

**Enrolled Minutes of the One-Hundredth Regular Meeting or Special Meeting  
For the Twenty-Ninth Highland Town Council Regular Plenary  
Business Meeting (Electronic/In person Hybrid) Monday, September 11, 2023**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, September 11, 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 Bernie Zemen, Councilor Toya Smith, Councilor Mark Schocke, Councilor Tom Black and Councilor Philip Scheeringa 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 over the meeting. The Town Clerk-Treasurer, Mark Herak, was present to memorialize the proceedings. The meeting was opened with Councilor Toya Smith reciting the Pledge of Allegiance to the Flag of the United States of America and offering a prayer.

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

**Additional Officials Present:** Alex Brown, CPRP, Superintendent of Parks and Recreation; Mark Knesek, Public Works Director; Metropolitan Police Chief Ralph Potesta; John Reed, Attorney with Abrahamson, Reed & Bilse; Kenneth J. Mika, Building Commissioner; Redevelopment Director Maria Becerra; Mike Pipta, Fire Chief and Ed Dabrowski, Director of Information Technology 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 August 28, 2023 Plenary meeting were approved by general consent.

**Special Orders:**

1. Ceremony - Administration of the Oath of Office – Philip Scheeringa  
Philip Scheeringa was elected by caucus to fill the unexpired term of Councilor Roger Sheeman at the Republican Precinct Organization's meeting of August 24, 2023, to be effective September 1, 2023.

Councilor Philip Scheeringa, having been duly sworn in his official oath by the Highland Clerk-Treasurer, took his place on the dais.

The Town Council President and members of the Town Council welcomed the new Councilor, who then introduced his wife and 3 children.

2. **Consideration of Proposed Additional Appropriations:** (*controlled funds*) Proposed Additional Appropriations in Excess of the 2023 Budget in the **Redevelopment Capital Fund** in the amount of \$6,600.00, the **Corporation General Fund** in the amount of \$2,000, the **Redevelopment General Fund** in the amount of \$6,000 and the Law Enforcement Continuing Education Fund in the amount of \$10,000.

(a) Attorney verification of Proofs of Publication: The TIMES 28 August 2023.



Northwest Indiana Times  
601 W. 45th Ave.  
(219) 933-3333

I, Bailee Liston, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of Northwest Indiana Times, a publication that is a "legal newspaper" as that phrase is defined for the city of Munster, for the County of Lake, in the state of Indiana, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

**PUBLICATION DATES:**  
28 Aug 2023

Notice ID: 0847q2rYjxN2i3Gdqjly  
Publisher ID: 42030  
Notice Name: September 11, 2023 Town Council Meeting

**PUBLICATION FEE: \$47.39**  
*Bailee Liston*

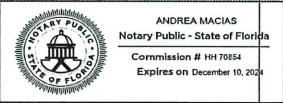
Agent \_\_\_\_\_

**VERIFICATION**  
State of Florida  
County of Hernando

Signed or attested before me on this: 09/28/2023

*Andrea Macias*  
Notary Public  
Notarized online using audio-video communication

See Proof on Next Page



**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, 3324 Ridge Road, at 6:30 p.m. on the 11th day of September, 2023, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

Corporation General Fund	
Acct. 1101-0006-96001 BI Equipment Repairs	\$ 2,000.00
Total 800 Series:	\$ 2,000.00
TOTAL for the FUND:	\$2,000.00
Law Enforcement Continuing Education Fund	
Acct. 2228-0000-91004 LECE Tuition & Training	\$10,000.00
Total 800 Series:	\$10,000.00
TOTAL for the FUND:	\$10,000.00
Redevelopment Capital Fund	
Acct. 6406-0000-31007 Redev Cap Maintenance/Repairs	\$ 6,600.00
Total 800 Series:	\$ 6,600.00
TOTAL for the FUND:	\$6,600.00
Redevelopment General Fund	
Acct. 2216-0000-31003 Consultant Fees	\$6,000.00
Total 800 Series:	\$6,000.00
TOTAL for the FUND:	\$6,000.00

Funds to support these additional appropriations in the Corporation General Fund, in the Redevelopment Capital Fund, in the Redevelopment General Fund and in the Law Enforcement Continuing Education 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  
 8/28 - 42030

HSPAXLP

(b) **Public Hearing.** Larry Kondrat, Highland, asked why was \$6,600 being spent on outlets for the Christmas trees at Main Square. He was informed that the electrical work wasn't for at Main Square but for the electrical outlets associated with the downtown municipal lot. In addition to the outlets, the price included installing a breaker to be able to turn power off to the outlets when not in use.

(c) **Action on Proposed Appropriation Enactment No. 2023-19:** An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund, the Redevelopment General Fund, the Corporation General Fund and the Law Enforcement Continuing Education 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 Appropriation Enactment No. 2023-19 at the same meeting of its introduction. Councilor Schocke seconded. Upon a roll call vote, a unanimous vote being necessary, there were five (5)

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 Appropriation Enactment No. 2023-19 at the same meeting of its introduction. Councilor Schocke seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmatives and no (0) 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. 2023-19**

**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**; the **Corporation General Fund**; the **Redevelopment General Fund**; the **Law Enforcement Continuing Education Fund**; and

**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. 4406-0000-31007	Redev Cap Maint/Repairs	\$6,600.00
	<i>Total 300 Series:</i>	\$6,600.00
	<b>Fund Total:</b>	<b>\$6,600.00</b>

**Section 2.** That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Redevelopment General Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

REDEVELOPMENT GENERAL FUND

Acct. No. 2216-0000-31003 Consultant Fees	\$6,000.00
<i>Total 300 Series:</i>	\$6,000.00
<b>Fund Total:</b>	<b>\$6,000.00</b>

**Section 3.** 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. 1101-0006-36001 BI Equipment Repairs	\$2,000.00
<i>Total 300 Series:</i>	\$2,000.00
<b>Fund Total:</b>	<b>\$2,000.00</b>

**Section 4.** 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:

LAW ENFORCEMENT CONTINUING EDUCATION FUND

Acct. No. 2228-0000-31004 LECE Tuition & Training	\$10,000.00
<i>Total 300 Series:</i>	\$10,000.00
<b>Fund Total:</b>	<b>\$10,000.00</b>

**Section 5.** 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 6.** 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 11<sup>th</sup> day of September 2023. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 11th Day of September 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

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

ATTEST:

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

**Comments from the Public or Visitors:** None

**Communications:** The Clerk-Treasurer informed the Council that the manufacturer of the new fire truck called to say delivery is not expected to be until late November.

Councilor Zemen asked if that was November of 2023 or 2024.

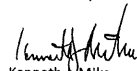
**Staff Reports:** The following staff reports were received and filed.

Building Report August, 2023

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0			\$ -	\$ -
Comm. Additions/Remodel	11		11	\$ 666,566.00	\$ 12,043.50
Signs	1		1	\$ 600.00	\$ 108.00
Single Family	1	1		\$ 400,000.00	\$ 6,943.50
Duplex/Condo	0				
Residential Additions	1	1		\$ 46,400.00	\$ 1,065.00
Residential Remodeling	75	75		\$ 4,321,619.00	\$ 23,755.50
Concrete/Asphalt/Flatwork	16	16		\$ 187,100.00	\$ 4,648.50
Garages	1	1		\$ 4,500.00	\$ 372.00
Sheds	0				
Decks & Porches	5	5		\$ 44,903.00	\$ 1,809.00
Fences	15	15		\$ 55,464.00	\$ 2,395.50
Above/In ground pools	1	1			\$ 54.00
Drain Tile/Waterproofing	4	4		\$ 54,341.00	\$ 1,290.00
Misc: (2) Demo's; (8) Road Cuts	10	10			\$ 1,404.00
<b>Total Building Permits</b>	<b>141</b>	<b>129</b>	<b>12</b>	<b>\$ 5,781,493.00</b>	<b>\$ 55,888.50</b>
<b>Electrical Permits</b>	<b>24</b>	<b>21</b>	<b>3</b>	<b>\$ -</b>	<b>\$ 3,059.00</b>
<b>Mechanical Permits</b>	<b>28</b>	<b>27</b>	<b>1</b>	<b>\$ -</b>	<b>\$ 3,225.00</b>
Plumbing Permits	17	15	2	\$ -	\$ 2,997.65
Water Meters	1	1		\$ -	\$ 485.50
Water taps	0			\$ -	
Sewer/Storm Taps	0			\$ -	
<b>Total Plumbing Permits</b>	<b>18</b>	<b>16</b>	<b>2</b>	<b>\$ -</b>	<b>\$ 3,483.15</b>

August 2023 Code Enforcement: 79 Investigations, 2 Citations & 45 Warnings were issued.  
 Inspections done for the month of August 2023 were as follows: 33 Building Inspections,  
 31 Plumbing Inspections, 21 HVAC and 39 Electrical Inspections. There were no Electrical Exams given.

