

**Enrolled Minutes of the Ninety-Third Regular Meeting or Special Meeting
For the Twenty-Ninth Highland Town Council Regular Plenary
Business Meeting (Electronic/In person Hybrid) Monday, May 8, 2023**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, May 8, 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, 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 and Mark Knesek, Public Works Director were remote. John Reed, Attorney with Abrahamson, Reed & Bilse, Metropolitan Police Chief Ralph Potesta; William R. Timmer, Jr., CFOD, Fire Chief and Kenneth J. Mika, Building Commissioner; Assistant Redevelopment Director Susan Hale were present. Ed Dabrowski, Director of Information Technology and Maria Becerra, Redevelopment Director were absent.

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

Minutes of the Previous Meetings: The minutes of the April 24, 2023 Plenary meeting were approved by general consent.

Special Orders:

1. **Administration of Oath of Office** for Police Officer Candidate **Kyle T. Rhein** was appointed by the Town Board of Metropolitan Police Commissioners at its meeting of 13 April 2023, with the appointment to be effective April 30, 2023, but not earlier than approval by Indiana Public Retirement System (INPRS).

Councilor Sheeman moved that the Town Council of Highland hereby determines that the herein named candidates meets the qualifications for such position, as determined by the Town Board of Metropolitan Police Commissioners and as now approved by the Highland Town Council which is the Town Legislative Body on this 8th day of May, 2023. Councilor Zemen seconded the motion. Upon a roll call vote of the elected officials, there five (5) affirmatives and no negatives. The motion passed.

- (a) *Instruction and Administration of Oath.* The Town Clerk-Treasurer offered the outline, rationale and instruction related to the oath of office for the police officer candidate. The clerk-treasurer then administered the oath of office to the officer.
- (b) *Presentation of Badge by Metropolitan Police Commission Chair and/or Town Council President or the Metropolitan Police Chief.* The Metropolitan Police Chief Ralph Potesta and the Town Council President Tom Black presented the police badge to Police Officer Rhein.

The Town Council President and members of the Town Council welcomed the new officers, who then introduced members of their friends and family who were in attendance.

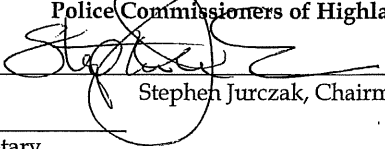
STATE OF INDIANA)
) SS:
COUNTY OF LAKE)

CERTIFICATE of APPOINTMENT

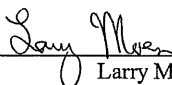
This is to certify that the Town Board of Metropolitan Police Commissioners for the Town of Highland, acting in accordance with applicable law, on the 13th day of April 2023 in the Town of Highland in said County and State, in which it is set forth and declared Kyle T Rhein, being of good moral character, was duly appointed to the position of Police Officer, subject to a probationary period, in and for said Town to serve during the probationary or regular appointment if conferred, only during good behavior, subject to the terms and provisions of the Rules, Regulations and Standard Operating Procedures duly adopted and in force for the Highland Metropolitan Police Department and for the citizens of the Town of Highland, all pursuant to I.C. 36-8-9 et seq., with said appointment to be effective, upon its approval, beginning on the 30th day of April, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and send this certification to be made part of the records of the Town of Highland, Lake County, Indiana this 13th day of April 2023.

By: **Town Board of Metropolitan
Police Commissioners of Highland**



Stephen Jurczak, Chairman



Larry Moes, Secretary

Pursuant to IC 5-4-1-2 (a), the oath which is to be signed by the person taking the oath, and certified to by the officer before whom the oath was taken, may be found attached to this certificate or affixed to its reverse side.


OATH OF OFFICE

I, **Kyle T. Rhein** do solemnly (swear or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as Police Officer of the Town of Highland, Indiana, according to law, and to the best of my ability, so help me God.

Kyle T Rhein

IN WITNESS WHEREOF as subscribed and sworn/affirmed before me, I hereunto set my hand and Corporate seal of the Town of Highland, Indiana this 8 day of MAY, 2023. I certify that I am the duly elected, qualified, acting and serving Clerk-Treasurer for the Town of Highland, and as such empowered pursuant to IC. 33-16-4-1; IC 36-5-6-5 to make acknowledgments.

