Mika, Building Commissioner she reported that the BZA met last Wednesday to send an unfavorable Finding of Fact for the mix use variance for the property commonly known as the tri-state bus depot. The address is 8144 Indianapolis Blvd. They are proposing a mixed use, with a portion of the property proposed as retail and a portion as climate control personal storage. The personal storage is not a permitted use in that zoning. The BZA is sending an unfavorable recommendation to the Town Council.

**Councilor Mark Schocke:** • *Park and Recreation Board Liaison • Council of Community Events Commission Liaison • Liaison to Main Street Bureau .*

Councilor Schocke acknowledge Park Superintendent, Alex Brown who said the crew and the contractor are working hard on getting all the polls set for the solar lighting project on the bike trail. They're about 40% done. It's just really hard with all this rain. We keep digging holes and they keep filling up with water so we need the rain to stop so we can finish the project. It should be done within the next month at that time the contractor will come back and install all of the solar panels so we should have a lit bike trail by the end of April. This weekend in the Field House, all day Friday, Saturday. Sunday is a huge fishing and outdoor expo. If you're into that kind of thing, come on by as it should bring out a lot of people. I heard as of today, 50 vendors have already signed up for the show. Vendors like Cabela's and Bass Pro Shops will be in attendance and a bunch of fishing outfitters. Last year was our first year and we anticipate this growing in size each year. Deadline is this week for the Middle School Leagues. I know we need a few more kids to make it a go, as they would like to have 4 to 6 teams in the Middle School League.

Councilor Schocke thanked Alex and his staff for a wonderful youth basketball season.

- **Councilor Roger Sheeman:** *Town Board of Metropolitan Police Commissioners Liaison • Fire Department, Liaison • Chamber of Commerce Liaison • • Information Communications and Technology Department Liaison.*

Councilor Sheeman began by acknowledging Ralph Potesta, Metropolitan Police Chief who began by saying it has been fairly quiet. I made it through my first 2 weeks, somewhat unscathed. We did have the incident at Kohls. We had 2 officers involved and one of them got hurt. We're hoping one of those officers is going to be back to work by the end of this week. The other officer is still in some pain and he's got some doctor's appointments to get through but we're expecting him to be back to work shortly. It's just going to be a question of when. He thanked the other departments for their tremendous response. We had, like 8 or 9 agencies that responded to the scene. I got a lot of thank you letters to type. He asked the public to keep the officer in his prayers for a speedy recovery. He advised that last Friday and Saturday they conducted their agility and written test for new the new recruits. They had 15 applicants that passed that phase and our next phase is interviews. We're going to be doing those, probably in about 2 weeks and we're hoping to get 5 hired right away to get them into the Academy in August.

He then acknowledged Fire Chief, Bill Timmer said the Fire Department is pretty busy as we had a fire on Garfield the other day. It was in the chimney that was built inside the garage which made things difficult. It is not uncommon that over the years the chimney liner weakens in the joints and causes smoke to escape. We did call for assistance from Griffith and Munster as it was a structural fire but by the time they arrived we had the fire under control. The fire marshal was into today and he agrees with our findings that the weakening of the chimney liner allowed smoke to escape. We're working with the family to help them get back on their feet. I'm assuming you heard about the fire in Munster. It was a large working fire in a large home. Making it worse, the owner of the house didn't have insurance.

Councilor Black asked the Chief if there was any word on the new fire truck. Bill responded that the manufacturer said to expect delivery in July. We were hoping to have it before the 4<sup>th</sup> so we could have put it in the parade but the manufacturer, like most manufactures is having supply chain issues. To show you how crazy it is, I saw a Dodge ambulance. I haven't seen one of those in 15 to 20 years but you cannot get the Ford chassis because of the supply chain issues.

Councilor Sheeman asked the Chief to talk about the new jaws of life and other hand tools.

Bill said all the suppliers seem to be fairly equal in what they are offering, so it will come down to price. We really liked the one manufacturer but we wanted a newer model but that came with a significant price increase. The increase is related to technology. The device sends signals back to the manufacturer if it isn't working properly. The question is whether this new technology is worth the 15% increase. The nice thing about all the manufactures is that the equipment is all battery operated which makes it quicker to set up and operate. If you're in a situation, you don't have to hook it up with the power. You pick it up and turn it on. The problem is with the batteries. Some batteries can be purchased over the counter at a big box store whereas other manufacturers have an exclusive on their batteries and you can only buy them through the manufacturer. He added that they are getting new carpet in the fire station, so if the public is passing by and see all of these white tables in the apparatus bay with boxes on the them, we're simply moving things around while the new carpeting is being installed. He then commented on the tank that they purchased out of the donation fund which they delivered today. This tank is usually seen and used in the country to carry additional water to put out fires. Obviously, we don't live in the country and don't use a tender or tanker as we have a ready supply of water. The officers thought it would be nice to have when battling a fire in an electric car. For example, in Houston, Texas, a Tesla's battery got on fire and it took somewhere in the vicinity of 35,000 gallons of water. Our trucks only carry 500 gallons of water. Lake Ridge has a tanker truck which is available us but it only carries 3,000 gallons so it would required 10 trips to the hydrant to refill. The idea behind the portable tank is to fill it with foam, which reduces the amount of water required greatly. We simply mix the foam with the water. If the public sees this tank behind the fire station, we haven't lost our mind.

