

**Enrolled Minutes of the Eighty-Ninth Regular Meeting or Special Meeting
For the Twenty-Ninth Highland Town Council
Regular Plenary Business Meeting (Electronic/In person Hybrid)
Monday, March 13, 2023**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, March 13, 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 Mark Schocke 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 was represented by Scott Bilse, Mark Knesek, Public Works Director, Metropolitan Police Chief Ralph Potesta; Edward Dabrowski, Director of Information Technology; Maria Becerra, Redevelopment Director; William R. Timmer, Jr., CFOD, Fire Chief and Kenneth J. Mika, Building Commissioner were present.

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 27, 2023 Plenary meeting were approved by general consent.

Special Orders:

1. **Executive Proclamation:** A Proclamation in Recognition of Disability Awareness Month in the Town of Highland.

The Clerk-Treasurer read aloud the enrolled proclamation. The Town Council President approved the proclamation by his signature:

**TOWN OF HIGHLAND
PROCLAMATION OF the TOWN EXECUTIVE**

A PROCLAMATION IN RECOGNITION OF MARCH AS DISABILITY AWARENESS MONTH

Whereas, The month of March 2023 has been designated as “*Disability Awareness Month*” by the Governor of the State of Indiana in order to celebrate and recognize people with disabilities that are seen and unseen; and,

Whereas, Disability is a natural part of the human experience and in no way diminishes the right of individuals with disabilities to live independently, enjoy self-determination, make choices, contribute to society and experience in full the economic, political, social, cultural and educational mainstream of American society; and

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

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

Now, Therefore, I, Tom Black, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim the month of March 2023, as

Disability Awareness Month

in the Town of Highland;

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

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

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 13th day of March in the year, 2023.

**TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT**

Tom Black

Attest:

Mark Herak
Clerk-Treasurer

(Print optimized at 75%)

2. **Executive Proclamation:** A Proclamation of the Municipal Executive Recognizing Friday, April 28, 2023 as Arbor Day in Highland.

The Clerk-Treasurer read aloud the enrolled proclamation. The Town Council President approved the proclamation by his signature:

**TOWN OF HIGHLAND
PROCLAMATION OF the TOWN EXECUTIVE**

A PROCLAMATION RECOGNIZING FRIDAY, APRIL 28, 2023 AS ARBOR DAY IN HIGHLAND AND APRIL 23 THROUGH APRIL 28 AS TREE PLANTING WEEK

Whereas, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees;

Whereas, Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air and storm water, produce life-giving oxygen, and provide habitat for wildlife;

Whereas, Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products;

Whereas, Trees in our town increase property values, enhance the economic vitality of business areas, and beautify our community;



Whereas, Trees, wherever they are planted, are a source of joy and spiritual renewal; and,

Whereas, On Arbor Day and during tree planting times, the Tree Board, community partners, families and friends join together to celebrate the benefits of trees and to recognize the unique beauty of our trees, which provide a lasting impression on visitors and memories for residents,

Now, Therefore, I, Tom Black by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim and designate **Friday, April 28, 2023**, as **ARBOR DAY** in the Town of Highland the week of April 23 through April 28 as **TREE PLANTING Week**;

Be it Further Proclaimed, That , I urge all Highland residents to celebrate Arbor Day and to support efforts to protect our trees and urge all residents to acquire a plant a tree.

In Witness Whereof, I have hereunto set my hand and caused the Corporate Seal to be affixed at the Highland Municipal Building this 13th day of March in the year 2023.

**TOWN of HIGHLAND, INDIANA
BY ITS TOWN COUNCIL PRESIDENT**

THOMAS BLACK

Attest:

Mark Herak
Clerk-Treasurer

(Print optimized at 78%)

3. **Executive Proclamation:** A Proclamation in Recognition of Tim Ferguson in the feeding of needy Northwest Indiana families.

Councilor Smith read aloud the enrolled proclamation. The Town Council President approved the proclamation by his signature:

**TOWN of HIGHLAND
PROCLAMATION of the TOWN COUNCIL EXECUTIVE**

A PROCLAMATION in RECOGNITION of and COMMENTNG TIM and CHERYL FERGUSON and PAUL ZAROWYN for over the past 13 Years, using their own money to provide meals for Northwest Indiana families in need.

Whereas, Tim Ferguson, a veteran, took seriously service to his Country, and enlisted in the United States Army Air Defense; and

Whereas, Tim Ferguson, a veteran, attained the rank of Sergeant, where he was an Instructor and Combat Medic; and

Whereas, Paul Zarowyn, a veteran, took seriously service to his Country, and enlisted in the United States Air Force; and

Whereas, Paul Zarowy, attained the rank of Airman First Class, where he worked on F4 Phantoms; and

Whereas, Cheryl Ferguson, married to Tim these 10-1/2 years, has been a constant mainstay and continuous support mechanism for Tim's program; and

Whereas, Tim and Cheryl Ferguson and Paul Zarowyn, have for over the past 13 years, using their own money to provide meals for Northwest Indiana families in need;

Whereas, in 2023, they have already fed over 90 families; and

Whereas, Tim Ferguson, his wife Cheryl and Paul Zarowyn operate a program called Wildlife Educational Exhibits, which is a no charge exhibit; and

Whereas, It is most appropriate that we recognize their dedication and commitment to Northwest Indiana evidenced by many, many years of unbroken commitment to providing meals to needy families; and

Now, Therefore, I, Tom Black, by virtue of the authority vested in me as President of the Town Council of the Town of Highland, Lake County, Indiana, now hereby proclaim, recognize and commend **Tim and Cheryl Ferguson and Paul Zarowyn**, who have a long record of exemplary service in helping providing meals to Northwest Indiana families in need:

IN WITNESS WHEREOF, I hereunto set my signature and cause the corporate seal of the municipality to be affixed, this Thirteenth day of March 2023, as the seventy-second municipal executive of the Town and a member of its Town Council, the twenty-ninth.

**TOWN of HIGHLAND, INDIANA
BY its TOWN COUNCIL PRESIDENT**

Attest:

Mark Herak
Clerk-Treasurer

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 petition supports expansion*)

The Advisory Board of Zoning Appeals by a vote of 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 accept the unfavorable recommendation and DENY the requested use variance or it may reject (over rule) the unfavorable recommendation and ACCEPT the use variance. If not acted upon by the Town Council within 90 days after the ABZA makes its recommendation, the action of the Advisory Board of Zoning Appeals stands.

- (A) *Opportunity for Comment.* The petitioner, Mitch Feldman was present and was represented by his attorney, Scott E. Yahne who began by introducing the petitioner, Mitch Feldman and then passed out several exhibits to the Council. He then said, I've passed along to you, the City of Hobart versus Behavioral Institute of Indiana decision. This Council has certain due processes it has to follow. I'm going to do my best to hit the statutory requirements that I'm required to establish and I believe under the statute of case law, you are to independently verify. I'm gonna go really quick to hit those points concerning the Indianapolis Boulevard property 8141. I've given you all what I've called a legal standard exhibit, supporting the petition for use variance as it has things in there such as the GIS and some Google Earth images of the property on page 2, so that you can orient yourself to precisely where the property is located. I'm gonna be pointing out some folks, including Robyn Pappenheim, who did the traffic study for us and that's going to be really important on factor number one. Also, I delivered to you the law we have to follow, as there's a state statute that applies. There's your Town ordinance that applies and our first stepping off point for the law we have to apply is the Zoning Ordinance itself. I'm going to specifically site HMC Chapter 18.55.050 and we're here because it's in the overlay district and you have

restricted uses. It's very important to pay close attention to the specific wording of that statute and what is prohibited and I respectfully contend that the restrictions in the overlay district do not apply to my client as we've advised we need to seek a use variance. But I don't believe, if I read your ordinance and look at the definitions and apply the words and in a proper legal construction, I don't believe that what my client is proposing is prohibited under your statute. You have your attorney to advise you on this but the restrictions refer to storage centers and yards, including disabled vehicles and that's what is prohibited. My client does not have a yard. This is not an outside yard. My client has exclusively a climate control indoor storage facility, that is more of a retail type of operation and that's what he proposes to operate and that is specifically contemplated within a B3 zoning district. I'm citing from HMC 18.45.020, all businesses, sales, service or storage shall be conducted in completely enclosed buildings. I would argue respectfully that the use that my client is proposing falls within the allowed use in that district. Moving forward, we have essentially 5 requirements that we have to establish with the Council. The property in question is the old bus depot and Mr. Rohit Patel, who owns the property is present tonight. He bought that property with the hopes of building a hotel on that site, as he manages and operates hotels. He ran into a problem as the depth of that property was too narrow for a hotel. Unfortunately, it's just one of the conditions of the property on Indianapolis Boulevard. It is so narrow that it's hard to contemplate the type of use that would support parking and not create a problem on Indianapolis Boulevard. One of the distinct advantages that Mr. Feldman's use has is that it generates very little traffic. Robyn, you're here and you've looked at this site and prepared a study that allows for the safe movement and flow of traffic with the volumes anticipated at a storage facility. We were asked about a full retail strip mall and when checking the zoning ordinance, that too is a prohibited use in an overlay district. So, Mr. Patel can't use the property for retail and it is too narrow for a hotel so what does he do. Well, he had a past business association with Mr. Feldman, and Mr. Feldman proposes to go into a business relationship with Mr. Patel for this property.