Authority Expiration: The Director of the Lake County Combined Board Certified the Election of March 2, 2022, officially on March 18, 2022. I was qualified to office upon my oath administered March 3, 2022, to serve for a term of twenty-two months commencing at noon March 3, 2022 and concluding before noon January 1, 2024 and until a successor is elected and qualified. IC 36-5-6-2(b)



Mark A. Herak
Town of Highland Clerk-Treasurer

I.C. 36-8-9-4(a)(c)Highland Municipal Code § 51; I.C. 5-4-1-1

- 2. Consideration of Proposed Additional Appropriations: *(controlled funds)* Proposed Additional Appropriations in Excess of the 2023 Budget in the Corporation General Fund in the amount of \$4,504.88.
 - (a) Attorney verification of Proofs of Publication: The TIMES 25th April 2023.

*** Proof of Publication ***

State of Indiana)
) ss:
Lake County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Muscari who, being duly sworn, says that She/he is Legal Clerk of the Northwest Indiana Times newspaper of general circulation printed and published in the English language in the Town of Munster in state and county afore-said, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time(s), the date(s) of publication being as follows: April 25, 2023

TOWN OF HIGHLAND, CLERK TREASURER - LEGALS
CHAD, ACCTS PAYABLE
3333 RIDGE ROAD
HIGHLAND IN 46322

ORDER NUMBER 115206

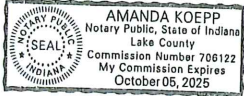
The undersigned further states that the Northwest Indiana Times newspaper maintains an Internet website, which is located at www.nwi.com website and that a copy of the above referenced printed matter was posted on such website on the date(s) of publication set forth above.

Nicole Muscari, Legal Clerk
By: [Signature]

Subscribed and sworn to before me this 25 day of April, 2023.

[Signature]
Notary Public

My commission expires:



Section: Legals
Category: 198 Legal - Lake County

PUBLISHED ON: 04/25/2023

TOTAL AD COST: 25.20
FILED ON: 4/25/2023

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 8th day of May 2023, will consider the following additional appropriations in excess of the budget for the current year in the following funds:
Corporation General Fund
Acct. 1101-0009-11130 PD
Sworn Overtime \$ 4,405.88
Total 100 Series: \$ 4,405.88
TOTAL for the FUND: \$ 4,405.88
Funds to support these additional appropriations in the Corporation General 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
4/25 - 115206 HSPAXLP

Prescribed by State Board of Accounts

General Form No. 99P (Rev. 2)

ATTACH COPY OF ADVERTISEMENT HERE

Town of Highland, Clerk
 (Governmental Unit) Treasurer

To: The Times Media Company

Lake County, Indiana

601-45th Avenue, Munster, IN 46321

PUBLISHER'S CLAIM

LINE COUNT

Display Master (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines
 Head - number of lines
 Body - number of lines
 Tail - number of lines
 Total number of lines in notice

COMPUTATION OF CHARGES

5.1 lines, 1 column wide equals 5.1 equivalent lines at .5041 cents per line \$ 25.20
 Additional charges for notices containing rule or tabular work (50 per cent of above amount)
 Charge for extra proofs of publication (\$1.00 for each proof in excess of two)
 TOTAL AMOUNT OF CLAIM \$ 25.20

DATA FOR COMPUTING COST

Width of single column in picas 9p4 Size of type 7.0 point. 115206
 Number of insertions 1

Pursuant to the provisions and penalties of IC 5-11-10-1, I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

I also certify that the printed matter attached hereto is a true copy, of the same column width and type size, which was duly published in said paper (1) times. The dates of publication being as follows:

..... April 25, 2023

Additionally, the statement checked below is true and correct:

- Newspaper does not have a Web site.
- Newspaper has a Web site and this public notice was posted on the same day as it was published in the newspaper.
- Newspaper has a Web site, but due to technical problem or error, public notice was posted on
- Newspaper has a Web site but refuses to post the public notice.

Date April 28, 2023

Nicole L. Muscan
 Title: Legal Clerk

By: 

(b) Public Hearing

Larry Kondrat, Highland, asked what the additional appropriation was going to be used for?

The Clerk-Treasurer advised that the money was reimbursement to the Police Department's sworn overtime fund for an officer who is on loan to the HIDTA program. The program is administered through the City of Crown Point.

