

**Enrolled Memorandum of the Meeting
Study Session/Meeting (Convened Electronically/Hybrid)
Thirtieth Town Council of Highland
Monday, March 4, 2024**

The Thirtieth Town Council of the Town of Highland, Lake County, Indiana met in a study session on **Monday, March 4, 2024**, 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 an in person meeting and lived streamed to the Town of Highland Facebook. Facebook permits the public to observe and record the proceedings but allows no interaction between and among the Town Council and members of the public. The public is able to participate in person. All councilors were simultaneously seen and heard. Councilor Georgeff, Councilor Turich, Councilor Alex Robertson, Councilor Black, Councilor Philip Scheeringa all participated in person.

Silent Roll Call: Councilors George Georgeff, Doug Turich, Alex Robertson, Tom Black, Philip Scheeringa, were present in person as indicated. The Clerk-Treasurer, Mark Herak was present to memorialize the proceedings. *A quorum was attained.*

Officials Present: Metropolitan Police Chief Ralph Potesta, IT Director Ed Dabrowski were in person.

General Substance of Matters Discussed.

Appointments:

• Statutory Boards and Commissions

Executive Appointments (May be made in meeting or at another time)

1. **Waterworks Board of Directors:** (1) appointment to be made by Town Council President. *(Note: Formerly held by Curt Schroeder (D), term ending 1st Monday January 2025). Current composition of the board is two Republicans and two Democrats. No more than three of any one party under state law.*

Home Rule Commissions or Boards

2. **Tree Board:** (2) appointments, to be made by the municipal executive, but requiring nomination from the Town Council. *(Positions currently held by Joan Roback, Bernie Zemen.)*
 - 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.)*
3. **Shared Ethics Advisory Commission.** (1) appointment to be made by Town Council President. *(Note: Fill vacancy made by resignation of Rev. Tim Huizenga.) (Made*

pursuant to Article 5, Subdivision (A) of the Interlocal Cooperation Agreement Establishing the Shared Ethics Entity. Qualifications are to be persons who live work or hold property in the county. Further persons appointed must be of good character and not hold any positions within the local government.)

Legislative Appointments

Home Rule Commissions

1. **Main Street Bureau Board:** (6) 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, Ben Reinhart, Renee Reinhart, Allan Simmons, Diane Barr-Roumbus, James Roumbus, Sandra McKnight, Teri Yovkovich, Sandy Ray, Kathy Smailis, Ben Tomera and Laura Pilewski.*
2. **Community Events Commission Multi-year positions:** (1) appointment to be made by the Town Council. Term: 4 years. *(Note: Currently vacant)*

Single year positions: (9) appointments to be made by the Town Council. Term: 1 year. There are currently 5 of the 9 in place and serving. *(Note: Currently serving, Rachael Carter, Olga Briseno, Kathy Camp-Burke, Linda Carter and Jack Rowe)*

- x. **Discussion: Authorizing the proper officer to publish legal notice of a public hearing:** Authorize a public hearing to consider proposed additional appropriations for Monday, March 25, 2024. **Law Enforcement Continuing Ed Fund, \$19,000;**

The Clerk-Treasurer explained the purpose for the additional appropriation to the Council. The Council President advised to place the item on the March 11, 2024 plenary agenda.

- x. **Discussion:** Authorizing the Metropolitan Police Chief to purchase from Motorola Solutions Inc. three (3) in-car radios and accessories. Total Cost \$16,916.93. The money would come out of Public Safety. Works Board Order No. 2024-18

The Clerk-Treasurer explained the purpose for Works Order No. 2024-18 to the Council. The Council President advised to place the item on the March 11, 2024 plenary agenda.

Town of Highland
Board of Works
Order of the Works Board 2024-18

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

finding it a Special Purchase pursuant to I.C. 5-22 and Section 3.05.060(G)(2) and Section 3.05.065(I) 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 radios 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 three (3) in-car radios with accessories at a price of \$16,916.93

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 three (3) car radios 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 from Motorola Solutions Inc. 500 West Monroe, Chicago, IL, for the purchase of three (3) car radios 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 \$16,916.93;

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 ____ day of ____, 2024 having passed by a vote of ____ in favor and ____ opposed.

TOWN COUNCIL OF THE
TOWN OF HIGHLAND, INDIANA

Phillip Scheeringa, President (IC 36-5-2-10)

Attest:

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

- x. **Discussion:** An Agreement between The Idea Factory and the Town of Highland to perform Professional Communications and Media Design and Development services for the Municipality for the year 2024. Due to an illness with one of the principal's

mother, they've asked to reschedule till the March 18th study session. Because the contract with The Idea Factory expired March 1, 2024, attached, please find Works Board Order 2024-17, extending the contract one (1) month at the current rate. The Council can choose to go longer than one (1) month.