Mr. Feldman, said I think this is my third time here and speaking with you. You know, we've really been trying to work with the Town and we've met with the Town staff as well on several occasions. I think, in your package that Scott's giving you, you're gonna see how we've heard what you were saying from the last hearing. If you look at the design, you'll see in the features. I don't know if you could see it there but it's in your package, we added art features in the windows. We've re changed the building in the front and this is a beautiful storage facility. We have a consultant on the zoom call, Eric Blum, who is a consultant we engaged, who is a national consultant in self-storage, as one of the concerns at the last meeting was there a need for self-storage? You have his report where it says that there is a under supply of self-storage facilities in this community. He will be happy to walk the Council through the report. Again, Scott can lay down all the statutory requirements as we feel we've met 5 or 6 of the requirements. I think that what we made the effort to work with the Town and trying to satisfy the

Town's and BZA's concerns. You can see we made adaptations to the building's design.

Scott Yahne said if you look at the Hobart case, the Council was confronted with essentially the same issues as the Council in Highland is confronted. We would like the Council to consider new evidence as my client has made adaptations to the plan. I'm gonna hit the 4 factors we have to show you that this approval would not be injurious to public health, safety, morals, and general welfare of the community. Primarily this focus is on traffic. One of the things that came up in the traffic study is that by having 2 entrances, like the property now has, creates a problem in terms of site visibility. From where the Calumet River bridge wall exists to the second entrance it obstructs motorist's vision. So, we decided to move the entrance back to give oncoming motorists more chances to see those entering or existing the facility. Next, we have to show the proposed use will not adversely affect the adjoining properties. This property has been vacant. Mr. Patel has tried to market this property has finally decided to enter into this business arrangement with Mr. Feldman but he's going to stay involved. By the way, Mitch is not going anywhere. He's going to stay involved. He's not flipping. He's staying involved in this project, as is Mr. Patel, who is local. We will introduce a vibrant use to this property. It is gonna be generously landscaped and rather than a vacant building with acres of asphalt that is breaking up, you're going to get something that really makes a nice entrance to the town. Next we need to show that this use variance arises from a condition peculiar to the property. I've talked to you about how the property is long and narrow and we have a 35-foot storm-water retention area that we required to put in that shrinks this property considerably. Its no accident that with very little parking no development has taken place. We believe a condition exists in the overlay district that because of the size and dimension of this property that a hardship does exist. I still contend that we are not prohibited by the zoning ordinance and if you were to use strict interpretation of this zoning ordinance, my clients proposed use is a permitted use. This is not unique to Highland. This is a retail kind of self-storage, for people coming to and home from work. Its people to use for important documents, computers and things that they want to be stored off-site safely. It's not the kind of thing where you store big bins and containers. This is more for small storage and containers. As Mitch said, the demand for these types of facilities have increased exponentially, not only in Highland but every community. One of these just went up in Dyer and I've worked on several in Valparaiso. The fifth thing is we have to show is that approval would not substantially interfere with the comprehensive plan of the Town and that we will meet the developmental standards of the overlay district.

Councilor Black advised the attorney to wrap up his presentation so the Council can ask questions. He said we are not here to argue the law but to hear a brief presentation from the petitioner and give the Council a chance to ask a few questions.

Scott said I think the law requires something different than what you've articulated but I'll leave that for the Council to decide. But at least I'd like to have

a stay for this record, for right now that the presentation we're making meets the standards of the overlay district, with the type of the building materials and the generous landscaping going above and beyond the requirements of B3. And finally, we have to show you subsection 2 of your ordinance, that granting the use variance will not subvert the general purposes of the title. We've given great care and consideration for the site. There is a team of professionals that I haven't been able to introduce due to time constraints that are here. We have an architect, nationally renowned, on zoom and available to answer any questions the Council might have. We have the gentleman who did the market study. He is nationally renowned as well, that did a very comprehensive study that we have placed before the Council, a study that shows this is a good project for this property and one of the things that's important to point out to the Town is that the Town will be receiving, each year, \$332,000 in property revenues.

Councilor Sheeman said your plan looks very nice. What type of retail tenants are you proposing? Have you built this exact same thing someplace else?

Mitch responded that he had not, that this is a unique project. But we think that because of where it is located, that it's by the golf course and it's on the way home and it's actually not adjacent to other retail, so it's kind of independent, we're seeing local tenants, small local tenants, maybe a golf shop or pro shop, maybe things that accommodate more local uses.

Councilor Sheeman asked about signage, so someone will know it is a self-storage and not an apartment complex? How do you advertise the business?

Mitch responded that we don't typically put up monument or road signs but rather someplace on the building. Depending upon the adjacent buildings, we try to blend in or carry the same theme. And today, everyone's on their phone GPS.

Councilor Schocke asked Mitch to repeat what he said about GPS and signage later in the meeting. He assured Mitch it had nothing to do with his project.

Building Commissioner Mika reminded the Council this was a use hearing and the next step would be design standards which would include signage. When the time comes, we'd like to see a monument sign as it is classier.

Councilor Sheeman continued are all the units going to be climate control? Are these units going to be smaller than the typical storage units?

Mitch said all units will be climate controlled, even the units in the back that have open access. We are trying to make it really convenient for our customers. These are premium units that are climate controlled inside.

Councilor Sheeman asked if there would be an elevator and the set-back from the street?

Mitch responded that we actually have 2 elevators, one on each side. Our criteria is we don't like to have our customers walk more than 150 feet to their unit.

Robyn answered that it looks like 20 feet to the curb line and another 15 feet to the building. The building is back about 60 feet from the property line. She added that there is a middle turn lane and stacking for 3 vehicles.

Councilor Smith asked about the signage on the building. How tall is the sign? Mitch said we really haven't discussed the height of the sign as we would like it to go somewhere on the building but the signage would comply with the local sign ordinance.

Councilor Zemen thanked Mitch for coming in person. Why, would you want to come up Florida? I've been zooming on the beach. And Scott, you always do a wonderful job on your presentations. I appreciate your time. Mr. Patel, thank you for coming. I'm looking at the building. I'd love the building. It is beautiful. I love the front part, the back part. It looks nice, too. I've just never been a big storage facility type person. I don't know. I'm just sitting here thinking that big area in the back there that whole 161,000 square feet, whatever it is. I'm just thinking out loud here, what else you could have possibly do with that besides self-storage? I'm thinking, you got the golf course right there. What about an indoor golf range? I'm thinking you know indoor pickle ball courts as it is getting so popular these days and people can't get on the courts without long waits. How about a community swimming pool? I think you guys know that we've already okay a self-storage facility behind the old Ultra property? I think it's 567 units but it is in a spot that is under tension wires. It is an area where absolutely nothing else can be done with.

Councilor Sheeman said he didn't think those units Councilor Zemen was referring to were climate controlled.

Building Commissioner Mika said they were. The ratio would be 60% climate controlled and 40% not climate controlled.

Mitch said we're kind of known for building best in class storage. Obviously we're from Miami and our facilities in Miami are best in class. We just came from a trade show and our projects are the ones that they put on their board like showing off that they are managing this facility and the architect puts it on their board. I mean this project. The management company will put it on their board. This is a unique project that you don't see. You just don't see something like this. Our whole interior, the way we do it is white hallways with bright lights. We put music in the hallway. We learned from Covid and added touchless keypads, with the touch of entry. You can sign contracts online. We spend a couple more dollars on the bathroom just because when people go into a storage, we don't want them to feel like they're in a gas station and that's nothing against gas stations. But you come in here, and you have a different feeling even in the bathroom. When you picture storage, you're picturing orange doors that roll up and contractors with

the plumbing equipment coming in and I get it. I have these conversations all the time and it is the stigma, the ugly duckling of real state. But that was 30 to 45 years ago. It's grown and we we're the ones who's advanced it. We built an eight-story storage facility in Miami. It's a like a high-rise storage facility. Gorgeous, right on the expressway. The things that we're doing are unique and it changes the game. I'm. A small company. I'm not some big public company. We're a small company, My son has been here with me. You know, Matt. We're a small company but we're big enough where we can go National and we're doing that. We're here to be in the Town. We want to work with you. I think they've seen me here a few times and we've adapted our plans. it. We think it's a great market. A consultant thinks it's a great market, and we want to be here. We want to deliver a nice product.

Councilor Sheeman asked what was the total square footage of the retail space that is be proposed.

Mitch answered it is in the area of 8,500 to 9,000 square feet. We can build to suit but if you have too much retail, you will start jamming up the parking lot.

Councilor Black asked if there were any more questions of the petitioner. Hearing none, he said he would entertain a motion.

(B) Action on the Recommendation:

Councilor Sheeman moved to rejected the unfavorable recommendation of the BZA and grant the petitioner a use variance.

Councilor Black asked for a second. Hearing none, he asked 2 additional times and no second was given. He announced the motion died for a lack of a second.

Councilor Zemen moved to accept the unfavorable recommendation of the Advisory Board of Zoning Appeals and deny the use variance. Councilor Schocke seconded.

Discussion:

Councilor Sheeman said that he hopes the next Council will have better brains than this Council and do something like this. Because to be honest with you, that the property has been sitting idle for about 4 yeas and get a development that looks nothing like a storage facility and adds \$350,000 in new taxes to our Town, to me that seems like a no brainer. I am admonishing because I think that this Council is foolish by not allowing this project to go forward.