Councilor Black asked if there were any other comments and hearing none, he closed the public hearing and put it to a motion.

- (c) Action on Proposed Appropriation Enactment No. 2023-08: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Corporation General Fund, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5.

Councilor Zemen introduced and moved for the consideration of Enactment No. 2023-08 at the same meeting of its introduction. Councilor Sheeman seconded. Upon a roll call vote, a unanimous vote being necessary, there were four affirmatives and no negatives. The motion passed. The enactment could be considered at the same meeting of its introduction.

Councilor Zemen moved for the passage adoption of Enactment No. 2023-08 at the same meeting of its introduction. Councilor Sheeman seconded.

Discussion: none

Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmatives and no negatives. The motion passed. The enactment was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction.

**Town of Highland
Appropriation Enactment
Enactment No. 2023-08**

AN ENACTMENT APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET for the CORPORATION GENERAL 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 Corporation General 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 **Corporation General Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

CORPORATION GENERAL FUND	
Acct. No. 1101-0009-11130 PD Sworn Overtime	\$4,504.88
<i>Total 100 Series:</i>	\$4,504.88
Fund Total:	\$4,504.88

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 8th day of May 2023. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 8th Day of May 2023, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL of the TOWN of
HIGHLAND, INDIANA

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

ATTEST:

Mark Herak

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

Comments from the Public or Visitors:

Larry Kondrat, Highland, commented that he noticed Works Board Order 2023-12 is on the agenda. I see the Council is finally putting to rest the band nightmare for the 4th of July Festivities, so all the skull-doggery and back stabbing can come to end. I certainly hope that is true.

Communications: None

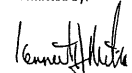
Staff Reports: The following staff report was received and filed.

Building Report April, 2023

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0			\$ -	\$ -
Comm. Additions/Remodel	0				
Signs	5		5	\$ 85,848.00	\$ 2,430.00
Single Family	0				
Duplex/Condo	0				
Residential Additions	0				
Residential Remodeling	64	64		\$ 3,706,156.00	\$ 19,581.00
Concrete/Asphalt/Flatwork	11	9	2	\$ 116,245.00	\$ 2,986.50
Garages	0				
Sheds	2	2		\$ 4,795.00	\$ 282.00
Decks & Porches	5	5		\$ 59,932.00	\$ 1,929.00
Fences	18	18		\$ 117,930.00	\$ 3,726.00
Above/in ground pools	4	4			\$ 216.00
Drain Tile/Waterproofing	2	2		\$ 37,439.00	\$ 810.00
Misc: Road Cuts (1)	1	1			\$ 148.50
Total Building Permits	112	105	7	\$ 4,128,345.00	\$ 32,109.00
Electrical Permits	15	13	2	\$ -	\$ 1,922.00
					\$ -
Mechanical Permits	21	20	1	\$ -	\$ 2,486.00
Plumbing Permits	14	13	1	\$ -	\$ 1,896.65
Water Meters	5	3	2	\$ -	\$ 3,095.15
Water taps	0			\$ -	\$ -
Sewer/Storm Taps	2		2	\$ -	\$ 1,000.00
Total Plumbing Permits	21	16	5	\$ -	\$ 5,791.80

April 2023 Code Enforcement: 77 Investigations and 2 Citations were issued & 38 Warnings were given.
 Inspections done for the month of April 2023 were as follows: 16 Building Inspections,
 18 Plumbing Inspections, 3 HVAC and 14 Electrical Inspections. There were no Electrical Exams given.

Submitted By:


 Kenneth J. Mika

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, Al Simmons and Ben Reinhart.*
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 7 of the 8 in place and serving, Jack Rowe, Carol*

*Parker, Maria Armagast, Michelle Coon, Linda Carter, Rachael Carter, Erica Fizer
Katsepas)*

General Orders and Unfinished Business: None

New Business:

1. Works Board Order Number 2023-12: An Order of the Works Board Accepting the Performance Agreements with: Ray Flores for Together; Jeffrey Gajewski of Sapphire Entertainment for Dick Diamond and the Dusters; Jeremy Andrews of Eclipse Entertainment, LLC. for Mr. Funnyman; Phil Angotti for Phil Angotti Band; Jim Hillegonds for Bonfire; Chad Clifford of Chad Clifford Music, Inc. for Crawpuppies; Tim Cichon for Visions of Santana; Mike Giordano for Crossthreads; Frank Venturella for I'm with Frank; Dave Trump for Got Issues; Doug Clapp for Small Town; John Hackett for Who's Who Band; Brian Wynn of Sounds Cool Live Audio LLC; for Professional Entertainment and Stage Services for the Town of Highland Associated with the Independence Day Festivities and to comply with IC 22-5-1.7 et seq.