The Clerk-Treasurer explained the purpose for Works Order No. 2024-17. The Council President advised to place the item on the March 11, 2024 study session agenda.

The Town of Highland
Board of Works
Order of the Works Board No. 2024-17

AN ORDER AUTHORIZING AND APPROVING AN AGREEMENT BETWEEN THE IDEA FACTORY AND THE TOWN OF HIGHLAND TO PERFORM PROFESSIONAL COMMUNICATIONS AND MEDIA DESIGN AND DEVELOPMENT SERVICES FOR THE MUNICIPALITY FOR A TERM OF ONE MONTH, WITH OPTION TO RENEW AND EXTEND

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

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

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

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

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

Whereas, There are now or will soon be sufficient and available appropriations balances on hand to support the payments for these services under the agreement, pursuant to IC 5-22-17-3(e); and

Whereas, The Town of Highland, through its Town Council acting as the Works Board now desires to accept and approve the agreement for services as herein described.

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

Section 1. That the agreement (incorporated by reference and made a part of this Order) between **Robin A. Carlascio** and **Theresa K. Badovich** doing business as the **Idea Factory**, and the Town of Highland, provide professional editorial services to assist and support the provision of greater information to the public regarding the operations and services of the municipality through the development and promulgation of a municipal newsletter for the period beginning **1 March 2024 through to 30 April 2024** as described herein is hereby approved, adopted and ratified in each and every respect;

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

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

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

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

Be it so Ordered.

DULY, PASSED, ADOPTED and ORDERED by the Town Council of the Town of Highland, Lake County, Indiana, acting as the Works Board, this 11th day of March 2024 having passed by a vote of ____ in favor and ____ opposed.

WORKS BOARD of the TOWN of
HIGHLAND, INDIANA

Philip Scheeringa, President (IC 36-5-2-10)

Attest:

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

AGREEMENT

This Transitional Agreement made and entered into this 11th day of March 2024, by and between the *TOWN OF HIGHLAND, BY AND THROUGH ITS TOWN COUNCIL* (hereinafter referred to as the "Town"), and *ROBIN CARLASCIO and THERESA BADOVICH d/b/a THE IDEA FACTORY* (hereinafter referred to as "Idea Factory").

WITNESSETH THAT:

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

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

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

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

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

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

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

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

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

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

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

IN WITNESS WHEREOF, this Agreement has been entered into between the parties this 11th day March 2024.

TOWN OF HIGHLAND

THE IDEA FACTORY

By: _____
Philip Scheeringa, President

Robin Carlascio

Attest: _____
Mark Herak
Clerk-Treasurer

Theresa Badovich

X. DISCUSSION: HIGHLAND COUNCIL OF COMMUNITY EVENTS PRESENTATION.

Councilor Robertson began by saying he and several members from the HCCE travelled to Indianapolis for an AIM conference of festivals, beer gardens, etc. He said added that there was nothing more to present to the Council than what the HCCE presented at the February 19, 2024 meeting. He said that they currently have two (2) proposals from vendors to operate the beer garden. A generic contract has been prepared and Attorney Reed is currently reviewing and revising. Once completed, the contract will be sent to various vendors, asking them to quote. The contract for the carnival rides is longer in length. Alex added that Linda Carter had reached out to several carnival companies via the internet but has not heard back from any. Attorney Reed is working on developing a standardize contract that can be used for the various vendors. He said, they're not a lot of carnival companies in the area, as it is a tough operation to run, so this contract won't come as a surprise to them. They've all seen it before. They simply have to plug in their own numbers.

Councilor Robertson said the conference gave a lot of insight, especially in the things that we are doing wrong but we'll get better. He asked if the Town had ever gone out for quotes on the carnival operations and Councilor Georgeff said that several years ago,

when he was liaison to the HCCE, they had gone out for quotes. He couldn't remember the carnival vendor the HCCE used before Alpine Amusement.

Alex said the beer and carnival vendors are basically providing a service and not selling a product. He then talked about another topic from the conference, music licensing. Those presenting on that topic at the conference suggested the Towns to get some sort of insurance because with all the bands, there is potential for liability to the Town.

Attorney Reed said that we looked at that with the big cover bands. We definitely want to pay the artist or their label. He said one of the reasons why these cover bands charge so much is that they have to pay royalties to the artist to sing the artist's song. He cited the band American English that plays Beatle songs, they pay a lot of royalties.

