

**Enrolled Minutes of the One Hundred-Third Regular Meeting or Special Meeting  
For the Twenty-Ninth Highland Town Council Regular Plenary  
Business Meeting (Electronic/In person Hybrid) Monday, October 9, 2023**

The Twenty-Ninth Town Council of the Town of Highland, Lake County, Indiana met in its regular plenary session on Monday, October 9, 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 Tom Black 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; Metropolitan Police Chief Ralph Potesta; John Reed, Attorney with Abrahamson, Reed & Bils; Kenneth J. Mika, Building Commissioner; Redevelopment Director Maria Becerra; Mike Pipta, Fire Chief and Ed Dabrowski, Director of Information Technology were present. Mark Knesek, Public Works Director was remote.

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

**Minutes of the Previous Meetings:** The minutes of the September 25, 2023 Plenary meeting were approved by general consent.

**Special Orders:**

1. **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 \$25,000.00, the **Special Events Fund** in the amount of \$5,000,

(a) Attorney verification of Proofs of Publication: The TIMES 25 September 2023.



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

I, Stefan Edward Pla, 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:**  
Sep. 25, 2023

**Notice ID:** SsakVstm4SSonLYPuz5E  
**Publisher ID:** 46309  
**Notice Name:** Redevelopment Capital Fund and special events

**PUBLICATION FEE:** \$41.34

*Stefan Pla*

Agent \_\_\_\_\_

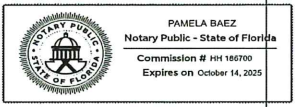
**VERIFICATION**  
State of Florida  
County of Orange

Signed or attested before me on this: 09/25/2023

*[Signature]*

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 to 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 9th day of October 2023, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

<b>Special Events Fund</b>	
Acct. 2505-0000-20003 Misc. Supplies	\$ 200.00
<b>Total 200 Series:</b>	<b>\$ 200.00</b>
Acct. 2505-0000-33012 Printing & Promotion	\$ 500.00
Acct. 2505-0000-37002 SPC Events Est/Lease/Rental	\$ 700.00
Acct. 2505-0000-38006 SPC Events Sanitation	\$1,250.00
Acct. 2505-0000-38601 Sales Tax - CEC Rentals	\$ 650.00
Acct. 2505-0000-38608 Parades	\$1,500.00
<b>Total 300 Series:</b>	<b>\$ 4,800</b>
<b>TOTAL for the FUND:</b>	<b>\$ 5,000</b>
<b>Redevelopment Capital Fund</b>	
Acct. 4406-0000-31019 Redev Cap Landscape Services	\$25,000.00
<b>Total 300 Series:</b>	<b>\$25,000.00</b>
<b>TOTAL for the FUND:</b>	<b>\$25,000.00</b>

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

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

TOWN COUNCIL of HIGHLAND Tom Black, President  
 9/25 - 46309 HSPAXLP

- (b) **Public Hearing.** Larry Kondrat, Highland, asked why the \$5,000 was requested by the HCCE?

The Clerk-Treasurer explained there are still outstanding invoices from the BBQ in the amount of \$3,700. The balance of the \$5,000 or roughly \$1,736 is to cover expenses for upcoming events such as trunk or treat and the Santa march.

Mr. Kondrat asked if the BBQ Fest made money?

The Clerk-Treasurer said it lost roughly \$4,100 over the two (2) day event.

Mr. Kondrat said if the HCCE wasn't refunding people's money, the HCCE wouldn't have to ask for an additional. They refunded the check for \$200, which was a donation for a sponsorship and then refunded the money.

Councilor Black told Mr. Kondrat that he needed to take that up with the treasurer of the HCCE.

Mr. Kondrat asked the Clerk-Treasurer how much money was made at the 4th of July?

The Clerk-Treasurer said \$41,000.

Larry Kondrat then said one made \$41,000 and the other lost \$4,100, so what changed?

Councilor Black said it had to do with the management. He believed that the next Council will address the management issue of the HCCE.

Mr. Kondrat then asked wasn't there money raised for a charity when the Town Attorney specifically said that the Town should not be involved in raising money for a charity? The Attorney said it is fine if the individual vendors want to raise money for a charity but the Town shouldn't be a part of it. I'm wondering what happened to the money? Did we ever get to the bottom of what happened to the money? He asked the Clerk-Treasurer if he handled the money? He added that he was very confused.

The Clerk-Treasurer said he only received the money collected by HCCE from the HCCE president.

Sandy McKnight, Vice-President of the HCCE said the money collected separately for the charity but was given to the Clerk-Treasurer the Monday after the event by the President of the HCCE.

(c) Action on **Proposed Appropriation Enactment No. 2023-24: An Enactment Appropriating Additional Moneys in Excess of the Annual Budget for the Redevelopment Capital Fund, the Special Events Fund**, all pursuant to I.C. 6-1.1-18, and I.C. 36-5-3-5

Councilor Schocke introduced and moved for the consideration of Appropriation Enactment No. 2023-24 at the same meeting of its introduction. Councilor Scheeringa 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 Schocke moved for the passage adoption of Appropriation Enactment No. 2023-24 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) 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. 2023-24

AN ENACTMENT APPROPRIATING ADDITIONAL MONIES IN EXCESS OF THE ANNUAL BUDGET for the SPECIAL EVENTS FUND AND 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 **Special Events Fund and Redevelopment Capital Fund**,

WHEREAS, It has been determined that such additional appropriations as may be approved by this enactment, will not increase the levies set under I.C. 6-1.1-17, all pursuant to I.C. 36-5-3-5;

NOW, THEREFORE BE IT ENACTED by the Town Council of the Town of Highland, Lake County, Indiana, as follows:

**Section 1.** That for the expenses of said municipality, the following additional sums of money are hereby appropriated and ordered set apart out of the **Special Events Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

SPECIAL EVENTS FUND	
Acct. 2505-0000-20003 Misc. Supplies	\$ 200.00
<b>Total 200 Series:</b>	<b>\$ 200.00</b>
Acct. 2505-0000-33012 Printing & Promotion	\$ 500.00
Acct. 2505-0000-37002 SPC Events Eqt/Lease /Rental	\$ 700.00
Acct. 2505-0000-38006 SPC Events Sanitation	\$1,250.00
Acct. 2505-0000-38601 Sales Tax – CEC Rentals	\$ 850.00
Acct. 2505-0000-38608 Parades	\$1,500.00
<b>Total 300 Series:</b>	<b>\$ 4,800</b>
<b>TOTAL for the FUND:</b>	<b><u>\$ 5,000</u></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 Capital Fund** herein named and for the purposes herein specified, subject to the laws governing the same:

Redevelopment Capital Fund

Acct. 4406-0000-31019 Redev Cap Landscape Services	\$ 25,000.00
<b>Total 300 Series:</b>	<b>\$ 25,000.00</b>

**TOTAL for the FUND:** **\$25,000.00**

**Section 3.** 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 4.** 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 9<sup>th</sup> day of October 2023. Consideration on same day or at same meeting of introduction sustained a vote of 5 in favor and 0 opposed, pursuant to IC 36-5-2-9.8.

DULY ORDAINED AND ADOPTED this 9<sup>th</sup> Day of October 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)

- 2. Advisory Board of Zoning Appeals Docket:** Petition for a **Use Variance** for property located at 9717 Spring Street, **Highland**, to allow the petitioner (Ann Coglianse), for

the purpose of allowing the petitioner to operate a TAEKWONDO instructional studio from this location. This is not a listed, permitted use in this zoned district. The property is currently located within an I-1 Light Industrial District. *(The petition supports the variance)*

The Advisory Board of Zoning Appeals met in regular session on Wednesday, August 23, 2023. As part of their agenda, by a vote of five (5) in favor and (0) opposed, acted to send a **favorable recommendation of the request for a use variance** for the property to the Town Council. The ABZA acted at its meeting of 23 August 2023. The findings of fact were memorialized and approved by the board in written form at its meeting of 27 September 2023. *(90 days ends 26 December 2023)*.

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

*(A) Opportunity for Comment.*

Prior to hearing comments from the petitioner, Councilor Black asked Building Commissioner Ken Mika if there was anything he would like to add. He said the Clerk-Treasurer has pretty much covered it. He said this process started back in July. There were some concerns raised earlier by the Board of Zoning Appeals. Since then, the owner of the building has corrected those issues. For example, providing adequate parking and lighting, asphaltting and striping the parking lot. The BZA had requested a cross access agreement from Spring Street, all the way back to the back to the property to facilitate if the need arises for additional parking in the future. The petitioner is looking for a use variance in a light industrial area that doesn't permit this particular use. There's one remaining issue that would involve change in occupancy type which involves hiring a design professional or architect and filing with the plan with the State.

The petitioner, Ann Coglainsec, said this building be absolutely phenomenal. She thanked the Council for this opportunity. She personally thanked the owner of the building Terry Krooswyk, the real estate agent, George Georgeff and Lance Ryskamp for the Highland/Griffith Chamber. She went on to say that besides this amazing team already behind me, there were people that introduced me to the facility and I wanted to thank them publicly. She said Susan Rae of the Town is an absolute rock star. She sat me down and told me exactly what I needed to do. I hired Nancy from Torringa Engineering to file the paperwork. I've worked hand in hand with her and now with Nick, who is the architect who is doing the drawings. I'm been keeping Mr. Mika up to date with everything and we just hired Mickey Tobin from Tobin Construction to refurbish the bathrooms. We still have work to do to bring the building up to ADA compliance.

*(B) Action on the Recommendation.* Councilor Zemen moved to accept the recommendation of the Advisory Board of Zoning Appeals and grant the use

variance, incorporating in his motion the Findings of Fact. Councilor Schocke seconded.

Discussion: Councilor Scheeringa began by saying this is awesome to see all these people supporting the Town of Highland. I've already reached out to Anne to work with my wife's Girl Scout Troop for a girl's self-defense class as a friend of my daughter was touched inappropriately and it was the first thing we thought was to reach out to Anne. My wife is already excited about it and I'm super excited that you're here in Highland and the way you support the community and the young women in the Town as well. Anne said we usually do five (5) of those type of classes a year, whether it is fully prevention or advanced personal defense.

Councilor Zemen said he was impressed by all of your support. He asked her if she really thought the Council would vote no. He then asked those in the room who are taking martial arts to stand up. He said it is so neat to see children taking martial arts versus sitting home and playing video games.

Hearing no more discussion, Councilor Black called for the question. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The use variance was granted.

**Comments from the Public or Visitors:**

Larry Kondrat, Highland asked Councilor Black what's the Delta Group?

Councilor Black said the Delta Group is the lead agency in the tree grant program. They are a part of our tree grant program and the Town has been asked to sign a Memorandum of Understanding to apply for an in-kind matching grant.

Larry Kondrat asked what kind of agreement is it that they are asking the Town to enter into as all that he saw was a hold harmless agreement on the part of both parties. He continued that you are preparing to partner with these people but he didn't see the partnership details.

Councilor Black answered that the Town as asked to enter into a Memorandum of Understanding with the Delta Group but the Council is still discussing the points of the memorandum of understanding. He added, its not on the agenda.

Mr. Kondrat said it is on my agenda.

The Clerk-Treasurer apologized to the Council and said it was his fault as he added it to the agenda.

Mr. Kondrat then asked about the combining of two (2) redevelopment allocation areas. He was asking the Council to delay action on combining the allocation zone and let the public decide. You guys are gonna look into combining the redevelopment allocation areas from the commercial corridors, also to the downtown allocation area. Is that what



I'm understanding? I think that I'm gonna ask you guys to table this and let the public decide. There hasn't been any public discussion. It was 1<sup>st</sup> brought up at last week's Town Council Study session. There are no plans on how the money is to be allocated. There's talk of something going into Ultra and talk about a hospital or a surgical center and a developer who bought theater property.

Councilor Black reminded Mr. Kondrat that combining the allocation area doesn't reset the clock on these allocation areas. It just combines the resources so that the funds can be leveraged for other projects like Ultra or any large scale project that would require Town participation.

Mr. Kondrat said like other large scale projects like the farm. The farm property is in an allocation area and then it was declared in a Tiff district by former Councilor Sheeman when he was liaison to the Redevelopment Commission. He made the farm property a Tiff area.

Councilor Black said there's nothing happening on that site right now and it may not even go. It is a Tiff district within the allocation area.

Mr. Kondrat said that is his point for not taking up this matter tonight. I don't see of any projects being presented so what is the purpose of combining allocation areas. Mr. Botich said at an earlier meeting that roughly \$28,000 is collected annually from the allocation areas. Yet, at the Redevelopment Commission or at the study session last week, the talk was about adding an additional \$700,000 to the redevelopment area through increase property tax collections.