Councilor Zemen added that by looking at the map provided by the petitioner, it looks like it's a 17 to 1 ratio, self-storage to retail. I don't know, if you could try and get it a little closer to 50 / 50 level or something like that. I would still like you to take another look at it. But a 17 to one ratio is just too much.

Hearing no more discussion, Councilor Black called for the question.

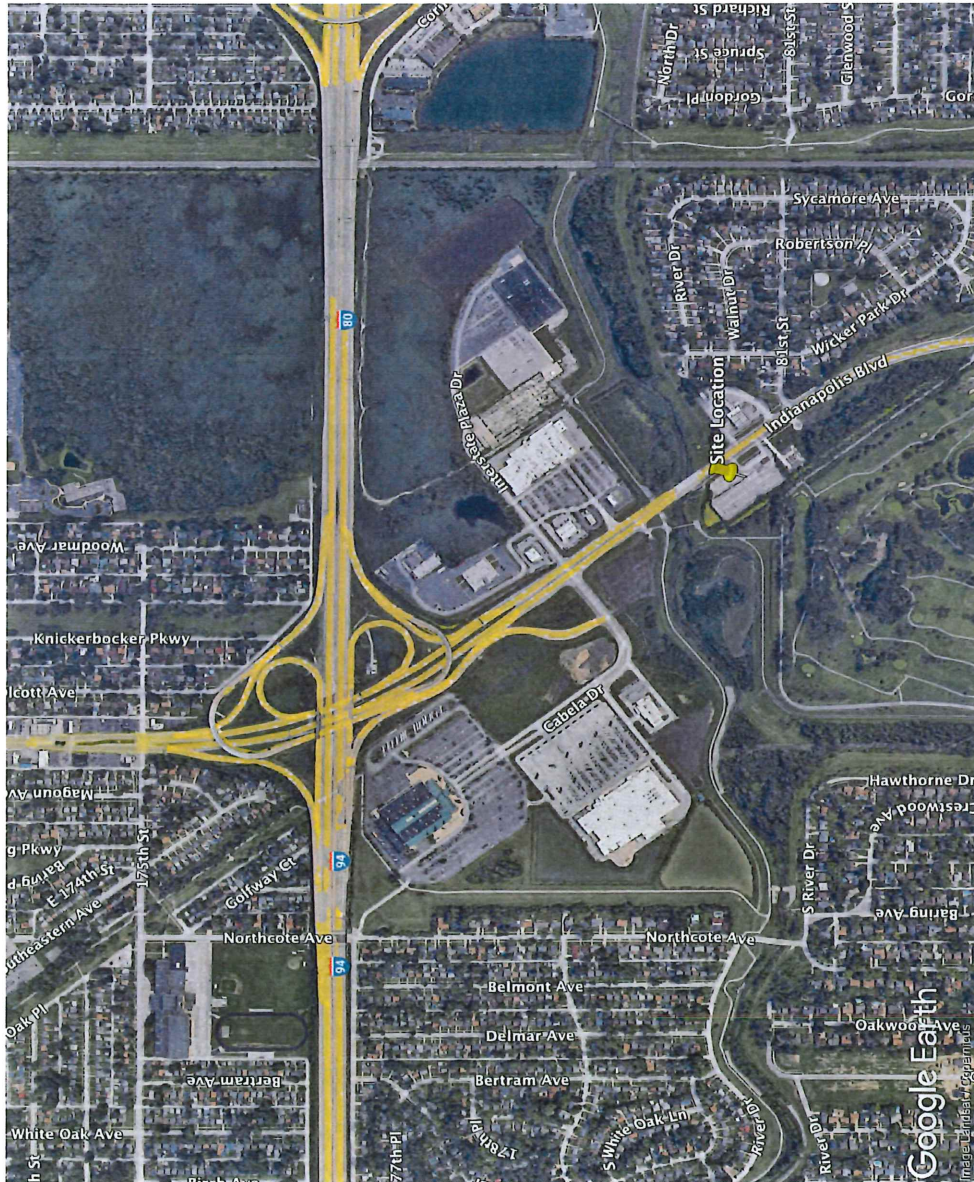
Upon a roll call vote, there were three (3) affirmative votes and two (2) negative votes with Councilors Zemen, Smith, Schocke voting in the affirmative and Councilors Sheeman and Black voting in the negative. The motion passed. The unfavorable recommendation of the Advisory Board of Zoning Appeals and deny the use variance was approved.

Market Feasibility Report

Feldman Companies

Highland, IN
February, 2023





EXECUTIVE SUMMARY



Executive Summary

The following is a recap of each section and a summary of the detail provided. We have, provided a quick review along with any conclusions.

Location Summary

The location for the subject property is in an area of residential and commercial properties as well as having easy access to I-94 on/off ramps, which is a major thoroughfare for the area. A multi-story elevation would help with visibility and serve the community.

For purposes of this report, I have analyzed this location as a 3-mile radius.

There are ten (10) existing competitors reviewed for my study. Current facilities enjoy a high level of occupancy, in most cases more than 90%, and have maintained these occupancies. There currently appears to be a high demand for climate-controlled storage units.

DEMOGRAPHICS

The total number of people in the 3-mile radius is 97,608 with projected growth of -1.39% (the national average is 3%), the population will decrease to 96,252 in five years. Average income, at \$78,231 is higher than generally accepted industry target matrix of \$50,000. Average age is 40 which is at the 34-40 target.



ABSORPTION

Each table is Identical reflecting each of the three chosen radii, (or the singly polygon, if provided). The top half reflects the calculation today for square foot per person (SFPP). The line below shows the same information you your proposed project. Below is projections five years out for your project and then with all know development project.

Of the subject facilities, six (6) are ranked "B" grade or better. The absorption analysis for "B" grade or better properties shows availability ranging from **2.28 square feet per person (SFPP)** which for this market is **below** equilibrium, to approximately **3.55 SFPP**, in five years with all proposed product, which for this area is **well below** what is considered equilibrium. Again, equilibrium is met when there is as much demand as there is available product. When there is more product then estimated demand (rentable square feet) a market is above equilibrium. Equilibrium in the United States runs between seven and eight square feet per person. When looking at only available air-conditioned space the absorption goes from **1.50 SFPP** currently to **2.76 SFPP** feet per person in five years with the new proposed product, which is **significantly below** anticipated equilibrium. This is one of the metrics that would support additional air-conditioned storage. Overall absorption is currently at **4.70 SFPP** will only **increase** in 5 years with all new product to **6.00 SFPP**. This shows the market being undersupplied for storage.

Conclusion;

This is a market that is seeing a growing demand for quality self-storage product. The consumer is more aware now of storage and is looking for a newer well lit, secure facility that is a convenient destination located nearby and easily accessible to there homes. This location would provide that and would fill the demand for climate-controlled product as well that is in high demand. The site is positioned to serve the Highlands area as well as the surrounding towns.



ABOUT THE AUTHOR

BMSGRP Self Storage Consulting was started 20 years ago by David Blum, who after serving three years as a district manager for Storage USA and then four years as Vice President of Operations for Budget Mini-Storage in South Florida. In April 2020, after the passing of David, Eric Blum assumed responsibilities as President of BMSGRP, previously spending 5 years as Vice President and working for various companies throughout the storage industry in multiple capacities since 2005. BMSGRP is a full-service consulting firm that specializes in Self Storage exclusively. Our consulting assignments have included feasibility and market reports throughout the US. We specialize in assisting first time novice investors and developers in the complete process from site location, site planning, zoning, design, unit mix, office layout, security, branding, marketing, and operations. In addition, we have assisted with projects throughout Europe, the Middle East and Latin America. In Please visit our web site, www.bmsgrp.com for details on specific projects.

Eric Blum

Summary of Qualifications

- ◆ 15+ years Self-Storage experience
- ◆ 5+ years business owner
- ◆ 3 years Truck Rental experience

Professional Experience

2005-2008, 2017-Present	BMSGRP Self Storage Consulting-President
2014-2017	U-Haul International-General Manager/Owners Representative
2009-2014	Best Florida Storage-District Manager
2005-2008	Sunshine Self Storage-General Manager/Owners Representative
2003-2005	Office Depot-Assistant Manager

Education

1999-2001 Broward College
 Associate of Business Administration
References Available upon request.