Councilor Smith moved the passage and adoption of Works Board No. 2023-12. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was adopted pending the signature of the Town Executive.

**Town of Highland
Board of Works**

Order of the Works Board 2023-12

AN ORDER OF THE WORKS BOARD ACCEPTING THE PERFORMANCE AGREEMENTS FOR PROFESSIONAL ENTERTAINMENT AND STAGE SERVICES FOR THE TOWN OF HIGHLAND, ASSOCIATED WITH INDEPENDENCE DAY FESTIVITIES, AND TO COMPLY WITH THE PROVISIONS OF IC 22-5-1.7 ET SEQ.

Whereas, The Town of Highland, as part of its exercise of public powers related to culture and recreation, generally conferred in IC 36-10-2, annually marks the anniversary of the Nation's declaration of Independence with appropriate festivals including live musical performance as entertainment;

Whereas, The Community Events Commission has received Performance Agreements for professional entertainment and stage services for the Town of Highland to be conducted during the 2023 Independence Day Festival;

Whereas, The Community Events Commission favorably recommends to the purchasing agency, the approval of the Performance Agreements for professional entertainment and

stage services for the Town of Highland to be conducted during the 2023 Independence Day Festival;

Whereas, These professional services owing to their unique requirements and character, as a service, may be purchased in a manner that is determined to be reasonable, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Whereas, The Town Council as the Works Board of the Municipality, pursuant to Section 3.05.030 (A)(1) of the HMC serves as purchasing agency for the Municipality and its executive departments except those executive departments which are expressly subject to the purchasing authority of a relevant governing board of jurisdiction; and

Whereas, The aggregate fees for Professional Entertainment and Stage Services for the five (5) days of The Town of Highland's 2023 Independence Day Festival exceeds \$15,000.00, pursuant to Section 3.05.040 (C) and Section 3.05.050(B)(3) of the HMC requires the express approval of the purchasing agency; and

Whereas, The purchase of services will be supported by the several funds of the Town and there is sufficient appropriation or resources in order to support the purchase of services; and

Whereas, The Town Council now desires to approve, authorize and allow the purchase of services pursuant to the terms stated herein,

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

Section 1. That the Performance Agreements for professional entertainment and stage services as set forth in the agreements, for all of the days of the event, for: Ray Flores for Together; Jeffrey Gajewski of Sapphire Entertainment for Dick Diamond and the Dusters; Jeremy Andrews of Eclipse Entertainment, LLC. for Mr. Funnyman; Phil Angotti for Phil Angotti Band; Jim Hillegonds for Bonfire; Chad Clifford of Chad Clifford Music, Inc. for Crawpuppies; Tim Cichon for Visions of Santana; Mike Giordano for Crossthreads; Frank Venturella for I'm with Frank; Dave Trump for Got Issues; Doug Clapp for Small Town; John Hackett for Who's Who Band; Brian Wynn of Sounds Cool Live Audio, LLC; is hereby accepted, approved and adopted;

Section 2. That the Town Council finds and determines that the manner of purchase for these professional services owing to their unique requirements and character as a service, are both reasonable and appropriate, pursuant to Section 3.05.090 of the HMC and IC 5-22-6;

Section 3. That the Clerk-Treasurer is hereby authorized to issue and to execute all documents necessary to implement the purchase of services thereof;

SECTION 4. THAT THE PROPER OFFICERS OF THE MUNICIPALITY ARE HEREBY AUTHORIZED TO IDENTIFY THE PROPER FUNDS OF THE MUNICIPALITY THAT MAY BE LAWFULLY EXPENDED IN ORDER TO SUPPORT AND IMPLEMENT THE PURCHASE OF THESE SERVICES.