Dan Botich of SEH, said the amount of money generated in the TIFF areas does not change at all. It just goes into one pot. You have a bigger pot to do multiple projects without having the boundaries of separate allocation areas.

Larry asked if the Redevelopment doesn't start spending this money or have a discernable reason to collect the money, the state can get involved and ask the reason to have an allocation and collecting funds but have no projects. This happened a few years ago and the Redevelopment Commission had to hurry up and get a project started.



# 2023 Ethics Summit

**Ethics Panel**

Moderator: Courtney C. Smith, SEAC President

Panel:

- Brian Snedecor, Mayor, City of Hobart
- Leigh Morris, Former Mayor, City of LaPorte
- Dan Klein, Former Mayor, City of Crown Point
- Alfredo Estrada, Partner at Burke Costanza & Carberry LLP

**EVENT OPEN TO THE PUBLIC**

Pre-Register Online at  
[sharedethics.com](https://sharedethics.com)

Please RSVP: By Friday, Oct 13  
Free Event Registration required!

**TUESDAY,  
OCTOBER 24, 2023**

8:00 a.m. Registration / Breakfast  
8:30 a.m. Presentation

**AVALON MANOR**  
3555 U.S. 30  
Merrillville, Indiana

Supported by:  
**THE TIMES** | **nwi.com**  
MEDIA COMPANY

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

Building Report September, 2023

PERMIT TYPE	#	Res.	Comm.	Est. Cost	Fee Collected
Commercial Buildings	0			\$ -	\$ -
Comm. Additions/Remodel	5		5	\$ 199,111.00	\$ 3,703.50
Signs	0				
Single Family	0				
Duplex/Condo	0				
Residential Additions	1	1		\$ 29,864.00	\$ 730.50
Residential Remodeling	67	67		\$ 883,573.00	\$ 18,666.00
Concrete/Asphalt/Flatwork	8	8		\$ 64,090.00	\$ 1,783.50
Garages	0				
Sheds	1	1		\$ 3,000.00	\$ 141.00
Decks & Porches	7	7		\$ 24,046.00	\$ 1,896.00
Fences	20	20		\$ 92,700.00	\$ 3,513.00
Above/In ground pools	1	1			\$ 54.00
Drain Tile/Waterproofing	2	2		\$ 31,854.00	\$ 727.50
Misc: Demo (1); Road Cuts (2)	3	3			\$ 405.00
<b>Total Building Permits</b>	<b>115</b>	<b>110</b>	<b>5</b>	<b>\$ 1,328,238.00</b>	<b>\$ 31,620.00</b>
<b>Electrical Permits</b>	<b>9</b>	<b>8</b>	<b>1</b>	<b>\$ -</b>	<b>\$ 937.00</b>
<b>Mechanical Permits</b>	<b>13</b>	<b>12</b>	<b>1</b>	<b>\$ -</b>	<b>\$ 1,504.00</b>
<b>Plumbing Permits</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>\$ -</b>	<b>\$ 1,095.85</b>
Water Meters	0			\$ -	\$ -
Water taps	0			\$ -	\$ -
Sewer/Storm Taps	0			\$ -	\$ -
<b>Total Plumbing Permits</b>	<b>7</b>	<b>7</b>	<b>0</b>	<b>\$ -</b>	<b>\$ 1,095.85</b>

September 2023 Code Enforcement: 110 Investigations and 2 Citations were issued & 74 Warnings were given. Inspections done for the month of September 2023 were as follows: 23 Building Inspections, 18 Plumbing Inspections, 28 HVAC and 18 Electrical Inspections. There were no Electrical Exams given.

Submitted By:

  
 Kenneth J. Mika

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

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

RO = Record Only

DEPT	2023		2022	2023		RESTRICTED	LOST DAYS
	INJURIES	YEAR TO		RESTRICTED	LOST DAYS		
	THIS MONTH	DATE		DAYS THIS YEAR	THIS YEAR		
PARK & REC			3	8	127		25
FIRE		1					
POLICE		5	7	80	66		67
STREET			1				44
WATER							
SEWER		1	1				
MAINTENANCE			5				77
OTHER							
<b>TOTALS</b>	<b>0</b>	<b>7</b>	<b>17</b>	<b>88</b>	<b>193</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. **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.*

4. **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.*

5. **Town Representative to the Lake County Public Safety Communications Commission.** *Pursuant to Lake County Ordinance No. 1362A-2, the Town of Highland is a Group A municipality, so the appointment is an Executive appointment. Term expires 12.31.2024 and terms are four years. (Currently vacant with the passing of Fire Chief William R. Timmer, Jr., CFOD)*

The Town Council President announced his appointment of Mike Pipta, Highland Fire Chief to fill the unexpired term of the late William R. Timmer, Jr. CFOD.



# TOWN OF HIGHLAND

Highland Municipal Building • 3333 Ridge Road  
Highland, Indiana 46322  
219-838-1080 • Fax 219-972-5097



Population 23,696  
Incorporated in 1910

STATE OF INDIANA )  
 ) SS:  
COUNTY OF LAKE )

### CERTIFICATE OF MUNICIPAL EXECUTIVE APPOINTMENT

TO THE LAKE COUNTY PUBLIC SAFETY COMMUNICATIONS COMMISSION  
LAKE COUNTY, STATE OF INDIANA

This is to certify that I, Tom Black, as the duly elected and acting Town Council President and Municipal Executive in accordance with Section 31.302 of the Lake County Code of Ordinances, as amended by Lake County Ordinance No. 1362A-2, did on the 9th day of October 2023, in the Town of Highland in said County and State, in which it is set forth and declared that:

**Mike Pipta**  
Chief of the Fire Department

- O 2901 Highway Avenue, Highland, Indiana 46322
- II 3225 Glenwood Avenue
- B Mobile 219-545-8219

was duly appointed to the Lake County Public Safety Communications Commission in and for said County, for a term, commencing on August 14, 2023, extending to and concluding on December 31, 2024.

It is certified that this appointee is presently a duly serving, qualified and acting Chief of the Fire Department for the Town of Highland, Lake County, Indiana.

I have hereunto set my hand and caused the seal of the municipal corporation to be affixed, this 9th day of October 2023.

\_\_\_\_\_  
TOM BLACK, TOWN COUNCIL PRESIDENT

Attest:

\_\_\_\_\_  
Mark Herak  
Highland Town Clerk-Treasurer

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## TOWN OF HIGHLAND

Highland Municipal Building • 3333 Ridge Road

Highland, Indiana 46322

219-838-1080 • Fax 219-972-5097



Population 23,696

Incorporated in 1910

Monday, October 9, 2023

Mike Pipta  
Chief of the Fire Department  
2901 Highway Avenue  
Highland, Indiana 46322

Re: Notification of Appointment as a Member of the Lake County Public Safety Communications Commission.

Dear Chief Pipta:

As clerk of the legislative body, I am writing in order to inform you officially that pursuant to Section 31.302 of the Lake County Code of Ordinances as amended by Lake County Ordinance No. 1362A-2, the Town Council President, Roger Sheeman, re-appointed you to serve as a member of the Lake County Public Safety Communications Commission.

The appointment is for a term *effective from the end of your current appointment, running to and concluding on December 31, 2024*. You will be eligible for reappointment at the end of this term, which is for four years.

On behalf of the Council President, Council Members, and myself, please accept our congratulations and appreciation for your continuing willingness to serve this community in this way. Once signed by President, I will transmit to you your certificate of appointment.

If you have any questions as you begin, please feel free to contact this office or the administrative offices of the Lake County Public Safety Communications Commission at 755-3034.

Again, please accept our best wishes.

Sincerely,

Mark Herak  
Clerk-Treasurer



## TOWN OF HIGHLAND

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Highland, Indiana 46322  
219-838-1080 • Fax 219-972-5097



Population 23,696  
Incorporated in 1910

Monday, October 9, 2023

Mr. Mark Swiderski  
Executive Director  
Lake County Public Safety Communications Commission  
2293 N. Main Street, 309-A  
Crown Point, Indiana 46207

Re: **Transmittal of Certificate of Municipal Executive Appointment.**

Dear Mr. Swiderski:

I hope this letter arrives to find you well. As clerk of the legislative body, I am writing in order to officially inform you that Roger Sheeman, as Town Council President and Municipal Executive, did announce, at the Town Council meeting of Monday, October 9, 2023, the appointment of Mike Pipta, the Highland Chief of the Fire Department to fill the unexpired term of William R. Timmer, Jr., CFOD to serve as a member of the Lake County Public Safety Communications Commission.

Please note the following additional information:

**Mike Pipta**  
Chief of the Fire Department

O 2901 Highway Avenue, Highland, Indiana 46322  
H 3225 Glenwood Avenue  
B Mobile 545-8219

Thank you, Mr. Mark Swiderski as always, for your professional and commendable work.

Sincerely,

Mark Herak,  
Clerk-Treasurer

Enclosure: (1) Certificate of Appointment Mike Pipta

Printed on 50% recycled paper.

### *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:** None

**New Business:**

- 1. Works Board Order 2023-33:** Approving and Authorizing the Purchase of Certain Public Safety Communications Equipment, as Identified by the Metropolitan Police Chief, from Motorola Solutions, Inc., 500 West Monroe, Chicago, Illinois and finding it to be a Special Purchase pursuant to IC 5-22-10 and Chapter 3.05.065 (I) of the Municipal Code

Councilor Zemen moved the passage and adoption of Works Board No. 2023-33. Councilor Smith seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The order was adopted pending the signature of the Chief Executive.

Town of Highland  
Board of Works  
Order of the Works Board 2023-33

An Order Approving and Authorizing the Metropolitan Police Chief to Purchase from Motorola Solutions Inc, 500 West Monroe Chicago, IL in-car cameras with accessories, and finding it a Special Purchase pursuant to I.C. 5-22-10 and Section 3.05.060(D)(2) and Section 3.05.065 of the Highland Municipal Code.

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

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

**Whereas,** The Metropolitan Police Chief has identified Motorola Solutions Inc. of Chicago, IL to be a desirable source vendor for the purchase of two (2) in-car cameras with accessories at a price of \$19,991.40

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

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

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

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

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

**Whereas,** The purchase of the two (2) in-car cameras and accessories will be supported by appropriations in the LOIT Fund ;

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

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

**Section 1:** That the Works Board hereby authorizes and approves the purchase as from Motorola Solutions Inc. 500 West Monroe , Chicago, IL, for the purchase of two (2) in-car cameras plus accessories as set forth in the invoices, which is attached as an exhibit to and made a part of this order in the amount of \$19,991.40;

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

- (A) That Motorola Solutions Inc., 500 West Monroe Chicago IL a sole source to meet the police departments reasonable requirements for this purchase; and,
- (B) That for this purchase, the compatibility of equipment, accessories or replacement parts is a substantial consideration; and,

(C) That the foregoing rational, this purchase qualifies as a special purchase pursuant to IC5-22-10 et seq. and HMC Section 3.05.065 (I)

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

**Be It So Ordered.**

**DULY, PASSED, ADOPTED AND ORDERED** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 9th day of October, 2023 having passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL OF THE TOWN OF  
HIGHLAND, INDIANA**

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

Attest:

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



QUOTE-2338305

430,39

Billing Address:  
 HIGHLAND POLICE DEPT  
 3333 RIDGE RD  
 HIGHLAND, IN 46322  
 US

Quote Date:09/19/2023  
 Expiration Date:12/18/2023  
 Quote Created By:  
 Summer Schafer  
 Summer.Schafer@  
 motorolasolutions.com  
 End Customer:  
 HIGHLAND POLICE DEPT

**Summary:**

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at [www.motorolasolutions.com/product-terms](http://www.motorolasolutions.com/product-terms).

Line #	Item Number	Description	Qty	Term	Ext. Sale Price
M500					
1	WGW00502	M500 EXTENDED WARRANTY	2	5 YEAR	\$2,430.40
2	WGP02225-130-KIT2	BRKTARE DISP/VISTA/CAMVR POST 2020+EXPL	2		Included
3	WGB-0189A	MTIK CONF KIT,802.11AC,M500POE,5GHZANT	2		\$656.00
4	WGB-0703A	M500 ICV SYSTEM, V300 WIFI DOCK, SPS	2		\$12,030.00
VideoManager EL & EX: Video Evidence Management					
5	WGP02400-510	VIDEOMANAGER EL, 4RE/M500 ANNUAL DEVICE LICENSE & SUPPORT FEE	5	5 YEAR	\$4,875.00
<b>Grand Total</b>					<b>\$19,991.40(USD)</b>



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.  
 Motorola Solutions, Inc.; 500 West Morevue, United States - 60661 - #\_36-1115800

2. Resolution No. 2023-25: A Resolution Approving Highland Plan Commission Resolution 2023-01 as its determination that Highland Redevelopment Commission Resolution No. 2023-15 (i) conforms to the Plan of Development for the Town of Highland and (ii) approves said Resolution and the Redevelopment Plan for the Highland Consolidated Redevelopment Area.