1155 Troutwine Road
 Crown Point, IN 46307



219.662.7710
 fax 219.662.2740

ACTUAL PROPOSED

Strip Retail Plaza (<40,000 SFT)

Land Use 822

Average Vehicle Trip Ends vs. GLA (Gross Leasable Area)

8,585 SFT GFA		Forecasted Trip Ends		
		Two Way	IN	OUT
Average Weekday		592	296	296
AM Peak Hour	Adjacent Street	26	16	10
PM Peak Hour	Adjacent Street	70	35	35
AM Peak Hour	Generator	65	33	32
PM Peak Hour	Generator	114	61	53
Saturday Peak Hour		56	29	27

Mini Warehouse

Land Use 151

Average Vehicle Trip Ends vs. GFA (Gross Floor Area)

165,534 SFT GFA		Forecasted Trip Ends		
		Two Way	IN	OUT
Average Weekday		240	120	120
AM Peak Hour	Adjacent Street	15	9	6
PM Peak Hour	Adjacent Street	25	12	13
AM Peak Hour	Generator	30	15	15
PM Peak Hour	Generator	30	15	15
Saturday		199	99	100
Saturday Peak Hour		28	17	11
Sunday		248	124	124
Sunday Peak Hour		33	15	18

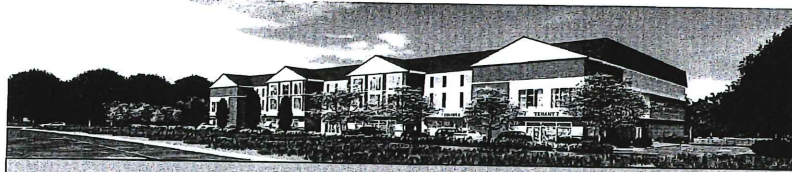


ALL RETAIL

Shopping Plaza (40,000 – 150,000 SFT)
 Land Use 821
 Average Vehicle Trip Ends vs. GLA (Gross Leasable Area)

45,000 SFT GFA		Forecasted Trip Ends		
		Two Way	IN	OUT
Average Weekday		3038	1519	1519
AM Peak Hour	Adjacent Street	78	48	30
PM Peak Hour	Adjacent Street	234	114	120
AM Peak Hour	Generator	248	122	126
PM Peak Hour	Generator	306	165	141
Saturday		3648	1824	1824
Saturday Peak Hour		250	130	120
Sunday		1921	960	961
Sunday Peak Hour		212	104	108

Proposed use results in less than 1,000 trips per day. A full retail development would exceed 3,000 trips per day.



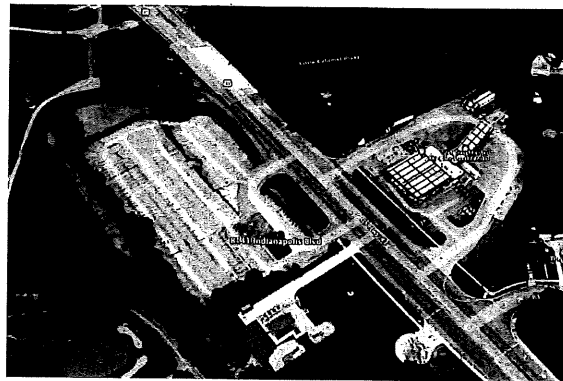
Legal Standard Exhibits supporting Petition for Use Variance	
<i>sought by</i> Mitch Feldman, The Feldman Companies, LLC	
<i>submitted by</i> Scott E. Yahne, Yahne.Law, P.C.	
Item	Description
Exhibit A	Analysis of Usage History & Applicable Zoning Standards
Exhibit B	The Law We Must Follow
Exhibit C	How The Feldman Companies Meets the Statutory Criteria
Exhibit D	Rent Estate Tax Impact
Exhibit E	City of Miramar Recommendation Letter for Mitch Feldman

**Analysis of Usage History and
Applicable Zoning Standards**

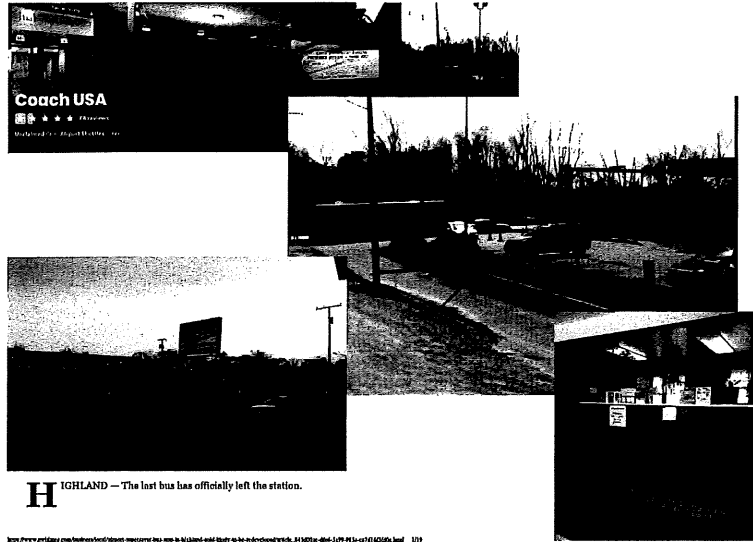
GIS Image-8100 & 8141 Indianapolis Blvd.



Google Earth Image-8141 Indianapolis Blvd.



Coach USA-Most Recent Use



HIGHLAND — The last bus has officially left the station.

https://www.postcourier.com/business/local-business-reporting/this-stop-is-hi-highland-will-stay-to-be-and-its-quiet-traffic_212019.html#:~:st=212019-03-11&st=212019-03-11

2019, 10/18 All your Supercoaches stop in Highland will likely be discontinued.
 Coach USA North America stopped running its Indiana Airport Supersever buses to O'Hare International Airport and Chicago Midway International Airport at the end of 2019.

Some residents hoped a new airport shuttle bus operator would come in and take over Coach USA's largest Northwest Indiana bus stop at 8144 Indianapolis Blvd, in Highland, just south of the Boruma Expressway.

But that opportunity has now left town.



Top bus = Filter by rating = Search reviews

Leslie C. Warner, AL
 1/20/2019

If I could give 0 stars, I would. It's the second time I used it and even though my gas tank was not full I still had to wait. They cancel buses without any notification on their website, and when you call to find out updates the operators act as though it is an inconvenience to THEM to ask where the bus is you paid for. It sounds like it is mostly due to the buses breaking down, which is the question: how are they maintaining them? If it's worth it they have any buses to use as reserves for the times buses do have maintenance issues? The first time they were late on the Aquarius bus and didn't show up for 2 hours to get a return bus from the airport because the original was broken down. This time the departure bus was cancelled due to a breakdown and they found out once I called. With my husband and I on both military and attempted to use the departure bus they offer for military, when we asked for it the only way to make it was to use it. It is not worth it. It was an inconvenience to them to get the price up differently. There should be no actual assurance you will get on a bus at all, or that you will make it on time to your flight. The buses they sell are private, so you can get on a bus at any time, and that sounds like a convenience, until they find out they don't refund your money because "you can just get on another bus at another time". It's such a shame because there is such a need and they have a monopoly on the market in this area, but I would recommend finding ANY other way to get to the airport.

Exhibit A Page 2 of 3

Legal Standard Exhibits Compilation
 Page 3 of 14

Indianapolis Boulevard Overlay District Uses

18.55.050 Indianapolis Boulevard overlay district.

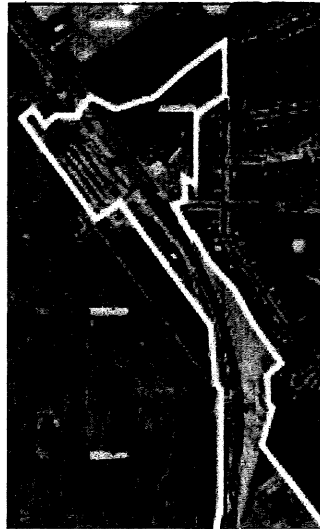
(C) Permitted Uses.

(1) All uses that are permitted in the underlying zoning district are permitted in this overlay district, except for the following:

(hh) Single-use retail.

(ii) Storage centers and yards, including disabled vehicles.

(jj) Strip shopping centers.



Notes

- Bus Terminal or similar usage is not amongst the many enumerated restricted uses.
- Storage centers and yards
- an indoor storage facility is not a prohibited use and is not addressed within the Highland Zoning Ordinance
- an indoor storage facility is not defined or described within the Highland Zoning Ordinance, but is akin to retail uses described as B-3 Zoning District Permitted Uses
- 18.45.020 Limitations of use.
Permitted uses in the B-3 district are subject to the following additional general limitations:

(A) All businesses, sales, services, processing or storage shall be conducted in completely enclosed buildings.

THE LAW WE MUST FOLLOW

Feldman Companies looks to invest significant capital restoring a vacant property to a vibrant use within the Town and to bring a valuable asset to the Highland community.

INDIANA STATUTE-900 SERIES BZA

Feldman Companies respectfully contends that authorizing this proposed limited use within the Indianapolis Boulevard Overlay District is a necessary and proper application of Section 18.55.050(C)(1)(h) of the Highland Zoning Ordinance and the 900 Series of the Indiana Statute.

36-7-4-918.4. Variances of use from terms of zoning ordinance.

A board of zoning appeals shall approve or deny variances of use from the terms of the zoning ordinance. The board may impose reasonable conditions as a part of its approval. A variance may be approved under this section only upon a determination in writing that:

- (1) The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
- (3) The need for the variance arises from some condition peculiar to the property involved;
- (4) The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and,
- (5) The approval does not interfere substantially with the comprehensive plan adopted under the 500 series of this chapter.

City of Hobart Common Council v. Behavioral Inst. of Ind., LLC,

785 N.E.2d 238, 256, 2003

We conclude that *Fourteenth Amendment* equal protection requires land use variance hearings conducted pursuant to *Indiana Code section 36-7-4-918.6* to be consistent with the due process protections enjoyed by the citizens of Indiana's other counties under *Indiana Code section 36-7-4-920*. The application of the Fourteenth Amendment requires that there be a rational basis for allowing land use variance petitioners in Lake and St. Joseph Counties to be rejected by a hearing without due process protections, while requiring that similar petitioners in the other ninety Indiana Counties may only be rejected after a hearing with due process protections. We see no rational basis for such a distinction. Thus, **we hold that the Equal Protection Clause entitles residents of Lake and St. Joseph Counties to exactly the same measure of due process accorded to all other Hoosiers when petitioning for land use variances.**

In any case, there is nothing in the requirements of due process that would prevent a common council in a use variance proceeding under *Indiana Code section 36-7-4-918.6* from considering information outside of the BZA's record.