Be it so Ordered.

DULY, PASSED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 8th day of May 2023 having passed by a vote of _ in favor and _ 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)

Band Name	Contract Price
Small Town	\$2,100
Who's Who	\$2,000
Got Issues	\$1,000
Mr. Funnyman	\$2,500
Bonfire	\$2,000
Crawpuppies	\$2,100
Visions of Santana	\$1,500
Phil Angotti Band	\$2,500
CrossThreads	\$1,200
I'm with Frank	\$1,000
Together	\$2,500
Brian Wynn of Sounds Cool Live Audio, LLC.	\$8,000

2. Works Board Order No. 2023-11: An Order Authorizing and Approving the Change Order to Amazin Roofing, LLC for replacement of the Public Works Office Roof, in the amount of \$4,960.85, all Pursuant to I.C. 36-1-12-18 (cannot exceed 20% of the original cost (\$26,600)).

Councilor Smith moved the passage and adoption of Works Board Order No. 2023-11. Councilor Zemen seconded.

Discussion:

Councilor Schocke wanted to know the purpose of the change order.

Public Works Director Knesek responded that when the contractor pulled the rubber roof, the plywood under the roof was rotted, so all the rotten had to be pulled off and replaced. The contractor replaced all the 2 x 4's with 3/4 inch plywood which was treated. He said we probably should have expected that because it was a 40 year old roof but we were hoping. Also, there was 3 existing roofs which had to be torn off before installing the new roof. We have our engineer review the condition of the roof and he too suggested replacing the wood because the nails would not have held to the existing wood.

Councilor Schocke asked the Public Works Director that with the building being 40 years old, wouldn't you have expected the roof to be in that condition and include it in the original bid?

The Public Works Director said that we were hoping the wood was still good and would have been in a better condition but we couldn't tell until the contractor removed the previous roofs. You really can't draw up specifications if you can't see it. I believe any contractor who was awarded the bid would have had to request a change order.

Councilor Schocke asked if the other bids factored in the cost of replacing all of the wood, which made their bids higher and they didn't get the job?

Mark Knesek responded that none of the bids included removing the rotted wood and replacing with new. All bidders would have had to ask for a change order.

Councilor Black asked if there was any other discussion. Hearing none he called for the question

Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The order was passed and adopted pending the signature of the Chief Executive.

**TOWN OF HIGHLAND
BOARD OF WORKS
ORDER OF THE WORKS BOARD NO. 2023-11**

**AN ORDER OF THE WORKS BOARD APPROVING AND AUTHORIZING
CHANGE ORDER NO. 1 TO THE AGREEMENT BETWEEN THE HIGHLAND
BOARD OF WORKS AND AMAZIN ROOFING, LLC FOR REPLACEMENT OF THE
PUBLIC WORKS OFFICE ROOF**

Whereas, The Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), had determined that a need exists to solicit proposals for replacing the office roof at the Highland Public Works Facility located at 8001 Kennedy Avenue; and

Whereas, On March 13, 2023, Town Council through its Board of Works, adopted Order of the Works Board 2023-02, accepting the quote of Amazin Roofing, LLC in the total amount of Twenty-six Thousand Six Hundred Dollars and 00/100 (\$26,600.00), as the lowest responsive and responsible bid; and

Whereas, during the course of removing the old roof, it became necessary to remove and replace rotten wood on the parapet wall, including sections of wall trusses and all of the fascia board and O.S.B. coping, in the total cost of \$4,960.85; and

Whereas, The Town of Highland, through its Board of Works, now desires to approve and authorize the Change Order as described.

Now Therefore Be It Resolved by the Board of Works for the Town of Highland as follows:

Section 1. That the First Addendum to the Agreement with Amazin Roofing, LLC for the replacement of the office roof at the Highland Public Works Facility is determined to be directly related to the original agreement and is hereby approved, adopted, and ratified in each and every respect.

Section 2. That this addendum is hereby ordered to be known as Change Order No. 1, issued to increase the original agreement in the amount of Four Thousand Nine Hundred Sixty Dollars and Eighty-five Cents (\$4,960.85), bringing the total value of the entire agreement with any and all change orders approved to date to Thirty-one Thousand, Five Hundred Sixty Dollars and Eighty-five Cents (\$31,560.85).