Dan Botich of SEH, said the resolution before the Council is basically approving the Highland Plan Commission Resolution 2023-01, which was a confirming Resolution 2023-15 passed by the Highland Redevelopment Commission conforms to the plan of development for the Town of Highland, Lake County, Indiana and secondly approves the redevelopment plan for the Highland Consolidated Redevelopment area. He said if Resolution 2023-25 passes the Council this evening, it then goes back to the Redevelopment Commission for a confirmatory resolution. He said that by statute,

the plan commissions action is sent to the Council as an action approving the consolidation of the Highland Consolidated Redevelopment area and the redevelopment plan for the Town of Highland. It's a consolidation of the two (2) plans. What has gone before the Commission is the consolidation of the plans which were previously approved by the Plan Commission and by the Town Council as individual documents. Now they're being consolidated into one. The Redevelopment Commission has not made any amendments to either one of those plans. It has not made any changes or added any land acquisition so the plans remain consistent which what was originally adopted. By statute, it's required that the Plan Commission take action once an amending declaratory resolution is presented and approved by the Redevelopment Commission. It must go to the Plan Commission to assure that there is compliance with the comprehensive plan. The Plan Commission, as the Advisory Commission, has found it to be in compliance with the official adopted plan and is now sending it to Council. It is not a function of an allocation area or a provision of any tax increment financing, it is just consolidating of two (2) of the redevelopment areas into one (1) plan. Assuming that approval would occurs tonight, the intent is to have the two (2) plans would become one plan, the Highland Consolidated Redevelopment Area and then the next step would be a public hearing would be scheduled for the next Redevelopment Commission or subsequent Redevelopment Commission, whichever they choose. At that point, a tax impact statement will be sent to all of the overlapping taxing units that would show the tax impact to the units. And then, the Redevelopment Commission would hold a public hearing and consider a confirming resolution. The confirming resolution basically is a resolution that states we have followed the process for approval and declare we had an amending declaratory resolution. It's gone through the Plan Commission. It's gone through the Town Council, as the municipal legislative body. It's had a public hearing. The tax impact statement has been sent out by certified mail to the various overlapping taxing districts and the public has had an opportunity to comment. Everything was done consistent with State Statute but you still have to have a public hearing and release a tax impact statement to the overlapping taxing districts. He said back in 2018, the Commercial Corridor actually added a small piece which is near the farm and an unplotted road.

Councilor Schocke said this is a merger of two (2) areas. So, this is a merger of those 2 areas. He asked Mr. Botich, hypothetically speaking, all of the money in both of these redevelopment districts could be funneled towards one project?

Mr. Botich responded in the affirmative.

Councilor Schocke that is why I'm not going to be supporting this plan.

Mr. Botich said the same question was asked of him at the Plan Commission meeting. As your economic development finance advisor, I would not advise using all the available tax increment on one specific project. If there was a development on that property, it would be project specific, similar to Cardinal Campus. It would be based upon the tax increment generated from that project only and maybe some of the available tax increment would be used to either lower the interest rate or to provide

incentive for an additional development that would either fill a gap or provide for a higher quality or for public improvements but it would be based upon increment from that project.

Councilor Schocke asked Mr. Botich to go over how much money currently exists in the various redevelopment districts.

Mr. Botich said there's like \$5.3MM in the Commercial Corridor Allocation area and another \$800,000, in the Highland Downtown allocation Acres Allocation area, so roughly \$7MM. He reminded Councilor Schocke these changes could not take place technically to next year.

Councilor Zemen moved the passage and adoption of Resolution No. 2023-25. Councilor Black asked three (3) times for a second. Hearing none, Councilor Black declared the motion dead due to a lack of a second.

**TOWN OF HIGHLAND, INDIANA  
RESOLUTION NO. 2023-25**

A RESOLUTION APPROVING HIGHLAND PLAN COMMISSION RESOLUTION 2023-01 AS ITS DETERMINATION THAT HIGHLAND REDEVELOPMENT COMMISSION RESOLUTION NO. 2023-15 (I) CONFORMS TO THE PLAN OF DEVELOPMENT FOR THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA AND (II) APPROVES SAID RESOLUTION AND THE REDEVELOPMENT PLAN FOR THE HIGHLAND CONSOLIDATED REDEVELOPMENT AREA

**WHEREAS**, the Town of Highland, Lake County, Indiana (the "Town") Redevelopment Commission (the "Commission"), governing body of the Town's Department of Redevelopment (the "Department") and the Redevelopment District of the Town (the "District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code ("IC") 36-7-14 titled Redevelopment of Areas Needing Redevelopment Generally; Redevelopment Commissions, *et seq.*, as amended from time to time (the "Act"), IC 36-7-25 titled Additional Powers of Redevelopment Commissions; and the Indiana Administrative Code 50 IAC 8;

**WHEREAS**, on August 22, 2023, the Commission adopted and approved Resolution No. 2023-15 (as the "Consolidating Amending Declaratory Resolution") declaring that the: (i) Highland Redevelopment Area and the Highland Commercial Corridors Redevelopment Area are consolidated and merged, together to be known as the **Highland Consolidated Redevelopment Area**; and (ii) Highland Redevelopment Plan and the Redevelopment Plan for the Highland Commercial Corridors Redevelopment Area are consolidated and merged, together to be known as the **Redevelopment Plan for the Highland Consolidated Redevelopment Area**, such that each redevelopment plan shall remain as originally adopted and approved, as amended from time to time and

together considered as one plan pursuant to this Consolidating Amending Declaratory Resolution.

**WHEREAS**, on August 28, 2023 pursuant to Section 16(a) of the Act, the Commission forwarded and filed with the Highland Plan Commission (the "Plan Commission") said Consolidating Amending Declaratory Resolution including all supporting data for the purpose of its review and determination whether said resolution and the Redevelopment Plan for the Highland Consolidated Redevelopment Area conform to the plan of development for the Town (the Highland Master Plan) as well as to approve said resolution and redevelopment plan;

**WHEREAS**, the Plan Commission during a study session held on September 6, 2023 heard a presentation of the Commission staff and reviewed the Consolidating Amending Declaratory Resolution and the **Redevelopment Plan for the Highland Consolidated Redevelopment Area**, to determine said plan's conformity to the plan of development for the Town (the Highland Master Plan);

**WHEREAS**, pursuant to Section 16(a) the Act the Plan Commission, on September 20, 2023, approved Resolution No. 2023-01 as its determination, written order and finding of fact that the Commission's Resolution No. 2023-15 (i) conforms to the plan of development (the Highland Master Plan) for the Town, and (ii) approved said Commission resolution and the Redevelopment Plan for the Highland Consolidated Redevelopment Area, without modification;

**WHEREAS**, on September 26, 2023 pursuant to Section 16(b) of the Act, the Plan Commission forwarded and filed with the municipal legislative body, being the Common Council of the Town, the Plan Commission's Resolution No. 2023-01, as fully executed and signed, as its determination, written order and finding of fact related and specific to the Commission's Resolution No. 2023-15; and

**WHEREAS**, Section 16(b) the Act requires approval by the municipal legislative body, being the Common Council of the Town, of the Plan Commission's Resolution No. 2023-01 and the action of the Plan Commission as an advisory commission to the Common Council of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, AS FOLLOWS:**

SECTION 1. The actions of the Plan Commission on September 20, 2023 adopting and approving Resolution No. 2023-01 as its determination, written order and finding of fact that the Commission's Resolution No. 2023-15 (i) conforms to the plan of development (the Highland Master Plan) for the Town, and (ii) approved said Commission resolution and the Redevelopment Plan for the Highland Consolidated Redevelopment Area, without modification are in **all**

respects approved, ratified and confirmed by the Common Council as the municipal legislative body pursuant Section 16(b) of the Act.

SECTION 2. The Clerk-Treasurer of the Town is hereby directed to:

- i. File a copy of this resolution and the attached Highland, Indiana Plan Commission's Resolution No. 2023-01 both as fully executed and signed as the permanent minutes of this meeting of the Common Council;
- ii. Forward this resolution as fully executed and signed to the Plan Commission for its files and permanent records; and
- iii. Forward this resolution as fully executed and signed to the Redevelopment Commission for its files and permanent records and its further approval actions pursuant to Sections 17 and 17.5 of the Act.

SECTION 3. This resolution shall be effective, as be in full force and effect, from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by Indiana Code 36-5-2-10(a).

DULY RESOLVED and ADOPTED this 9<sup>th</sup> Day of October 2023 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of in favor and opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

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

3. Approval and instruction. Action to approve and instruct the Town Council President to affix his signature to the Memorandum of Understanding between Delta Institute (Delta) and the Town of Highland.

Councilor Zemen moved to remove the Memorandum of Understanding between Delta Institute and the Town of Highland from the agenda. Councilor Schocke seconded. Upon a roll call vote, there were five affirmatives and no negatives. The Memorandum of Understanding was removed from the agenda.





#### MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into as of this 24th day of September 2023 between Delta Institute (Delta), and the Town of Highland IN (THI). The purpose of this document is to outline team tasks and deliverables.

##### 1. Services Description

- 1.1 Delta Institute and THI agree to work together in good faith collaboratively to achieve the project goals and deliverables.
- 1.2 Each party is and will remain a separate business entity, and this Agreement is specifically not a partnership and the parties hereby agree each shall bear its own costs and liabilities and shall not look to the other party for recovery of costs or liabilities related to errors or omissions, injury, or unrelated expenses.

##### 2. Termination

Either party may terminate the agreement with 30 day notice by registered return receipt mail. Illinois law will govern this Agreement and any arbitration or court proceedings will take place in Illinois. Neither party has the authority to enter into agreements or assume any obligations on behalf of the other party.

---

William Schleizer  
Chief Executive Officer  
Delta Institute

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Tom Black  
President of Town Council  
Town of Highland Indiana

#### 4. Action to Membership into the Indiana Volunteer Firefighter's Association.

Councilor Scheeringa moved to allow the Highland Fire Department to join the Indiana Volunteer Firefighter's Association and to have the Highland Fire Department Chief to complete the application and to affix his signature and that the annual membership dues for each certified Firefighter to be paid out of the Fire Department's General Fund Budget. Councilor Smith seconded.

Discussion: Councilor Scheeringa said this is a huge benefit to our fire fighters. He said it serves as a little pension for the fire fighters. He said he knows one fire fighter who retired from the Schererville Fire Department who receives roughly \$600 a month. Ken Mika, Building Commissioner and a 40 year member of the Highland Fire Department added that by joining it does apply a \$3,500 death benefit.

Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The order was adopted.