A. The Evidence that Engineer Truchan presented to the members of the Council before the February 21, 2001 public meeting violated the Institute's due process right of having notice of information being presented against it and the right to rebut that information.

Due process contemplates notice and an opportunity to be heard. *Howard v. Inc. Town of North Judson, 661 N.E.2d 549, 553 (Ind. 1996)*. Due process also requires the opportunity to present rebuttal evidence. *City of Anderson v. State, 397 N.E. 2d 615, 619-20 (Ind. Ct. App. 1979)*.

Due process mandates a neutral and unbiased fact finder for land use variance proceedings. *Perry v. Worth, 723 N.E. 2d at 460* (citing *Ryner v. City of Franklin, 669 N.E. 2d 964, 967 (Ind. 1996)*).

Due process also requires that administrative bodies may not reach their decisions on the basis of preconceived bias or prejudice. *Cauch v. Hamilton County Bd. of Zoning Appeals, 609 N.E. 2d 39, 42 (Ind. Ct. App. 1993)* (citing *New Trend Beauty Sch. v. Bd. of Beauty Cutters Exam'rs, 518 N.E. 2d 1101, 1104-05 (Ind. Ct. App. 1988)*). B

Biased behavior may be demonstrated by extreme partisan political considerations, personal conflicts of interest and gain, or invidious discriminatory intent. [****33**] *Equicor, 758 N.E. 2d at 37*; see also *City of Mishawaka v. Stewart, 261 Ind. 670, 677-78, 310 N.E. 2d 65, 69 (1974)* (holding that it is imperative that a strict test of impartiality be applied to the fact-finding process).

REQUESTED FINDINGS TONIGHT

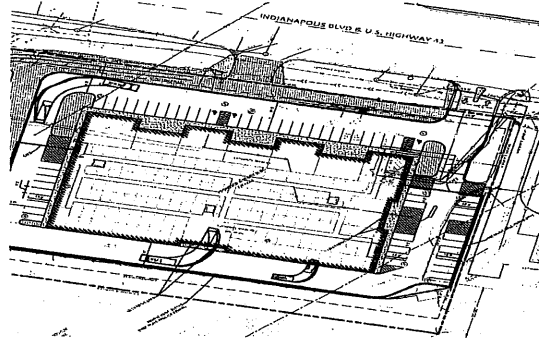
1. The approval will not be injurious to the public health, safety, morals and general welfare of the community;
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
3. The need for the variance arises from some condition peculiar to the property involved;
4. The strict application of the terms of the Zoning Ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and,
5. The approval does not interfere substantially with the Comprehensive Plan of the Town.

**How The Feldman Companies Meets the Statutory Criteria
and
Merits a Use Variance**

(1)The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

The approval of use variance request will not be injurious to the public health, safety, morals and general welfare of the community. The facility will be subject to video surveillance, a computer access gate, daily site checks and on-site managers. These features keep the customer and their possessions safe, along with deterring any unlawful activity in and around this facility.

In addition, the site's access and maneuverability, prohibit movement or activity that could be at all injurious. As illustrated on the attached Site Plan, ingress and egress has been modified from two existing drives to one drive at the far eastern portion of the site. This is an improvement to the site from its existing condition. Vehicles traveling east bound will have more site distance beyond the Calumet River's bridge walls & guardrails, which can impair a person's view of the drive. Also the site layout has been configured in a way that ample room is given to fire trucks and box delivery trucks to move around the site as illustrated below.



(2) The use and value of the area adjacent to the property included in the special exception or use variance will not be affected in a substantially adverse manner.

The use and value of the area adjacent to the Premises will not be affected in a substantially adverse manner. To the contrary, the use and value of the adjacent properties will be enhanced. The lots have been vacant for many years and have not been to productive, commercial use due to the lack of lot depth and related site challenges. Adding a vibrant use that is well planned and which features many site improvements will be a boost to the adjacent properties. Adding the proposed compatible use to the area will only increase the value of surrounding property and also the existing tax base.

Petitioner is committed to developing a high-quality mixed-use project utilizing quality building materials and featuring aesthetically pleasing attributes. Petitioner has done an extensive market survey to determine that the proposed use is viable, meets a market need and is willing to expend significant capital to make the project successful. If Petitioner is not permitted to go forward with this contemplated development, it is hard to see any future positive development of this site and it is not at all unlikely that the lots would be vacant for more years. In working with the Town, Petitioner will generously landscape the site further enhancing the appearance of the site and incorporating nicely into the Indianapolis Boulevard streetscape. Further, Petitioner proposes signage that will be tastefully designed and complement the proposed building.

(3) The need for the use variance arises from some condition peculiar to the property involved.

Because the Property is long, narrow, and encumbered by an approximate 35ft stormwater ditch, the proposed use is one of if not the only type of use that this site could accommodate. It is no accident that no development has taken place on this lot for many years. The Petitioner's proposed use requires very little parking. Any other Retail type use would substantially require more parking on this site, which the site does not have enough room for. Because, there is no active use or activity, the Property accumulates rubbish and debris and is frequently untended. Also, the Property can be an attractive nuisance at times, as it is a piece of somewhat open land that is unmonitored and conducive to somewhat illicit activity from time to time based on the debris that shows up.

In addition current Zoning Ordinance regulating self-storage does not contemplate climate- controlled storage facilities, which have only very recently entered the market in response to demand. Because there was no reason to address this type of use, the current regulations for self- storage facilities require a use variance.

Comments from the Public or Visitors:

Connie Wachala, Highland, read from a prepared statement:

At the last meeting, Mark Schocke, you berated the Redevelopment Director for seeking funds.

There was discussion as to whether or not to let her continue as this section of the agenda is reserved for comments pertaining to items on the agenda. It was agreed to let her proceed.

The Redevelopment Director was seeking funds to hire a local contractor to take down trees near the bike trail.

Councilor Schocke responded I simply asked questions.

Connie continued, the trees by the municipal lot at Kennedy and Highway. One of those trees fell onto the depot restroom building. You said you objected because the contractor had been convicted of bribing an elected official in another town, a felon and only 1 quote was sought, even though the dollar amounts was below the threshold that would require a bid. You scolded the Redevelopment Director for wanting to use someone convicted of a corruption charge. The contractor did serve a short sentence, years ago. The councilman who demanded the bribe, served a much longer one. The fact is the Town has had a contract with Dave's tree service for years. Dave's was used by parks and public works. The Town Council has approved claims to Dave's multiple times. You have approved claims 18 times. That's just in 2020. In 2021, you approved claims to Dave's 12 times. That makes it 30 times that you have paid claims to Dave's.

Councilor Schocke responded that I voted 0 times for Dave's tree service. I've never voted for Dave's tree service but I do pay my claims just as I pay my bills, just as anyone should. I merely asked her a question.

Connie continued that his attack on the Redevelopment Director was unfair. I'm not sure why you would try to publicly humiliate a woman who is a department head. She was attempting to use a contractor that the Town has used and apparently with your support and blessing. We're attempting to use a contractor that the town has used, apparently with your support and blessing.

Councilor Schocke said it was not with his support or blessing. In fact, I voted no. If you actually looked at my voting record, you would know that I voted 0 times for Dave's Tree Service.

Larry Kondrat, Highland began by telling Councilor Schocke he didn't understand big business and you're an idiot, referencing Councilor Sheeman's thoughts about the Council. Then he addressed Councilor Zemen and advised Councilor Zemen he wasn't going to escape his wrath. When we last met 2 weeks ago, the meeting where redevelopment was doing all of these shenanigans with the tree thing. If they were on their up and up and they were on the ball, they had cut the trees down when they did the parking lot and it wouldn't have fell on the depot bathroom. Lastly Councilor Zemen, you voted to table the \$36,700 for the way finding signs until you had a chance to meet with the Main Street Bureau to ask them about the need to spend \$36,700 on signs to tell us where we are standing or how to find a cup of coffee when we could go to Dunkin Donuts or Sips or some other place.

Councilor Zemen responded that he did meet with the Main Street Bureau were fine with the signs.

Larry asked Councilor Zemen if the Main Street Bureau was okay with just sticking signs everywhere? The Redevelopment Director said this was the original proposal was in 2004, something like 9 years ago. She simply dug out an old plan, dusted it off and now she's going to place signs everywhere.

Councilor Zemen said it is only going to be 6 sign locations and they're going to be in the municipal parking lot, also along the bike trail, Highway and Kennedy, Jewett and Kennedy.

Larry Kondrat responded so we're going to fill up our parking lot with dead trees and signs that tell us where we can go to get a cup of coffee. I know Councilor Sheeman called the Council dim wits and stupid but shame on you Councilor Sheeman for calling Council members that.

Carlos Aburto, Highland began by saying I have been a member of this Town for over 32 years. I'm puzzled and not sure how to address my question but I have not seen any kind of development or redevelopment for the last 2 years and it agonizing. I want to ask what is the vision of this current Council as it relates to redevelopment and helping with the circuit breaker issue by bringing in tax-based money so that the residents don't have to see an increase in their property taxes because that's the only choice we have? Can anyone explain to me the Council's vision.