Submitted By:

  
 Kenneth J. Mika

**Mark Herak**

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**From:** Denise Beck  
**Sent:** Friday, September 8, 2023 12:04 PM  
**To:** Mark Herak; Chad Kinley  
**Cc:** Michael Pipta  
**Subject:** RE: June Fire Department Stats

Good Morning Mark and Chad,

August 2023 Stats

Types of Calls:	2023	YTD
General Alarms	19	80
Paid Still Alarms	30	267
Totals	49	347

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



**2023**  
TOWN OF HIGHLAND INJURIES FOR THE MONTH  
**AUGUST**

CASE	DATE OF INJURY	DEPARTMENT	DESCRIPTION	Record Only	OSHA	Not OSHA	Filed with WC Insurance
				No Med Treatment	Recordable	Recordable	
			No Injuries for the Month				

RO = Record Only

DEPT	2023		2022 Total Injuries Last Year	2023		2022 DAYS 2022	2022 DAYS 2022
	INJURIES	YEAR TO		RESTRICTED	LOST DAYS		
	THIS MONTH	DATE		DAYS THIS YEAR	THIS YEAR		
PARK & REC			3	8	97		25
FIRE		1					
POLICE		5	7	80	66		67
STREET WATER SEWER		1	1				44
MAINTENANCE			5				77
OTHER							
<b>TOTALS</b>	<b>0</b>	<b>7</b>	<b>17</b>	<b>88</b>	<b>163</b>	<b>0</b>	<b>213</b>

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

**Appointments:**

• **Statutory Boards and Commissions**

*Executive Appointments*

1. **Economic Development Commission.** (1) Appointment to be made by the municipal executive, but requiring nomination from the Town Council. Term ends just before February 1<sup>st</sup>. *(Currently the position is vacant)*
  - a. Nomination by the Town Council. *(The council would pass a motion to nominate.)*

- b. Appointment by executive. *(If nominee is acceptable, the Town Council President may appoint.)*

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

#### Home Rule Boards and Commissions

2. **Community Events Commission** *Multi-Year position.* (1) appointment to be made by the Town Council President. **Term: 4 years.** *(Positions currently held by Jacqui Herrera and Sandy McKnight)*
3. • **Tree Board:** (1) appointments, to be made by the municipal executive, but requiring nomination from the Town Council. *(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.)*
4. **Municipal Plan Commission** (1) (vacancy) appointment to be made by Town Council President. *(Note: Unexpired term of Hunter Balczo, Esq., (D), term ending 1<sup>st</sup> Monday January 2025) No more than two of any party. Current composition is 2 Republicans, 1 Democrat.*

*Council President Black said he would not make the appointment but rather let the new Council make the appointment.*
5. **Redevelopment Commission:** (1) appointment to be made by Town Council President. *(Note: vacancy created by the resignation of Bill Leep – term expires 1<sup>st</sup> Monday in 2024)*

*Council President Black said he would not make the appointment but rather let the new Council make the appointment.*
6. **Board of Sanitary Commissioners:** (1) appointment to be made by the Town Council President. *(Currently held by Rex Burton (R)). Current composition of the board is three Democrats, two Republicans. No more than three of any one party under state law.* appointments to be made by Town Council President.

The Town Council President acknowledged the resignation of John Bach from the Economic Development Commission, then as municipal executive, announced the appointment of *John Bach, 9153 Idlewild Drive, Highland* to fill the unexpired term of *Rex Burton on the Sanitary Board* which runs through 12/31/2026..

*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 11 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, Ben Reinhart, Sandy Ray and Kathy Smailis.*
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 )*

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

**General Orders and Unfinished Business:**

1. **Proposed Ordinance No. 1784:** An Ordinance of the Town Council of the Town of Highland, Indiana, approving the issuance of bonds by the Town of Highland Sanitary District and the appropriation of the proceeds thereof and addressing other matters related thereto. Ordinance No. 1784 was introduced only by Councilor Zemen at the Council's August 14, 2023 Plenary Meeting. There was no further action.

Councilor Smith moved for the passage adoption of Ordinance No. 1784. Councilor Zemen seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. Ordinance 1784 was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction

**ORDINANCE NO. 1784**  
of the  
**TOWN of HIGHLAND, INDIANA**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA,  
APPROVING THE ISSUANCE OF BONDS BY THE TOWN OF HIGHLAND SANITARY DISTRICT

AND THE APPROPRIATION OF THE PROCEEDS THEREOF, AND ADDRESSING OTHER MATTERS RELATED THERETO

WHEREAS, the Board of Sanitary Commissioners (the "Board") of the Sanitary District of the Town of Highland, Indiana (the "District") proposes to issue bonds pursuant to IC 36-9-25 (the "Bonds"), in order to finance a project consisting of sanitary district sewer improvements, and all costs related thereto, including expenses in connection with or on account of the issuance of the Bonds (collectively, the "Project"); and

WHEREAS, the Town Council of the Town of Highland, Indiana (the "Town Council"), as the fiscal body and the legislative body of the Town of Highland, Indiana, now desires to approve the issuance of the Bonds and the appropriation of the proceeds thereof (the "Additional Appropriation");

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HIGHLAND, INDIANA, as follows:

Section 1. Approval of Bonds. The Town Council hereby approves the issuance by the District of not to exceed \$9,000,000 in aggregate principal amount of its Bonds to provide for the financing of the Project and related costs, and the Additional Appropriation of the proceeds of the Bonds and any investment earnings thereon for such purposes. The interest rate on the Bonds to be issued by the District shall not exceed five percent (5.0%) per annum. A portion of the Bond proceeds may be applied to pay capitalized interest on the Bonds if determined to be necessary or appropriate by the President of the Board with the advice the Board's financial advisor. The final maturity date of the Bonds shall not be later than twelve (12) years after their date of issuance. The Bonds may be subject to redemption prior to maturity on terms determined by the Board prior to the sale of the Bonds, with the advice of the Board's financial advisor. The Bonds shall be payable from a special tax levy of the District.

Section 2. Authorization of Other Actions. The President of the Town Council, any member of the Town Council, and the Clerk-Treasurer of the Town, and any other officer, employee or agent of the Town, is hereby authorized and directed, for and on behalf of the Town, to execute and deliver any contract, agreement, certificate, instrument or other document and to take any action as such person determines to be necessary or appropriate to accomplish the purposes of this Ordinance, such determination to be conclusively evidenced by such person's execution of such contract, agreement, certificate, instrument or other document or such person's taking of such action.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its passage by the Town Council as required by law.

Introduced and Filed on the 14th day of August 2023.

**DULY ORDAINED and ADOPTED** this 11th Day of September 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

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

ATTEST:

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

**New Business:**

1. Controlled Event Permit. Action regarding permission to conduct a car show on a public way submitted by the Highland Fire Fighter's Association as part of their annual Fire Department Open House to be held on October 7, 2023. *This is a controlled event under Chapter 5.25. Section §5.25.020(B) requires action by the Town Council in an open regular or special session. .*

- (B) Request from Highland Fire Fighters' Association seeking permission for a car show on October 7, 2023 as a controlled event.

When the applicant is the municipality, through its executive departments, its administrative bodies, or agencies, no formal application is required provided that a request shall be filed in sufficient time to permit the town council to act in a regular or special meeting in advance of the event.

The town council must act in a regular or special meeting upon the application or request, where it may, in its discretion, issue such permit and likewise, in its discretion, may refuse the issuance of a permit.

\*\*The motion should be to move to approve the special event without alcohol permit (SEAP) for the Highland Fire Fighter's Association Car Show to be held on October 7, 2023. The Street Closure will be Highway Avenue from 5<sup>th</sup> Street to 4<sup>th</sup> Street.

Councilor Zemen moved to approve the request from the Highland Fire Fighter's Association to conduct a controlled event, where alcohol will not be dispensed on Highway Avenue, a public way, from 4<sup>th</sup> Street to 5<sup>th</sup> Street during the hours of 9 o'clock a.m. till 4 o'clock p.m. Councilor Smith seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The controlled event permit on a public way for the day of October 7, 2023 was granted.

2. Approval of Medical & Life Plans: Authorizing the Clerk-Treasurer to renew Aim Medical and Life Insurance Plans, effective January 1, 2024

Councilor Zemen moved to enroll in Plan 2(\$750 PPO) and Plan 7 which the Town currently offers their employees and to increase the Town's contribution to the Employee's health savings plan as: Employee from \$981 to \$1,081, Employee and Spouse from \$1,996 to \$2,096, Employee and Child from \$1,896 to \$2,196 and Employee and Family from \$2,892 to \$3,092. Councilor Schocke seconded.

Discussion: Councilor Scheeringa asked if the insurance was through United Health Care and was told yes. He then asked if any representatives are brought in from United HealthCare to explain the plan to the employees. He was advised that a representative from United Healthcare will be meeting with the employees on October 12.

Upon a roll call vote of the elected officials, there were five (5) affirmatives and 0 negatives.

3. Ordinance Number 1774-C: An Ordinance to Amend Ordinance No. 1774 to establish the wage and salary rates of the Elected Officers, the Non-Elected Officers, and the Employee of the Town of Highland, Indiana particularly regarding the elimination of the Full-Time Fire Chief/Fire Inspector position and the creation of paid-on-call interim Fire Chief position .