**Please Help By Following These Instructions**  
 (Additional instruction are provided on the back of this page)

Place a check mark in the boxes to the left of this form as you complete each item. <input type="checkbox"/> Fill in the Department information on this form. <input type="checkbox"/> Make address corrections on the computer printout. <input type="checkbox"/> Cross Out members that are not paying dues. (no Magic Marker) <input type="checkbox"/> Complete a new membership form for new members. <input type="checkbox"/> Complete a new membership form for Beneficiary Changes. <input type="checkbox"/> Count <u>accurately</u> the number of members paying dues. <input type="checkbox"/> Calculate the <u>correct</u> \$ amount due at the bottom of this form. <input type="checkbox"/> Return this form with your payment. (we can not process without payment) <input type="checkbox"/> Return the corrected copies of the computer print out. <input type="checkbox"/> Return the <b>Original</b> copy of the membership forms. <input type="checkbox"/> Include a Check payable to the IVFA for <b>membership dues only</b> . <input type="checkbox"/> Return all paperwork to the IVFA Office.	<div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">2023</div> <div style="font-size: 0.8em; border: 1px solid black; padding: 2px; display: inline-block;">Late After 7/31/2023</div>
IVFA Department # _____ Fire Dept E-Mail Address _____ Fire Department Name _____ Fire Department <b>Mailing</b> Address _____ City _____ Zip _____ County _____ Township _____	
Fire Department <b>Physical</b> Address (if Different From Above) _____ City _____ Zip _____ County _____ Township _____ Fire Dept Office Phone _____ Meeting Day _____ Time _____ Type of Department: <input type="checkbox"/> Volunteer <input type="checkbox"/> Combination <input type="checkbox"/> Career    Number of Volunteers _____ Number of Paid _____	
Chief's Name _____ Home Phone Number _____ Cell Phone _____ Secretary's Name _____ Home Phone Number _____ Cell Phone _____ Treasurer's Name _____ Home Phone Number _____ Cell Phone _____	

Department is paying dues for the following:

_____ Number of Active Members		\$20.00 Each = _____
_____ Number of Associate Member		\$25.00 Each = _____
_____ Individual Member (NOT A MEMBER OF A FIRE DEPT)		\$20.00 Each = _____
_____ Number of IVFA Past Presidents		No Charge
_____ Number of <b>Active</b> Military Leave		No Charge
_____ Number of Life (50 Years of Fire Service)		No Charge

Amount Due (Payable to IVFA) \$ \_\_\_\_\_

Date Completed \_\_\_\_\_ Completed By \_\_\_\_\_

**PAYMENT WILL BE RETURNED UNLESS THIS ORIGINAL, COLORED FORM AND CORRECTED MEMBERSHIP ROSTER ARE FORWARDED WITH PAYMENT PLEASE SEE OTHER SIDE FOR ADDITIONAL INFORMATION**

5. **Transfer Resolution No. 2023-26:** An Exigent Resolution Providing For The Transfer Of Appropriation and Cash Balances From and Among Major Budget Classifications In the CEDIT Econ. Dev. Income Tax Fund and the Redevelopment General 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 Smith moved the passage and adoption of Appropriation and Cash Balances Transfer Resolution 2023-26. Councilor Schocke seconded. Upon a roll call vote, there were five (5) affirmatives and no negatives. The motion passed. The order was adopted pending the signature of the Town Executive.

TOWN OF HIGHLAND  
APPROPRIATION and Cash TRANSFER RESOLUTION  
RESOLUTION NO. 2023-26

AN EXIGENT RESOLUTION PROVIDING for the TRANSFER of APPROPRIATION and CASH BALANCES from and AMONG MAJOR BUDGET CLASSIFICATIONS to the REDEVELOPMENT CAPITAL 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 to the **Redevelopment Capital Fund**;

**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 **Redevelopment General 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:

REDEVELOPMENT GENERAL FUND

**REDEVELOPMENT GENERAL Fund**

Reduce Account: #2216-0000-330.02 Redev. General Printing \$ 390.00

Reduce Account: #2216-0000-390.03 Redev. Gen. Public Rel. \$1,279.00

*Total 300 Series Reductions* \$1,669.00

**Redevelopment Capital Fund**

Increase Account: #4406-0000-310.07 Redev. Cap. Maint./Repair \$ 390.00

*Total 300 Series Increase* \$390.00

Increase Account: #4406-0000-420.01 Redev. Cap. Wayfinding \$1,279.00  
Total 400 Series Increases \$1,279

**CEDIT ECONOMIC DEVELOPMENT INCOME TAX FUND**

Reduce Account: #4436-0000-471.23 Lighted Street Signs \$3,640.00  
Total 400 Series Reductions \$3,640.00

**Redevelopment Capital Fund**

Increase Account: #4406-0000-310.07 Redev. Cap. Maint./Repair \$3,640.00  
Total 300 Series Increases \$3,640.00

**Total of All Fund Decreases: \$ 5,309.00**  
**Total of All Fund Increases: \$ 5,309.00**

**DULY RESOLVED and ADOPTED** this 9<sup>th</sup> Day of October 2023 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of 5 in favor and 0 opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

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

Attest:

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

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

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

Councilor Zemen began by acknowledging Ken Mika, Building Commissioner who said there was nothing filed before the Plan Commission, so last week's Plan Commission study session was cancelled. As of now, we have nothing scheduled for the Plan Commission's regular meeting and in all probability, it will be cancelled as well.

Councilor Zemen commented that he had one of the donated trees planted on his property. He 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 in two (2) weeks and the only item on the agenda is a variance for a fence. He reported on events within the Building Department including the lighting situation at Marcus Auto Leasing. He said the lighting problems have been 80% straightened out. It's probably a month or so till it is completely resolved. It is going to require some tweaking to the photometric plan. He has been dealing with Hyre Electric on this matter. Currently, the lighting issue affects two (2) houses. He mentioned that he received a construction design permit from the State for the Boutique Hotel that will be built as part of the Cardinal Campus project. The developer is hoping to break ground yet this year.

Councilor Smith then acknowledged Mark Knesek, Public Works Director who said Parkway Avenue water main project is going well. The water main has been completed from Ridgewood to Lincoln Street. It passed the pressure test today and will be chlorinated tomorrow and we will flush the main on Wednesday. They will take samples on Thursday and once that passes, they will begin connecting the service lines. He was anticipating finding a lot of lead service lines as many of those homes are over sixty (60) years but all of the lines on the west side of the street are all copper. They did not find one lead service line. The contractor will directionally bore across the street to the B boxes. On October 16<sup>th</sup>, the contractor is going to directional bore the water main from Ridgewood to Ridge Road. That will require the shutting down of one of the lanes on Ridge Road. Once that is all completed, the contractor will begin work on the storm sewers. He added today was the first day of leaf pick-up. He said they may have picked up six (6) piles of leaves. With the forecast calling for rain on Wednesday, he was thinking that many more leaves will come down. Mr. Knesek then described directional boring. He said directional boring is where a pit is dug on Ridgewood and the contractor pushes a pipe underneath the ground to another pit dug on Ridge Road. Once completed, the neighbors should experience an increase in water pressure.

Councilor Smith concluded reminding people that October is Breast cancer awareness month.

**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 first Halloween Night Ride is this Friday night. The Recreation Staff wanted to try a new event. Currently, there are 120 people signed up. The course will be showing off the solar lighting along the bike trail. He said they do have some groups that are doing some scary scenes along the bike trail. He said they are worried about the weather because as of right now, it is calling for a 90% chance of rain. He thanked the police department for helping out with traffic control along the bike route and we're just worried right now about the weather forecast not looking really good for Friday night. Thanks to the police department and VIPs for helping out with traffic control. The Arts and Crafts Fair at Lincoln Center is this Saturday, with over seventy (70) vendors already signed up, selling Halloween, Thanksgiving and Christmas Arts and Crafts.

Next Saturday, we've got a sold out indoor garage sale in the field house. That'll be the same day as the Council of Community Events trunk or treat at Main Square Park. Project wise, Markley Park playground is complete. All of the borders and safety surfacing is in. The kids are already enjoying that playground as it was finished last week. I reported to the Council about four (4) weeks ago that Nipsco was holding up the playground replacement at Brantwood Park. I still have no answer on whether or not they're gonna approve it or not and for that matter, when they're gonna approve it. I talked to their Public Affairs Office today and she said she would try and call me on my cell phone if she had an answer by the time of this meeting. I haven't received a call. She said if she didn't have an answer by the time of the meeting, she would call me in the morning with what information she did have. In the meantime, the playground equipment is just sitting in storage. The installers have gone on to do projects in other towns and are waiting for us to call them back, hopefully soon. The field house will be closed for 4 days next week, Monday, Tuesday, Wednesday, Thursday so we can refinish the floors. We refinish the floors every three (3) or four (4) years. We are also refinishing the aerobics and dance room floors. In addition, when they're coming out to refinish the floors, the painters are gonna be paint in four (4) pickle ball courts which means we'll now have eight (8) indoor pickle ball courts at Lincoln Center. Staff wise, our secretary will be retiring in January. She's been with us for 18 years. She does so much that it was important to me to hire her replacement before she retires so she can train that person. We are in the hiring process so that gives the new person 2 or 3 months to train. All we did was put it out on Facebook and received one hundred and sixty applications. My brain and my eyes went goofy last week, reading and rereading the one hundred and sixty (160) resumes and applications. We've narrowed it down to twenty (20) and then I had staff rank the top 20. From that list, we called in the top candidates for an interview. We scored the top 10. So, this week I'm interviewing the top 10 candidates and will narrow it down to three (3) and then let the Park Board interview them and make the selection. It is going to be tough shoes to fill as Laura has been here a long time and knows that front office like nobody else.

Councilor Schocke reminded everyone that registration for the Pumpkin Plod has begun. If you register after Friday, the entrance fee goes up. I guess that's good for revenue for the Park & Recreation Department but bad for the consumer.

Councilor Black asked Alex Brown the delay in completing the tennis courts. Alex said he really didn't know the reason why but he had heard it had to do with the subgrade. He understood that they had to tear it all up and redo it.

- **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 Fire Chief Mike Pipta who said the Fire Department Open House last Saturday was very successful. He thanked everyone for stopping by and everything went well. The first annual car show was a huge success with over sixty (60) entries. Of course, they made me pick the winner. The weather was great. It seemed like everybody had a great time that day. When I ran out earlier, we just had a microwave at the Hampton apartments catch fire. It really smelled the place up but no real damage. We've had several calls to Hamptons lately in the last month. We've been there like 4 times.

Councilor Scheeringa reminded everyone that this Fire Prevention month and to change the batteries in their smoke detectors.

Councilor Scheeringa then called upon Chief Potesta. Chief Potesta said the department has been really busy a lot of calls for service but fortunately, nothing major. Since his last report, they've had 0 burglaries in the past 2 weeks; 0 robberies; 0 reported rapes and related offenses and no auto thefts. A lot of little nagging stuff. He did report two (2) DUI's in the past two (2) weeks. He said last Friday, they found at Pilot a credit card skimmer on one of the gas pumps. There were no victims but that scam is still going on. The did take the device into custody. They had three (3) reported drug overdoses in the past two (2) weeks, with one being just an over medication by one of our residents. They got call to a man down in a house. The officers on the scene applied Narcan and transported the individual to the hospital and he survived. He thought heroin was involved. The third was actually one of our officers. He was called to a disturbance at a known drug users house and arrested a female suspect. After leaving the scene, he started to suffer from symptoms of fentanyl exposure. He ended up calling for assistance and the responding officer gave him Narcan and transported him to the hospital. He was fine after a couple of hours. He's back to work. A couple of shopliftings were reported with one being a large amount of alcohol being stolen from one store and about \$600 worth of clothing from another. They had a dine and dash from Texas Corral as a group walked out without paying for a \$77 meal. We currently have no one in custody. We've got leads on all of this but no one is in custody. The stats for September saw twenty-one (21) total arrests. There were 319 traffic tickets issue and 455 warnings issued. The police department handled 779 incidents. There were one hundred (100) calls for service and six (6) accidents and nine (9) DUI arrests. Our Citizens Police Academy is gonna be starting

up again. We got a couple of officers that are gonna be handling the program. The information is on our website. If people are interested, please turn in an application as the information is on the website. He said they have instituted anew traffic pattern at Merkley school as they were concerned about safety of the kids. The residents were complaining because their driveways were always getting blocked. Cars were backing up and down the street and we were afraid that some kids were going to get hit. We got together at the last traffic safety meeting and decided to make the change effective tomorrow. From the hours of 6:30 o'clock a.m. and 3:00 o'clock p.m. and during the school day, 42<sup>nd</sup> street, which is on the north side of Merkley between 5<sup>th</sup> and Erie will be one way, going east bound. The police department is going to place a barricade at the corner of 42<sup>nd</sup> and Fifth each morning to let parents know that you won't be able to travel westbound on 42<sup>nd</sup>.

Councilor Scheeringa said his daughter goes to Merkley and its pretty rough over there when it comes to dropping off kids especially with cars parked on both sides of the street. He said he doesn't drop his daughter at school anymore but drops her off with Pete the crossing guard and she walks to school.

Councilor Schocke, whose wife teaches at Merkley has had to add extra minutes to her travel time because of parents dropping off their kids. He then commented that in either 2012 or 2013, he attended the Citizen Police Academy. He said it was fun and got to ride around with Officer Lee Natelborg and witness traffic stops. Judge Cantrell was a guest speaker, talking about the criminal element.

Councilor Zemen said he attended with his Dad. He said they would go every Tuesday or whatever night of the week and people would bring cookies and refreshments would be provided and for the next couple of hours you'd learn about policing. I can't say enough good about it. It really got me involved in my community. I think it's a really great program.