Councilor Black said he would like to keep bringing businesses here. Unfortunately, this evening, the matter didn't pass but we have brought in other businesses to locations in Town that had not been developed. Hopefully, maybe someday we will get the ultra-property developed but we're waiting for someone that will work with the property owner. Unfortunately, the Town doesn't own the property. We did have one but the company also wanted to put in self-storage.

Carlos then asked if there was any truth to the rumor that Portillo's wanted to come to the ultra-property?

Councilor Black said that he was not aware of it.

The Clerk-Treasurer said a developer who represented Portillo's, as well as, several other franchises had sought to acquire the ultra-property. Portillo's was particularly interested in the building once occupied by Johnny Rockets. Jim Lyons and Matt Reardon are a couple of the developers interested. But the current owner would not negotiate as they wanted to put in self-storage units.

Councilor Schocke said this is the kind of information, the movements behind the scenes that the Council is not privy to, at least not me, as it relates to developing our Town. Unfortunately, the Redevelopment Commission has a lot of latitudes and sometimes it doesn't even make it as far as the Council. I see I literally hear nothing from redevelopment, almost never. It's unfortunate that we can't collaborate amongst all the boards and the commissions, so that we can all be in step with each other because it's frustrating as an elected official. I don't hear anything from a lot of the departments. Case in point, I think they made a great selection at the police department but I had no idea that they were going to select the new police chief until it happened. I heard from a police officer that it happened, so to tell you the truth, it shocks me a little bit that we can pick department heads and I have no qualms in who they picked. I'm happy with their

selection but it would be nice to get a heads up and that goes for almost all department. I think the Council deserves that respect to be able to know what's coming down the pipeline.

Carlos concluded that in crafting a vision, it is important that we understand that we are not only crafting it for this generation but future generations. We're not doing a good job at that. I very disappointed that the proposed use variance didn't pass tonight. To have a new business to come into Town. It's kind of like the Council is stalling a little bit.

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

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.)

Assignment 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.

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

2023
 TOWN OF HIGHLAND INJURIES FOR THE MONTH
FEBRUARY

CASE	DATE	DEPARTMENT	DESCRIPTION	Record Only	OSHA Recordable	Not OSHA Recordable	Filed with WC Insurance
	OF INJURY			No Med Treatment			
1	2/7/23	Public Works	While getting out of Vactor		X		X
			truck, stepped onto uneven				
			terrain & rolled Rt ankle he felt and heard crunching				
2	2/17/23	Police	Ofc. Was attempting to make an arrest when the subject struck him with a vehicle		X		X
3	2/17/23	Police	Suspect ran over fellow ofc. with a vehicle and suspect was shot by Ofc.		X		X

RO = Record Only

DEPT	2023		TOTAL	2023			
	INJURIES	YEAR TO		RESTRICTED	LOST DAYS	RESTRICTED	LOST DAYS
	THIS MONTH	DATE		2022	DAYS THIS YEAR	THIS YEAR	DAYS 2022
PARK & REC			3		51		25
FIRE							
POLICE		2	7		22		67
STREET			1				44
WATER							
SEWER		1	1				
MAINTENANCE			5				77
OTHER							
TOTALS	0	3	17	0	73	0	213

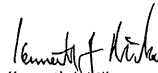
Effective January 1, 2002 OSHA changed the recordkeeping guidelines. We now count the number of days lost from the day after the injury until the employee returns to work. Weekends, holidays, vacation days or other days scheduled off are included in the lost days count to a maximum of 180 days

Building Report February, 2023

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0			\$ -	\$ -
Comm. Additions/Remodel	5		5	\$ 372,367.00	\$ 6,843.00
Signs	2		2	\$ 5,710.00	\$ 567.00
Single Family	1	1		\$ 414,700.00	\$ 7,191.00
Duplex/Condo	0				
Residential Additions	1	1		\$ 36,300.00	\$ 954.00
Residential Remodeling	37	37		\$ 616,117.00	\$ 12,898.50
Garages	0				
Sheds	0				
Decks & Porches	1	1		\$ 12,000.00	\$ 433.50
Fences	2	2		\$ 5,410.00	\$ 282.00
Above/In ground pools	2	2			\$ 108.00
Drain Tile/Waterproofing	7	7		\$ 75,049.00	\$ 1,911.00
Misc - Demo's (1); Road Cuts (2)	3	3			\$ 432.50
Total Building Permits	61	54	7	\$ 1,537,653.00	\$ 31,620.50
Electrical Permits	22	14	8	\$ -	\$ 2,712.00
Mechanical Permits	9	7	2	\$ -	\$ 1,129.00
Plumbing Permits	11	10	1	\$ -	\$ 2,305.90
Water Meters	1	1		\$ -	\$ 292.50
Water Taps	2	1	1	\$ -	\$ 530.00
Sewer/Storm Taps	2	2		\$ -	\$ 600.00
Total Plumbing Permits	16	14	2	\$ -	\$ 3,728.40

February 2023 Code Enforcement: 57 Investigations and 0 Citations were issued.
 Inspections done for the month of February 2023 were as follows: 14 Building Inspections,
 20 Plumbing Inspections, 6 HVAC and 15 Electrical Inspections. There were 5 Electrical Exams given.

Submitted By:


 Kenneth J. Wika

Mark Herak

From: Denise Beck
Sent: Wednesday, March 8, 2023 4:02 PM
To: Mark Herak; Chad Kinley
Subject: February Fire Department Stats

Good Afternoon Mark and Chad,

Types of Calls	Feb 2023	YTD
General Alarms	8	19
Paid Still Alarms	26	44
Totals	34	63

Denise Beck
Highland Fire Department
2901 Highway Ave.
Highland, IN 46322
(219)-923-9876

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 1st. (*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:** (1) appointments, to be made by the municipal executive, but requiring nomination from the Town Council. (*Position 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.*

Councilor Zemen moved the appointment of the following person to a new two- year terms on the Main Street Board of Directors, seconded by Councilor Sheeman. 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) *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.** (*Note: There are currently 6 of the 8 in place and serving, Jack Rowe, Carol Parker, Maria Armagast, Michelle Coon, Linda Carter, Rachael Carter*)

General Orders and Unfinished Business:

- 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.

Councilor Zemen moved to take Appropriation Enactment No. 2023-04B off of the table. Councilor Sheeman seconded.

Discussion:

Councilor Schocke said he thought we should leave it on the table. But that's me and I'm done.

There being no further discussion Councilor Black called for the question to take Appropriation Enactment 2023-04B off of the table.

Upon a roll call vote, there were four (4) affirmative votes and one (1) negative votes with Councilors Zemen, Smith, Sheeman and Black voting in the affirmative and Councilor Schocke voting in the negative. The motion passed. Appropriation Enactment 2023-04B as amended was taken off of the table.

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

Discussion:

Councilor Schocke referred back to the comments made by Mitch Feldman during the use variance hearing that everyone uses their cell phones these days. This seems to be an unnecessary use of public money to have a sign that I do not think will be used to generate more foot traffic for the businesses. The businesses are unwilling to put their own money to pay for their own nameplates. It hasn't really been delegated on which businesses will have priority and display their names on the signs. I think that it is kind of unfair to giving preference to the downtown businesses as compared to other allocation areas. For those reasons I'm still voting no. This is 2023 and most everyone has a cell phone and know how to use their cell phone to attain businesses and restaurants around us.

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

Upon a roll call vote, there were four (4) affirmative votes and one (1) negative votes with Councilors Zemen, Smith, Sheeman and Black voting in the affirmative and Councilor Schocke voting in the negative. The motion passed. Appropriation Enactment 2023-04B as amended was adopted pending the signature of the Municipal Executive.

**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

Total 400 Series: \$36,700.00

Fund Total: \$36,700.00

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 13th Day of March 2023, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 4 in favor and 1 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)

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.

Councilor Smith moved to authorize the publication of a legal notice of a public hearing to consider proposed additional appropriations in the Capital Redevelopment fund in the amount of \$1,993.68 as indicated. Councilor Zemen seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The publication and hearing were approved. The meeting will take place on the 27th day of March. The meeting is scheduled to begin at 6:30.

Town of Highland • Office of the Town Clerk-Treasurer
Highland Municipal Building • 3333 Ridge Road • Highland, Indiana 46322

Wednesday March 8, 2023

ATTENTION LEGAL NOTICES

Ms. Nicole Muscari
Amanda Koepp
Christina Palama
Customer Service Representative
The Times

601- 45th Avenue
Munster, Indiana 46321

Sent Via Facsimile & Electronic Transmission

Re: Legal Notice for Hearing on Proposed Additional Appropriations in the
Redevelopment Capital Fund

Dear Nicole Muscari, Amanda Koepp, Christina Palma:

Hello. Attached, please find one (1) notice for a public hearing regarding proposed additional appropriations in the **Redevelopment Capital Fund** as indicated. Please publish this notice **one (1) time** in satisfaction of I.C. 6-1.1-18-5 *et seq.* and I.C. 5-3-1-2(b). *I have also sent this request by electronic mail.*

The enclosed notice should be published *on or before Tuesday, March 14, 2023.* As always, please *send two (2)* proofs of publication for our files. We should have these proofs as soon as possible following their publication in order to permit the Town Attorney to review them prior to the hearing. Our hearing is set for *Monday, March 27, 2023.*

If you have any questions, please feel free to contact me. Thank you for the processing of these requests. Also, if you will, please confirm your receipt by calling me at (219) 838-1080 Ext. 3334 or letting me know by e-mail.