Councilor Schocke introduced and moved the consideration of Ordinance No. 1774-C at the same meeting of introduction. Councilor Scheeringa seconded. Upon a roll call vote, a unanimous vote being necessary to consider the Ordinance on the same night of introduction, there were five (5) affirmatives and no negatives. The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Schocke moved the passage and adoption of Ordinance No. 1774-C at the same meeting of its introduction. Councilor Scheeringa seconded. Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmative votes and no negatives. The motion passed. Ordinance No. 1774-C was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction.

ORDINANCE No. 1774-C  
of the  
TOWN of HIGHLAND, INDIANA

AN ORDINANCE to AMEND ORDINANCE No. 1774 to ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA PARTICULARLY REGARDING THE ELIMINATION OF THE

FULL TIME FIRE CHIEF/FIRE INSPECTOR POSITION AND CREATE A PAID-ON-CALL INTERIM FIRE CHIEF POSITION, ALONG WITH A MONTHLY STIPEND.

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees;

**WHEREAS**, I.C. 36-5-3-2 provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

**WHEREAS**, I.C. 36-5-3-2(b), further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

**WHEREAS**, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

**WHEREAS**, The Town Council of the Town of Highland, as the Town Legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2023 and thereafter as amended;

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Town Council of the Town of Highland, Lake County, Indiana, that the Staffing Authority of the Fire Department is modified and fixed, pursuant to the provisions indicated herein and as follows:

**Section 1.** That Section 12 of Ordinance No. 1774 be amended by repealing Section 12 (A) of that Ordinance in its entirety and replacing with the following section, which shall be numbered as Section 12 (A)(H)(I) and read as follows:

**Section 12.** *Fire Department.* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Fire Department** as follows:

**Fire Calls**

(A) Interim Fire Chief (1) \$ 18.00 hr.

(H) **Monthly Stipend.** The Interim Fire Chief, in addition to being paid-on-call, shall be entitled to a monthly stipend of \$1,500 which shall be additional compensation apart from his hourly fire call rate of pay.

(I) **Clothing Allowance.** The Interim Fire Chief shall be entitled to a

**quarterly clothing allowance of \$237.50.**

\*the Interim Fire Chief position is from August 15, 2023 to December 31, 2023, sunsetting at the conclusion of 2023 at which time the Council can choose to extend.

**Section 2.** That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

**Section 3.** That a job description of Interim Fire Chief is on file for any position created and authorized by this ordinance and maintained on file with the Fire Department and the Office of the Clerk-Treasurer;

**Section 4.** That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the Clerk-Treasurer shall be as set forth in the Compensation and Benefits Ordinance, commonly called the Employee Handbook as amended from time to time;

**Section 5.** (A) That an emergency exists for the immediate taking effect of this Ordinance which, shall become effective and shall remain in full force and effect from and *after the date of its passage and adoption* pursuant to any constraints currently in force in Ordinance No. 1774 and until its repeal or amendment by subsequent enactment as evidenced by the signature of the Town Council President and attested thereto by the Clerk-Treasurer, all pursuant to IC 36-5-2-10;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed on the 11<sup>th</sup> day of September 2023. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 11th Day of September 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**

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Attest:

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

4. Action to approve appointment or employment of full-time employee, pursuant to Section §3.03 of the Compensation and Benefits Ordinance. *Public Works Director recommends the following:*

*The hiring of Parker Smith, to the full-time position of Utility Worker B in Public Works Department (Agency) at a rate of pay of \$15.87 per hour. This will not increase the full-time workforce greater than the authorized work force strength.*

On the recommendation of the Public Works Director, item 4 was removed from the agenda.

TOWN OF HIGHLAND  
 PERSONNEL-EMPLOYMENT NOTICE

Name: Parker Smith Employee Payroll # \_\_\_\_\_  
 Address: 3002 Glenwood Phone #: 819-777-1463  
 Department: Public Works Account #: water  
 Email address: \_\_\_\_\_

**NEW HIRE** (Not currently on the payroll in any status) Date Effective: 9-17-23  
 Remind new hires they will need to show their original social security card when they complete their employment forms.  
**\*NEW HIRE PERSONNEL NOTICE MUST BE FILED WITH THE CLERK-TREASURER'S OFFICE**  
**\*BEFORE EMPLOYEE STARTS WORKING/HIRE DATE!**

For EEOC purposes, please indicate: Caucasian Black Hispanic Native American  
Multi-racial Other: \_\_\_\_\_ Male Female

Job Title: Utility Worker B Bi-weekly Salary/Hourly Rate: \$15.87

Characterize the Employment:  
Full-Time Part-Time Summer Temporary/Seasonal: \_\_\_\_\_  
Minor (under age 18) Work Permit Received (Date Season Ends)

Full-Time Only:  
 This position succeeds: Joe Anderson (If applicable)  
 The current workforce level is \_\_\_\_\_ as of the date of this notice.  
 This position will/will not increase authorized full-time work force levels.

**PAY RATE CHANGE OR CHANGE IN STATUS** Date Effective: \_\_\_\_\_

Current:  
 Job Title: Summer Help Account: Summer  
 Base Bi-weekly/Hourly Rate: \$10.33 Longevity: \_\_\_\_\_

Proposed:  
 Job Title: Utility Worker B Account: \_\_\_\_\_  
 Base Bi-weekly/Hourly Rate: \$15.87 Longevity: \_\_\_\_\_  
 This position succeeds: Joe Anderson

Characterize the Increase or Status Change:  
Merit Promotion Returning Summer Brevet/Acting Appt. Per Ordinance \_\_\_\_\_  
Administrative Leave (department head requesting must detail rationale on reverse of form)

**SEPARATION** Last Day Worked: \_\_\_\_\_ Effective Last Day: \_\_\_\_\_

Resignation Discharge Retirement Other \_\_\_\_\_  
 (Details for Discharge may be found in personnel file of the department)

To be paid last direct deposit or payroll check (Detail on back of this page if necessary):

Vacation Pay: \_\_\_\_\_ Comp Pay: \_\_\_\_\_ Personal Day Pay: \_\_\_\_\_  
 Severance Pay: \_\_\_\_\_ Holiday Pay: \_\_\_\_\_ Other Pay Allowed: \_\_\_\_\_

SUPERVISOR SIGNATURE: \_\_\_\_\_ Date: 9-6-23

TOWN COUNCIL/BOARD OF JURISDICTION ACTION: APPROVED DISAPPROVED  
 (If applicable)

Date of Revision: 4/2020  
 Approved by Clerk-Treasurer pursuant to IC36-5-6-6(a)(3)

5. Ordinance Number 1774-D: An Ordinance to Amend Ordinance No. 1774 to establish the wage and salary rates of the Elected Officers, the Non-Elected Officers, and the Employee of the Town of Highland, Indiana particularly regarding the authorizing modification associated with various utility worker positions in the Public Works Department (Agency).

Councilor Schocke introduced and moved the consideration of Ordinance No. 1774-D at the same meeting of introduction. Councilor Smith seconded. Upon a roll call vote, a unanimous vote being necessary to consider the Ordinance on the same night of introduction, there were five (5) affirmatives and no negatives.

The motion passed. The Ordinance could be considered at the same meeting of its introduction.

Councilor Schocke moved the passage and adoption of Ordinance No. 1774-D at the same meeting of its introduction. Councilor Smith seconded.

Discussion: Public Works Director explained the rationale behind Ordinance No. 1774-D.

Upon a roll call vote, a two-thirds vote being necessary, there were five (5) affirmative votes and no negatives. The motion passed. Ordinance No. 1774-D was passed and adopted upon the signature of the municipal executive at the same meeting of its introduction.

**ORDINANCE No. 1774-D  
of the  
TOWN of HIGHLAND, INDIANA**

**AN ORDINANCE to AMEND ORDINANCE No. 1774 to ESTABLISH THE WAGE and SALARY RATES of the ELECTED OFFICERS, the NON-ELECTED OFFICERS, and the EMPLOYEES of the TOWN of HIGHLAND, INDIANA PARTICULARLY REGARDING AUTHORIZING MODIFICATION ASSOCIATED WITH VARIOUS UTILITY WORKER POSITIONS IN THE PUBLIC WORKS DEPARTMENT (AGENCY).**

**WHEREAS**, Title 36, Article 1 Chapter 4 of the Indiana Code confers certain general corporate powers on the several units of government in Indiana;

**WHEREAS**, Section fifteen of that chapter specifically provides that a unit of government may fix the level of compensation of its officers and employees;

**WHEREAS**, I.C. 36-5-3-2 provides in pertinent part that the town legislative body shall provide reasonable compensation for the other town officers and employees;

**WHEREAS**, I.C. 36-5-3-2(b), further provides that the Town Legislative body shall, by ordinance fix the compensation of its own members and the Town Clerk-Treasurer;

**WHEREAS**, I.C. 36-5-3-2(c) still further provides that the compensation of an elected town officer may not be changed in the year for which it is fixed, nor may it be reduced below the amount fixed for the previous year;