Councilor Sheeman asked the question that he was always told not to put water on an electrical fire and with the number of electric cars on the market, eventually a fire will occur in one of them.

Chief Timmer answered that we have foam on all of our trucks that is sprayed on the fire as opposed to water directly. The water/foam mixture serves as a suppressant. He went on to describe a fire in a Prius at the intersection of Martha and the Boulevard. The Prius had been involved in an accident. As I got closer to the car, there appeared to be a drop of water coming out the back of the car. But when it hit the asphalt, it turned out to be battery acid. We quickly plugged before we have a major incident on our hands.



Attorney Reed cited the example of a fire on a ship carrying new cars and one of the car batteries caught fire and destroyed all the other new cars in the cargo bay.

Chief Timmer said electric cars are the right thing. They're green. They work well. Everything is positive except for the fire suppression.

Councilor Sheeman then acknowledged Ed Dabrowski, It Director who said he had no report but would answer any questions anyone had. There were no questions.

- **Town Council President Tom Black:** *Town Executive (I.C. 36-1-2-5-(4); I.C. 36-5-2-2; I.C. 36-5-2-7); • Board of Trustees of the Police Pension Fund, Chair (By Law) • Budget Committee Chairman • Redevelopment Commission Liaison and Member • Member of the Lake County Solid Waste Management District Board • Member of the Northwestern Indiana Regional Planning Commission (NIPRC) • Shared Ethics Representative.*

Councilor Black began by offering an apology to Redevelopment Director, Maria Becerra over the treatment she received during questioning from the Council Schocke and members of the public. I hoped this is something we could get down the road tonight but I don't think you needed to go through the third degree, either.

He then acknowledged Redevelopment Director, Maria Becerra, who said she continues to work the Main Street group and also the Community Garden. Since the funds in the Community Gardens lapsed at the end of the year, the money in that account will have to be re-appropriated. Their funds come from donations.

#### **Comments from Visitors or Residents:**

Rick Volbrecht, Highland, began by saying he had a few questions he'd like to ask the Council in hopes of getting an answer. I know when I ask questions at the School Board, I rarely get answers. I cannot keep track of the rumors that I hear. I'm not here to trash the police but I've heard that there is a proposal offering officers a \$10,000 signing bonus to relocate to Highland? Is there any truth to that?

Councilor Sheeman answered that at last Thursday's Police Commission Meeting, Redevelopment Commission Chairman Sean Conley and Redevelopment Director Maria Becerra made a presentation to the Police Commissioners, a program initiated by Redevelopment Commission called the homeownership program. It is only in the initial discussion stages.

Rick then asked about the \$200 a month stipend proposed for the officers living in Town to be paid beginning in 2024.

Mr. Volbrecht was advised that the stipend was Ordinance No. 1780 and was passed earlier in the meeting. It won't take effect till 2024.

He then asked about the take-home-car-policy and the fee schedule for officers living out of town.

Mr. Volbrecht was advised that the take-home-car policy was Ordinance No. 1781 and was passed earlier in the meeting. It will take effect immediately once the officer signs the authorization slip to have the deduction taken from his paycheck.

Terry Yovkovich, owner of 2 Chicks, Highland, brought out her I-phone and asked Sirri and Googled downtown Highland as Councilman Schocke had asked and it brought up nothing. It does not bring up a list of local businesses in downtown Highland. That is one of the reasons why the Main Street Bureau is behind the purchase of the way finding signs. When someone does come to downtown Highland, they can look at the signs which are located on the corners and see a list of the shops and unique business that we have and their location. Using sirri is only going to help me if I know the name of the business. We attract visitors from all over the area, including Chicago and they are not going to know the names of the small businesses or unique shops that we have.

Council Schocke pulled out his phone and asked sirri for restaurants near downtown. He read off 5 or 6 names of restaurants located in the downtown area.

Linda Carter, Highland, wanted to let the Council know that the HCCE is having a meeting on March 1<sup>st</sup> at 6 o'clock in the evening and wanted to invite the Council personally to attend the meeting.