Again, I thank you very much.

Sincerely,

Mark Herak
Clerk-Treasurer

Enclosures: Notice for Redevelopment Capital Fund

Authorizing the proper officer to publish legal notice of a public hearing: Public Hearing to consider additional appropriations in the amount of and in the amount of \$1,993.68 in the Redevelopment Capital .

TOWN OF HIGHLAND
NOTICE TO TAXPAYERS OF PROPOSED
ADDITIONAL APPROPRIATIONS

Notice is hereby given the taxpayers of the Town of Highland, Lake County, Indiana, that the Town Council of said Municipality in said Municipal Building, 3333 Ridge Road, at **6:30 p.m.** on the 27th **day of March 2023**, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

Redevelopment Capital Fund

Acct. 4406-0000-39404 Main Street Community Garden \$ 1,993.68

Total 400 Series: \$ 1,993.68

TOTAL for the FUND: \$ 1,993.68

Funds to support these additional appropriations in the **Redevelopment Capital Fund** shall be supported by miscellaneous revenue, unreserved unobligated fund balance on deposit to the credit of the fund.

Taxpayers appearing at such meeting shall have a right to be heard thereon. Taxpayers are asked to contact the Office of the Clerk-Treasurer at (219) 838-1080 to provide an email address to allow the Zoom platform information to be provided as the meeting is still being conducted as an Electronic/In Person Hybrid. You may also write to the Office of the Clerk Treasurer if you have concerns. The additional appropriations, as finally made, will be filed with the Department of Local Government Finance, for its review. The Department of Local Government Finance shall make a written determination of the sufficiency of funds within fifteen days of receipt of a certified copy of the action taken.

TOWN COUNCIL of HIGHLAND
Tom Black, President

By: Mark Herak
Clerk-Treasurer

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.

Councilor Schocke moved not to authorize the proper officer to publish legal notice of a public hearing to consider proposed additional appropriations in the Capital

Redevelopment fund this evening but place the item on the March 20, 2023 study session so we can thoroughly discuss this matter. Councilor Smith seconded.

Discussion:

Councilor Black asked if the Councilors had a chance to review the guidelines regarding the façade improvement program that he distributed?

Councilor Schocke said he was reviewing them now.

Councilor Black said the \$40,000 is merely to appropriate money to pay for the Town's portion of the façade improvement grant. The name can be misleading as it should really be called a Commercial Improvement Grant. The Redevelopment Commission has already approved the grant and now it's just up to the Council to do its part. If she doesn't meet the criteria, then she won't receive the funds and the funds will be placed in that line item to be used on another project. He gave the example of the sidewalk replacement program. Until the money was appropriated, the Public Works Director could not go out and promote the program. That is what Redevelopment is attempting to do here.

Upon a roll call vote, there were three (3) affirmatives and two (2) negatives, with Councilors Zemen, Smith and Schocke voting in the affirmative and Councilors Sheeman and Black voting in the negative. The motion passed. The publication and hearing were delayed and placed on the March 20, 2023, Town Council Study Session.

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.

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

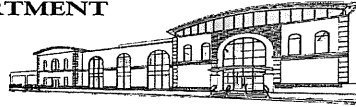
Councilor Sheeman moved the passage and adoption of Commendation Letter with one (1) day off. Councilor Zemen seconded. Upon a roll call vote of the elected officials, there were five (5) affirmatives and no negatives. The motion passed. The Commendation Letter with one (1) day off was adopted pending the signature of the Town Council.



HIGHLAND POLICE DEPARTMENT

3315 RIDGE ROAD
HIGHLAND, IN 46322-2097
(219) 838-3184

RALPH J. POTESTA, CHIEF OF POLICE



February 27, 2023

Chief Ralph Potesta
Assistant Chief Pat Vassar
Sergeant Glenn Cox
Corporal John Hinkel
Corporal Mike Yonkman
Corporal Thomas Manyek
Corporal Rick Hoffman
Detective Corporal Brian Stanley
Detective Corporal Lee Natelborg

Detective Frank Peckler
Officer Joel Sullivan
Officer Tiffany Perez
Officer James Mullins
Officer Corey Anderson
Officer Kade Sapp
Officer John Freyek
Officer Devin Watkins

Working six months without calling off sick and not having an at-fault accident is a tremendous achievement that exemplifies the conscientious effort you have put forth. This accomplishment reflects your concern for the welfare of your fellow officers and a conscientious attitude toward the department and the community.

On behalf of the Metropolitan Board of Police Commissioners, I commend you for your dedication.

Highland Board of Metropolitan
Police Commissioners

Highland Town Council



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.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2023-02. Councilor Smith seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted.

Town of Highland
BOARD OF WORKS
ORDER OF THE WORKS NO. 2023-02

An Order of the Works Board Accepting the Quote from Amazin Roofing, LLC for the Roof Replacement of the Offices at the Public Works Facility, 8001 Kennedy Avenue pursuant to I.C. 5-22-8-2.

Whereas, The Town Council, as the Board of Works of the municipality, has deemed it necessary to solicit quotes for services in order to replace the roof above the offices at the Public Works Facility, 8001 Kennedy Avenues (work); and

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

Whereas, The Public Works Director, pursuant to §3.05.050(D)(1) of the HMC, serves as the Purchasing Agent for the Public Works Department; and

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

Whereas, The purchasing agent, has determined the repair price will be below \$50,000; and

Whereas, The Purchasing Agent, pursuant to Section 3.05.060 (G)(1)(2) of the Highland Municipal Code, expects that the repairs would be less than \$50,000 and therefore could:

- 1). Invite quotes from at least three (3) persons known to deal in lines or classes of supplies to be purchased; or
- 2). Purchase in the open in market without inviting or receiving quotes;

Whereas, The Public Works Director has solicited quotes for the roof replacement above the offices at the Public Works Facility; and

WHEREAS, THE FOLLOWING QUOTES WERE RECEIVED:

<u>Bidder</u>	<u>Proposal</u>
Great Lakes Roofing & Construction, Inc.	\$31,824.00
Korellis Roofing, Inc.	\$30,270.00
Amazin Roofing, LLC	\$26,600.00

Whereas, The quotes were received as set forth in the attached Exhibit A;

Whereas, The roof repairs will be supported by the Municipal Capital Cumulative Fund (MCCD);

Whereas, The Public Works Director has reviewed the quotes and made recommendation for award the work based on being the lowest responsive and responsible bids,

Now, Therefore, Be it Ordered, by the Town Council of Highland, Indiana as follows:

Section 1. That the Works Board hereby finds and determines the quote for the roof replacement of the offices at the Public Work Facilities, 8001 Kennedy Avenue is accepted as the lowest responsive and responsible quote as follows:

Amazin Roofing, LLC.
286 North Lake Park Avenue
Hobart, IN 46342
\$26,600.00

Section 5. The Public Works Director is hereby authorized to execute agreements and all documents necessary to implement the work and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-4-14.

Councilor Zemen moved the passage and adoption of Works Board Order No. 2023-02. Councilor Smith seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives.

Duly, Passed and Ordered by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 13th day of March 2023 having passed by a vote of 5 in favor and 0 opposed.

Works Board of the Town

Highland, Indiana

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

Attest:

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

Exhibit A:

Bidder Proposal

Great Lakes Roofing & Construction, Inc.	\$31,824.00
Korellis Roofing, Inc.	\$30,270.00
Amazin Roofing, LLC	\$26,600.00

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 acknowledging Ken Mika, Building Commissioner who advised that the Plan Commission will be meeting this coming Wednesday. There are 2 items on the agenda. One is a one lot subdivision requiring primary and secondary approval for the property at 8327 Grace Street. The petitioner is Price Point Builders out of Crown Point. The other is for the veterinarian clinic on Indianapolis Blvd. It too, is a requiring a one lot subdivision requiring primary and secondary approval. Councilor Zemen said the Tree Board is meeting this Thursday, March 16, at 6:30 p.m. He also said the Water Board will be meeting next Thursday, March 23, at 6:30 p.m.

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 Ken Mika, Building Commissioner who advised that the BZA will be meeting in 2 weeks. There is one item on the agenda, a public hearing for Price Point Builders of Crown Point, requesting a variance to place a garage as the primary façade on the house in front of the building line or porch at 8327 Grace Street.

Councilor Smith then acknowledged Mark Knesek, Public Works Director who wanted to let everyone know that the Public Works Garage is once again open on Saturdays and accepting items for the compactor or dumping. We only have one person dump last Saturday. I'm thinking, maybe the residents figured it was still closed. We advertised for bids for the downtown services, tree trimming services and removal of concrete. We put it in the paper last Tuesday. There'll be another one running in the paper tomorrow.

So far we have 5 bids from concrete contractors but only one for trees. We have 2 for downtown services. I hoping we'll get some more. If you know of anyone who wants to bid, have them come to the garage and pick up a bid package.

Councilor Schocke asked that in terms of the bidding process, how does a potential contractor get the notification that there is a bidding process? I want to make sure that everybody gets papers.

Mark Knesek said we submit or advertise twice in the local paper.

Councilor Schocke asked if it was in the legal section and was advised yes. He wondered if there is something we could do differently to insure everyone is aware, like maybe on our website.

Mark Knesek advised that he would have the Idea Factory post it tomorrow. Most of these tree service didn't have an email just a phone number and when you call them they don't return your calls. He said he would also notify the police department so they could put it on facebook.