**WHEREAS**, The Town Council of the Town of Highland, as the Town Legislative body, now desires to amend the ordinance that was adopted to fix the compensation of its elected officers, appointed officers and employees of the Town for the year 2023 and thereafter as amended;

**WHEREAS**, The Town Council of the Town of Highland, as the town legislative body, has been advised that it is necessary and desirable to further modify these positions in the Public Works Department (Agency) of: Utility Worker A; Utility Worker B; Utility

Worker/Equipment Operator A; Utility Worker/Equipment Operator B; Utility Worker/Driver A; Utility Worker/Driver B; Utility Worker/Driver C; and

**WHEREAS**, The Town Council of the Town of Highland, as the town legislative body, has been advised that it is necessary and desirable to modify and fix the rates for these positions based upon the needs of the Public Works Department (Agency); and

**WHEREAS**, The Town Council of the Town of Highland, as the town legislative body, now desires to amend the wage and salary ordinance as requested by the Public Works Director; and,

**NOW, THEREFORE, BE IT HEREBY ORDAINED** by the Town Council of the Town of Highland, Lake County, Indiana, that the Wages, Salaries, and special detail levels of the Officers and Employees of the Town of Highland, are hereby established, modified and fixed, pursuant to the provisions indicated herein and as follows:

**Section 1.** That Section 9 (D) of Ordinance No. 1774 be amended by adding Section 9(D)(5) of that Ordinance and read as follows:

**Section 9.** *Public Works Department (Agency).* That subject to the provisions of this ordinance, the salary and wages for the non-elected officers and employees of the Town of Highland are hereby fixed for its **Public Works Department** as follows:

(D) *Certifications.* A full-time worker described below possessing a relevant professional certification from a generally accepted professional association as may be authorized or approved by the proper officer, the base rate shall have an additional compensatory adjustment according to the following schedule:

(1) The positions *Pump Station Operator, Utility Technician, Mechanic, Sign & traffic Control Technician* and Driver C Seasonal are eligible for the following certification **pay**:

Commercial Driver's License add to the hourly base pay:\$ 0.71

(2) The positions Pump Station Operator and Utility Technician are eligible for the following certification pay:

DSL Operators' License add to the hourly base pay: \$ 1.39  
CT Operator's License add to the hourly base pay: \$ 1.39

(3) The position *Pump Station Operator* is eligible for the following certification pay:

Backflow prevention license add to the hourly base pay: \$ 0.71

(4) The position of Sign and traffic Control Technician is eligible for the following certification pay:

MUTCD\* Certification add to the hourly base pay: \$ 1.39

\*Satisfactory completion of training course on the Manual of Uniform Traffic Control Devices as provided by the American Public Works Association (APWA), Local Technical Assistance Program (LTAP), the American Traffic Safety Services Association (ATSSA) or the International Municipal Sign Association (ISMA).

(5) All Utility Worker positions are eligible for the following certification pay:

DSL Operators' License add to the hourly base pay: \$ 1.39

Section 2. That all portions of ordinances in conflict with this ordinance are hereby repealed and are of no further force nor effect;

Section 3. That a job description be on file for any position created and authorized by this ordinance and maintained on file with the Public Works Department (Agency) and the Office of the Clerk-Treasurer;

Section 4. That except where otherwise noted herein, other compensation and benefits matters not expressly provided herein for salaried and hourly employees and the Clerk-Treasurer shall be as set forth in the Compensation and Benefits Ordinance, commonly called the Employee Handbook as amended from time to time;

Section 5. (A) That an emergency exists for the immediate taking effect of this Ordinance which, shall become effective and shall remain in full force and effect from and *after the date of its passage and adoption* pursuant to any constrains currently in force in Ordinance No. 1774 and until its repeal or amendment by subsequent enactment;

(B) That the Clerk-Treasurer shall have authority to implement the provisions of this ordinance pursuant to the authority expressly set forth in IC 36-5-6-6 (a) (3) & (4).

Introduced and Filed on the 11<sup>th</sup> day of September 2023. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and a vote of 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED and ADOPTED this 11th Day of September 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

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

Attest:

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

6. Works Board Order Number 2023-32: An Order of the Works Board Accepting a quote from Phil & Son, Inc. for the installation of Electronic Access Controls for the Main Doors and Electronic Access Control and Video cameras for the Public Works Facility in the Total Amount of \$29,410.71.

Councilor Smith moved the passage and adoption of Works Board No. 2023-32.  
Councilor Zemen seconded.

Discussion: Public Works Director Mark Knesek explained Works Board No.2032-32 to the Council.

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 Town Executive.

**Town of Highland**  
**BOARD OF WORKS**  
**ORDER OF THE WORKS NO. 2023-32**

**AN ORDER OF THE WORKS BOARD APPROVING AND AUTHORIZING THE PURCHASE FROM PHIL & SON, INC. FOR THE INSTALLATION OF ELECTRONIC ACCESS CONTROLS AND VIDEO SURVEILLANCE ACCESSORIES FOR THE PUBLIC WORKS FACILITY AND FINDING IT TO BE A SPECIAL PURCHASE PURSUANT TO I.C. 5-22 AND CHAPTER 3.05 OF THE MUNICIPAL CODE.**

**Whereas**, The Public Works Director, has deemed it necessary as a security measure, to install electronic access controls on the man doors and electronic access control and video on the main gate at the Highland Public Works Facility located at 8001 Kennedy Avenue; and

**Whereas**, The Public Works Director has determined the purchase price will be below \$50,000.00. An opportunity has arisen which enables the department to purchase and install electronic access controls accessories; and

**Whereas**, the Public Works Director has identified Phil & Sons, Inc. of Crown Point, Indiana to be a desirable source for the purchase of and the installation of electronic access controls and accessories at a price of \$29,410.71; and

**Whereas**, The purchase price exceeds \$15,000.00 and pursuant to §3.05.050(B)(2) of the HMC requires the express approval of the purchasing agency; 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**, Pursuant to §3.05.065(I) of the HMC, the purchasing agent may make a special purchase considering that the compatibility of equipment, accessories, or replacement parts is a substantial consideration in the purchase of electronic access controls.

**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**, there are sufficient and available appropriation balances on hand to support the payment under the agreement.

**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 of and installation from Phil and Sons, Inc. of Crown Point, Indiana as a desirable source vendor for the purchase of and installation of electronic access controls and accessories and video cameras for the Highland Public Works Facility, located at 8001 Kennedy Avenue in the amount of \$29,410.71;

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

- (A) That Phil and Sons, Inc. of Crown Point, Indiana a sole source to meet the Public Works Departments reasonable requirements for this purchase and installation; 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 Public Works Director 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.

**Duly, Passed and Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of September, 2023 having passed by a vote of 5 in favor and 0 opposed.

**BOARD OF WORKS 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)



Phil & Son, Inc.  
 871 N. Madison Street  
 Crown Point, IN 46307

sales@philandson.com  
 www.philandson.com  
 Phone: 1 (219) 663-5757

**QUOTE No. 2156**  
 Order No.  
 Valid for 30 days

Highland Town Hall  
 3333 Ridge Rd.  
 Highland, IN, 46322

Site: Highland Public Works  
 Salesperson: David Gerner  
 Date: 09/08/2023

**- 2397 - Card Access Field Services**

Quote to install Brivo cloud hosted access control on 9 doors and 1 gate with 50 keyfobs.

Item	Quantity
Brivo Control Panel Kit	1.00
Brivo Sub Board	4.00
Securitron 10 Amp Power Supply	1.00
Power Sonic 12V 7AH System Battery	4.00
Hes Standard Strike Stainless	9.00
Brivo Multi-class Bluetooth Mullion Reader Black	1.00
Brivo Multi-class Bluetooth Single Gang Reader Black	10.00
Card Access Bundle Multi-Cable Shielded Plenum	1.50
HID Key Fob	50.00
Adams Rite Latch Lock 1 1/8" X Dura	1.00
Adams Rite Exit Lever Duranotic	1.00
Securitron Push Button Release	1.00
AS1-Access Labor Hours	50.00 hrs
<b>Sub Total ex Tax</b>	<b>\$22,921.02</b>
<b>Tax</b>	<b>\$0.00</b>
<b>Total Inc Tax</b>	<b>\$22,921.02</b>

**- 2398 - Card Access Subscription Services**

Item	Quantity
Brivo Monthly Site Subscription Standard	1.00
Brivo Monthly Door Subscription Standard	10.00
<b>Sub Total ex Tax</b>	<b>\$216.45</b>
<b>Tax</b>	<b>\$0.00</b>
<b>Total Inc Tax</b>	<b>\$216.45</b>





Phil & Son, Inc.  
 871 N. Madison Street  
 Crown Point, IN 46307

sales@philandson.com  
 www.philandson.com  
 Phone: 1 (219) 663-5757

**QUOTE No. 2156**  
 Order No.  
 Valid for 30 days

**- 2399 - Video Field Services**

Quote to install Eagle Eye Networks cloud managed video with 3 outdoor and 1 indoor video cameras and video monitor.