Section 3. That the total of all change orders issued that increases the scope of this Agreement may not exceed twenty percent (20%) of the amount of the original agreement, that amount being Thirty-one Thousand Nine Hundred Twenty Dollars and No Cents (\$31,920.00), pursuant to IC 36-1-12-18(d).

Section 4. That the Public Works Director is hereby authorized to execute the necessary documents with his signature.

Duly Approved and Adopted, by the Highland Town Council, Lake County, Indiana, this 8th day of May, 2023. Having been passed by a vote of 5 in favor and 0 opposed.

BOARD OF WORKS OF THE TOWN OF
HIGHLAND, INDIANA

Tom Black, President

Attest:

Mark Herak, Clerk-Treasurer

- 3. Works Board Order 2023-13:** Approving and Authorizing the Purchase of Certain Public Safety Communications Equipment, as Identified by the Metropolitan Police Chief, from Motorola Solutions, Inc., of Chicago, Illinois and finding it to be a Special Purchase pursuant to IC 5-22-10 and Chapter 3.05.065 (I) of the Municipal Code.

Councilor Sheeman moved the passage and adoption of Works Board No. 2023-13. Councilor Smith seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The order was adopted pending the signature of the Chief Executive.

**Town of Highland
Board of Works
Order of the Works Board 2023-13**

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Motorola Solutions Inc, 500 West Monroe Chicago, IL in-car cameras with accessories,

and finding it a Special Purchase pursuant to I.C. 5-22-10 and Section 3.05.060(D)(2) and Section 3.05.065 of the Highland Municipal Code.

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

Whereas, The Metropolitan Police Chief has determined a need to replace certain equipment and supplies and has further determined the purchase price will be below \$50,000.00. An opportunity has arisen which enables the department to purchase additional in-car cameras with accessories.

Whereas, The Metropolitan Police Chief has identified Motorola Solutions Inc. of Chicago, IL to be a desirable source vendor for the purchase of six (6) in-car cameras with accessories at a price of \$37,950.00

Whereas, The price for the purchase exceeds \$15,000.00 and, pursuant to Section 3.05.040 (e) as well as Section 3.05.050 (b) (2) of the Highland Municipal Code requires the express approval of the purchasing agency; and

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

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

Whereas, the Purchasing Agent, believes that this purchase qualifies as a special purchase to be made without soliciting bids or proposals because in this instance (1) the compatibility of equipment, accessories or replacement parts is a substantial consideration in this purchase and (2) only one source meets the department's reasonable requirements, which is the source recommended for this purchase;

Whereas, The Purchasing Agent, for the rational stated herein, elects to purchase without resort to soliciting quotes or bids pursuant to Section 3.05.065 (I) of the Highland Municipal Code;

Whereas, The purchase of the six (6) in-car cameras and accessories will be supported by appropriations in the LOIT Fund ;

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

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

Section 1: That the Works Board hereby authorizes and approves the purchase as from Motorola Solutions Inc. 500 West Monroe , Chicago, IL, for the purchase of six (6) in-car cameras plus accessories as set forth in the invoices, which is attached as an exhibit to and made a part of this order in the amount of \$37,950.00;

Section 2. That the Works Board hereby finds and determines the following:

- (A) That Motorola Solutions Inc., 500 West Monroe Chicago IL a sole source to meet the police departments reasonable requirements for this purchase; and,
- (B) That for this purchase, the compatibility of equipment, accessories or replacement parts is a substantial consideration; and,
- (C) That the foregoing rational, this purchase qualifies as a special purchase pursuant to IC5-22-10 et seq. and HMC Section 3.05.065 (I)

Section 3: That the Metropolitan Police Chief is now authorized and approved to execute the purchase agreement and any additional documents in order to implement this purchase and then file these documents as financial materials with the Office of the Clerk-Treasurer, pursuant to IC 36-5-1-4-14.

Be It So Ordered.

DULY, PASSED, ADOPTED AND ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 8th day of May, 2023 having passed by a vote of 5 in favor and 0 opposed.