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 began by saying as of this morning, the contractor still had to install 6 of the solar panels and depending upon the weather, I am assuming they will be done by today. Pending upon the installation of the last 6 panels, the project is done. That project took a long time coming and it took Nipsco a long time to approve it but they finally did and I want to give them kudos for actually approving it. I had my doubts that the that they would approve such a project and so, I want to thank Nipsco for their support of that project. It's all done. I don't know if anyone's gone and driven down forty-first or 45 and looked on the path but it's a pretty cool looking. The police department offered to use their drone and take some video of it and we'll put it up on our website. We know other towns are watching us and they're interested in doing the same. I talked to a couple of members of the Griffith Park Board today and they wanted to know everything about it.

Councilor Schocke said it really looks nice which is why I mentioned it. I noticed it as I was going down 41st street. I think about 2 years ago, when the whole park board got into a bunch of park trucks and we surveyed the path, north to south taking notes and talked about how to get approval from the pipeline companies and Nipsco. He also gave kudos to the Park Department on the outdoor expo. From what he was told, the turnout was very good.

Alex continued we had an indoor garage sale this past Saturday and we had a couple of people counting the amount of people coming in and out and we had 2,000 people come through the field house this past Saturday. He said the Community Band Concert is this

Thursday at Monbeck Auditorium. The concerts are always free. So, if you are looking to do something this Thursday, plan on attending. This Saturday, the Park Department is hosting an Arts and Crafts Fair in the fieldhouse. They already have 90 vendors signed up. After the fair, we quickly have to tear down and then set up for the Midwest slot car show on Sunday. That brings people from all over the country. The staff's working really hard on the summer brochure as it goes to print in two (2) weeks, so I guess that means summers around the corner.

Councilor Schocke asked Alex about a small advertisement that was talked about being placed in the brochure that basically talks about the ability to see the gazebo via a web link and or availability to pick up at the Lincoln center as well as here. Carol Parker mentioned it and kind of promised to try instead of sending out in a separate mailer. We wanted to put it in the brochure, since we are already paying for postage and would avoid additional postage by sending out a separate mailer.

Alex said Dave Beyers did find room this brochure and the advertisement will appear in it. Dave also included the Trojan Newsletter information. He told Councilor Schocke that the proof of the brochure will be in the Park Board Packet. The Park Board will be approving the fees and charges this Thursday as well.

Councilor Zemen added that he was there around 10 o'clock in the morning for his work-out this past Saturday and he had to park two (2) blocks away because of the garage sale. It was amazing. After I worked out I walked through it a little bit and it was it was really cool. Have we ever thought about carrying that over 2 days, Saturday and Sunday and the same for the garage sale?

Alex Brown responded that no because of the crowds, a lot of the vendors actually packed up early because they sold everything.

Councilor Schocke said he experienced the same when he took his daughters to dance class around 10 o'clock. He said he had to parallel park across the street.

- **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 the past couple of weeks. Our call volumes remain pretty steady with no major incidents. One thing for public information as we're gonna be changing the hours of Support Services, which is basically our Records Division. Our Support Services Supervisor, Ken Balon, did a lot of research on this and studied the call volumes the last two (2) months. He noted all of the calls that that come in during the shifts and how many people come into the lobby. We are trying to work more efficiently. Currently Support Services is working from 6 o'clock a.m. in the morning till 10 o'clock p.m. We're one of few, probably the only department in the area that works those hours and were doing that 7 days a week. Support Services is also open on holidays. So, were

gonna post on our Facebook and on our website the new hours. The new hours are going to be Monday, Tuesday, Wednesday, and Friday from 8 am. To 5 o'clock p.m. On Thursday's, we're going to stay open a little bit later till 7 o'clock p.m. as that's just in case someone from the public needs to get in after work and they're not able to do that by 5 o'clock p.m. to pick up a report or make a report. Saturdays, we're gonna be open from 8 o'clock a.m. to noon. We are going to be closed on Sundays because it was just amazing how much time and money we were expending and when we had no lobby business. The exception will be the 3rd and 4th of July when Support Services will be open because it is kind of chaotic those days. We'll revisit it in about two (2) months to see how it is going.

Councilor Sheeman said the new hours will net a \$31,000 savings over the course of the year.

He then acknowledged Fire Chief, Bill Timmer who said the Fire Department has been dealing with minor issue but nothing really major. He wanted to inform the public that tomorrow, Tuesday, at about 9:15, there will be a county wide tornado siren test sponsored by the State of Indiana. Highland tests its system on Saturday morning. He wanted to give the residents head's up in case they are outside and hear the sirens going off. If the sirens don't go off, that means a real tornado has been sighted in the area. Things are clicking along at a pretty good pace. The carpeting is down, as well as, the new flooring and Denise loves it. If you've been down at the station, there's quite a few boxes moved around and placed all over the place. We've got some new furniture for our EOC center. Hopefully it will be back to normal soon.

Councilor Sheeman then acknowledged Ed Dabrowski, IT Director who said for the week beginning February 26 through March 11, there were 29 tech calls for service. Six (6) were from the police department, seven (7) from the Clerk-Treasurer's office, four (4) from Public Works, three (3) from Parks, three (3) from the Fire Department and two (2) from Redevelopment. Luckily, all of them were low in nature. There were four (4) hours spent in that time period on just basic administrative duties. I don't have an administrative assistant, so that includes approving invoices, data entry and dealing with all that kind of stuff that's pretty mundane but you gotta pay the bills. Two (2) hours were on team maintenance during that period to kind of clean up and recycle old equipment. There was 2 and a half (2-1/2) hours of online training related to networking and cyber security that I take. I pay those costs out of my own pocket. It is basically online training to get certified. There was a webinar hosted by the State of Indiana IOT related to cyber security reporting and then I met with 2 vendors for potentially selling to the Town equipment and services.

- **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 acknowledging Redevelopment Director, Maria Becerra who began by thanking the Council for supporting the wayfinding signs. She said not all of the details have been worked out but she would be happy to share what details have been worked out. There's been extensive studies throughout the years and in several of the studies they've brought up the way finding signs. So, it's been in the works for a while and said that Councilor Zemen and Clerk-Treasurer Herak names could be found in the original studies. She also thanked the Council for approving the additional appropriations for the Community Garden. They have a lot of plans that are coming up, so the money will be put to good use. She added that the new tattoo studio, Nephillim, will have a grand opening, this Friday, March 17. She commented how beautiful it was on the inside. She encouraged everyone to visit the facility, as there is beautiful flooring and quality of work inside.

Building Commissioner, Ken Mika said his department issued an occupancy permit either last Monday or Tuesday.

Maria continued that the Main Street Bureau met last Tuesday and Councilor Zemen was in attendance. We continue to encourage our Main Street participants. We have a good group, a good core group, who attended our last meeting. She said Redevelopment Department is looking into a few grants that are out there and is hoping to bring some money to our Town either through the State or Feds. She said the tree trimming has begun by the municipal lot and upon closer inspection, there are trees on the east side of the lot that are dead and need to come down so an additional appropriation will be required.

Councilor Black continued that as I mentioned before, I am a little disappointed about what happened tonight. I think we need to look outside the box. I know that self-storage has not been a popular idea in Town but we had a company come here tonight, a company that wasn't looking for money but wanted to spend money. I also scolded Councilor Sheeman as we have to show respect for each other.

That concluded comments from the Council and President Black then turned it over to comments from visitor's or residents, reminding them to limit it to 2 minutes.

Comments from Visitors or Residents:

Larry Kondrat, Highland, began by complimenting the Clerk-Treasurer for being transparent and watching over the Town's money. Thanks for being proactive and reaching out to the various institutions in which the Town has money invested to make sure none of those banks were not invested in bit coins or silicon valley high tech stocks. I just wanted to make sure because I did the same thing with my banks today. My banker said to expect another bank or 2 to fail tomorrow. Thanks for being prudent and watching the Town's money.

Terry Steagall, Highland, said he thinks we also need to realize we have another major financial crisis that we need to deal with that could have a major impact on everybody and that's the debt ceiling. Its normally a mundane thing that's usually taken care of but you have a group of Congressmen that are making chaos out of it. It could have a major impact on our economy. It could cost us hundreds of billions of dollars if things go in the wrong direction. If you remember, that's what happened back in 2011 when we lost our credit rating. It cost the American people a lot of money and extra interest because we lost our credit rating. I think we need to take this as a serious factor especially with what's happening in private industry and since they got rid of the deregulation in banking. I emailed the Council a debt limit resolution that I would ask the Council to pass and adopt. Its urging Congress to end this stalemate so the United States can pay their bills. Included in the email was some more information or explanation on the debt limit. I was hoping the Council would take-action to pass the resolution. We need to show our support for this Bill and get this passed. We need to send the resolution I sent in my email to the President, our House and Senate leaders, the Indiana delegation and also the secretary of the Treasury, to quit playing games and get the Bill passed. If we can't pay our bills, not only will it cause harm in the United States but also globally. I would appreciate it if you'd take this seriously about passing the resolution on the debt limit. Send it to the appropriate people and voice our opinion that we need to get this done. It impacts towns and cities as well.

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 **March 1, 2023 through March 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.

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.

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, \$156385.40; 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 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, MARCH 13, 2023, ADJOURNED AT 8:10 O'CLOCK P.M.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of March 27, 2023.