Terry Steagall, Highland, said he is of the understanding that Griffith is on the hook for \$15M and Highland is on the hook for \$70M and I think the website should be utilized to keep the residents apprised on what is happening with that project and the status of the consent decree. He was under the impression that the EPA was requiring the Town of Highland to post the consent decree on the website. I feel it needs to be posted on the website so people understand the severity of this issue. I'm not opposed to doing what we need to do to clean up the environment but we need to start to look at how are we going to pay for the improvements. I think we should be looking also to the infrastructure money. There's the Indiana Finance authority but you have to apply for the money. You should be in contact with Congressman Mrvan, along with State Senator Dernulc and State Representative Andrade to see if we can all come together and if there's some resources available through the State or from the infrastructure money to help solve that problem. But you need to be a little more transparent on what you have been doing thus far. I think the residents need to know that Highland is on the hook for this \$70 million dollars EPA mandated project. I think the people need to understand what's going on. It's not going to upset people, because the Judge said, you have to do it but you have to pay for the sins of the past. There's been some things in a newspaper, but it doesn't give a good explanation on what the construction project entails. That's why I suggest you can better utilize the website.

Public Works Knesek said the project will last longer than 10 years. The engineering work on the 1<sup>st</sup> phase is 99% complete. If all goes as planned, they will go to bid in late July for

the 1<sup>st</sup> phase. He said the consent decree has already been posted on the website. He went on to explain other aspects of the project

The Clerk-Treasurer said the engineering cost was \$1.472M and was paid for from the Sewer Improvement Fund. The Council decided that the \$5M awarded from the American Rescue Fund will be used for the initial construction of this project. We are looking at private sources for the balance of the debt. We've put in application to the Indiana Revolving Fund as they are offering money at 2.46%. We hope to hear by July if we were awarded the grant.

Larry Kondrat, Highland, asked if the money from the American Rescue Plan was placed in an interest-bearing account and he was advised yes. He then said to Councilor Black that he was a little confused about his apology to the Redevelopment Director. Are you somehow offended when people ask the Redevelopment Director questions?

Councilor Black said by no means. I was offended by the tone that was taken and the materials asked as if she were on trial.

Larry said, you took offense but I took offense that you discounted the information Councilor Schocke provided that this particular vendor served jail time for bribing an elected official and you hired him

Connie Wachala, Highland, thanked Councilor Black for his comments because there has been a lot of this kind of vitriol that goes on at these meetings. Tone is important. There is a lot of ugliness that happens at these meetings. I just want to thank you Councilor Black for your comments.

Councilor Black asked if there were any other comments. Hearing none, he closed comments from the public and brought it back to the Council. He then asked for a motion to pay claims.

**Payment of Accounts Payable Vouchers.** There being no further comments from visitors or residents, Councilor Zemen moved to allow the vendors accounts payable vouchers as filed on the pending accounts payable docket, covering the period **January 25, 2023 through February 14, 2023**. Councilor Schocke seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The accounts payable vouchers for the vendor docket were allowed, payments allowed in advance were ratified, the payroll dockets listed were ratified and for all remaining invoices, the Clerk-Treasurer was authorized to make payment.

**Vendors Accounts Payable Docket:**

**General Fund, \$277,579.58; MVH Fund, \$29,144.87; LAW Enforcement Continuing Education, Training and Supply Fund, \$1,790.40; Information and Communications**

**Technology Fund, \$9,270.99; MCCD, \$3,893.14; Police Pension, \$66,224.74; Public Safety  
Income Tax Fund; \$3,582.00  
Total: \$391,485.72.**

PAYROLL DOCKET FOR PAYDAY OF FEBRUARY 24, 2023 BY FUND:

GENERAL, \$309,456.81

PAYROLL DOCKET FOR PAYDAY OF FEBRUARY 24, 2023:

OFFICE OF CLERK-TREASURER, \$15,779.22; BUILDING AND INSPECTION DEPARTMENT,  
\$10,336.33; METROPOLITAN POLICE DEPARTMENT, \$151,319.19; PUBLIC WORKS  
DEPARTMENT (AGENCY), \$74,829.78; FIRE DEPARTMENT, \$5,046.65 AND INFORMATION AND  
TECHNOLOGY DEPARTMENT, \$4,009.55; TOTAL PAYROLL: \$261,320.72.

PAYROLL DOCKET FOR PAYDAY OF FEBRUARY 24, 2023 BY FUND:

TOTAL PAYROLL BY FUND: \$77,969.74.

PAYROLL DOCKET FOR PAYDAY OF FEBRUARY 24, 2023:

BOARDS & COMMISSIONS. \$11,010.38; POLICE PENSION, \$66,117.09; TOTAL PAYROLL:  
\$77,127.47.

Adjournment of Plenary Meeting. THERE BEING NO FURTHER BUSINESS ON THE AGENDA, THE  
TOWN COUNCIL PRESIDENT DECLARED THE REGULAR PLENARY MEETING OF THE TOWN COUNCIL  
OF MONDAY, FEBRUARY 27, 2023, ADJOURNED AT 7:55 O'CLOCK P.M.

Mark Herak  
Clerk-Treasurer

Approved by the Town Council at its meeting of March 13, 2023.