TOWN COUNCIL OF THE TOWN OF
HIGHLAND, INDIANA

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

Attest:

Mark Herak, Clerk-Treasurer (IC 33-16-4-1; IC 36-5-6-5)

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 said the Plan Commission met last week with Jim Lyons of Osborne Partners in reference to the proposed storage facility. Mr. Lyons worked through their engineering issues and is ready to proceed with the one lot subdivision and developmental plan before the Plan Commission. He has a preliminary hearing in 2 weeks and then they will ask for a public hearing for the next month. It's been a long process, a little over a year since the process began. He said Sustainability, Water Board and Tree Board will meet later this month so he will have reports at the May 22nd meeting. He concluded by congratulating all of the winners from last Tuesday's election. He congratulated all of the individuals who placed their name on the ballot. He counted 16 names out of a population of 24,000 who really wanted to make Highland a better place to live. So, congratulations to all who placed their name on the ballot.

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 granted a variance at their last meeting for Price Point Builders for a setback requirement at 8327 Grace Street. The family is building a new single family home and they want to have an attached garage in the front of the home.

Councilor Smith then acknowledged Mark Knesek, Public Works Director who reminded residents that spring clean-up is tomorrow, May 9th. He reminded residents that electronics are not included in spring clean-up and the residents have to bring the electronics to the public works garage where a special roll-off has been placed. It is no cost to the residents. He said they are having problems with residents who are placing their branches in the alley. He reminded residents to place branches in the front of their houses because the truck pulling the trailer with the chipper does not go down the alleys as it cannot make the turns in the alleys and the box that holds the chips is so high that it can pull down power lines. So, if residents have placed branches in the alley, they need to move them to the front of their house and place them by the curb and they will be picked-up.

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

Councilor Schocke began by complimenting the Park Department of a very successful Daddy Daughter Dance. I was there with my daughter and we really enjoyed it. It was a cool event. Park Superintendent, Alex Brown added the Daddy Daughter Dance was very successful with over 200 couples participating. The first Wednesday night concert series in the park will be this Wednesday, at Main Square. This Friday, in the field house, there will be the dance showcase. It involves all the youth dance classes. It's their spring showcase of everything they've learned for the past 4-1/2 months. Next Saturday, also in the field house, is the big indoor garage sale. This weekend is the Girls on the Run and the community wide garage sale. This Saturday, at Shepard Park begins the soccer season. He advised anyone who plans on attending the opening day of soccer might want to consider an alternate route as Liable Road will be blocked because of the Girls on the Run. Then a week from this Saturday is the Tour of Highland/Griffith sponsored by the Highland/Griffith Chamber of Commerce. The park crews are busy trying to keep up with the grass mowing. They are pretty much caught up on the grass mowing but they are still short 5 or 6 summer hires. He asked if anyone knows anyone who is over 18 years of age and is looking for a summer job, please fill out an application on line at the park department.

Councilor Schocke encourage anyone who doesn't have anything to do to attend the dance showcase this Friday night. The kids have been working really hard these past couple of months.

- **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 with the warmer weather the call volumes continue to rise. Nothing major. They had a robbery at the Pilot Gas Station on the 20th of April at around 11:48 o'clock p.m. 2 males entered the facility and stole cash from the cash register. Unfortunately, the security cameras were not working at that time so there are not a whole lot of leads. Pilot was not even aware that the cameras were not even working. The cameras have been fixed. He said they had some residential burglaries. It appears in both cases the parties are known to the victims. He added that our take home car program is up and running and everybody's got a car to take home. He reminded everyone that the police memorial service is going to be on Wednesday, May 17th at around 6:00 o'clock p.m. This is a change as the police memorial service is usually on a Saturday. This past weekend, the detective bureau didn't get one call out which is a good sign and a testament to our patrol officers. The patrol officers are out there and visible.

Council Black asked the Chief has there been any feedback with the reducing of hours the lobby is staffed.

Chief Potesta said that he has asked the office staff and there have been no complaints such far.

Councilor Black then asked the Chief about the body cams and whether the program is up and running.

Chief Potesta said the program is up and running and every officer has one, even he has one.