Item	Quantity
Eagle Eye Video Bridge	1.00
Eagle Eye 10 Port POE Switch	1.00
Hanwha Outdoor IR Camera 4MP	3.00
Hanwha Indoor Recessed Dome	1.00
Hanwha Camera Pendant Adapter	3.00
Hanwha A Series Pendant Cap	3.00
Reliable Wire Cat5E Cable Black	1.00
Axis Decoder System	1.00
24" Monitor LCD Monitor	1.00
24" Monitor Mount	1.00
VS1-Video Labor Hours	12.00 hrs
<b>Sub Total ex Tax</b>	<b>\$6,489.69</b>
<b>Tax</b>	<b>\$0.00</b>
<b>Total Inc Tax</b>	<b>\$6,489.69</b>

**- 2400 - Video Subscription Services**

Item	Quantity
Video Cloud Monthly Site Subscription	1.00
Video Cloud Monthly Camera 30 Day Subscription	4.00
<b>Sub Total ex Tax</b>	<b>\$72.91</b>
<b>Tax</b>	<b>\$0.00</b>
<b>Total Inc Tax</b>	<b>\$72.91</b>

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<b>Sub Total ex Tax</b>	\$29,700.07
<b>Tax</b>	\$0.00
<b>Total inc Tax</b>	\$29,700.07

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7. Works Board Order No. 2023-31: An Order of the Works Board Accepting a quote from Crawford Door Sales of Lake County Inc. for the replacement of twenty (20) Overhead Garage Doors and nine (9) Garage Door Openers at the Public Works Facility in the total amount of \$136,820 as the lowest responsive and responsible quote.

Councilor Smith moved the passage and adoption of Works Board No. 2023-31. Councilor Scheeringa seconded.

Discussion: Public Works Director Mark Knesek explained Works Board No.2023-31 to the Council.

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 Town Executive.

**Town of Highland**  
**BOARD OF WORKS**  
**ORDER OF THE WORKS NO. 2023-31**

**AN ORDER OF THE WORKS BOARD ACCEPTING A QUOTE FROM CRAWFORD DOOR SALES OF LAKE COUNTY, INC. FOR THE REPLACEMENT OF (20) OVERHEAD GARAGE DOORS AND (9) GARAGE DOOR OPENERS AT THE PUBLIC WORKS FACILITY IN THE TOTAL AMOUNT OF \$136,820.00 AS THE LOWEST RESPONSIVE AND RESPONSIBLE QUOTE**

**Whereas**, the Town Council, as the Board of Works of the municipality, has deemed it necessary, due to their age and failing conditions, to solicit quotes for the replacement of (20) overhead garage doors and (9) garage door openers at the Highland Public Works Facility located at 8001 Kennedy Avenue; 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 purchase price exceeds \$15,000.00 and pursuant to §3.05.050(B)(2) of the HMC requires the express approval of the purchasing agency; 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 Purchasing Agent, pursuant to §3.05.060(F) of the HMC, expected that the purchase, in aggregate, to be at least \$50,000 and not more than \$150,000.00 and invited quotes in accordance with Section §3.05.060(F)(1) of the HMC; and

**WHEREAS, THE FOLLOWING QUOTES WERE RECEIVED:**

		Crawford Door Sales		B & B Doors, Inc.	
	Qty	Unit Cost	Total	Unit Cost	Total
Garage Overhead Doors					
14.2' x 13.9' Overhead Garage Door (South)	10	\$6,070.00	\$ 60,700.00	\$6,700.00	\$ 67,000.00
14.2' x 14' Overhead Garage Door (North)	10	\$6,395.00	\$ 63,950.00	\$7,400.00	\$ 74,000.00
			\$ 124,650.00		\$ 141,000.00
Garage Door Openers					
Lift Master T503L5 (South Side)	5	\$1,290.00	\$ 6,450.00	\$1,800.00	\$ 9,000.00
Lift Master H503L5 (North Side)	4	\$1,430.00	\$ 5,720.00	\$2,400.00	\$ 9,600.00
			\$ 12,170.00		\$ 18,600.00
<b>Total Cost of Overhead Doors and Openers</b>			<b>\$ 136,820.00</b>		<b>\$ 159,600.00</b>

**Whereas**, If the Purchasing Agent, pursuant to §3.05.060(F)(3) of the HMC, receives a satisfactory quote, the Purchasing Agent shall award a contract to the lowest responsible and responsive offer for each line or class of supplies required; and

**Whereas**, the Public Works Director has reviewed the quotes and determined that the quote of Crawford Door Sales of Lake County, Inc. in the amount of One Hundred Thirty-six Thousand Eight Hundred Twenty Dollars and No Cents (\$136,820.00) to be the lowest responsible and responsive quote; and

**Whereas**, there are sufficient and available appropriation balances on hand to support the payment under the agreement.

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

**Section 1.** That the Works Board hereby authorizes and approves the purchase of and installation from Crawford Door Sales of Lake County, Inc twenty (20) overhead garage doors and nine (9) garage door openers at the Highland Public Works Facility, located at 8001 Kennedy Avenue in the amount of \$136,820.00;

Section 2. That the Works Board hereby determines that the quote of \$136,820.00 from Crawford Door of Lake County, Indiana as the lowest responsible and responsive quote; and

**Section 3:** That the Public Works Director 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.

**Duly, Passed and Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of September, 2023 having passed by a vote of 5 in favor and 0 opposed.

**BOARD OF WORKS OF THE TOWN OF  
HIGHLAND, INDIANA**

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

Attest:

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

Public Works Rehabilitation - Doors, Locks and Security

		Crawford Door Sales		B & B Doors, Inc.	
Garage Overhead Doors	Qty	Unit Cost	Total	Unit Cost	Total
14.2' x 13.9' Overhead Garage Door (South)	10	\$ 6,070.00	\$ 60,700.00	\$ 6,700.00	\$ 67,000.00
14.2' x 14' Overhead Garage Door (North)	10	\$ 6,395.00	<u>\$ 63,950.00</u>	\$ 7,400.00	<u>\$ 74,000.00</u>
			<u>\$ 124,650.00</u>		<u>\$ 141,000.00</u>
Garage Door Openers					
Lift Master T503L5 (South Side)	5	\$ 1,290.00	\$ 6,450.00	\$ 1,800.00	\$ 9,000.00
Lift Master H503L5 (North Side)	4	\$ 1,430.00	<u>\$ 5,720.00</u>	\$ 2,400.00	<u>\$ 9,600.00</u>
			<u>\$ 12,170.00</u>		<u>\$ 18,600.00</u>
<b>Total Cost of Overhead Doors and Openers</b>	<b>Works Board Order</b>				
	2023-31		<u>\$ 136,820.00</u>		<u>\$ 159,600.00</u>
A-60 Mesker Steel Man Doors and Frames with SS Hinges	7	\$ 2,065.00	\$ 14,455.00	Authority as Purchasing Agent	
Electronic Access Control for man doors and South Gate + Video Surveillance(Phil & Sons)			<u>\$ 29,410.71</u>	Works Board Order 2023- 32	
Total Rehabilitation expenses			\$ 180,685.71		
4402-0000-41003 MCCCD PW Rehabilitation			<u>\$ 268,439.15</u>		
Remaining Balance			<u>\$ 87,753.44</u>		

8. Appropriation Transfer Resolution No. 2023-20: : An Exigent Resolution Providing For The Transfer Of Appropriation Balances From and Among Major Budget Classifications In the MCCD Fund As Requested By The Proper Officer And Forwarded To The Town Council For Its Action Pursuant To IC 6-1.1-18-6.

Councilor Zemen moved the passage and adoption of Appropriation Transfer Resolution No. 2023-20. Councilor Schocke seconded.

Discussion: Councilor Scheeringa asked if we are taking money from IT now, will that create a short fall in IT later in the year and will we have to appropriate additional money for IT later in the year. Both the Clerk-Treasurer and IT Director respond in the negative.

Upon a roll call vote of the elected officials, there were five (5) affirmatives and no negatives. The motion passed. Appropriation Transfer Resolution No. 2023-20 was adopted pending the signature of the municipal executive.

TOWN OF HIGHLAND  
APPROPRIATION TRANSFER RESOLUTION  
RESOLUTION NO. 2023-20

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS of the MCCD FUND as REQUESTED BY THE PROPER OFFICER AND FORWARDED to the TOWN COUNCIL for its ACTION PURSUANT TO IC 6-1.1-18-6.