December 2021  
 Sept 23

Officer	Days Worked	Arrests	Offenses	Total Citations	Total Citation Violations	Grant Citation Violations	Parking Citation Violations	Patrol Citations per day	Total Warnings	Total Warning Violations	Grant Warnings	Parking Warnings	Patrol Warnings per day	Incidents Handled	Incidents Responded	Accidents Handled	DUIs
ANDERSON C	11	1	1	7	9			0.82	14	14			1.27	20	34	3	0
ANDERSON S	11	0	0	2	5			0.45	8	8			0.73	10	27	2	1
BALON	N/A	0	0											6	6	0	0
BARNHILL	7	0	0	5	5			0.71	7	7			1.00	26	54	1	0
BRZEZINSKI	18	5	8	12	22			1.22	20	20			1.11	38	51	1	3
BYERS	15	0	0	7	7			0.47	15	17			1.13	17	51	4	0
COX G	18	0	0					0.00	13	16			0.89	14	41	2	0
DOMSIC	N/A	0	0											0	0	0	0
DUROCHER G	13	3	3	9	14			1.08	10	10			0.77	21	37	4	0
FREYK	12	0	0	8	8			0.67	17	17			1.42	34	50	3	0
GARZA G	13	0	0	9	9			0.69	13	13			1.00	17	40	3	0
GERINGER	20	0	0	14	17			0.85	24	24	1		1.15	49	71	9	0
GLIDEWELL	19	1	3	8	12			0.63	24	24			1.26	29	60	5	0
HILDENBRAND J	N/A	0	0											1	2	0	0
HINKEL J	20	0	0	8	10			0.50	15	18			0.90	40	75	5	0
HOFFMAN R	N/A	1	2											2	2	0	0
KEMPKE	19	0	0	17	20			1.05	20	25			1.32	40	61	6	0
KOWAL A	15	0	0	6	11			0.73	19	19			1.27	42	74	6	0
MANYEK	15	0	0	11	12			0.80	17	17			1.13	16	43	5	0
MULLINS J	15	3	7	15	21			1.40	24	24			1.60	47	56	3	2
NATELBORG	N/A	0	0											1	2	0	0
NAVARRO	20	1	1	17	23			1.15	26	26			1.30	52	70	15	0
NORSWEATHER	19	1	1	9	10			0.53	18	23			1.21	20	46	2	0
OMALLEY	16	3	6	11	20			1.25	20	20			1.25	29	48	5	2
ORTH B	20	0	0	9	10			0.50	21	22			1.10	39	69	5	0
PALMER G	N/A	0	0											0	0	0	0
PECKLER FR	N/A	0	0											2	2	0	0
PEREZ T	N/A	0	0											2	2	0	0
POTESTA R	N/A	0	0											1	1	0	0
RHEIN	20	1	1	18	25			1.25	27	31			1.55	33	51	7	1
SAPP	N/A	0	0											0	0	0	0
STANLEY B	N/A	0	0											1	1	0	0
SULLIVAN J	N/A	0	0											0	0	0	0
SWISHER E	0	0	0											0	0	0	0
TOMONDI S	18	0	0	18	18			1.00	18	18			1.00	14	36	1	0
WATKINS	20	1	1	15	22			1.10	35	36			1.80	49	72	7	0
YONKMAN M	9	0	0	6	9			1.00	4	6			0.67	13	28	2	0
		0	0											0	0	0	0
		0	0											0	0	0	0
		0	0											0	0	0	0
SUPPORT SERV	N/A	0	0											1	1	0	0
VIPS	N/A	0	0											3	8	0	0
OTHER	N/A	0	0											50	2	0	0

21      619      455      179      106      9

Past 2 weeks: 0 Burglaries / Robberies / Rape or Related Offenses / Auto Thefts

2 DUI arrests

Last Friday – Skimmer found on a gas pump at Pilot - No victims - Took custody of device

3 Overdoses – 1 over medicating

1 Illegal narcotic ingestion – NARCAN issued / successful – victim transported to hospital. – Appears Heroin involved

1 of our officers was clearing the purse of an arrested female and began suffering symptoms of Fentanyl exposure. Was given NARCAN and transported to hospital – Back to work.

2 shopliftings – large amount of alcohol from one of our big retailers on south US 41.

\$600 in clothing from one of our big retailers on south US 41 (items concealed inside a suitcase the suspect also stole).

LEADS -  
No One in  
Custody

Theft at one of our restaurants on US 41. Dine and Dash - \$77.00 meal

- LEADS - No One in Custody

Citizens Police Academy

**From:** JOHN E BANASIAK (HIPD) **To:** Agency - HIPD  
**Subject:** New traffic pattern for 42nd Street at Merkley School begins tomorrow

Attention: New traffic pattern for 42<sup>nd</sup> Street by Merkley School

Effective Tuesday October 10<sup>th</sup>, there will be a new traffic pattern designed for the safety of students and vehicles at Merkley School.

Each school day, from 6:30am until 3:00pm, 42<sup>nd</sup> Street between Erie Street and 5<sup>th</sup> Street will be one-way only and traffic will only be allowed to travel eastbound. There will be a barricade placed at the corner of 42<sup>nd</sup> and 5<sup>th</sup> Street each morning designating the street as one-way.

As always, please use care and caution when driving around Merkley School and all of our schools as our children travel to and from school each day.

10/9/2023

Page 1 of 1

Councilor Scheeringa then acknowledged IT Director, Ed Dabrowski who said he has been basically just working on a few projects before winter hits and before the Christmas season. He has been working on the downtown sound system or the music sound system. We're in the process of revamping it or upgrading it. We talked about it over the last year. New wiring has been installed. He did receive some bad news that the speakers are worn out and in need of replacing. He did advise his liaison that the seven(7) speakers need to be replaced. The speakers are probably fifteen (15) years old. He said he has been working with Fire Chief Pipta to find a different location within the fire station to place the new system as the old system was placed in a truck bay and was subjected to the elements every time the door was opened. He said he continued to swap out the mobile units in the vehicles to 5G which will be a big improvement and big benefit to our mobile users. He talked about security upgrades for the door. He said the contractor is working on doors and entries at the public work's facility. He's been working with Assistant Public Works

Director Kim Webb. Hopefully the project will be completed by November. He said he received a favorable quote to install new wireless entries at Lincoln Center. He said their system is at the end of its life. He hoped that with the systems at the Public Works facility and Lincoln Center that all systems will use the standard fob. He said he is retiring or decommissioning two (2) servers.

- **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 by saying the Makers Markey this past Saturday went really well. They had twenty (20) vendors who participated and it was well attended. The electrical work to be done on the municipal lot is scheduled for the end of October. She said they will award the contract to clean-up the property for 8200 Indianapolis Blvd. The Way Finding signs will be completed by next week and the Restaurant Crawl is on schedule. It will be on Halloween. At their Wednesday meeting, she will ask Main Street if they still want to have it on Halloween or to cancel it or move it to another night.

Councilor Scheeringa summarized that the reason the Council was reluctant to merge the various allocations zones is because we haven't been presented with a list of projects in the works within the various Redevelopment areas. There hasn't been a lot presented to the Council for action by the Redevelopment Commission and now when the only thing that's popped up is a development on the Scheeringa Farm and if the merger of zones takes place, all that money can be dropped into that project, so it naturally makes people hesitant. Our job is to be good stewards of that money as it's not our money. You mentioned Condit. What's going on there? Has anything been presented to us since they first made their presentation in 2022.

The Redevelopment Director said the project is basically on hold as the developer, is still very much interested but is finishing up a project in Munster before he starts in Highland.

The Council asked the Redevelopment Director the status of the Russell project.

The Redevelopment Director said she does not have any additional information on that project.

Councilor Schocke asked the Redevelopment Director about the proposed medical campus. Would it be a not for profit or for profit? Would the Town be able to collect taxes.

The Redevelopment Director said they have had only initial meetings with the group of doctors who are also looking at other towns and they are associated with the Community Foundation but they would be paying taxes. The investors were trying to figure out

whether the structure should be torn down and start from scratch or rehabbing the existing buildings. Again, they are looking at sites in Munster and Dyer as well.

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

**Comments from Visitors or Residents:**

Rick Volbrecht, Highland, explained the reason for the delay in the completion of the tennis courts. He said the tennis courts were poured with a certain style of concrete, not new to the industry but poured not in sections but as a complete unit. The Skillman group which oversaw the project, noticed after the concrete was poured, that something wasn't level. Skillman, who brought it to the attention of the School Town and the contractor. The contractor didn't argue the point that the pour was not level and they removed all of the existing concrete and re-poured the concrete, which caused the thirty (30) day delay. Mr. Volbrecht then brought up item 2 from the Redevelopment Commission September 12<sup>th</sup>, meeting minutes regarding funding an additional school resource officer. He said he is all in favor of a second resource officer but it's important to note that if the Redevelopment Commission does fund a second resource officer, it cannot be for only one year or two years or ten years. It has to be for the life time of the position. Once they make a commitment to funding it, it has to be for a life time. He added that not only is he in favor of hiring a second resource officer but adding five (5) security officers. There is only one resource officer and six (6) schools. He said he was a math major. He's got a master's degree in Industrial Management. He can do the math. Even with a second Resource Officer, that means that four (4) schools are uncovered.

Kathy and Eric Mlodecki, Lake of the 4 Seasons, Highland, who own the apartment complex at 3135 97<sup>th</sup> place and behind Athletic Performance Factory began by saying I know we've dealt with this issue before but as a reminder it is called a turf field where a coach or a machine hits balls into the field and the kids learn how to field. The ball is not to be hit with the bat. There are always kids over there batting the ball, sometimes as late as 9:00 o'clock p.m. Our tenants are dealing with it but a bigger issue is the balls. The balls are constantly in our yard or in the parking lot. We've even got videos of them rolling into our parking lot. She said she was worried that one of her tenants was going to get hit by one of the balls and then they're going to sue the company and us. And they will sue the Town because the Town approved it.

Building Commissioner Mika told the Council that this is literally the first he's hearing of it. He believed that we facilitated this matter with both you and the building owner last year as we addressed the balls coming onto your property.

Eric then showed the Council a bag full of balls that were found on their property. He said several of the tenants have reported finding balls on the property. He said the balls in the

bag were collected over the course of five (5) months. Rather than throwing them back, we started collecting them.

Mr. Mika said he will reach out and make contact with the business owner and reiterate some of our discussion last year. There was a problem that was identified last year when we met in reference to the net that went over the high fences. There was an open spot where he thought the balls were getting through.

Kathy Mlodecki said its okay when the coach is batting the ball because he is hitting away from our building but the kids, who are there at all hours, instead of practicing their fielding, are practicing their hitting and the balls end up in our yard.

Councilor Schocke asked the Mlodecki's if they were aware of any property damage or any injuries?

Mrs. Mlodecki responded not yet but it only takes one. She added, in the Lake of the 4 Seasons, when somebody wants to put up say something as a little shed in their backyard, not only do they put it in their local paper but they have to send all the residents that would be near that shed a certified letter to let them know . We were never told about this.

Mr. Mika commented that there is no statutory requirement to put a legal notice in the paper. Posting a sign on the property is pretty much the policy for every municipality in Lake County.

Mrs. Mlodecki said the fire department needs to go over to the building and review their plans on how they would put out a fire should one occur because the fire department is not going on her property. She said you can't get through on the east side of the property between Highland and Griffith.

Councilor Scheeringa said the building is completely sprinkled and much of the building material is non-combustible.

Mr. Mika said that prior to occupancy, the Fire Department reviewed the plans and determined there was access for a fire truck to access the building.

Rich Underkofler, Highland said he dropped off a check in the amount of \$12,000 from the Highland Rotary Club as a contribution towards the Safe Haven Baby Box. He then asked Attorney Reed if he could get a signed copy of the agreement. Attorney Reed said yes. He then questioned the Council's refusal to authorize the Town Council President to sign the Memorandum of Understanding. He said tomorrow, he'll receive an e-mail from the Delta Institute asking why the memorandum wasn't signed.

Councilor Schocke said he had some questions regarding the matrix after the last study session. I was concerned about the cost as it was listed that the members of the Tree Board are paid \$70 per hour and the Council was under the impression was that the Tree Board members didn't receive any pay as there was some type of monetary metric to the tree board meetings which I wasn't sure what all that meant.

Mr. Underkofler said the underwriting of this Delta Institute Project in Lake County requires a matching grant so I compiled all of those figures and for every tree board member and everything we've done excluding the three (3) community programs and I valued our time at \$70 per hour. The biggest item on there was leaf and branch collection. Those figures were all documented by the Public Works Department from historical costs. He asked if the Council would reconsider its decision as he really doesn't want to come back here again. .

Councilor Black said to place it on the October 16<sup>th</sup> study session.