Alex said even the music the Town plays on Highway Avenue, royalties should be paid. He asked if we should we tattle on ourselves?

IT Director Ed Dabrowski said that he pays out of this own pocket, a fee to allow the music to be played downtown.

Councilor Scheeringa asked if there were any other HCCE questions.

Councilor Turich asked if he could ask a few questions regarding the location of the fireworks. He asked if anything been determined or any sites eliminated? He said there was talk of even using drones. He said the 4th is quickly approaching and whereas it may seem far off, its really not when you are trying to put everything together.

Councilor Robertson responded and said that he has advised the HCCE, that this Council would narrow the list down and make the ultimate site selection.

Councilor Turich asked if we had confirmation from all of the sites?

Alex said the spoke with Highland Superintendent Brian Smith who said he is willing to work with the Town but has concerns with spent mortars falling on his new nice turf field.

Councilor Georgeff said he thought that was the concern of all the locations, where the spent mortars will land. George continued that he sent to the Council pictures from the Police Department of mortars that fell outside of the drop zone.

Alex said that in his opinion there is a lot of support for having it at Highland Christian, as it seems like an obvious spot but its not really feasible. He said you really have to have a strong plan in place to make sure the drop zone doesn't include Ridge Road.

George said he sent to the Council the reply from the insurance company where there was a strong possibility that they would not present Highland Christian as a viable site. If the Town insisted on having the fireworks at Highland Christian, the Town would lose

its coverage. With the fall-out zone over an active roadway and the Town knowing the fall-out area is over an active roadway and the Town insisting on having there, that is a real dicey situation.

The Clerk-Treasurer said he reached out to Wicker Park and they are willing to work with the Town but they needed to have more information. They had the same concern with the School Town had, where will the fall-out zone be. He mentioned that the North Township Trustee suggested Highland might considering do what East Chicago does. Rather than one big firework display, they have several smaller displays at the local schools. They said it brings the neighborhoods together. They could use Johnston, Warren, Merkley and Southridge.

Councilor Robertson said he'll try to have more discussions and get some more answers.

Councilor Turich said we need to set a deadline and hold ourselves to it. He said he appreciates the conversation but we need to move past the conversation stage and start to solidify plans.

Councilor Georgeff said the insurance company wanted the fireworks vendor provide additional coverage but as Tom Brown said, if something bad happens, they're coming after the Town.

Councilor Turich asked if Ridge Road is an active roadway, could it be shut down for 20 minutes or 30 minutes to allow the shutting off of the fireworks? They shut down Ridge Road for the Pumpkin Plod.

Chief Potesta said with all that's going on that day, he would be against shutting down Ridge Road.

Councilor Turich wanted to know who said no? Is that an assumption or a known fact?

Chief Potesta said with all that is going on that night and amount of manpower that would be needed to block not only Ridge Road but also the access roads, the directing and redirecting of all that traffic and with people coming from all directions going to the park, it would just be really hard to shutdown Ridge Road.

Councilor Georgeff related a story of his vacation in Las Vegas. Las Vegas Boulevard was closed because of a race. He arrived at the airport at 2:30 in the afternoon and it took him to 7:00 that night to get to his hotel because all the traffic was directed off of Las Vegas Boulevard and onto the side streets.

Councilor Turich didn't think Councilor Georgeff was comparing apples to apples. He said we need to start to eliminate a few locations, those that aren't even feasible. He said if we eliminate a few and hold ourselves to a target, maybe by April 30th we can make a final decision.

Councilor Georgeff said they need to check with the church next to Highland Christian School as it is in the fall-out zone. When he spoke with the head of the congregation, they were not in favor of having the fireworks shot off at Highland Christian.

Councilor Turich asked Councilor Robertson about the quotes for the possible of changing the lighting in downtown Highland. Doug was appreciative that Alex sent out the information over the weekend and he would like to see it on the March 18th study session.

Alex started to explain that last year, one of the projects Main Street started to look at was to add some decorative lighting in downtown Highland. He said he put feelers out to see if it was feasible and what would be the cost. He said he reached out to three (3) contractors and he received back one detail quote, one semi-detailed quote and one that is roundabout. He said he is trying to establish a baseline and then will send out a more formal quote.

Councilor Scheeringa asked Councilor Robertson to work with the Clerk-Treasurer on some funding mechanism and report back by the next study session.

- x. **Discussion:** Highland Neighbors for Sustainability . (Resolution 2022-31 sunset on 12/31/2023). Town Attorney Reed advised that he had completed his review and his partner was currently reviewing the documents.

Councilor Scheeringa asked if there were any additional agenda items. Hearing none, he adjourned the meeting at 7:00 p.m.