He then acknowledged Fire Chief, Bill Timmer , who said the Fire Department has been busy between accident activity, storm activity and a couple of kitchen fires. No big kitchen fires but people are going to have to learn to cook better. He said the firefighters have been busy with year- end visits to the schools. They get a lot of requests to visit the schools and bring a firetruck. They assisted in an egg drop at Suburban Bible. He reminded the Council that the time put in by the firefighters is all volunteer time on their part. He did say the tornado sirens were tested this past Saturday. The sirens are tested the first Saturday of each month. He said he did receive several phone calls regarding the sounding of the siren. He had to remind the residents that it is tested the first Saturday of every month

Councilor Sheeman then read from the report prepared by Ed Dabrowski, IT Director who was absent attending his daughter's softball game in Munster. For the week beginning April 9th through April 23rd, there were 23 tech calls for service. Four (4) were from the police department, six (6) from the Clerk-Treasurer's office, two (2) from Public Works, three (3) from Parks, none (0) from the Fire Department and one (1) from Redevelopment and four (4) town wide. . Luckily, most of them were low in nature. There were two (2) hours spent in that time period on just basic administrative duties, like paying bills. There was one and a half hours of training on-line training.

	4/23/2023	4/9/2023
	5/6/2023	4/22/2023
CT	6	7
PD	4	7
PW	2	2
Parks	3	3
Bldg	3	4
Fire	0	1
Redev	1	2
Town	4	5
	23	31
High	0	0
Medium	0	1
Low	23	30
	2 hrs Admin Duties	4 hrs Admin Duties
	1.5 hr online training	
	Expanding MFA related	1.0 hr online training
	logins across more platforms	Working on improving
	Evaluating options for email	restore reliancy
	hosting	

Councilor Black then asked Clerk-Treasurer Herak if he had any questions. The Clerk-Treasurer said he had nothing and thanked Councilor Black for asking.

- **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 stating that Redevelopment Director Maria Becerra was on vacation. He then acknowledged Assistant Redevelopment Director, Susan Hale, who advised that the Redevelopment Commission will be meeting tomorrow night, May 9th at 6:30 o'clock p.m. and Main Street will be meeting on Wednesday, May 10th at 6:30

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:

Rick Volbrecht, Highland, began by commenting how an employee of the police department, appeared in an advertisement in favor of the school referendum wearing his police uniform. He said he appreciated all of the congratulations he received for his stance on the school referendum. He said there was another issue that involved the referendum. He realizes that it has nothing to do with the Council. He began to read from the pre-primary report as submitted by the school referendum PAC that ran through April 7th. The next reporting period is not until October. He said the yes side accumulated \$25,200 and his side only accumulated \$5,000. Whereas my side accumulated much less, the contributions were from celebrities. Those celebrities were the home property owners. I don't think they realized that the driving force in our community is the property owners. The no side did not tell property owners who were going to vote yes to move out of Highland like the yes votes said to the no voters. I was criticized so much that you really would not believe the extent of it. Most of the no vote property owners are not opposed to our public schools. We are supporter of our public schools. However, we are supporters of private schools, as well as, home schooling. The question on the ballot was written by the yes side and referenced the 56% increase in school property tax. It wasn't 56% increase of all property taxes but only that portion as it relates to the school property taxes. But you ask the yes side, they said they didn't know what it meant and the question was written poorly, yet they wrote the question. It was not written by some alien from outer space somewhere.

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 **April 26, 2023 through May 9, 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 April 26, 2023 to May 9, 2023 in the amount of **\$670,046.26**.

General Fund, \$352,878.77; MVH Fund, \$25,511.61; LAW Enforcement Continuing Education, Training and Supply Fund, \$1,117.61; Information and Communications Technology Fund, \$24,730.87; Donation, \$55.30; Insurance Premium, \$214,200.39; LR&S, \$14,288.26; Traffic Violations, \$500; M CCD, \$32,964.38; Special Events, \$811.72; Public Safety Income Tax, \$2,987.35.

Payroll Docket for payday of May 5, 2023 by fund:

General, \$295,923.49

Payroll Docket for payday of May 5, 2023:

Office of Clerk-Treasurer, \$16,153.40; Building and Inspection Department, \$10,665.76; Metropolitan Police Department, \$139,104.76; Public Works Department (Agency), \$75,165.44; Fire Department, \$5,093.05 and Information and Technology Department, \$4,009.55; Total Payroll: \$250,191.96.

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, May 8, 2023, adjourned at 7:12 O'clock p.m.

Mark Herak
Clerk-Treasurer

Approved by the Town Council at its meeting of May 22, 2023.