Larry Kondrat, Highland, began by asking Councilor Smith whether she owned her own house or rented or are just living in Highland.? Councilor Smith responded that she owned her own house. He then asked Councilor Smith if she owned her own car and whether her car is plated? She answered yes to both questions. He then asked Councilor Smith if her sticker on her plates are current? Councilor Smith answered yes.

Larry Kondrat then asked Councilor Black about a meeting at Councilor Zemen's house. He asked Councilor Black if he recalled that meeting as it happened nearly four (4) years ago, right after the election. Where the Council elect met with the developer of the proposed Assisted Living Facility as he wanted to know if you were in or out because you ran your election as being opposed to the project?

Councilor Black acknowledged being in attendance at the meeting.

Larry Kondrat then asked Councilor Black if he recalled that the Councilor Herak was the last to attend and he told the newly elected Councilors that you would be committing political suicide if you changed your position on the Assisted Living Facility since you ran as being opposed to it.

Councilor Black said that it may have been mentioned.

Larry Kondrat the asked Councilor Black if it may have happened or did it happen?

Councilor Black acknowledged it did happen as reported by Larry Kondrat.

Larry Kondrat re-emphasized that there was no skullduggery on the part of Councilor Herak. He was honest. He walked into the meeting, told those present that it would be committing political suicide if you changed your position and voted for the project and left shortly thereafter.

Larry Kondrat then asked Councilor Schocke, who was also present at that meeting, if that is what he remembers and is there any other variations to the story.

Councilor Schocke responded that everything Mr. Kondrat reported was accurate.

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 **September 27, 2023 through October 10, 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 **\$705,172.68.**

**General Fund, \$392,330.10; MVH Fund, \$21,673.85; LAW Enforcement Continuing Education, Training and Supply Fund, \$566.66; Information and Communications Technology Fund, \$12,674.71; Gasoline Fund, \$27,365.80; MCCD, \$5,415.76; Public Safety Income Tax, \$22,146.00; Community Crossing Grant, \$11,656.52; Insurance Premium, \$211,093.28; Traffic Violations, \$250.00**

Payroll Docket for payday of October 6, 2023 by fund:

General, \$304,373.17

Payroll Docket for payday of October 6, 2023:

Office of Clerk-Treasurer, \$15,997.56; Building and Inspection Department, \$10,343.53; Metropolitan Police Department, \$153,049.22; Public Works Department (Agency), \$72,702.60; Fire Department, \$1,782.40 and Information and Technology Department, \$4,009.55; Total Payroll: \$257,884.86.

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, October 9, 2023, adjourned at 8:15 O'clock p.m.

Mark Herak  
Clerk-Treasurer

Approved by the Town Council at its meeting of October 23, 2023.



# ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)  
 Approved by the State Board of Accounts, 2015  
 Prescribed by the Department of Local Government Finance

Budget Form No. 4  
 Generated 10/20/2023 2:56:53 PM

Ordinance / Resolution Number: 1790

Be it ordained/resolved by the **Town Council of the Town of Highland** that for the expenses of **HIGHLAND WATER DISTRICT** for the year ending December 31, **2024** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **HIGHLAND WATER DISTRICT**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Town Council of the Town of Highland**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Town Council of the Town of Highland	Town Council	10/23/2023

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
8383	WATER DISTRICT DEBT SERVICE	\$333,457	\$408,956	0.0270
		<b>\$333,457</b>	<b>\$408,956</b>	<b>0.0270</b>

Name		Signature
Tom Black	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Bernie Zemen	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Toya Smith	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Mark Schocke	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Philip Scheeringa	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

ATTEST		
Name	Title	Signature
Mark Herak	Clerk-Treasurer	

In accordance with IC 6-1.1-17-16(k), we state our intent to issue debt after December 1 and before January 1 Yes  No

In accordance with IC 6-1.1-17-16(k), we state our intent to file a shortfall appeal after December 1 and before December 31 Yes  No

# ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)  
 Approved by the State Board of Accounts, 2015  
 Prescribed by the Department of Local Government Finance

Budget Form No. 4  
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Ordinance / Resolution Number: 1788

Be it ordained/resolved by the **Town Council of the Town of Highland** that for the expenses of **HIGHLAND CIVIL TOWN** for the year ending December 31, **2024** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **HIGHLAND CIVIL TOWN**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Town Council of the Town of Highland**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Town Council of the Town of Highland	Town Council	10/23/2023

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
0101	GENERAL	\$9,722,063	\$6,800,000	0.4484
0180	DEBT SERVICE	\$752,000	\$853,339	0.0563
0254	LOCAL INCOME TAX	\$642,750	\$0	0.0000
0342	POLICE PENSION	\$845,790	\$1,550	0.0001
0706	LOCAL ROAD & STREET	\$438,827	\$0	0.0000
0708	MOTOR VEHICLE HIGHWAY	\$1,110,254	\$0	0.0000
1151	CONTINUING EDUCATION	\$49,500	\$0	0.0000
1301	PARK & RECREATION	\$2,895,573	\$1,405,000	0.0926
1380	PARK BOND	\$1,396,468	\$1,248,624	0.0823
2379	CUMULATIVE CAPITAL IMP (CIG TAX)	\$65,000	\$0	0.0000
2391	CUMULATIVE CAPITAL DEVELOPMENT	\$539,000	\$703,686	0.0464
2411	ECONOMIC DEV INCOME TAX CREDIT	\$630,000	\$0	0.0000
2430	REDEVELOPMENT - GENERAL	\$363,455	\$330,000	0.0218
2482	REDEVELOPMENT BOND	\$106,663	\$0	0.0000
6421	DISTRICT SOLID WASTE MANAGEMENT	\$192,725	\$0	0.0000
		\$19,750,068	\$11,342,199	0.7479

Home-Ruled Funds (Not Reviewed by DLGF)		
Fund Code	Fund Name	Adopted Budget
9500	Information & Communication Technology Fund	\$381,454
9501	VIPS/Park Public Safety Fund	\$6,000
9502	Special Events Non-Reverting	\$132,850
		\$520,304

# ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)  
 Approved by the State Board of Accounts, 2015  
 Prescribed by the Department of Local Government Finance

Budget Form No. 4  
 Generated 10/20/2023 2:52:06 PM

Name		Signature
Tom Black	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Bernie Zemen	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Toya Smith	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Mark Schocke	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Philip Scheeringa	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

## ATTEST

Name	Title	Signature
Mark Herak	Clerk-Treasurer	

## MAYOR ACTION (For City use only)

Name		Signature	Date
	Approve <input type="checkbox"/> Veto <input type="checkbox"/>		

In accordance with IC 6-1.1-17-16(k), we state our intent to issue debt after December 1 and before January 1 Yes  No

In accordance with IC 6-1.1-17-16(k), we state our intent to file a shortfall appeal after December 1 and before December 31 Yes  No

# ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)  
 Approved by the State Board of Accounts, 2015  
 Prescribed by the Department of Local Government Finance

Budget Form No. 4  
 Generated 10/20/2023 2:55:13 PM

Ordinance / Resolution Number: 1789

Be it ordained/resolved by the **Town Council of the Town of Highland** that for the expenses of **HIGHLAND SANITARY DISTRICT** for the year ending December 31, **2024** the sums herein specified are hereby appropriated and ordered set apart out of the several funds herein named and for the purposes herein specified, subject to the laws governing the same. Such sums herein appropriated shall be held to include all expenditures authorized to be made during the year, unless otherwise expressly stipulated and provided for by law. In addition, for the purposes of raising revenue to meet the necessary expenses of **HIGHLAND SANITARY DISTRICT**, the property tax levies and property tax rates as herein specified are included herein. Budget Form 4-B for all funds must be completed and submitted in the manner prescribed by the Department of Local Government Finance.

This ordinance/resolution shall be in full force and effect from and after its passage and approval by the **Town Council of the Town of Highland**.

Name of Adopting Entity / Fiscal Body	Type of Adopting Entity / Fiscal Body	Date of Adoption
Town Council of the Town of Highland	Town Council	10/23/2023

Funds				
Fund Code	Fund Name	Adopted Budget	Adopted Tax Levy	Adopted Tax Rate
8201	SPECIAL SANITARY GENERAL	\$2,410,012	\$262,000	0.0173
8280	SPECIAL SANITARY DEBT SERVICE	\$1,992,315	\$1,804,094	0.1190
		<b>\$4,402,327</b>	<b>\$2,066,094</b>	<b>0.1363</b>

Name		Signature
Tom Black	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Bernie Zemen	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Toya Smith	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Mark Schocke	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	
Philip Scheeringa	Aye <input type="checkbox"/> Nay <input type="checkbox"/> Abstain <input type="checkbox"/>	

ATTEST		
Name	Title	Signature
Mark Herak	Clerk-Treasurer	

In accordance with IC 6-1.1-17-16(k), we state our intent to issue debt after December 1 and before January 1      Yes  No

Yes

# ORDINANCE OR RESOLUTION FOR APPROPRIATIONS AND TAX RATES

State Form 55865 (7-15)  
Approved by the State Board of Accounts, 2015  
Prescribed by the Department of Local Government Finance

Budget Form No. 4  
Generated 10/20/2023 2:55:13 PM

In accordance with IC 6-1.1-17-16(k), we state our intent to file a shortfall appeal after December 1 and before  
December 31

No

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

**AN ORDINANCE to AMEND ORDINANCE No. 1774-E 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 CHANGE to the STAFFING AUTHORITY of the PARK & RECREATION DEPARTMENT as it pertains to the authorized strength of the Park Secretary.**

**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 Park & Recreation Department is modified and fixed, pursuant to the provisions indicated herein and as follows:

**Section 1.** That Section 11 (B)(1) of Ordinance No. 1774 be amended by repealing Section 11 (B)(1) of that Ordinance in its entirety and replacing with the following section, which shall be numbered as Section 11 (B)(1) and read as follows:

**Section 11.** *Park & Recreation 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 Park & Recreation Department as follows:

	Starting Rate	Incumbent Rate
(B)(1) Park Secretary* (2)	\$ 20.79 hr	\$ 21.39 hr.

*\* Once the current secretary has used all accrued vacation days, personal business days, comp time hours and unpaid holiday leave are exhausted, the staffing authority for the Park Secretary will revert back to one (1). Severance, if any, cannot be used to extend time.*

**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 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 4.** (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 25<sup>th</sup> day of October 2023. Consideration on same day or at same meeting of introduction sustained a vote of in favor and opposed and was considered pursuant to IC 36-5-2-9.8.

**DULY ORDAINED and ADOPTED** this 25th Day of October 2023, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of in favor and opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

---

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

Attest:

---

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



**TOWN of HIGHLAND**  
**Board of Works**  
**Order of the Works Board No. 2023-34**

**AN ORDER AUTHORIZING AND APPROVING THE FIRST CHANGE ORDER TO THE CONSTRUCTION CONTRACT WITH MILESTONE CONTRACTORS NORTH, INC. FOR THE 2023 CCMG STREET IMPROVEMENT PROJECT, DES #2300396, ALL PURSUANT TO I.C. 36-1-12-18**

**Whereas**, the Town of Highland, through its Town Council, which is the Works Board of the Municipality pursuant to I.C. 36-1-2-24(3), has heretofore authorized and approved a public works project for certain street resurfacing and other improvements in the public right-of-way to be funded, in part, by the State of Indiana and the Community Crossings Matching Grant program, with the project commonly known as the 2023 CCMG Street Improvement Project; and

**Whereas**, The Town Council has heretofore awarded a contract to Milestone Contractors North, Inc. for the Project on July 10, 2023 in the amount of Four Hundred Thirty-three Thousand Five Hundred Eighty-seven Dollars and 75 Cents (\$433,587.75); and

**Whereas**, during the course of construction of the Project, it has become necessary to adjust the original estimated quantities of materials to actual quantities used on the project; and

**Whereas**, NIES Engineering, Inc., a licensed engineer performing construction engineering services on this project has specifically identified and presented a description of such changes as the first addendum to the original construction contract with Milestone Contractors North, Inc., particularly in support of costs associated with several bid items, which has a net effect of decreasing the contract cost by the amount of Thirty-eight Thousand Two Hundred Sixteen Dollars and 45 Cents (\$38,216.45); and

**Whereas**, the Town of Highland through its Town Council, which is also the Board of Works, now desires to accept and issue the order for change as described; and

**Now Therefore Be it hereby Ordered** by the Town Council of the Town of Highland, Lake County, Indiana;

**Section 1.** That Change Order No. 1 for the 2023 CCMG Street Improvement Project, as prepared by NIES Engineering, Inc., a licensed professional engineer performing construction engineering services on the Project, is hereby approved and authorized in each and every respect; and

**Section 2.** That this first addendum is hereby ordered to be known as Change Order No. 1, issued to decrease the net cost to the original agreement between the Town of Highland and Milestone Contractors North, Inc., in the amount of Thirty-eight Thousand Two Hundred Sixteen Dollars and 45 Cents (\$38,216.45), bringing the total value of the entire agreement with any and all change orders approved to date to Three Hundred Ninety-five Thousand Three Hundred Seventy-one Dollars and 30 Cents (\$395,371.30); and

**Section 3.** That the proper officers are hereby authorized to execute the necessary documents with their signatures.

**Be it So Ordered**

**Duly Passed and Ordered** by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of October, 2023 having passed by a vote of \_\_\_ in favor and \_\_\_ opposed.