**WHEREAS**, It has been determined that certain exigent conditions have developed since adoption of the original budget and it is now necessary to transfer certain appropriations into different categories than were initially appropriated for the various functions of the **MCCD**;

**NOW, THEREFORE BE IT RESOLVED** 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 appropriations are hereby transferred and set apart out of the funds hereinafter named for the purposes specified, subject to the laws governing the same, such sums herein transferred unless otherwise stipulated by law;

**Section 2.** That is has been shown that certain existing unobligated appropriations of the **MCCD Fund** which are not needed at this time for the purposes for which originally appropriated, and may be transferred to a category of appropriation in order to satisfy an existing need, as follows:

MCCD FUND

Reduce Account:	#4402-0000-430.09 MCCD Computers/Printers	<u>\$5,400.00</u>
	<i>Total 400 Series Reductions</i>	
\$5,400.00		
Increase Account:	#4402-0000-230.09 MCCD PD Bullet Proof Vests	<u>\$5,400.00</u>
	<i>Total 200 Series Increases</i>	\$5,400.00
	<b>Total of All Fund Decreases:</b>	<b>\$5,400.00</b>
	<b>Total of All Fund Increases:</b>	<b>\$5,400.00</b>

**DULY RESOLVED and ADOPTED** this 11<sup>th</sup> Day of September 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**

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

Attest:

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

9. Authorizing the proper officer to publish legal notice of a public hearing: A Public Hearing to consider additional appropriations in the amount of \$43,000.00 in the Corporation General Fund. If approved, the public hearing will be held on September 25, 2023, at 6:30 P.M. O'clock in the Municipal Building, 3333 Ridge Road, Highland.

Councilor Zemen moved to authorize the publication of a legal notice of a public hearing to consider proposed additional appropriations in the Corporation General Fund in the amount of \$43,000 as indicated. Councilor Schocke seconded.

Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The publication and hearing were approved. The meeting will take place on the 25th day of September. The meeting is scheduled to begin at 6:30.

**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 25th day of September 2023, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

Corporation General Fund

Acct. 1101-0007-11147 Interim Fire Chief Stipend		\$ 8,000.00
	Total 100 Series:	<u>\$ 8,000.00</u>
Acct. 1101-0009-11130 PD Sworn Overtime		\$25,000
	Total 100 Series	<u>\$25,000</u>
	Total 100 Series	<u>\$33,000</u>
Acct. 1101-0000-38613 Baby Box		\$ 10,000.00
	Total 300 Series:	<u>\$ 10,000</u>
	<b>TOTAL for the FUND:</b>	<u><b>\$ 43,000.00</b></u>

Funds to support these additional appropriations in the Corporation General Fund and the Park B&J Non-Exempt 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

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

Thursday September 7, 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 Corporation  
General Fund

Dear Nicole Muscari, Amanda Koepp, Christina Palama:

Hello. Attached, please find one (1) notice for a public hearing regarding proposed additional appropriations in the Corporation General 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* Thursday, September 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, September 25, 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:  
(1) Notice for Corporation General Fund



Authorizing the proper officer to publish legal notice of a public hearing: Public Hearing to consider additional appropriations in the amount of \$43,000.00 in the Corporation General Fund

**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 at last Wednesday's Plan Commission study session, the Commission heard a presentation from Dan Botich from SEH, who had been hired by the Redevelopment

Commission to consolidate some of the existing Allocation Areas. The Plan Commission at their next public meeting will have to pass a resolution authorizing the proposed consolidation.

Councilor Zemen said his other boards (Tree; Sustainability; Water) will be meeting later in the month and he'll report on them at the next Town Council Meeting.

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

Councilor Smith acknowledged Ken Mika, Building Commissioner who said the BZA will be meeting on the 27<sup>th</sup> of this month to approve the Findings of Facts from their August meeting where a favorable recommendation for a use variance was given at 9717 Spring. The Council should receive that recommendation in time for their October plenary meeting. .

Councilor Smith then acknowledged Mark Knesek, Public Works Director who said Public Works has been doing a lot of road patching, especially on the little spots. He has been working on the street assessment for next year's Community Crossing Grant. Both chippers are out and the street crews are picking up a lot of branches. Those water valves that were found defective when they were exercised (opening and closing) are being replaced, which requires digging them up and replacing them.

Councilor Black asked when the leaf collection will start?

The Public Works Director said they are getting the leaf vacs ready now as the program will start in October. He added that he is looking at possibly purchasing another leaf vac as ours are starting to age and are constantly breaking down. He thought if the Town purchased a new one, the Town would be set for the next 4 to 6 years.

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

Councilor Schocke began by acknowledging Park Superintendent Alex Brown who said the fall brochure hit the streets a couple of weeks ago and sign-ups for the fall programs have already started. The registrations are really going well. He didn't think they would need an additional appropriation to get them through the balance of the year. He said it will be close and if they do need it, they have the cash to support it. They're bringing in lots of money with their recreation programs. He added but we are spending a lot of money as well. He said back in February, new playground equipment was ordered for Markley and Brantwood Parks. The new playground equipment has arrived and they are planning on installing the new playground equipment at Markley Park starting tomorrow. The equipment also arrived for Brantwood Park arrived at the same time as the equipment for Markley Park but Alex Brown received a call from Nipsco last Thursday and was informed that they were not

gonna approve the location of the new playground equipment. He said he spent most of his day last Thursday and Friday dealing with Nipsco's land and public affairs departments. He was pleased to announce that they had come to an agreement and Nipsco was going to approve the location. It's going to be delayed and we're going to have to just through hoops but it will be approved. He said, there has been a playground on the exact spot for over fifty (50) years and now all of a sudden, Nipsco is saying they are having issues with the location. It has to do with us assembling the playground equipment in the proximity of their pipelines.

Councilor Schocke said he is excited that the registration for youth basketball started. He said he is hoping to come back from last year's shaky season. He also complimented the park crews for the really great job they are doing in preparing the soccer fields. The fields are always perfect he said.

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

Councilor Scheeringa began by acknowledging newly installed Fire Chief Mike Pipta who said the Tradition's fire is still undetermined and under investigation. He said there was an extraction that required the jaws of life at the intersection of 45<sup>th</sup> and 5<sup>th</sup>. He reiterated the great loss of Chief Timmer last month and would really like to put that month behind us. He thanked everyone for the strong support he has been receiving. He said they will be making some officer changes within the next two (2) to three (3) weeks. He reminded everyone of the Fire Department Open House and car show on October 7<sup>th</sup> and encouraged them to attend.

Councilor Scheeringa then called upon Chief Potesta. Chief Potesta said everything is going okay with no major events.

Councilor Scheeringa then acknowledged IT Director, Ed Dabrowski who said he was working the Town employees and departments that utilize wireless devices in their cars, trucks and rigs. He's been working with Verizon to upgrade the network. He gave thanks to Assistant Public Works Director Kim Webb for all of her assistance in the upgrade.

- **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 recognized Redevelopment Director Maria Becerra, who began thanking the Council for the additional appropriations. She said they would reach out to Hyre Electric tomorrow to arrange to have the work done at the municipal lot. She said last week's restaurant crawl was a huge success as she heard nothing but

compliments and was well attended. She said Main Street is busy preparing for the Maker's Market to be held on October 7<sup>th</sup>, the same day as the Fire Department's Open House and car show. The Maker's Market will begin at 10:00 o'clock a.m. She said they are still looking for a couple of bands. She said the Redevelopment Commission presented the façade improvement check to Northwest Indiana Parkinson's. She said they are a great group and they do a lot of good things for free for those suffering from Parkinson's. Northwest Parkinson's is a non-profit. The way finding signs are still being installed. There has been a slight delay while the locates are completed. The Redevelopment Commission has requested quotes for the property they own on the west side of Indianapolis Blvd. They issued quotes to five (5) contractors. The quotes are due back the 20<sup>th</sup> of this month. She reminded every not to forget the Thursday night Market. The Market features food vendors and crafts.

- First of all Thank you for additional ~~information~~ <sup>information</sup>
- Glad to report ~~the report~~ <sup>the report</sup>
- ✓ Big Crawl was well attended and staff received many compliments
- All positive!
- preparing for
- ✓ Makers Market 10-7-23 - ~~(10-4) ends~~ 12:30
- MAIN ST. M TG, THIS WED 6:00 Music starts
- ✓ A check's presentation to N, M, I Parkinson's went well
- ✓ the way finding sign installation pending, final
- 811 locates
- ✓ Redev. Prop 82200 INDOY vacant land Landscapes/tree
- R.F.G. has been issued to (5) vendors
- QUOTES due 9-20
- ✓ Electric
- Municipal Lot ~~we~~ will reach out to Hyre Electric Contractor
- ✓ "THURSDAY MARKETS" are ongoing.
- Food vendors/CRAFT Trucks
- ~~CONSIDERATION OF CONSOLIDATION~~
- ✓ Consolidation of allocation areas in progress as mentioned by Mr. Ken Hicks

Councilor Black offered his thanks to the Main Street Commission on doing a great job on the restaurant crawl. He said it was very well attended and everyone enjoyed themselves. Several people said they would like to see this more often.