**Town Council of the Town of  
Highland, Indiana**

\_\_\_\_\_  
Tom Black, President

*Attest:*

\_\_\_\_\_  
Mark Herak, Clerk Treasurer

TOWN OF HIGHLAND, INDIANA  
RESOLUTION NO. 2023-25

A RESOLUTION APPROVING HIGHLAND PLAN COMMISSION RESOLUTION 2023-01 AS ITS DETERMINATION THAT HIGHLAND REDEVELOPMENT COMMISSION RESOLUTION NO. 2023-15 (I) CONFORMS TO THE PLAN OF DEVELOPMENT FOR THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA AND (II) APPROVES SAID RESOLUTION AND THE REDEVELOPMENT PLAN FOR THE HIGHLAND CONSOLIDATED REDEVELOPMENT AREA

**WHEREAS**, the Town of Highland, Lake County, Indiana (the "Town") Redevelopment Commission (the "Commission"), governing body of the Town's Department of Redevelopment (the "Department") and the Redevelopment District of the Town (the "District"), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code ("IC") 36-7-14 titled Redevelopment of Areas Needing Redevelopment Generally; Redevelopment Commissions, *et seq.*, as amended from time to time (the "Act"), IC 36-7-25 titled Additional Powers of Redevelopment Commissions; and the Indiana Administrative Code 50 IAC 8;

**WHEREAS**, on August 22, 2023, the Commission adopted and approved Resolution No. 2023-15 (as the "Consolidating Amending Declaratory Resolution") declaring that the: (i) Highland Redevelopment Area and the Highland Commercial Corridors Redevelopment Area are consolidated and merged, together to be known as the **Highland Consolidated Redevelopment Area**; and (ii) Highland Redevelopment Plan and the Redevelopment Plan for the Highland Commercial Corridors Redevelopment Area are consolidated and merged, together to be known as the **Redevelopment Plan for the Highland Consolidated Redevelopment Area**, such that each redevelopment plan shall remain as originally adopted and approved, as amended from time to time and together considered as one plan pursuant to this Consolidating Amending Declaratory Resolution.

**WHEREAS**, on August 28, 2023 pursuant to Section 16(a) of the Act, the Commission forwarded and filed with the Highland Plan Commission (the "Plan Commission") said Consolidating Amending Declaratory Resolution including all supporting data for the purpose of its review and determination whether said resolution and the Redevelopment Plan for the Highland Consolidated Redevelopment Area conform to the plan of development for the Town (the Highland Master Plan) as well as to approve said resolution and redevelopment plan;

**WHEREAS**, the Plan Commission during a study session held on September 6, 2023 heard a presentation of the Commission staff and reviewed the Consolidating Amending Declaratory Resolution and the **Redevelopment Plan for the Highland Consolidated Redevelopment Area**, to determine said plan's conformity to the plan of development for the Town (the Highland Master Plan);

**WHEREAS**, pursuant to Section 16(a) the Act the Plan Commission, on September 20, 2023, approved Resolution No. 2023-01 as its determination, written order and finding of fact that the Commission's Resolution No. 2023-15 (i) conforms to the plan of development (the Highland Master Plan) for the Town, and (ii) approved said Commission resolution and the Redevelopment Plan for the Highland Consolidated Redevelopment Area, without modification;

**WHEREAS**, on September 26, 2023 pursuant to Section 16(b) of the Act, the Plan Commission forwarded and filed with the municipal legislative body, being the Common Council of the Town, the Plan Commission's Resolution No. 2023-01, as fully executed and signed, as its determination, written order and finding of fact related and specific to the Commission's Resolution No. 2023-15; and

**WHEREAS**, Section 16(b) the Act requires approval by the municipal legislative body, being the Common Council of the Town, of the Plan Commission's Resolution No. 2023-01 and the action of the Plan Commission as an advisory commission to the Common Council of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, AS FOLLOWS:**

**SECTION 1.** The actions of the Plan Commission on September 20, 2023 adopting and approving Resolution No. 2023-01 as its determination, written order and finding of fact that the Commission's Resolution No. 2023-15 (i) conforms to the plan of development (the Highland Master Plan) for the Town, and (ii) approved said Commission resolution and the Redevelopment Plan for the Highland Consolidated Redevelopment Area, without modification are in all respects approved, ratified and confirmed by the Common Council as the municipal legislative body pursuant Section 16(b) of the Act.

**SECTION 2.** The Clerk-Treasurer of the Town is hereby directed to:

- i. File a copy of this resolution and the attached Highland, Indiana Plan Commission's Resolution No. 2023-01 both as fully executed and signed as the permanent minutes of this meeting of the Common Council;
- ii. Forward this resolution as fully executed and signed to the Plan Commission for its files and permanent records; and
- iii. Forward this resolution as fully executed and signed to the Redevelopment Commission for its files and permanent records and its further approval actions pursuant to Sections 17 and 17.5 of the Act.

**SECTION 3.** This resolution shall be effective, as be in full force and effect, from and after the date of its passage and adoption upon its signature by the executive in the manner prescribed by Indiana Code 36-5-2-10(a).

**DULY RESOLVED and ADOPTED** this 9<sup>th</sup> Day of October 2023 by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of in favor and opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

---

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

Attest:

---

Mark Herak

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

## MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (MOU) is entered into as of this 24th day of September 2023 between Delta Institute (Delta), and the Town of Highland IN (THI). The purpose of this document is to outline team tasks and deliverables.

### 1. Services Description

- 1.1 Delta Institute and THI agree to work together in good faith collaboratively to achieve the project goals and deliverables.
- 1.2 Each party is and will remain a separate business entity, and this Agreement is specifically not a partnership and the parties hereby agree each shall bear its own costs and liabilities and shall not look to the other party for recovery of costs or liabilities related to errors or omissions, injury, or unrelated expenses.

### 2. Termination

Either party may terminate the agreement with 30 day notice by registered return receipt mail. Illinois law will govern this Agreement and any arbitration or court proceedings will take place in Illinois. Neither party has the authority to enter into agreements or assume any obligations on behalf of the other party.

---

William Schleizer  
Chief Executive Officer  
Delta Institute

---

Tom Black  
President of Town Council  
Town of Highland Indiana



T-Mobile USA, Inc.  
12920 SE 38th Street, Bellevue, WA 98006

**VIA UPS OR CERTIFIED MAIL**

October 10, 2023

TOWN OF HIGHLAND  
CLERK-TREASURER  
3333 RIDGE ROAD  
HIGHLAND, IN 46322

**Re:** Notice of Affiliate Assignment of Lease by and between TOWN OF HIGHLAND (“**Landlord**”) and Clear Wireless LLC (“**Existing Tenant**”) for the Premises at 3738 RIDGE ROAD, HIGHLAND, IN 46322 (the “**Lease**”)

**Site ID: CH88143A**

**Landlord Site ID: Lease Rent**

Dear Landlord:

T-Mobile is continuing the process of simplifying its corporate structure by combining additional subsidiaries for corporate entity consolidation purposes. As part of that process, Existing Tenant desires to transfer and assign the Lease to another T-Mobile affiliate, SprintCom LLC (“**New Tenant**”). Effective August 31, 2023, New Tenant will be the successor-in-interest to the Existing Tenant as a result of certain mergers and internal transfers and distributions.

Pursuant to the requirements of the Lease, Existing Tenant hereby requests the consent from Landlord to the assignment of the Lease. In connection with the assignment, New Tenant, as assignee of the Lease, will assume all obligations of Existing Tenant, and acknowledges the address indicated below as the address for notice under the Lease. No other changes are being made to the Lease (except for the change to Notice Address below) and payments and invoicing will continue as they do under the existing structure.

If you agree to the assignment, please indicate your approval by signing in the space indicated below. All parties whose signatures appear below represent and warrant that they have the authority to execute this document on behalf of the party for which they sign.

Please sign this original document and return to T-Mobile to the attention of:

T-Mobile USA, Inc  
12920 SE 38<sup>th</sup> Street  
Bellevue, WA 98006  
Attn: Lease Administration

Upon approval of the assignments, the new address for notices to T-Mobile shall be sent to Tenant:

SprintCom LLC  
12920 SE 38<sup>th</sup> Street  
Bellevue, WA 98006  
Attn: Lease Administration  
Site ID: **CH88143A**

Thank you for your prompt attention to this matter. If you have any questions about this request, please e-mail us immediately at [PropertyManagement@T-Mobile.com](mailto:PropertyManagement@T-Mobile.com), otherwise please return the countersigned consent to the physical address or email address above.

Sincerely,

Clear Wireless LLC

By:



Wendy Pantazis  
Director, Technology Procurement

**AGREED AND ACKNOWLEDGED:**

TOWN OF HIGHLAND

By: \_\_\_\_\_

Date: \_\_\_\_\_



**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 13th day of November 2023, will consider the following additional appropriations in excess of the budget for the current year in the following funds:

Community Crossing Grant

Acct. 2405-0000-41020 CCMG Projects 2023 Parkway Drive	\$188,322.00
Acct. 2405-0000-41021 CCMG Parkway Drive (CE)	\$27,283.30
Acct 2405-0000-41022 CCMG 2023 (CE)	\$28,797.50
Acct 2405-0000-41023 CCMG 2023 Project	<u>\$216,794.00</u>
<b>Total 400 Series:</b>	<b>\$461,196.80</b>

**TOTAL for the FUND: \$461,196.80**

Funds to support these additional appropriations in the **Community Crossing Grant 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 October 19, 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 Community Crossing Grant Fund

Dear Nicole Muscari, Amanda Koepp, Christina Palma:

Hello. Attached, please find one (1) notice for a public hearing regarding proposed additional appropriations in **the Community Crossing Grant 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 Monday, October 30, 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, November 13, 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 emailing me [mherak@highland.in.gov](mailto:mherak@highland.in.gov).

Again, I thank you very much.

Sincerely,

Mark Herak  
Clerk-Treasurer  
Enclosures:  
(1) Notice for Community Crossing Grant Fund

**Authorizing the proper officer to publish legal notice of a public hearing: Public Hearing to consider additional appropriations in the amount of \$416,196.80 in the Community Crossing Grant Fund.**

ORDINANCE No. 1791  
of the  
TOWN OF HIGHLAND, INDIANA

AN ORDINANCE VACATING A PUBLIC WAY, PLACE OR EASEMENT  
PURSUANT TO INDIANA CODE 36-7-3 CHAPTERS 12 AND 16.

WHEREAS, The Town Council of the Town of Highland is the Municipal Legislative Body of the unit; and

WHEREAS, NAME of PETITIONER, has filed a petition with the Clerk-Treasurer as clerk of the municipal legislative body, requesting a public hearing on the matter of vacation of a public way, place or easement, the legal description of which is set forth herein; and

WHEREAS, The municipal clerk has caused through the petitioner, notice to be given in the manner prescribed in I.C. 5-3-1, as well as by certified mail to each owner of land that abuts the property proposed to be vacated, and such hearing has been conducted; and

WHEREAS, The Town Council desires to execute a vacation of the aforementioned public way, place or easement pursuant to Indiana Code 36-7-3 et sequitur;

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Highland, as follows:

**Section 1.** That the Town of Highland, by and through its Town Council of the Town of Highland, Lake County, Indiana hereby vacates and forever releases all right, title and interest in and to the following described public way, place or easement to the **American Legion Post 180**:

A public way which is an easement that abuts and is contiguous to the the petitioner's property located at **2703 Jewett Avenue**, Highland, Lake County, Indiana, which public way or alley is further described as follows:

All that part of Jewett Avenue lying between Block and Block 10, of original Town of Highland, as per plat thereof, recorded in Plat Book 1, Page 86 in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: beginning at the Southwest corner of Lot 14 in said Block 10, thence North 89 degrees 27 minutes 18 seconds East along the

South line of said Block 10, a distance of 250,000 feet to the Southeast corner of Lot 10 in said Block 10; thence South 01 degrees 01 minutes 48 seconds East along the Southerly extension of the Easterly line of said Block 10, a distance of 60.00 feet to a point on the North line of said Block 9; thence South 89 degrees 27 minutes 18 seconds West along the said North line, a distance of 250.00 feet to the Northwest corner of Lot 1 in said Block 9, thence North 01 degrees 01 minutes 48 seconds West along the East right of way line of Second Street, a distance of 60.00 feet to the point of beginning.