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:**

Kathy Boyd, Highland, said she came to a previous meeting because I had just found out about the trees on Parkway Drive were going to be cut down and I wanted to know how I could have gotten ahead of that to prevent that from happening. I was advised to read the minutes but for something this large, I think signs or postings or hand delivered notifications should have been used so everyone would have an opportunity to know about and discuss the proposed project. I think the Town would be better served and have less issues if a better method of notifying the residents was used because I don't think anyone really knew in the neighborhood the extent of the project, in particular, those on the street. The project was brought to all the neighbor's attention when the white lines started to appear on trees that were going to be destroyed. That's when reality set in. It broke our hearts to look down their tree lined street and seeing all those white rings signifying those trees would be taken down. It was just devastating. I have some solutions here that could possible work. One of them was to put the sewer line below the waterline. This would have to be approved by the EPA. By being below the water line, should the sewer leach, it wouldn't contaminate the water line. Her second suggestion was to cure the pipe in place (pipe bursting). It wouldn't help the water pressure but it would eliminate the contamination of the drinking water. It would be less expensive and all those trees wouldn't have to be cut down. Her third method to save the trees was by using a controlled dig instead of going in and putting in a thirty (30) inch trench. You could hire a forester or arborist to direct things. Her final point was to make the street one way, going north. This would allow more room to move everything to the west and then save the trees. Keeping the trees keeps the resale of our property high.

Derek Snyder, Highland's Town Engineer responded to Mrs. Boyd. He said you cannot install a water line directly on top of a sanitary sewer. The Town is required to keep a water line and sanitary line ten (10) feet apart. Even if it was permitted and the Town did as you said, there is still potential of sewage getting into the water line causing a contamination. But the major reason why you don't put utilities directly on top of each other is stability. Each utility has to have a manhole so many feet apart in order to be able to service the utility. Manholes are roughly 300 feet apart. As for the suggestion of trying to replace the pipe within the pipe, the existing pipe is four (4) inches in diameter. It is a transite pipe. We excavated a couple of locations to see how deep it was. The numbers ranged from three (3) feet to three and ½ deep (3-1/2) to the top of the pipe. The current code for a water main depth is sixty (60) inches or five feet. The pipe is a lot shallower than code which explains all of the water breaks over the last ten (10) years. With the pipe being so shallow and when it gets really cold, the pipe is more susceptible to stress and breaking so just replacing the pipe within the pipe is still gonna have long term issues in cold weather. As for making the street one way and reducing the width, the issue isn't with the water line but the other utilities on the street. On the west side, you have a gas main behind the curb. In the middle of the west lane is an eighteen (18) diameter sanitary

sewer force main that takes the sewage from the whole west half of Highland. In the middle of the road is a storm sewer that is ten (10) foot in depth. At the south end, in the middle of the east lane is a sanitary sewer. The existing water main is behind the sidewalk and in some cases underneath the trees. You have to remember that while the new water main is going in, the existing water main has to remain operational. The water main installation will take several weeks.

Vann Foreit, Highland said he has been a resident of Parkway Drive for two (2) years now. I'm not an engineer so basically what your Town Engineer just said is a foreign language to me. I am disappointed to say the least but more upset of how the project was communicated to the residents. I'm not a Facebook user and not aware of the project till I was riding my bike the other day and I saw all these white rings around the trees. I learned more from my neighbors than I've learned from my representatives of Highland. He started talking about comparable property and when the value of your property is in a diminished state because someone messes with your property, as in cutting the trees down in front of your house, which serve as noise barrier and pollution reduction, both of which are proven scientifically, so what is Highland going to do to assist me with my lower property values.

Attorney Reed responded that your question is rather complicated. As a general proposition, the type of compensation you are referring to isn't available from the government. Removing the trees is not the same as the taking of property. It has to be a total taking. It's not a government issue. The trees had to be removed for a legitimate, important health issue. It seems that we maybe stepping a little bit of litigation so I'm not sure, I want to discuss this issue further.

Councilor Schocke responded that this project was posted in the newspapers and we make our meetings live to the public but no one was knocking on doors or anything like that. He said I believe an actual letter was dropped off door to door last week.

Blane Roberts, Highland, who also said he was a member of the Highland Tree Board said some things we get right and some things we don't see to get quite right. We're all trying to do the best we can. I appreciate the efforts of the Council, as well as, the residents of our neighborhood. We're all concerned about our community and I think we should all be applauded for that. I'm disappointed, however, in the outreach methods or the lack thereof. I think one can agree that there are safety concerns. There's water main concerns and water pressure issues, all the things that the engineer talked about. No one's disputing that and I think we all understand that there is a delicate balance between the environment and progress. No one's opposed to making progress. No one's opposed to fresh water and no flooding or drainage issues. Those aren't the issues. I think the issue for me is the method used to communicate this project. A neighbor happened to approach me and said, "Have you heard about this?" I said, absolutely not. I think it's the role of government to represent as people and I think it's the role of government to do effective outreach. The fact that you have this many people here suggest that there's room for improvements. I'm not here to defend one way or the other. I'm simply saying that neighbors have concerns. I think, a major project of this scale should require a lot more extensive outreach and meetings with the engineers back and forth. I don't know when

these meetings were and I don't know who attended it. I have no idea. But to me, the message from the Council is that the trees weren't important to them. We're not asking to have a say so to approve or not approve. We wanna be engaged in the process. We shouldn't have this many people here not knowing about it or didn't know the scope of it. There should have been a series of meetings describing the project. It bothers me that so many residents were unaware of the project or the scope of the project. My hope is that this Council will do a better job of outreach to this community.

Public Works Director Knesek said this project started in December with joint resolutions being passed at the Council, the Sanitary Board and the Water Board. We talked early on in the process about the trees. I met with Mrs. Boyd after one of the meetings for over an hour. I explained to her that we didn't want to cut the trees down but once we cut into the root system we jeopardize the root. If we were to get a strong west wind, there is a strong possibility one of those trees could topple over, striking a house or a little kid walking their dog. I can't live with that. In addition, the drinking water is probably the most important factor. This project will increase your fire safety by increasing the water circulation for the whole subdivision. We are removing a four (4) inch line and going to install an eight (8) inch line. We are putting a fire hydrant in the middle of the block. Currently, if there is a fire in the middle of the block, the firemen have to pull all that hose from the hydrants at the end of the block to the middle. When we designed a water main project, we looked at every option to protect the trees. I don't like cutting trees down, not at all, but in this case there was no other place to put the water line. If we could put it water in the middle of the street, all those trees would stay but utilities already exist in the middle of the street. I heard tonight about smaller back hoe. You still have to go five (5) feet deep. Five (5) feet deep is gonna cut those roots way back. If we save the tree and cut the root, that resident will be required to sign a waiver that they wanted their tree left there. I would think that an insurance company would say, well, you knew this tree was jeopardized and we're not paying the client. We have replacement trees going in the places where the current trees once existed and I realize they're not going to be big. They're not gonna cut the noise out right away but they'll be better parkway trees than the silver maples.

Taliaha Koutz, Highland, said I was aware of the project. I came to a Park Board Meeting and Mr. Brown told me about the project. I announced it on Facebook to my neighbors. I didn't know about the trees but I found out from my neighbors about the trees, so I knew months ago, about the trees and I want the project to go forward. I want my street redone. I actually want my tree taken down because it has a massive dead branch and we've been waiting for it to fall. We didn't want to pay for it ourselves, so we're waiting for the Town to take it down. It will cheaper to our family. I have a different opinion from my neighbors. But I want to say that I did know about the project. I know a lot of people knew because they chatted about it. I'm not sure why everyone got so upset right at the end. I'm sorry for the neighbors that didn't know. I probably should have been more telling. I would ask the Town to replant the trees. Even if the Town doesn't, I would ask my neighbors to replant the trees. If you go on google, there are sites where someone can get a free tree. She said she took down a silver maple when she moved in six (6) years ago and planted a tulip in its place. It is huge now.

She was advised by the Clerk-Treasurer that the trees will be replaced in the project. There is a list of trees that they will be able to choose from.

Rex Thompson, Highland, asked if the project included replacing any landscaping that was removed, damaged or torn up during the project?

The Town Engineer said that some landscaping will be impacted by the project. As part of the scope of the work, the contractor is to carefully remove some of the landscaping and then put it back in place. In some cases, the landscaping will have to be replaced. For example, going down Parkway for instance, the project calls for putting in new sidewalks where existing sidewalks were and if the homeowner has a landscape bed right behind the sidewalk, we'll probably remove the landscape bed rather than risking damaging it. It is going to be more extensive around the corner as this project is a continuation of all the improvements that have been done in the Brantwood neighborhood over the past twenty (20) years. The sidewalk and curb and gutter design is gonna match the rest of the neighborhood. Even though this project is Parkway, the scope includes that half block of Kenilworth and was never completed. There is some landscaping that it is in the right of way that would be affected. We're going to have to relocate that retaining wall and some landscaping. .

Someone else asked Derek if there will be new sidewalks? Will the project affect their driveway aprons?

Derek explained that since the water main currently exists under the sidewalk, a brand new sidewalk with a barrier curve that matches the rest of the neighborhood will be installed. At each driveway, the curve will be depressed, so instead of having the bump going up into your driveway, it'd be the smooth incline. There's one exception as there are two (2) houses that have depressed driveways. The road goes down to their garage and to prevent water from going from the street down into their garage, at those two (2) locations were going to install a rolled curve.

Kylee McLellan, Highland, compiled a list of questions which she passed out to the Council. She asked the Council to look over the list and respond accordingly. She said she tried to answer these questions herself by looking at the website or checking meeting minutes from Council or Sanitary Board or Water Board but could not find the answers. She said she went back as far as September. She said she would like to see the signed \$1.3 million dollar contract with Grimmer. She asked if Grimmer was the contractor for the project and was advised yes. She said she would like to see an executed copy of that with date. As I mentioned, I looked on the website and all the meeting minutes since September 22, 2022 and I didn't see it. She requested all of the SOWs (statement of work) for the executed contract and a copy of the other bids.

The Town Engineer said this project was bid out as two projects. The water main is a separate contract but both contracts went to Grimmer. He said he would have to go back and check his records on all who bid on the projects. He remembered Gatlin did bid on the projects, as well as, 3 or 4 others. He said he would be happy to provide her with his bid tabulation report.



She asked when the project was bid out, did it include drawings, as she looked for drawing on this project on the website and could not find any.

The Town Engineer explained that the minutes normally do not include the signed documents. The signed documents are recorded and filed. The minutes would show the ordinance or resolution number, who made the motion to pass or adopt, who seconded the motion and the recording of the yes and no votes, the date that it passed or didn't pass. Most likely you'll find a scanned copy in the meeting packet.

Kylee said she didn't see anything in the minutes on the project except for in the Town Council's November 14, 2022 meeting minutes. That was the only thing she saw that related to Parkway Drive. Her next question was when she typed in her mom's address into the GIS, as her mom lives on Parkway and she lives on Prairie, clearly those trees are on private property. She asked if anyone could explain the difference between private property and public right of way as the trees are definitely, as well as, the other neighbors are on private property.

The Town Engineer explained that the GIS is basically real photos that lie of top of each other. They are not actual locations. The project is based upon design surveys. All of the trees are within ten (10) feet of the street and are completely in the right of way.

Kylee said when I looked up on the Town of Highland Municipal Code, I looked up Chapter 8.20.9, structures, maintenance of trees and other plants in parkways, the only thing I saw that gives the Town the right to remove trees is if the tree is dead, diseased or dying. The tree has fallen or is damaged because of storm, accident or other means making the tree or its branches and unsafe hazard. And finally, the roots of a tree are adversely affecting a buried utility line. In my opinion, none of these have to do with what you're explaining with the water main project. This isn't buried cable.

The Town Engineer explained that section d.3 of chapter 8.20 says if tree roots are adversely affecting a utility line and water main is considered a utility. The term utility doesn't only apply to buried cable or power cable or gas line. Utility can be water, a sanitary sewer, a storm sewer or sanitary force main. D.2 would also apply because once the root system of the tree has been cut in half with the digging of the trench, it is felt that the tree will become unstable over time.

Kylee's time had expired and as she was going back to her seat, Mike Maloney of Highland, offered to ask the balance of her questions. Rather than have Mr. Maloney asked the questions, the Council agreed to let Kylee continue. She then asked about what is going to happen to street. Is the street going to be closed to traffic? Will local traffic still be able to travel down the street? Will the school bus be able to use the street? Is construction going to start at the north end of the street or the south end of the street? How long will this project take and when is it going to begin?



those trees down in my yard, I'd expect somebody to at least tell me. How many homes are affected? He was advised 35 homes by the Town Engineer.

Colleen Degen, Highland, said she received the letter but it arrived six (6) days before the project was to start. I hope, I'm a reasonable person and like several have said, I am thankful to hear more of the project background today. But I just want to know for us and then for future people like us, if a project is planned that affects the resale value of our property or affects the way the street looks, how is the Town going to notify the residents? Do the residents have to come to every Town Council meeting until it comes up that its gonna affect our house or is there a way that you guys as a Council can figure it out? Should we have to come here to be represented or can something be sent out? If there's something happening in the Town that affects people's private property, can you let them know ahead of time. Let the home owner know that in a week or month there's a Council meeting that will affect your private property. Let know more than six (6) days in advance that a sixty (60) year old tree is going to be cut down. I don't think my neighbors would have been this up in arms if they were told back in December versus six (6) days ago. April would have probably worked just as well. She thanked the Council members who responded to her email. She continued, I knew about the water main but I didn't know about the trees. I know the project is going forward but I would hope going forward there is better communication as we voted you in.

Councilor Scheeringa said he tried to get all of the information before responding to the emails as this project was planned well before he took office but he tried to email everyone back. I think someone said it best. I think we can learn from this. The project is necessary. I think that's blatantly obvious but we can learn from this. Can we try to have better communication in the future? I think that's something we can all work on together. I understand what you guys are saying but this is just something that is a necessity. I know they tried to inform everybody. Some people heard, some people didn't so we need to find where's the disconnect. We've got to learn from this.

Councilor Smith said she would like to thank everyone who came out tonight and voiced their concerns. She said the Council was definitely not trying not to listen to anyone. I know that I work for you, so I appreciate you coming out this evening and voicing your concerns and there is definitely room to communicate better. I think we did communicate but not to the level where we should have based upon everyone's comments. That is something we'll have to look at. I appreciate all of you. Thank you.

Councilor Schocke said he tried to email everyone back. He said he replied to most but I think Mrs. Degen that I didn't get back to you, so I apologize. Everyone's comments are duly noted.

The Town Engineer went into more detail regarding the project and how communications will be handled. When the residents have to be notified, like when their water service will be impacted, a letter will be placed on their front door. The water main project will start first as mentioned by the Public Works Director. We'll have notifications and will be putting letters on your front door. The first part of this project will start at Ridgewood and Parkway and moves south. When the

contractor does the initial connection, the resident's water will be shut-off. The water will be off for several hours. We will notify the residents in advance of that date. The same procedure will be followed when the new water line is connected to your residence. Again, a notice will be posted on the residence front door. If your home, we'll hand deliver it and if you're not home, we'll tape it to your front door. The same will happen when they perform the concrete work on your drive apron. It takes time to remove the old concrete, frame and form in preparation for the new concrete and once formed, the new concrete takes time to cure. The process will take two (2) to 2-1/2 weeks. During those times, we ask the residents not to use their drive apron. Someone asked the Town Engineer if the weather, particularly the cold, will affect the curing of the concrete as he said the project won't be finished till right around Thanksgiving. The Town Engineer said there are ways to protect the concrete, even using heated blankets or the contractor can do cold weather concreting. The contractor is under contract to have the road substantially complete. What does that mean? That means the contractor has to have the water main installed and in service. All the residents need to be hooked up to the main. All the concrete works (curbs, gutters, sidewalk and drive aprons) has to be completed and new storm sewer manholes installed. Weather permitting the grass and trees will be planted. If the weather doesn't cooperate, the grass and trees will be planted in the spring. A reminder that most of the work will be done on the east side of the street. Once the concrete work is done, then the contractor will work on the road. Again, the residents will be notified that they cannot use the street while the street is being paved. Also, when we are running the water main under your driveway, we will ask the residents not to use their driveway. It will only be for a short duration. However, if a resident should have an emergency and have to use their driveway during one of those periods, talk to one of crews on site or myself or one of my representatives and we'll get you out. We do ask for the residence patience and understanding. The contract calls for the contractor to work six (6) days a week, from 7:00 o'clock a.m. to 5 o'clock p.m.

Larry Kondrat, Highland, said the project has been in the works for well over a year. I think the former County Councilman gave \$250,000 to the project to install new fire hydrants. I think the people understand that the current pipe is four (4) inches and made out of transite. Transite was used during and after the war when material was hard to get and is made of concrete and asbestos. The material is fine as long as the pipe doesn't suffer a structural failure. Tree roots on top of a transite pipe is a problem. The new water main is eight (8) inches in diameter and made from ductile iron. Also, during excavation when replacing the water main, the contractor should be looking for lead lines. These water mains were put in the late fifties and early sixties. There is a strong possibility that during construction, the contractor will come across a lead line. This project will increase fire protection with a new fire hydrant in the middle of the block, increased circulation which will help all of the neighborhood and increased water pressure for the residents on the street.

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 **August 30, 2023 through September 12, 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 August 30, 2023 to September 12, 2023 in the amount of **\$1,072,073.59.**

**General Fund, \$384,870.79; MVH Fund, \$15,947.58; LAW Enforcement Continuing Education, Training and Supply Fund, \$634.26; Information and Communications Technology Fund, \$12,239.33; LR&S, \$255,328.64; MCCD, \$35,980.50; Public Safety Income Tax, \$146,389.00; Community Crossing Grant, \$702.50; Insurance Premium, \$219,980.99.**

Payroll Docket for payday of September 8, 2023 by fund:

General, \$318,985.31

Payroll Docket for payday of September 8, 2023:

Office of Clerk-Treasurer, \$16,371.30; Building and Inspection Department, \$10,283.26; Metropolitan Police Department, \$163,007.96; Public Works Department (Agency), \$76,076.69; Fire Department, \$1772.00 and Information and Technology Department, \$4,009.55; Total Payroll: \$271,520.76.

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, September 11, 2023, adjourned at 8:10 O'clock p.m.

Mark Herak  
Clerk-Treasurer

Approved by the Town Council at its meeting of September 25, 2023.