**Section 2.** That the Town Council further finds and determines:

(A) That the vacation would not hinder growth or orderly development of the unit or neighborhood in which it is located or to which it is contiguous;

(B) That the vacation would not make access to the contiguous lands or lands of any aggrieved persons by means of a public way or difficult or inconvenient;

(C) The vacation would not hinder the public's access to a church, school, or other public building or place; and

(D) The vacation would not hinder the use of a public way by the neighborhood in which it is located or to which it is contiguous;

**Section 3.** That this ordinance will be in full force and effect from and after its passage and adoption, subject and pursuant to provisions of I.C. 36-7-3-12(f).

Introduced and Filed on the 23<sup>rd</sup> day of October 2023. Consideration on First Reading Sustained a vote of in Favor and Opposed, pursuant to I.C. 36-5-2-9.8.

**DULY ORDAINED AND ADOPTED** this 23<sup>rd</sup> day of October 2023, by the Town Council of the Town of Highland, Lake County, Indiana, having been passed by a vote of \_ in favor and \_opposed.

**TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA**

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

Attest:

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Mark Herak

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

**THE TOWN OF HIGHLAND**  
**ORDER of the WORKS BOARD No. 2023-35**

**An Order Authorizing, Approving, Accepting and Concurring in a Utility Easement Agreement with the American Legion Post 180, Highland, Indiana as Grantor and the Town of Highland as Grantee**

**Whereas**, The Department of Public Sanitation and Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has determined the need to maintain a **perpetual sewer easement** for the purposes of installation, maintenance, repair and replacement of sanitary sewer infrastructure on the piece of property conveyed to the American Legion Post 180 Post 180, 2703 Jewett Avenue, Highland, Indiana via Ordinance No. 1791, "Vacation of Public Way;

**Whereas**, The acquisition of a public easement upon property owned by the American Legion Post 180 Post 180, Highland, Indiana as Grantor, for the purpose of maintaining a perpetual 20' sanitary easement for the purposes of installation, maintenance, repair and replacement of sanitary infrastructure; and

**Whereas**, The Grantor wishes to grant to the Grantee, the Town of Highland, governed by and through its Town Council as the Works Board of the Town, a **perpetual easement** for the purpose of installing, constructing and utilizing the improvements herein referenced, which is legally described in a companion easement agreement;

**Whereas**, The Department of Public Sanitation and Sanitary District of Highland (District), through its Board of Sanitary Commissioners, has determined that the sewer easement and the associated agreement for all appurtenances in, under, over and across the above described real estate would be of great public benefit and utility;

**Whereas**, The Town of Highland, through its Town Council, acting as the Works Board (hereinafter sometimes referred to as Grantee), has determined that the sewer easement and the associated agreement for all other appurtenances in, under, over and across the above described real estate would be of great public benefit and utility;

**Whereas**, The Town of Highland, through its Town Council, acting as the Works Board (hereinafter sometimes referred to as Grantee), now wishes to finally

authorize, adopt and approve the utility easement agreement between the Town of Highland as Grantee and the American Legion Post 180, Highland, Indiana as Grantor;

**Now, Therefore, Be It hereby Ordered** by the Highland Town Council, acting as the Works Board of the Municipality as follows:

**Section 1.** That the Sewer Easement Agreement between the American Legion Post 180, Highland, Indiana (Grantor) and the Town of Highland (Grantee), which is incorporated by its reference, is hereby authorized, approved, accepted and ratified in each and every respect;

**Section 2.** That Town of Highland, as Grantee, accepts from the American Legion Post 180, Highland, Indiana, as Grantor the following:

(A) Town of Highland accepts its grant of a perpetual easement for the installation, maintenance, repair and replacement of sanitary sewer infrastructure and related appurtenances and structures according to the terms of the accompanying agreement, which is approved, accepted and ratified in each and every respect;

(B) Town of Highland accepts as Grantee, an easement conveyed, granted, and assigned by agreement from the American Legion Post 180, Highland, Indiana, as Grantor, an easement in, under, over and across the following legally described real estate, to-wit:

Commencing at the Southwest corner of Lot 14, Block 10, in the original Town of Highland as per Plat thereof, recorded in Plat Book 1, Page 86 in the Office of the Recorder of Lake County, Indiana; thence South 01 degrees 01 minutes 48 seconds East along the Southerly extension of said Lot 14, a distance of 20.97 feet to the point of beginning; thence North 89 degrees 46 minutes 41 seconds East, a distance of 250.92 feet to a point on the Southerly extension of the East line of Lot 10, in said original Town of Highland; thence South 01 degrees 01 minutes 48 seconds East along the said Southerly extension a distance of 20.00 feet; thence South 89 degrees 46 minutes 41 seconds West, a distance of 250.52 feet to a point on the Southerly extension of said Lot 14, thence North 01 degrees 01 minutes 48 seconds West along said line, a distance of 20.00 feet to the point of the beginning.

**Section 3.** That the agreement adopted by this order is incorporated herein as an exhibit to this order;



**Section 4.** That the Town Council President and the Clerk-Treasurer are hereby authorized and directed to evidence this acceptance, approval and adoption of the easements and agreement by affixing their signatures to the agreement.

**Be it So Ordered.**

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 23rd day of October 2023 having passed by a vote of in favor and opposed.

TOWN COUNCIL of the TOWN of  
HIGHLAND, INDIANA

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

Attest:

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

**EASEMENT AGREEMENT**

This EASEMENT AGREEMENT is made and entered into this 23rd day of October, 2023, by and between **American Legion Post 180, Highland, IN** (hereinafter sometimes referred to as "Grantor"), and the **TOWN OF HIGHLAND, LAKE COUNTY, INDIANA, BY AND THROUGH ITS TOWN COUNCIL** (hereinafter sometimes referred to as "Grantee").

**WITNESSETH THAT:**

**WHEREAS**, Grantor owns and has title to certain real estate located in Lake County, Indiana, which is legally described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference.

which real estate shall hereinafter be referred as to the "Dominant Estate".

**WHEREAS**, Grantor wishes to grant to Grantee by and through its Town Council a perpetual sanitary sewer easement for the purposes of installation, maintenance, repair and replacement of sanitary sewer infrastructure with any and all necessary manholes, connections, appliances, and all other appurtenances, on the terms and conditions set forth herein.

**NOW, THEREFORE**, for good and valuable consideration, the receipt of which is acknowledged, it is mutually agreed by and between the parties hereto as follows:

1. **EASEMENT**. Grantor does hereby grant, assign, convey and set over to the Grantee a perpetual sanitary sewer easement for the purposes of installation, maintenance, repair and replacement of sanitary sewer infrastructure together with all other appurtenances and structures, in, under, over and across the following legally described real estate, to-wit:

See Exhibit "B" attached hereto and incorporated herein by reference.

which real estate shall hereinafter be referred as to the "Servient Estate".

2. **USES.** Grantee is granted a perpetual sanitary easement for the purposes of installation, maintenance, repair and replacement of sanitary sewer infrastructure and all other appurtenances and structures on the Servient Estate. Grantee shall also have a continuing easement in, under, over, above and across the Servient Estate to inspect, maintain and/or repair the sanitary sewer infrastructure on the Servient Estate, together with the right of ingress and egress to and from the Servient Estate over adjoining portions of the Dominant Estate.

3. **NON-EXCLUSIVE EASEMENT.** This easement granted to the Grantee herein is not exclusive; Grantor reserves the right to use the Servient Estate for its purposes and/or to grant additional easements over the same property to other public utilities or private parties, provided said purposes and grants do not interfere with the rights herein granted to the Grantee.

4. **TERM.** Grantee shall have and hold said easement for utility purposes in perpetuity so long as said easement is used for the purposes set forth herein.

5. **REPAIR AND MAINTENANCE.** Grantee shall be solely responsible for all installation, maintenance, repair and replacement of the sanitary sewer infrastructure and all appurtenances located in, on, under, over, across, and through the Servient Estate. Grantee further agrees that in the event of future work, excavations or the like, in, under, over, or across the Servient Estate herein, Grantee shall substantially return the areas affected by such work, excavations and the like, to its pre-work condition.

6. **INDEMNIFICATION.** Grantee agrees to indemnify and save the Grantor harmless from and against any and all damages, losses, claims, demands, or costs proximately caused by the default, culpability, or negligence of said Grantee in the use, maintenance, operation, repair, renewal, or removal of such utility service.

7. **COVENANT RUNNING WITH THE LAND.** The easement herein granted, the restrictions herein imposed, and the agreements herein contained shall be an easement, restriction and covenant running with the land and shall inure to the benefit, and be binding upon, the parties hereto and their respective heirs, successors, assigns, and transferees, including but not in limitation, to all subsequent owners of said real estate and all persons claiming under them.

**SIGNATURE PAGE FOLLOWS**

IN WITNESS WHEREOF, the parties have duly executed this Easement Agreement the day and year first-above written.

GRANTOR:

American Legion Post 180  
Highland, Indiana

GRANTEE:

TOWN OF HIGHLAND, LAKE COUNTY,  
INDIANA, BY AND THROUGH ITS TOWN  
COUNCIL

By:

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

Attest:

Attest:

\_\_\_\_\_  
Mark Herak ,  
Clerk-Treasurer

STATE OF INDIANA        )  
                                      ) SS:  
COUNTY OF LAKE        )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared, **OF THE AMERICAN LEGION POST 180**, and acknowledged the execution of this Easement Agreement on behalf of said American Legion Post 180, Highland, Indiana.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on this 23rd day of October, 2023.

Chad R. Kinley, Notary Public

My Commission Expires:  
County of Residence:     Lake

STATE OF INDIANA        )  
                                  ) SS:  
COUNTY OF LAKE        )

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Tom Black, President of the Town Council of the Town of Highland, Lake County, Indiana,** and **Mark Herak, Clerk-Treasurer, of the Town of Highland, Lake County, Indiana,** and acknowledged the execution of this Easement Agreement on behalf of said Town of Highland, Lake County, Indiana.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal on this 23rd day of October, 2023.

\_\_\_\_\_  
Chad R. Kinley, Notary Public

My Commission Expires:  
County of Residence:     Lake

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF DOMINANT REAL ESTATE**

All that part of Jewett Avenue lying between Block and Block 10, of original Town of Highland, as per plat thereof, recorded in Plat Book 1, Page 86 in the Office of the Recorder of Lake County, Indiana, more particularly described as follows: beginning at the Southwest corner of Lot 14 in said Block 10, thence North 89 degrees 27 minutes 18 seconds East along the South line of said Block 10, a distance of 250,000 feed to the Southeast corner of Lot 10 in said Block 10; thence South 01 degrees 01 minutes 48 seconds East along the Southerly extension of the Easterly line of said Block 10, a distance of 60.00 feet to a point on the North line of said Block 9; thence South 89 degrees 27 minutes 18 seconds West along the said North line, a distance of 250.00 feet to the Northwest corner of Lot 1 in said Block 9, thence North 01 degrees 01 minutes 48 seconds West along the East right of way line of Second Street, a distance of 60.00 feet to the point of beginning.

EXHIBIT "B"  
LEGAL DESCRIPTION OF SERVIENT REAL ESTATE

Commencing at the Southwest corner of Lot 14, Block 10, in the original Town of Highland as per Plat thereof, recorded in Plat Book 1, Page 86 in the Office of the Recorder of Lake County, Indiana; thence South 01 degrees 01 minutes 48 seconds East along the Southerly extension of said Lot 14, a distance of 20.97 feet to the point of beginning; thence North 89 degrees 46 minutes 41 seconds East, a distance of 250.92 feet to a point on the Southerly extension of the East line of Lot 10, in said original Town of Highland; thence South 01 degrees 01 minutes 48 seconds East along the said Southerly extension a distance of 20.00 feet; thence South 89 degrees 46 minutes 41 seconds West, a distance of 250.52 feet to a point on the Southerly extension of said Lot 14, thence North 01 degrees 01 minutes 48 seconds West along said line, a distance of 20.00 feet to the point of the beginning.